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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Ms. EDWARDS of Maryland).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 2, 2009.

I hereby appoint the Honorable DONNA F. EDWARDS to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

HEALTH CARE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Thank you, Madam Speaker.

Everywhere I go in my district, people tell me they are frightened. They are frightened about what is happening in this country. They fear for the future of our country. What they're talking about is that they fear for our freedoms and they fear for the principles that formed this country and have always been the basis on which we've operated. I share that fear; and I believe they should be fearful. And I believe that the greatest fear that we all should have to our freedom comes from this room, this very room, and what may happen later this week in terms of a tax increase bill masquerading as a health care bill. I believe we have more to fear from the potential of that bill passing than we do from any terrorist right now in any country.

In order to help explain some of why we should be fearful, the Republican Conference has gone through Speaker PELOSI's bill—tax bill masquerading as a health care bill—and brought out some pertinent points page by page; and I want to share some of those with people. One of the good things that's happened this year is that people have learned they can read these bills and become familiar with them themselves, so they don't need us to tell them, but it may help to point to specific pages.

Page 94—section 202(c) prohibits the sale of private individual health insurance policies beginning in 2013, forcing individuals to purchase coverage through the Federal Government. We can't make that up. It's right there in the bill.

Page 110—section 222(e) requires the use of Federal dollars to fund abortions through the government-run health plan; and, if the Hyde amendment were ever not renewed, would require the plan to fund elective abortions.

Page 111—section 223 establishes a new board of Federal bureaucrats (the ''Health Benefits Advisory Committee'') to dictate the health plans that all individuals must purchase; and would likely require all Americans to subsidize and purchase plans that cover any abortion.

I think one of the funniest pieces in the bill, if anything can be considered funny, page 122, section 233(a)(3), requires the commissioner, the new insurance czar, to, quote, issue guidance on best practices of plain language writing—this from the same people who wrote a 1,990-page health care bill which is very difficult to read.

Page 1183—section 1904 provides $750 million in Federal funding for a new entitlement program to offer, quote, knowledge of realistic expectations of age-appropriate child behaviors and skills for parents to interact with their child.

Page 1255—sections 2231–2235 makes veterinary students eligible for up to $283 million in Federal scholarship and student loan forgiveness funding.

Page 1432—section 2531 provides incentive payments to States that enact new medical liability laws—but only if such laws, quote, do not limit attorneys' fees or impose caps on damages.

We need medical liability reform. This bill will prevent that from happening. It's a bad bill. The American people should be frightened of it.

OUR NATURAL GAS RESERVES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

Mr. STEARNS. Madam Speaker, thanks to new drilling technologies that are unlocking substantial amounts of natural gas from shale rock, the Nation's estimated gas reserves have surged by 35 percent, according to a recent study. The study conducted by the Potential Gas Committee, the authority on natural gas supplies, has indicated that the United States possesses a total natural gas reserve of 1,836 trillion cubic feet of natural gas, or enough to last almost a century at current consumption rates. This new estimate shows an exceptionally strong and optimistic gas supply picture for this country, according to the report, which is issued every 2 years by a group of academic and industry experts. The new estimate is the highest resource evaluation in the committee's 44-year history and some geologists say even this estimate is too conservative.

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Much of the 35 percent increase comes from estimated gas reserves that are trapped deep in dense shale rock which drilling companies have only recently learned how to tap. Shale formations are deep underground, 6,000 feet or more, and the rock is relatively impermeable. Deep drilling is expensive, and in the past the amount of gas that could be recovered was not sufficient to justify the cost. However, new advances in production techniques have boosted all previous estimates of financially recoverable natural gas.

One shale formation that is receiving new attention is the Marcellus basin, a 400-million-year-old shale formation stretching from New York to West Virginia. That basin alone is believed to hold as much as 500 trillion cubic feet of natural gas, or the approximate equivalent of 80 billion barrels of oil. It's not clear, however, how much of this shale gas is recoverable.

In recent years, natural gas producers have expanded the use of a technique called horizontal drilling. After drilling more than a mile below the Earth's surface to reach the shale layer below, a drill operator then slowly steers the drill bit to one side until it is heading sideways across the shale layer. This technique allows access to more of the shale than a traditional vertical well could provide. However, even with this new technique, the density of shale rock still traps most of the gas. Producers therefore use a process called hydraulic fracturing in which a water-and-sand mixture is forced at very high pressure into the well that creates millions of tiny cracks in the rock, enabling more of the gas to be released. And while shale gas only provides a small fraction of the Nation's total gas production, many experts believe the rising supply of natural gas means it can be substituted for other fossil fuels.

Natural gas can also serve as a bridge between our current energy feedstocks and renewable energy production. According to Guy Caruso, the former administrator of the Energy Information Administration, ''natural gas has a role to play as a bridge because of the long lead time and scalability issues of renewable fuels. It's nice to have aspirations about renewable energy and efficiency, but we need to recognize these long-term goals and that we need something to get us there in the meantime.''

As an energy source, natural gas is cheaper than oil, and when burned it emits 30 percent less carbon dioxide than oil and 45 percent less carbon dioxide than coal on an energy equivalent basis. Natural gas is also highly efficient. Approximately 90 percent of the natural gas produced is delivered to consumers as useful energy. In contrast, only about 30 percent of the energy converted to electricity in conventional generating facilities ever reaches consumers. And with 84 percent of the natural gas consumed in the United States being produced domestically, an increase in the use of natural gas would not only dramatically lower greenhouse gas emissions but it would also reduce our dependence on foreign oil.

Natural gas powered vehicles in use today are also helping to improve air quality by displacing petroleum powered vehicles which contribute about three-fourths of the carbon dioxide pollution found in urban areas. According to NGV America, one of out of every 10 transit buses and over 130,000 additional school buses, taxicabs, garbage trucks and other vehicles on U.S. roads are already fueled with cleaner burning natural gas. In fact, in 2008, the use of natural gas vehicles displaced almost 300 million gallons of petroleum use in the United States.

Using natural gas instead of coal or oil is a low-cost, low-emissions solution for reducing our Nation's dependence on foreign energy sources while also reducing our greenhouse gas emissions.

YEMEN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 5 minutes.

Mr. WOLF. Thank you, Madam Speaker.

To meet the President's deadline for closing Guantanamo, there has been a rush during the past 2 months to transfer as many detainees as possible to their home countries, or to a third country that would accept them.

On September 26, the administration announced that a detainee named Alla Ali Bin Ali Ahmed was transferred to Yemen. The announcement did not reveal the terms of his transfer but said the United States has coordinated with the Yemeni Government to ensure that the transfer took place under, quote, appropriate security measures.

There is an ongoing and very real concern about detainees returning to terrorism. According to data from the Department of Defense, at least 15 percent of former Guantanamo detainees have returned to terrorist activity. The 15 percent that have returned to terrorism following release were merely those detainees who were perceived to be low security risks. That's why they were released years ago. The detainees pending release now are the worst of the worst. Their recidivism rate may be much higher than 15 percent.

If these detainees are to be transferred, they should go only to governments that are willing and able to try, detain, rehabilitate or monitor them. Yemen does not meet that standard. An economic crisis, domestic security challenges, and Islamic terrorism are right now threatening to overwhelm the Yemeni Government. The FBI director recently highlighted Yemen as an area of persistent al Qaeda activity. Al Qaeda in the Arabian Peninsula openly advertises their intent to attack the United States and our overseas interests, and is able to work in relative freedom in Yemen. Counterterrorism measures in Saudi Arabia have forced extremists to seek refuge abroad, and many have relocated to Yemen's ungoverned areas. Known al Qaeda terrorists, including USS *Cole* bombers, have escaped from prison in Yemen to return to terrorism. The Christian Science Monitor reported last month of the rising threat to Saudi Arabia from the deteriorating security situation in Yemen. Saudi police prevented a bomb attack on October 13, and one of the perpetrators was a former Guantanamo detainee who entered the country from Yemen.

The bottom line is that terrorist detainees should not be sent to Yemen where al Qaeda operates freely and the government appears unable to control their actions and movements. Reuters has reported that the Obama administration has already cleared 75 of the remaining detainees for transfer abroad, and that includes 26 detainees from Yemen. Based on what we know, this administration is planning to send more, perhaps many more, detainees to this lawless country, increasing the risk of future terrorist attacks on Americans.

The administration should immediately terminate the return of detainees to Yemen, and the congressional committees of jurisdiction should investigate and demand a full justification. The release of any detainee to Yemen represents a potentially dangerous threat to the United States and U.S. citizens, both military and civilian.

As of now, the administration has gone down a dangerous road, and Congress is idly allowing them to make these misguided decisions.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 44 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LUJÁN) at 2 p.m.

PRAYER

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

The prophet Isaiah has said, ''God will destroy death forever; the Lord will wipe away the tears from all faces; the reproach of His people He will remove from over the Earth, for the Lord has spoken.''

O, God, source of forgiveness and the salvation of all, hear our prayer today as we call to mind all those who have served in the House of Representatives

in the past and who are departed from this world. Forgive their offenses as well as their omissions now, and reward them for all their efforts in public service on behalf of others.

Because You are the glory of believers, the life of the just and the consolation for all who mourn, Lord, grant Your peace to all the faithful departed that they may now enter Your eternal kingdom where You live and reign forever and ever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WALZ 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.

DON'T BE FOOLED BY THE PELOSI-CARE HEALTH BILL

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

Mr. BOOZMAN. Mr. Speaker, don't be fooled by the introduction of the newest health care bill supported by Speaker PELOSI. It is no more than the same bill millions of Americans spoke against in August but reintroduced with a different name and a different number.

No matter what it is called, the disguise hasn't tricked the residents of the Third District of Arkansas. Over the weekend, I received over 200 e-mails, and the overwhelming majority of those are from my constituents who are very much in opposition to this plan.

Instead of creating taxes, entitlement programs and redtape to reform health care, we need to let families and businesses buy health insurance across State lines; allow small businesses to pool together to buy health insurance at a lower cost; and end lawsuits that contribute to the costs because of doctors being forced to practice defensive medicine.

Mr. Speaker, we can and need to do a better job for the American people. Let's create real reform, not more problems to fix down the road.

HEALTH CARE

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

Mr. COLE. Mr. Speaker, I rise again today to speak against the Democrats' proposed health care plan. Frankly, it's hard to understand who my colleagues on the other side of the aisle are listening to. Certainly, it's not my constituents.

Their concerns, like those of millions of Americans, have been ignored as this bill has been written. The same provisions that caused the concerns and the fears that I heard in August town hall meetings are still in the ''new bill.''

Overwhelmingly, the American people have said ''no'' to government-run health insurance, but it's still in the bill. Also in the ''new bill'' are the same higher taxes for employers and individuals, taxes which will kill jobs. These are the very employers and individuals suffering from double-digit unemployment in many States today.

Maybe after several months, Mr. Speaker, some have found it easy to forget what they heard in August, but I haven't. This new bill is just more of the same, more backroom-brokered deals deciding the fate of millions of Americans. The only noticeable change in this bill is the addition of an extra 1,000 pages or so.

Americans deserve health care reform. Hopefully, they will get it.

THE PELOSI PLAN FOR THE GOVERNMENT TAKEOVER OF 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, now comes the Pelosi plan for the government takeover of health care. It is a freight train of runaway spending, bloated bureaucracy, mandates, and higher taxes. If the liberals in Washington, D.C. have their way, they will forever change the relationship between government and we, the people, as it pertains to the health care of this Nation.

Now, the Republicans in Congress who are standing in the gap can't do this alone, but I often tell my colleagues: a minority in Congress plus the American people equals a majority. We, the people, have the power to stop the Pelosi health care plan in an effort to nationalize one-sixth of our Nation's economy. We, the people, have the ability to protect the finest health care system the world has ever known and to demand real health care reform that will reduce the cost of health care without growing government.

I appeal to my fellow Americans, not as Republicans or Democrats: if you cherish freedom, if you fear the crushing weight of Big Government, debt, mandates, and taxes, this is your moment. Now is your time; let your voice be heard.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 30, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 30, 2009, at 9:33 a.m.:

That the Senate passed with an amendment H.R. 1299.

That the Senate passed without amendment H.R. 3606.

That the Senate concurred to the House amendment to the bill S. 1929.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by the Speaker on Friday, October 30, 2009:

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;

H.R. 3606, to amend the Truth in Lending Act to make a technical correction to an amendment made by the Credit CARD Act of 2009;

S. 1929, 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

MILITARY SPOUSES RESIDENCY RELIEF ACT

Mr. CARSON of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (S. 475) to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 475

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 ''Military Spouses Residency Relief Act''.

SEC. 2. GUARANTEE OF RESIDENCY FOR SPOUSES OF MILITARY PERSONNEL FOR VOTING PURPOSES.

(a) IN GENERAL.—Section 705 of the Servicemembers Civil Relief Act (50 U.S.C. App. 595) is amended—

(1) by striking ''For'' and inserting the following:

''(a) IN GENERAL.—For'';

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

''(b) SPOUSES.—For the purposes of voting for any Federal office (as defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)) or a State or local office, a person who is absent from a State because the person is accompanying the person's spouse who is absent from that same State in compliance with military or naval orders shall not, solely by reason of that absence—

''(1) be deemed to have lost a residence or domicile in that State, without regard to whether or not the person intends to return to that State;

''(2) be deemed to have acquired a residence or domicile in any other State; or

''(3) be deemed to have become a resident in or a resident of any other State.''; and

(3) in the section heading, by inserting ''**AND SPOUSES OF MILITARY PERSONNEL**'' before the period at the end.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act (50 U.S.C. App. 501) is amended by striking the item relating to section 705 and inserting the following new item:

''Sec. 705. Guarantee of residency for military personnel and spouses of military personnel.''.

(c) APPLICATION.—Subsection (b) of section 705 of such Act (50 U.S.C. App. 595), as added by subsection (a) of this section, shall apply with respect to absences from States described in such subsection (b) on or after the date of the enactment of this Act, regardless of the date of the military or naval order concerned.

SEC. 3. DETERMINATION FOR TAX PURPOSES OF RESIDENCE OF SPOUSES OF MILITARY PERSONNEL.

(a) IN GENERAL.—Section 511 of the Servicemembers Civil Relief Act (50 U.S.C. App. 571) is amended—

(1) in subsection (a)—

(A) by striking ''A servicemember'' and inserting the following:

''(1) IN GENERAL.—A servicemember''; and

(B) by adding at the end the following:

''(2) SPOUSES.—A spouse of a servicemember shall neither lose nor acquire a residence or domicile for purposes of taxation with respect to the person, personal property, or income of the spouse by reason of being absent or present in any tax jurisdiction of the United States solely to be with the servicemember in compliance with the servicemember's military orders if the residence or domicile, as the case may be, is the same for the servicemember and the spouse.'';

(2) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g), respectively;

(3) by inserting after subsection (b) the following new subsection:

''(c) INCOME OF A MILITARY SPOUSE.—Income for services performed by the spouse of a servicemember shall not be deemed to be income for services performed or from sources within a tax jurisdiction of the United States if the spouse is not a resident or domiciliary of the jurisdiction in which the income is earned because the spouse is in the jurisdiction solely to be with the servicemember serving in compliance with military orders.''; and

(4) in subsection (d), as redesignated by paragraph (2)—

(A) in paragraph (1), by inserting ''or the spouse of a servicemember'' after ''The personal property of a servicemember''; and

(B) in paragraph (2), by inserting ''or the spouse's'' after ''servicemember's''.

(b) APPLICATION.—Subsections (a)(2) and (c) of section 511 of such Act (50 U.S.C. App. 571), as added by subsection (a) of this section, and the amendments made to such section 511 by subsection (a)(4) of this section, shall apply with respect to any return of State or local income tax filed for any taxable year beginning with the taxable year that includes the date of the enactment of this Act.

SEC. 4. SUSPENSION OF LAND RIGHTS RESIDENCY REQUIREMENT FOR SPOUSES OF MILITARY PERSONNEL.

(a) IN GENERAL.—Section 508 of the Servicemembers Civil Relief Act (50 U.S.C. App. 568) is amended in subsection (b) by inserting ''or the spouse of such servicemember'' after ''a servicemember in military service''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply with respect to servicemembers in military service (as defined in section 101 of such Act (50 U.S.C. App. 511)) on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. CARSON) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. CARSON of Indiana. I yield myself such time as I may consume.

Mr. Speaker, I would like to thank Senator RICHARD BURR of North Carolina for introducing Senate bill 475, the Military Spouses Residency Relief Act. The House version of this legislation was introduced by Mr. CARTER of Texas.

As many of my colleagues know, the sacrifices that military children and spouses have to make in order to stay as one united family are difficult. This is especially true at a time when our country is fighting to protect freedom at home and abroad.

Senate bill 475 seeks to provide military spouses with the option to keep the same voting rights and tax conditions as afforded in their home States or to allow them to change to the new States where they will be reunited with a servicemember.

A military spouse who often accompanies a servicemember from one duty station to another is required to pay income and personal property taxes of the State in which they currently reside. On the other hand, the Servicemembers Civil Relief Act provides our men and women in uniform the option of paying taxes to the States where they originated prior to military service or to pay taxes to the States in which they currently reside due to military service, lessening the need to hire accountants to review tax regulations of their home States, which can at times be multiple States. This will help keep their tax preparation simple and familiar, reducing the stress family members encounter when filing State taxes.

Mr. Speaker, the intent of this legislation is very simple. We need to recognize that military families serve too. It is only fitting to provide military spouses with the ability to retain certain State residency benefits which are already afforded to our men and women in uniform under the Servicemembers Civil Relief Act.

Again, I would like to thank my colleagues in the Senate for working on this legislation so we may provide relief for our military families. I urge all of my colleagues to join me in support of this bill.

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

PARLIAMENTARY INQUIRIES

Mr. STEARNS. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. STEARNS. I notice that the gentleman who is advocating on the Democrats' side is not a member of the Veterans' Affairs Committee, at least not to my knowledge.

Under the rules of the House, is this appropriate that a Member who is not on the committee in which the bill has passed through and has jurisdiction is the advocate for the Democrats in this case?

The SPEAKER pro tempore. Recognition for the motion is in the discretion of the Chair.

Mr. STEARNS. So, if I understand the Speaker, the Chair, at his discretion, can decide who can be the spokesman for the bill even if the person is not on the committee?

The SPEAKER pro tempore. The Chair may exercise discretion in recognizing Members to offer such motions.

Mr. STEARNS. A further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. STEARNS. Is this customary, or is this an unusual situation? I don't need a long dissertation, just a ''yes'' or ''no'' as to whether it is customary.

The SPEAKER pro tempore. The discretion of the chair in recognizing Members is well settled.

Mr. STEARNS. So what you are saying is you can do it, but you are not willing to answer the question as to whether this is customary or not, because I've been here 20 years, and I have not seen this in the 20 years I have been here.

The SPEAKER pro tempore. It is customary that the chair use his discretion in recognizing Members to offer such motions.

Mr. STEARNS. Mr. Speaker, I yield myself such time as I might consume.

I rise in support of S. 475, the Military Spouses Residency Relief Act.

I want to thank the ranking member of the Senate Committee on Veterans' Affairs, Senator BURR, for sponsoring this legislation. I also want to recognize and thank Mr. JOHN CARTER of Texas for his support on this issue by introducing the companion House bill, H.R. 1182. It has 206 bipartisan cosponsors, and I am proud to be one of those.

Mr. Speaker, by its very nature, military service requires a significant sacrifice in terms of the quality of family life, especially of the spouses of servicemembers. Because servicemembers are routinely subject to transfer within and outside the continental United States, often with very short notice, spouses often find it difficult to obtain and/or to retain suitable employment.

However, military spouses are not covered by the same residency protections that are available to the servicemembers under the Servicemembers Civil Relief Act. As a result, State laws regarding taxation, voting and ownership of property are often applied differently to the spouse and the servicemember. The SCRA allows servicemembers to determine their permanent residencies or domiciliaries. By allowing this, SCRA protects servicemembers from State taxation, property ownership, and voting laws that are not in their permanent residencies or domiciliaries.

Because the law is silent to spouses in these matters, they do not receive the same protection as servicemembers. Therefore, they can be subject to States which aggressively seek to impose residency related to income and property ownership laws, despite, my colleagues, the fact that they no longer reside in the States due to the spouses' military orders.

S. 475 addresses this issue by giving military spouses a choice to use either their current addresses where they are stationed because of their spouses' military orders or their permanent addresses to determine their residencies or domiciliaries for voting in any municipal, State, or Federal election.

Simply, the bill would allow spouses to determine their residencies in the same manner as servicemembers regarding taxation, voting, and ownership of property with respect to land-use rights on Federal owned or controlled land in the same manner as servicemembers under section 508 of SCRA.

My colleagues, this is a commonsense solution to give military spouses who have already sacrificed so much for the Nation the protection that servicemembers have when it comes to local residency laws related to taxation and voting.

So, again, I want to compliment Senator BURR and also, for the companion bill in the House, Mr. CARTER of Texas, for their sponsorship of this bill; and I urge my colleagues to support it.

I reserve the balance of my time.

□ 1415

Mr. CARSON of Indiana. Mr. Speaker, I have no further speakers.

I reserve the balance of my time

Mr. STEARNS. It's my honor to yield as much time as he may consume to the author of the companion bill, which is H.R. 1182, the sponsor, Mr. JOHN CARTER of Texas.

Mr. CARTER. Mr. Speaker, this is an exciting day for me. I was the author of this bill. I have been dealing with the gentlewomen who brought this to my attention a long time ago, and it's coming to fruition today, and I am pleased and honored.

I am the author of the identical companion bill, H.R. 1182. I represent Fort Hood, Texas, which is a pretty good-sized military base in the United States, the largest. I rise in support of these military spouses for this Military Spouses Residency Relief Act.

First, I want to thank everyone who has worked on this bill and worked hard to bring it to this point. Senator BURR and Senator FEINSTEIN over on the Senate side took up this cause and shepherded it and got it through the Senate, and this past-due reform is now before us today. I would also like to thank Chairman FILNER for supporting our military spouses and requesting the bill be taken up today.

We greatly appreciate all the VSOs who lent their support, including the Military Officers Association of America, the Air Force Sergeants Association, AMVETS, the VFW, and the Military Spouse Business Association. Above all, I would like to thank all the military spouses who have encouraged me and who encourage their Representatives and Senators to support this bill.

Finally, I would like to extend a very special thanks to Rebecca Poynter and Joanna Williamson, two entrepreneurial spouses who brought this issue to me and devoted so much of their time working with all the Members that are involved to get this bill passed. This is their baby, and they should be recognized.

This small measure will provide invaluable relief to numerous military spouses who regularly uproot their entire lives to accommodate our Armed Forces. When I first heard this story, I was shocked that there was such a difference between husband and wife, the two spouses, as it relates to the benefits we give them in the military.

The Servicemembers Civil Relief Act provides for basic civil relief to our men and women of the armed services in exchange for their voluntary service. These range from relief from adjudication while deployed in combat to maintaining a single State of domicile, regardless of where their military orders may send them.

This State of domicile provides an important stability for our soldiers, airmen, marines, and sailors. Though their orders may send them to numerous places or numerous States, they are able to simplify their State income tax requirements, maintain their property titles, and continue to vote for their Member of Congress or their elected official back home. Without SCRA protections, the servicemembers would have to deal with all those every time they move to military installations located in different States.

But spouses do have to deal with those every time they move to different States, and the spouses deal with these stresses even while faced with the challenge of moving, finding schools for children, balancing some unsupported relocation costs and the loss of a spouse's earnings as they leave the job to join the servicemember.

This bill would amend the SCRA to allow military spouses to claim the same domicile as the servicemember for the purpose of State income and property taxes, as well as voter registration. Spouses could elect to stand united with their spouse, not only in support of our country, but in sharing the same State as the home base. This reform would prevent a military family from suddenly losing up to 10 percent of their income if they are called upon to relocate to a different State. This is a significant loss of income that occurs as a direct result of governmental orders.

S. 475 would also provide the impetus for military spouses to put their names on deeds and titles, which would build and strengthen their own credit and further ensure their legal protection.

This Veterans Day, which is coming up the 11th of this month, next week, I will ask each and every one of us to not only remember our servicemembers current and past, but take a moment to remember the military spouses who have sacrificed for and supported our soldiers.

Keeping that in mind, I ask my colleagues to grant this valuable relief to our military families and to support the passage of the Military Spouses Residency Relief Act.

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

Mr. STEARNS. We have no further speakers.

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

GENERAL LEAVE

Mr. CARSON of Indiana. 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 S. 475.

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

There was no objection.

Mr. CARSON of Indiana. Mr. Speaker, I urge my colleagues to unanimously support S. 475.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. CARSON) that the House suspend the rules and pass the bill, S. 475.

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.

UNITED STATES SUBMARINE FORCE

Mr. WALZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 773) expressing the sense of the House of Representatives with respect to the United States Submarine Force.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 773

Whereas 100 years ago, American naval officials who witnessed a submarine, the ''Holland VI'', submerge and surface in the Potomac River knew this was the first successful United States submarine that would inspire the powerful undersea fighting force that would contribute so much to the United States victory in World War II;

Whereas during World War II, the United States Submarine Force served with honor and valor to protect and preserve the freedoms of the United States, as well as those of the allies of the United States;

Whereas the War in the Pacific could not have been won without the efforts of the United States Submarine Force;

Whereas during World War II, the United States Submarine Force comprised less than two percent of the Navy's fleet;

Whereas during World War II, United States submariners were to suffocate Japan's military industry, cut its oil supply, starve it, and prevent mass troop movements by sea, all by sinking the Japanese merchant fleet on which it was so dependent as a nation of islands;

Whereas during World War II, United States submariners sank over 30 percent of the Japanese Navy including eight aircraft carriers, one battleship and 11 cruisers, and more importantly, the Submarine Force sank 1,300 Japanese merchant ships totaling approximately 5,000,000 tons, which was almost 60 percent of the Empire's total merchant ship losses;

Whereas losses inflicted by the United States Submarine Force contributed to the devastation of the Japanese industrial power that effectively eliminated the ability of the enemy to sustain combat forces and replace losses of ships and aircraft;

Whereas World War II diesel-electric submarines had limited underwater speed, range, and endurance and usually sailed on the surface, where they were vulnerable to enemy attack;

Whereas 52 American submarines were lost during World War II, 49 in the Pacific;

Whereas the United States Submarine Force suffered the highest percentage of losses of any branch of the Armed Services;

Whereas during World War II, approximately 3,500 submariners made the ultimate sacrifice;

Whereas United States submariners were going to war, trusting their lives to a weapon, the torpedo, that, particularly in 1942 through 1943, was unreliable, and could even turn against them by running erratically in a circular path;

Whereas submarines played both humane and special operations roles in their campaign against Japan, and in many of the hardest fought battles of the war, submarine crews rescued unlucky carrier pilots who ended up in the sea, like future United States President George H. W. Bush; and

Whereas members of the Submarine Forces, known as the ''silent service'', assumed the difficult task of pioneering a new way of fighting so as to protect the liberties and freedoms of the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) is committed to promoting and sustaining the spirit of unity shared by members of the United States Submarine Force;

(2) is committed to paying tribute once again to the seven submariners who were awarded the Medal of Honor, including two who were awarded the medal posthumously;

(3) wishes to help keep alive the memory of the Submarine Force veterans and honor their service just as their fellow shipmates do at their gatherings by performing the ceremony known as the ''Tolling of the Boats''; and

(4) is committed to keeping alive their memory so that the American people never forget their courage and sacrifice.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. WALZ. Mr. Speaker, I yield myself as much time as I may consume.

Just to the gentleman from Florida, your earlier inquiry, I apologize for not talking to you. The staff built in redundancies. Flying out of Minneapolis has been somewhat of a challenge recently, assuming they get to the airport in the original path, so the staff arranged to have another Member here.

Mr. STEARNS. Will the gentleman yield?

Mr. WALZ. Yes.

Mr. STEARNS. Let me just say how delighted I am to have the gentleman on the floor. Mr. WALZ is the highest NCO that has ever served in Congress. He was a command sergeant major, I think an E–9, so it is with a great deal of respect, for anybody who has served in the military like I have in the United States Air Force, that we look to gentlemen like Mr. WALZ.

We appreciate his participation on the Veterans' Affairs Committee. I am delighted he is here and is taking over this jurisdiction, which is important on these 13 bills.

Mr. WALZ. Well, I thank the gentleman for his kind words and, again, appreciate the tireless work he does for the veterans. It's a great testament, and the folks in Florida are lucky to have you there.

The United States Submarine Force was a vital component to winning the war in the Pacific during World War II. The war simply could not have been won without this powerful undersea fighting force.

Although the Submarine Force comprised a little less than 2 percent of the Navy's fleet during World War II, they played a crucial role in effectively eliminating up to 30 percent of the Imperial Japanese Navy, reducing Japan's ability to sustain their combat forces.

Day after day, the submariners entrusted their lives on unreliable torpedos to protect them as they fought to protect the liberties and freedom of the United States. For their courage and valor that runs deep, the United States Submarine Force should be commended by the House of Representatives.

House Resolution 773 resolves that the House of Representatives is committed to keeping alive their memory so that the American people never forget their courage and sacrifice. We will give honor to the 52 American submarines that were lost during World War II and the 3,500 submariners who have made the ultimate sacrifice to protect the freedoms of this great Nation.

The seven brave submariners who were awarded the Medal of Honor are: John Cromwell, Samuel Dealey, Eugene Fluckey, Howard Gilmore, Richard O'Kane, Lawson Ramage and George Street. Their courageous fighting spirit going above and beyond the call of duty is recognized and highly respected. Servicemembers like them have set the example that our Armed Forces follow.

The contributions of the United States Submarine Force were momentous and critical to winning World War II. They exemplify the legacy of commitment to guard our freedom.

I support House Resolution 773 that expresses the sense of the House of Representatives with respect to the United States Submarine Force. We should be committed to sustain our submariners force of spirit, unity, courage, and sacrifice they have given for this great Nation.

I also want to thank the gentleman from Arkansas for introducing this important piece of remembrance and commemoration.

I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I yield myself as much time as I may consume.

I also rise in strong support of H. Res. 773, a resolution expressing the sense of the House of Representatives with respect to the United States Submarine Force. This resolution honors these servicemembers who served their country during World War II in the most unique of circumstances.

Mr. Speaker, I would like to thank my colleague Mr. BOOZMAN of Arkansas, as mentioned earlier, for introducing this legislation, and I will shortly yield to him for further remarks on this resolution.

I want to thank the chairman, Mr. FILNER, and also Ranking Member BUYER for moving the bill so promptly to the floor for consideration.

I urge my colleagues to support H. Res. 773.

I reserve the balance of my time.

Mr. WALZ. I continue to reserve my time, Mr. Speaker.

Mr. STEARNS. Mr. Speaker, I yield to the author of the bill, Mr. BOOZMAN of Arkansas, for such time as he may consume.

Mr. BOOZMAN. Mr. Speaker, I rise in strong support of H. Res. 773, a resolution expressing the sense of the House of Representatives with respect to the valiant service of the United States Submarine Force during World War II.

As we approach Veterans Day, it is fitting that the House honor Americans who serve their country under the most unique of circumstances.

Earlier this year, we honored those servicemembers who participated in the D-day operations. Yet there is another group who faced incredible challenges and danger to ensure that victory would be possible for the United States and our allies during World War II, the United States Submarine Force.

Mr. Speaker, it is a special individual who will climb into a tightly confined space and willingly go deep underwater to serve the Nation. Today's nuclear submarines are a high-tech marvel, able to submerge for months at a time, cruise beneath the polarized caps, and carry strategic and tactical weapons of unbelievable power. But that was not always the case.

The first submarine used for military purposes was built in 1776 by David Bushnell. His Turtle was a one-man wooden submarine powered by hand-turned propellers and was used during the American Revolution against British warships.

During the Civil War, the use of submarines came into play again when the Union fielded the French-designed Alligator, which was the first U.S. Navy submarine to feature compressed air for air supply. The Confederacy also fielded several human-powered submarines, including the Hunley in Charleston Harbor.

Submarines saw much greater use during World War I, but it wasn't until World War II that the technological development of submarines enabled them to become a capable and feared weapons system.

During the Second World War, 314 submarines served in the United States Navy, including many built at the end of World War I. This force comprised less than 2 percent of the U.S. Navy ships, but they sank over 30 percent of Japan's navy, including eight aircraft carriers. More important, American submarines virtually strangled the Japanese economy by sinking almost 5 billion tons of shipping, over 60 percent of the Japanese merchant marine. Serving in many of the hardest fought battles of the war as part of the ''silent service,'' the submarine crews rescued unlucky carrier pilots who ended up in the sea, like the future President of the United States, George H.W. Bush.

But victory at sea did not come cheaply. The Submarine Force lost 52 boats and 3,506 men during World War II. Just a few weeks ago, I had the good fortune of meeting a number of our World War II veterans from northwest Arkansas as they left the airport to visit Washington, DC, as part of the Honor Flight program. These brave men, many of whom were just boys at the time, answered the call of duty and changed the course of history through their selfless action and love for their country.

It was also a great honor to be able to attend the decommissioning ceremony for World War II Submarine Veterans, Diamond Chapter, hosted by the USS Snook Base of the United States Submarine Veterans in Rogers, Arkansas, last month. There, I had the privilege to recognize many of Arkansas' surviving submarine veterans and thank them for their efforts firsthand.

□ 1430

A special thanks goes to former submariner Pete Rathmell for making the event happen.

Mr. Speaker, I would like to thank Chairman FILNER and Ranking Member BUYER for the opportunity to honor the ''silent service'' of World War II. I would also like to take this opportunity to thank Mr. SESTAK for his leadership in working with me on this legislation, and express my appreciation for the support of all the other cosponsors of the resolution.

I urge all of my colleagues to support H. Res. 773.

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

GENERAL LEAVE

Mr. WALZ. 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 House Resolution 773.

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

There was no objection.

Mr. WALZ. Mr. Speaker, I want to thank Mr. BOOZMAN and Mr. SESTAK again, continuously on the forefront of making sure the respect shown to our veterans and the benefits that they have earned are there, and I urge my colleagues to unanimously support H. Res. 773.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and agree to the resolution, H. Res. 773.

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.

VETERANS RETRAINING ACT OF 2009

Mr. WALZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1168) to amend chapter 42 of title 38, United States Code, to provide certain veterans with employment training assistance, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1168

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 ''Veterans Retraining Act of 2009''.

SEC. 2. EMPLOYMENT TRAINING ASSISTANCE.

(a) IN GENERAL.—Chapter 42 of title 38, United States Code, is amended by adding at the end the following new section:

''§4216. Employment Training Assistance for Unemployed Veterans.

''(a) MONTHLY TRAINING ASSISTANCE ALLOWANCE.—Subject to the availability of appropriations for such purpose, the Secretary of Labor may pay to each covered veteran a monthly training assistance allowance under this section for each month that a covered veteran is enrolled in an employment and training program that teaches a skill in demand, as determined by the Secretary.

''(b) AMOUNT.—The amount of the training assistance allowance under this section is the amount equal to the monthly amount of the basic allowance for housing payable under section 403 of title 37 for a member of the Armed Forces with dependents in pay grade E–5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which the veteran resides.

''(c) DURATION.—A covered veteran may receive training assistance under this section for not more than six months during each 10-year period beginning on the date in which the covered veteran first receives training allowance under this section.

''(d) MOVING STIPEND.—Subject to the availability of appropriations for such purpose, in addition to the training assistance allowance payable under subsection (a), the Secretary may reimburse each covered veteran, in an amount not to exceed $5,000, for moving expenses related to the veteran's receipt of training for which an allowance is paid under this section.

''(e) COVERED VETERAN DEFINED.—In this section, the term 'covered veteran' means a veteran who is—

''(1) unemployed for a period of not less than four consecutive months at the time of applying for training assistance under this section;

''(2) able to successfully complete the employment and training program described in subsection (a), as determined by the Secretary; and

''(3) except as provided under this section, ineligible for education or training assistance under this title.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000,000 for each fiscal year.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 42 of title 38, United States Code, is amended by adding at the end the following new item:

''4216. Employment training assistance for unemployed veterans.''.

(c) EFFECTIVE DATE.—Section 4216 of title 38, United States Code, as added by subsection (a), shall apply with respect to months beginning on or after the first day of fiscal year 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Again, I thank my colleagues from Florida and Arkansas for introducing an incredibly important piece of legislation.

H.R. 1168 is a much-needed piece of legislation to address the job retraining needs of America's veterans. Just this month, the Department of Labor reported that more than 30,000 recently

discharged veterans have filed for unemployment insurance benefits. Furthermore, as of September 2009, the Bureau of Labor Statistics indicated that 990,000 veterans were unemployed.

Mr. Speaker, these numbers are significant, and they demonstrate an immediate need to help our veterans receive the essential training needed to get their skills so they can be employed in a meaningful manner. We know the employment training programs can be effective in providing job counseling and retraining, an important part of successful transition to a civilian career.

H.R. 1168 goes one step further in support of veterans. The Veterans Retraining Act of 2009 would provide a stipend to veterans who are enrolled in employment and training programs to help cover living expenses and moving costs so veterans can move to an area where there is a demand for their newly acquired military skills.

This bill is good for the veteran, good for the underserved skill sector, and it is good for the country. Our veterans have invested in our country, and this legislation invests in our veterans.

H.R. 1168 is the result of continuously bipartisan work between the Economic Opportunity Subcommittee chairwoman, STEPHANIE HERSETH SANDLIN, and the ranking member, Mr. BOOZMAN. I applaud both Mr. BOOZMAN and Ms. HERSETH SANDLIN for their leadership on the issue, their dedication to our veterans, and the example they set in the Veterans' Affairs Committee of bipartisan work for our veterans.

I urge all my colleagues to join me in support of this bill.

I reserve the balance of my time.

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

I also rise in support of this bill, H.R. 1168, as amended, the Veterans Retraining Act of 2009. It is unfortunate this wasn't part of the stimulus package, because I think this could have been handled appropriately there. We have got a CBO estimate, but it is an authorization bill, and it is not an appropriations bill. But I think this is the kind of thing that would have been very pertinent to the stimulus bill.

This would amend chapter 42 of title 38, United States Code, to provide eligible veterans with employment training assistance.

Mr. Speaker, helping our returning veterans get back into the workforce is of the utmost importance. I believe this legislation will further that cause when, because of the recession, the unemployment level, particularly among veterans, continues to reach unacceptable levels.

I will be yielding shortly to the author of the bill, Mr. BOOZMAN, for a fuller explanation, but I would like to thank him for offering this bill, and also, as Mr. WALZ had mentioned, Ms. HERSETH SANDLIN and the Subcommittee on Economic Opportunity for moving this bill through the legislative process, and also thank the chairman and the ranking member for their support.

We must do more, obviously, to help our veterans today who have been hit especially hard by these tough economic times, particularly when they come back from Iraq or Afghanistan.

So I urge my colleagues to support H.R. 1168, as amended.

I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, it is a real pleasure at this time to yield such time as she may consume to the coauthor of this bill, a tireless and effective advocate for our veterans and my colleague from right next door in South Dakota, Ms. HERSETH SANDLIN.

Ms. HERSETH SANDLIN. Mr. Speaker, I thank my good friend for yielding, for his service to our country, and for his tireless advocacy on behalf our Nation's veterans.

I rise today in strong support of H.R. 1168, the Veterans Retraining Act of 2009, which the Veterans' Affairs Economic Opportunity Subcommittee passed on October 8 and the full committee approved last week. I would like to thank the ranking member of the Economic Opportunity Subcommittee, Mr. BOOZMAN, for his outstanding leadership in introducing this important legislation, and full committee Chairman FILNER and Ranking Member BUYER for their leadership as well and their support of this legislation.

The bill offers important updates to the employment training assistance available to veterans. It directs the Secretary of Labor to provide a monthly assistance allowance to veterans who are enrolled in an employment and training program. It teaches a skill in demand.

In addition, the veteran would be eligible to receive a monthly housing allowance, as well as a moving stipend of up to $5,000 for moving expenses directly related to the receipt of this training. In order to be eligible for this assistance, veterans must be unemployed for no less than four months and ineligible for other education and training assistance.

Employment assistance is one of the essential benefits that our country gives its veterans. These benefits help our veterans adjust to life outside of the military and successfully transfer the skills and experience they acquired while serving in the Armed Forces to the civilian job force.

Again, I want to thank Chairman FILNER and particularly the hard work of Ranking Member BOOZMAN for their support on this issue, and I urge all of my colleagues to support this legislation.

Mr. STEARNS. Mr. Speaker, I yield such time as he may consume to the author of the bill, the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, I want to thank Chairman FILNER, Chairwoman HERSETH SANDLIN and Ranking Member BUYER for bringing H.R. 1168, as amended, the Veterans Retraining Act of 2009, to the floor.

I introduced this bill to encourage veterans to enroll in job training programs offered by the Department of Labor that train participants for jobs in the new economy.

In 2002, Congress enacted the Jobs for Veterans Act which gave covered veterans priority access to job training programs sponsored by the Department of Labor. Unfortunately, just as in other sectors of the workforce, veterans too have been forced to join the lines of the unemployed.

According to Bureau of Labor Statistics data for September 2009, 990,000 veterans were out of work, for an unemployment rate of 8.3 percent, the highest in decades. Of that number, nearly 600,000 were between the ages of 35 and 64, the years of prime earning power as well as peak financial obligations. These is also the group of veterans who no longer have access to any VA education or training programs. So while veterans may have priority access to training programs, the need to provide some income to the family while training is the prime goal of H.R. 1168, as amended,

To meet that goal, H.R. 1168, as amended, authorizes $100 million per year to provide a living stipend and moving assistance to veterans who have been unemployed for at least 4 months, who are not eligible for training or education under title 38, and are enrolled in a U.S. Department of Labor retraining program. The amount of the living stipend would mirror that given to post-9/11 GI Bill participants.

The moving assistance is intended to help a newly trained veteran who lives in an area of high unemployment to move to an area where there is a demand for the veteran's skills. It is my hope that H.R. 1168, as amended, will be a step towards providing veterans with new skill sets and the ability to locate where the jobs are plentiful.

I want to especially thank Ms. HERSETH SANDLIN for her help and leadership on this bill and just in general her leadership on our subcommittee. I also appreciate Chairman FILNER and Ranking Member BUYER for bringing this bill forward to the floor.

As always, I want to thank the staff for your efforts. We don't do that enough. We really appreciate your efforts on behalf of our veterans and the tremendous job that you are doing.

Mr. STEARNS. Mr. Speaker, I have no further speakers, so I yield back the balance of our time.

Mr. WALZ. Mr. Speaker, again, thank you to both our chairwoman and our ranking member for a wonderful and timely piece of legislation.

GENERAL LEAVE

Mr. WALZ. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1168, as amended.

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

There was no objection.

Mr. WALZ. Mr. Speaker, I ask my colleagues to unanimously support H.R. 1168.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and pass the bill, H.R. 1168, as amended.

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. WALZ. 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.

LOUISIANA HONORAIR DAY

Mr. WALZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 828) to recognize October 24, 2009, the 20th chartered flight of World War II veterans through Louisiana HonorAir, as ''Louisiana HonorAir Day,'' and to honor the invaluable service and dedication of the World War II veterans to our Nation.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 828

Whereas in late 2006, T.D. Smith of Louisiana founded Louisiana HonorAir, a nonprofit organization, which charters flights for World War II veterans on an all-expenses-paid, day-long trip from Louisiana to Washington, DC, to see the World War II Memorial, the Marine Corps Memorial, and to lay a wreath at the Tomb of the Unknown Soldier;

Whereas since its first flight out of Lafayette, Louisiana in early 2007, Louisiana HonorAir has flown close to 2,000 World War II veterans to Washington, DC, to be honored for their invaluable service, sacrifice, and dedication to our Nation;

Whereas approximately 100 to 130 World War II veterans are selected by Louisiana HonorAir for each flight on a first-come-first-served basis;

Whereas Louisiana HonorAir is run by volunteers and sustained by donations and State grants;

Whereas before Louisiana HonorAir culminates in Lafayette, Louisiana, on April 10, 2010, its last three flights will be chartered from New Orleans, Louisiana, on September 26, October 10, and October 24, 2009;

Whereas the 100th chartered flight of World War II veterans aboard U.S. Airways occurs during Louisiana HonorAir's October 10, 2009, flight out of New Orleans, Louisiana, home to the National World War II Museum;

Whereas, October 24, 2009, marks the 20th chartered flight of World War II veterans through Louisiana HonorAir;

Whereas with the average World War II veteran being 86 years old and becoming too ill to visit the World War II Memorial in Washington, DC, there are not many opportunities left to honor them for their service: Now, therefore, be it

Resolved, That the House of Representatives recognizes Louisiana HonorAir for its 20 chartered flights of World War II veterans to Washington, DC, to visit the National World War II Memorial, honors the invaluable service and dedication of the World War II veterans to our Nation, and supports the designation of a ''Louisiana HonorAir Day''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Mr. Speaker, I want to thank the gentleman from New Orleans for putting this piece of legislation forward. This is an incredibly important program, and it is one that any of us who have had the incredible honor of being in the presence of our World War II veterans as they get a chance to return back to their memorial would say is really moving.

The Louisiana HonorAir's mission is to provide that every single Louisiana World War II veteran have the opportunity to view the World War II Memorial for the first time. As the home of the National World War II Museum, Louisiana holds deep roots in celebrating our World War II veterans community.

Louisiana HonorAir provides the veterans a chance to stand in the presence of the landmark that memorializes their service to this country. They also visit Arlington National Cemetery and lay a wreath at the Tomb of the Unknown Soldier.

The World War II Memorial and Arlington National Cemetery mark our country's gratitude for the heroic service our veterans have provided to the country. They are also a symbolic tie these veterans have to our country's history. This experience only lasts one day, but it hopefully stays in the hearts of our veterans and their loved ones forever.

This service provided by Louisiana HonorAir is an act of love for our World War II veterans. Operating solely on the efforts of volunteers and financial support from donors, Louisiana HonorAir is able to make these dreams possible at no cost to the veterans.

Because the youngest World War II veteran is 70 years old, and the average age of our veterans is 86, time is of the essence. Many of our last World War II veterans are becoming too ill to travel, and there are not many opportunities left to honor them for their service.

House Resolution 828 will recognize and celebrate Louisiana HonorAir's 20th chartered flight on October 24, 2009, Louisiana HonorAir Day.

□ 1445

We act on the limited chance to support our last surviving World War II veterans. Let's not forget them, and let's take advantage of every opportunity to celebrate their service to their country. With that, again, I thank the gentleman for such an important resolution.

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

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

I also rise in support of House Resolution 828, a resolution recognizing October 24, 2009, the 20th chartered flight of World War II veterans through the Louisiana HonorAir, as Louisiana HonorAir Day, and to honor the invaluable service and dedication of World War II veterans nationwide.

Founded in late 2006 by T.D. Smith of Louisiana, Louisiana HonorAir provides World War II veterans an all-expense-paid, day-long trip from Louisiana to Washington, D.C., to see the World War II Memorial, the Marine Corps Memorial, and to lay a wreath at the Tomb of the Unknown Soldier at Arlington National Cemetery. I want to congratulate them for their continued service to our Nation. Their flight on October 24, 2009, was the 20th Honor Flight organized by this organization, and I am sure it won't be the last.

I have also had the experience and privilege of honoring these Honor Flights in my congressional district. We've had four of these. Last week, in fact, we have just had one, and I will recognize that Senator Dole and Senator Libby Dole also were participants at the site to meet and greet these veterans as a tribute to them.

I know that I have been inspired by the veterans who have participated in honor flights from my district in Florida, and all Honor Flight Networks around our country deserve our support. Also on October 10, 2009, the 100th chartered flight of World War II veterans aboard U.S. Airways occurred during a Louisiana HonorAir Flight out of New Orleans, Louisiana, the home to the National World War II Museum. It is estimated by the National Honor Flight Network that over 42,000 veterans will have participated in honor flights by the end of this year. So I think it's a tribute to recognize this resolution, but it's also a tribute to my colleague Mr. CAO of Louisiana for introducing this resolution and honoring this worthy organization. I would like to thank both the chairman and the ranking member for moving this resolution so quickly, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. WALZ. I have no further speakers, and reserve the balance of my time, Mr. Speaker.

Mr. STEARNS. Mr. Speaker I yield such time as he may consume to the author, Mr. CAO of Louisiana.

Mr. CAO. Thank you very much for allowing me to speak on behalf of my resolution.

I rise today in support of House Resolution 828, to designate October 24, 2009, as Louisiana HonorAir Day in honor of the invaluable service of World War II veterans to our Nation. October 24, 2009, marked the 20th charter flight of World War II veterans from Louisiana

to D.C. through Louisiana HonorAir to visit the National World War II Memorial. Louisiana HonorAir's mission is to provide every World War II veteran who is physically able to travel the opportunity to view the World War II Memorial for the first time. World War II veterans are granted a charter flight from Louisiana to Washington, D.C., for a day-long, all-expenses-paid-trip to visit the National World War II Memorial, the Marine Corps Memorial, the Iwo Jima Memorial and other memorials and to lay a wreath at the Tomb of the Unknown Soldier. The World War II Memorial was dedicated in 2004 for a generation whose youngest members are in their late seventies. Therefore, many of the men and women who fought and sacrificed for our country have not had the opportunity or ability to visit. Sadly, a few of the World War II veterans scheduled to go on the October 24 flight passed away or became too ill to travel and were, therefore, unable to be properly honored for their tremendous sacrifices.

As Louisiana HonorAir prepares to fly its final flight on April 10, 2010, I am proud that these last three fall flights were out of New Orleans, Louisiana, home to the National World War II Museum. Mr. Speaker, I had the great opportunity to welcome home several members of the veterans community on their flights back from Washington, D.C., 3 weeks ago, and I have to say that from the receptions that I have received and from the faces of the many members who came back from Washington, D.C., on that HonorAir flight, they were very grateful and honored to be able to participate in the program. Under the leadership of T.D. Smith, the Louisiana HonorAir reminds our Nation's World War II veterans how indebted we are to them for their service. As the son of a war veteran, I consider it a personal honor to sponsor this legislation, and I strongly urge my colleagues to vote in favor of House Resolution 828.

Mr. BOUSTANY. Mr. Speaker, I strongly support our Armed Forces and veterans and fully realize the debt of gratitude that our nation owes the men and women who defend our country. Mindful of this commitment, I thank the World War II veterans for their commitment and unselfish service to America. I would especially like to thank the Louisiana HonorAir organization for their hard work and dedication to these veterans and recognize October 24, 2009 as "Louisiana HonorAir Day."

In 2007, Louisiana HonorAir began flying WWII veterans three hours on a chartered flight from Louisiana to our nation's Capital free of charge. In Washington, D.C., the groups toured the WWII Memorial, Korean Memorial and Vietnam Memorial and attended wreath laying ceremonies at the Tomb of the Unknown Soldier at Arlington National Cemetery. Then, as quickly as they came, the groups returned home to a hero's welcome in Louisiana where family and friends gathered to show their appreciation one more time. For many veterans, it was their first time to tour the WWII Memorial because of its recent construction, while for others it was their only chance to see these sights dedicated to the great service they provided to our nation.

Having met many of these groups in Washington, I continue to be awestruck by the reactions of these brave men and women who stood up to tyranny in Europe and Asia. Many rarely talk about their service, instead, looking to happier times. However, in the company of others who nobly served, they are able to frankly discuss their experiences, share tearful stories and remember comrades missing or killed in action. I am grateful to have worked with Louisiana HonorAir and I salute them, as well as the courageous men and women who stood to protect America.

Today, I ask my colleagues to join me in remembering the brave men and women who defended America and in commending Louisiana HonorAir by recognizing October 24, 2009 as "Louisiana HonorAir Day."

Mr. STEARNS. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

GENERAL LEAVE

Mr. WALZ. 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 House Resolution 828.

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

There was no objection.

Mr. WALZ. Mr. Speaker, I want to thank the gentleman from New Orleans and urge my colleagues to unanimously support this important resolution, H. Res. 828.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and agree to the resolution, H. Res. 828.

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.

VETERANS' SMALL BUSINESS ASSISTANCE AND SERVICEMEMBERS PROTECTION ACT OF 2009

Mr. WALZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3949) to amend title 38, United States Code, and the Servicemembers Civil Relief Act, to make certain improvements in the laws relating to benefits administered by the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3949

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Veterans' Small Business Assistance and Servicemembers Protection Act of 2009".

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

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.

TITLE I—SMALL BUSINESS AND EDUCATION MATTERS

Sec. 101. Clarification of responsibility of Secretary of Veterans Affairs to verify small business ownership.
Sec. 102. Reauthorization of Veterans' Advisory Committee on Education.

TITLE II—SERVICEMEMBERS CIVIL RELIEF ACT MATTERS

Sec. 201. Termination of service contracts.
Sec. 202. Residential and motor vehicle leases.
Sec. 203. Enforcement by the Attorney General and by private right of action.

TITLE III—OTHER BENEFITS MATTERS

Sec. 301. Improvement of outreach activities within Department of Veterans Affairs.
Sec. 302. Visual impairment and orientation and mobility professionals education assistance program.
Sec. 303. Interment in national cemeteries of parents of certain deceased veterans.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—SMALL BUSINESS AND EDUCATION MATTERS

SEC. 101. CLARIFICATION OF RESPONSIBILITY OF SECRETARY OF VETERANS AFFAIRS TO VERIFY SMALL BUSINESS OWNERSHIP.

(a) SHORT TITLE.—This section may be cited as the "Veterans Small Business Verification Act".

(b) CLARIFICATION OF RESPONSIBILITY OF SECRETARY OF VETERANS AFFAIRS TO VERIFY SMALL BUSINESS OWNERSHIP.—

(1) CLARIFICATION.—Section 8127(f) is amended—

(A) in paragraph (2)—

(i) by inserting "(A)" before "To be eligible";

(ii) by inserting after "or the veteran." the following new sentence: "Application for inclusion in the database shall constitute permission under section 552a of title 5 (commonly referred to as the Privacy Act) for the Secretary to access such personal information maintained by the Secretary as may be necessary to verify the information contained in the application."; and

(iii) by inserting after the sentence added by subparagraph (B) the following new subparagraph:

"(B) If the Secretary receives an application for inclusion in the database from an individual whose status as a veteran cannot be verified because the Secretary does not maintain information with respect to the veteran status of the individual, the Secretary may not include the small business concern owned or controlled by the individual in the database maintained by the Secretary until the Secretary receives such information as may be necessary to verify that the individual is a veteran."; and

(B) by striking paragraph (4) and inserting the following new paragraph (4):

"(4) No small business concern may be listed in the database until the Secretary has verified that—

''(A) the small business concern is owned and controlled by veterans; and

''(B) in the case of a small business concern for which the person who owns or controls the concern indicates that the person is a veteran with a service-connected disability, that the person is a veteran with a service-connected disability.''.

(2) APPLICABILITY.—In the case of a small business concern included in the database as of the date of the enactment of this Act for which, as of such date, the Secretary of Veterans Affairs has not verified the status of such concern in accordance with paragraph (4) of subsection (f) of section 8127 of title 38, United States Code, as amended by subsection (a), not later than 60 days after the date of the enactment of this Act, the Secretary shall notify the person who owns or controls the concern that—

(A) the Secretary is required to verify the status of the concern in accordance with such paragraph;

(B) verification of such status shall require that the person who owns or controls the concern apply for inclusion in the database in accordance with such subsection, as so amended;

(C) application for inclusion in the database shall constitute permission under section 552a of title 5, United States Code (commonly referred to as the Privacy Act), for the Secretary to access such personal information maintained by the Secretary as may be necessary to verify the information contained in the application; and

(D) the person who owns or controls the concern must submit to the Secretary an affirmative acknowledgment of the requirement under paragraph (3) within 90 days of receiving the Secretary's notice of such requirement or the concern shall be removed from the database.

SEC. 102. REAUTHORIZATION OF VETERANS' ADVISORY COMMITTEE ON EDUCATION.

Section 3692(c) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2015''.

TITLE II—SERVICEMEMBERS CIVIL RELIEF ACT MATTERS

SEC. 201. TERMINATION OF SERVICE CONTRACTS.

(a) IN GENERAL.—Section 305A of the Servicemembers Civil Relief Act (50 U.S.C. App. 535a) is amended to read as follows:

''SEC. 305A. TERMINATION OF SERVICE CONTRACTS.

''(a) TERMINATION BY SERVICEMEMBER.—A servicemember may terminate a contract described in subsection (c) at any time after the date the servicemember receives military orders—

''(1) to deploy with a military unit, or as an individual, in support of a contingency operation for a period of not less than 90 days; or

''(2) for a change of permanent station to a location that does not support the contract.

''(b) SPECIAL RULE FOR CELLULAR OR TELEPHONE EXCHANGE SERVICE.—In any case in which a contract being terminated under subsection (a) or (d) is for cellular telephone service or telephone exchange service, the servicemember may keep, to the extent practicable and in accordance with applicable law, the telephone number the servicemember has under the contract for a period not to exceed 90 days after the period of deployment or change of permanent station has concluded.

''(c) COVERED CONTRACTS.—This section applies to a contract for cellular telephone service, telephone exchange service, multichannel video programming service, Internet access service, or residential utility service involving the provision of water, electricity, home heating oil, or natural gas.

''(d) FAMILY PLANS.—In the case of a contract for cellular telephone service entered into by any individual in which a servicemember is a designated beneficiary of such contract, the individual may terminate such contract—

''(1) with respect to the servicemember if the servicemember is eligible to terminate contracts pursuant to subsection (a); and

''(2) with respect to all of the designated beneficiaries of such contract if all such beneficiaries accompany the servicemember in a change of permanent station to a location that does not support the contract.

''(e) MANNER OF TERMINATION.—Termination of a contract under subsection (a) or (d) shall be made by delivery of a written notice of such termination and a copy of the servicemember's military orders to the service provider, delivered—

''(1) by hand delivery;

''(2) by private business carrier;

''(3) by facsimile; or

''(4) by United States mail, addressed as designated by the service provider, return receipt requested, with sufficient postage.

''(f) DATE OF CONTRACT TERMINATION.—Termination of a contract under subsection (a) or (d) is effective as of the date on which the notice under subsection (e) is delivered.

''(g) OTHER OBLIGATIONS AND LIABILITIES.—The service provider under the contract may not impose an early termination charge, but any tax or any other obligation or liability of the servicemember that, in accordance with the terms of the contract, is due and unpaid or unperformed at the time of termination of the contract shall be paid or performed by the servicemember. If the servicemember re-subscribes to the service provided under a covered contract in the 90-day period after the period of deployment or change of permanent station has concluded, the service provider may not impose a charge for reinstating service, other than a charge to cover any cost of installing or acquiring new equipment that existing customers received, and for which such customers paid a similar charge, during such period.

''(h) RETURN OF ADVANCE PAYMENTS.—Not later than 60 days after the effective date of the termination of the contract, the service provider shall refund to the servicemember any fee or other amount to the extent paid for a period extending after such date, except for the remainder of the monthly or similar billing period in which the termination occurs if it is not reasonably possible to determine a pro-rata amount for such remainder.

''(i) DEFINITIONS.—In this section:

''(1) The term 'cellular telephone service' means commercial mobile service, as that term is defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d)).

''(2) The term 'contingency operation' has the meaning given that term by section 101(a)(13) of title 10, United States Code.

''(3) The term 'Internet access service' has the meaning given that term under section 231(e)(4) of the Communications Act of 1934 (47 U.S.C. 231(e)(4)).

''(4) The term 'multichannel video programming service' means video programming service provided by a multichannel video programming distributor, as such term is defined in section 602(13) of the Communications Act of 1934 (47 U.S.C. 522(13)).

''(5) The term 'telephone exchange service' has the meaning given that term under section 3 of the Communications Act of 1934 (47 U.S.C. 153).''.

(b) TECHNICAL AMENDMENT TO CONFORM HEADING OF TITLE III TO THE CONTENTS OF THE TITLE.—The heading for title III of such Act is amended by inserting ''**, SERVICE CONTRACTS**'' after ''**LEASES**''.

(c) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of such Act is amended—

(1) by striking the item relating to title III and inserting the following new item:

''TITLE III—RENT, INSTALLMENT CONTRACTS, MORTGAGES, LIENS, ASSIGNMENT, LEASES, SERVICE CONTRACTS''; AND

(2) by striking the item relating to section 305A and inserting the following new item:

''Sec. 305A. Termination of service contracts.''.

SEC. 202. RESIDENTIAL AND MOTOR VEHICLE LEASES.

Subsection (e) of section 305 of the Servicemembers Civil Relief Act (50 U.S.C. App. 535) is amended to read as follows:

''(e) ARREARAGES AND OTHER OBLIGATIONS AND LIABILITIES.—

''(1) LEASES OF PREMISES.—Rent amounts for a lease described in subsection (b)(1) that are unpaid for the period preceding the effective date of the lease termination shall be paid on a prorated basis. The lessor may not impose an early termination charge, but any taxes, summonses, or other obligations and liabilities of the lessee in accordance with the terms of the lease, including reasonable charges to the lessee for excess wear, that are due and unpaid at the time of termination of the lease shall be paid by the lessee.

''(2) LEASES OF MOTOR VEHICLES.—Lease amounts for a lease described in subsection (b)(2) that are unpaid for the period preceding the effective date of the lease termination shall be paid on a prorated basis. The lessor may not impose an early termination charge, but any taxes, summonses, title and registration fees, or other obligations and liabilities of the lessee in accordance with the terms of the lease, including reasonable charges to the lessee for excess wear or use and mileage, that are due and unpaid at the time of termination of the lease shall be paid by the lessee.''.

SEC. 203. ENFORCEMENT BY THE ATTORNEY GENERAL AND BY PRIVATE RIGHT OF ACTION.

(a) IN GENERAL.—The Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) is amended by adding at the end the following new title:

''TITLE VIII—CIVIL LIABILITY

''SEC. 801. ENFORCEMENT BY THE ATTORNEY GENERAL.

''(a) CIVIL ACTION.—The Attorney General may commence a civil action in any appropriate United States district court against any person who—

''(1) engages in a pattern or practice of violating this Act; or

''(2) engages in a violation of this Act that raises an issue of significant public importance.

''(b) RELIEF.—In a civil action commenced under subsection (a), the court may—

''(1) grant any appropriate equitable or declaratory relief with respect to the violation;

''(2) award all other appropriate relief, including monetary damages, to any person aggrieved by the violation; and

''(3) may, to vindicate the public interest, assess a civil penalty—

''(A) in an amount not exceeding $55,000 for a first violation; and

''(B) in an amount not exceeding $110,000 for any subsequent violation.

''(c) INTERVENTION.—Upon timely application, a person aggrieved by a violation with respect to which the civil action is commenced may intervene in such action, and may obtain such appropriate relief as the person could obtain in a civil action under section 802 with respect to that violation, along with costs and a reasonable attorney fee.

''SEC. 802. PRIVATE RIGHT OF ACTION.

''(a) IN GENERAL.—Any person aggrieved by a violation of this Act may in a civil action—

''(1) obtain any appropriate equitable or declaratory relief with respect to the violation; and

''(2) recover all other appropriate relief, including monetary damages.

''(b) COSTS AND ATTORNEY FEES.—The court may award to a servicemember who prevails in an action brought under subsection (a) the costs of the action, including a reasonable attorney fee.

''SEC. 803. PRESERVATION OF REMEDIES.

''Nothing in section 801 or 802 shall be construed to preclude or limit any remedy otherwise available under other law, including consequential and punitive damages.''.

(b) CONFORMING AMENDMENTS.—Such Act is further amended as follows:

(1) Section 207 (50 U.S.C. App. 527) is amended by striking subsection (f).

(2) Section 301(c) (50 U.S.C. App. 531(c)) is amended to read as follows:

''(c) MISDEMEANOR.—Except as provided in subsection (a), a person who knowingly takes part in an eviction or distress described in subsection (a), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.''.

(3) Section 302(b) (50 U.S.C. App. 532(b)) is amended to read as follows:

''(b) MISDEMEANOR.—A person who knowingly resumes possession of property in violation of subsection (a), or in violation of section 107 of this Act, or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.''.

(4) Section 303(d) (50 U.S.C. App. 533(d)) is amended to read as follows:

''(d) MISDEMEANOR.—A person who knowingly makes or causes to be made a sale, foreclosure, or seizure of property that is prohibited by subsection (c), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.''.

(5) Section 305(h) (50 U.S.C. App. 535(h)) is amended to read as follows:

''(h) MISDEMEANOR.—Any person who knowingly seizes, holds, or detains the personal effects, security deposit, or other property of a servicemember or a servicemember's dependent who lawfully terminates a lease covered by this section, or who knowingly interferes with the removal of such property from premises covered by such lease, for the purpose of subjecting or attempting to subject any of such property to a claim for rent accruing subsequent to the date of termination of such lease, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.''.

(6) Section 306(e) (50 U.S.C. App. 536(e)) is amended to read as follows:

''(e) MISDEMEANOR.—A person who knowingly takes an action contrary to this section, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.''.

(7) Section 307(c) (50 U.S.C. App. 537(c)) is amended to read as follows:

''(c) MISDEMEANOR.—A person who knowingly takes an action contrary to this section, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end the following new items:

''TITLE VIII—CIVIL LIABILITY

''Sec. 801. Enforcement by the Attorney General.

''Sec. 802. Private right of action.

''Sec. 803. Preservation of remedies.''.

TITLE III—OTHER BENEFITS MATTERS

SEC. 301. IMPROVEMENT OF OUTREACH ACTIVITIES WITHIN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 5 is amended by adding at the end the following new subchapter:

''SUBCHAPTER IV—OUTREACH ACTIVITIES

''§ 561. Outreach activities: coordination of activities within the Department

''(a) COORDINATION PROCEDURES.—The Secretary shall establish and maintain procedures for ensuring the effective coordination of the outreach activities of the Department between and among the following:

''(1) The Office of the Secretary.

''(2) The Office of Public Affairs.

''(3) The Veterans Health Administration.

''(4) The Veterans Benefits Administration.

''(5) The National Cemetery Administration.

''(b) ANNUAL REVIEW OF PROCEDURES.—The Secretary shall—

''(1) annually review the procedures in effect under subsection (a) for the purpose of ensuring that those procedures meet the requirements of that subsection; and

''(2) make such modifications to those procedures as the Secretary considers appropriate in light of such review in order to better achieve that purpose.

''§ 562. Outreach activities: cooperative activities with States; grants to States for improvement of outreach

''(a) PURPOSE.—It is the purpose of this section to provide for assistance by the Secretary to State and county veterans agencies to carry out programs in locations within the respective jurisdictions of such agencies that offer a high probability of improving outreach and assistance to veterans, and to the spouses, children, and parents of veterans, to ensure that such individuals are fully informed about, and assisted in applying for, any veterans' and veterans-related benefits and programs (including State veterans' programs) for which they may be eligible.

''(b) PRIORITY FOR AREAS WITH HIGH CONCENTRATION OF ELIGIBLE INDIVIDUALS.—In providing assistance under this section, the Secretary shall give priority to State and county veteran agencies in locations—

''(1) that have relatively large concentrations of populations of veterans and other individuals referred to in subsection (a); or

''(2) that are experiencing growth in the population of veterans and other individuals referred to in subsection (a).

''(c) CONTRACTS FOR OUTREACH SERVICES.—The Secretary may enter into a contract with a State or county veterans agency in order to carry out, coordinate, improve, or otherwise enhance outreach by the Department and the State or county (including outreach with respect to a State or county veterans program). As a condition of entering into any such contract, the Secretary shall require the agency to submit annually to the Secretary a three-year plan for the use of any funds provided to the agency pursuant to the contract and to meet the annual outcome measures developed by the Secretary under subsection (d)(4).

''(d) GRANTS.—(1) The Secretary may make a grant to a State or county veterans agency to be used to carry out, coordinate, improve, or otherwise enhance—

''(A) outreach activities, including activities carried out pursuant to a contract entered into under subsection (c); and

''(B) activities to assist in the development and submittal of claims for veterans and veterans-related benefits, including activities carried out pursuant to a contract entered into under subsection (c).

''(2) A State veterans agency that receives a grant under this subsection may award all or a portion of the grant to county veterans agencies within the State to provide outreach services for veterans, on the basis of the number of veterans residing in the jurisdiction of each county.

''(3) To be eligible for a grant under this subsection, a State or county veterans agency shall submit to the Secretary an application containing such information and assurances as the Secretary may require. The Secretary shall require a State or county veterans agency to include, as part of the agency's application—

''(A) a three-year plan for the use of the grant; and

''(B) a description of the programs through which the agency will meet the annual outcome measures developed by the Secretary under paragraph (4).

''(4)(A) The Secretary shall develop and provide to the recipient of a grant under this subsection written guidance on annual outcome measures, Department policies, and procedures for applying for grants under this section.

''(B) The Secretary shall annually review the performance of each State or county veterans agency that receives a grant under this section.

''(C) In the case of a State or county veterans agency that is a recipient of a grant under this subsection that does not meet the annual outcome measures developed by the Secretary, the Secretary shall require the agency to submit a remediation plan under which the agency shall describe how and when it plans to meet such outcome measures. The Secretary must approve such plan before the Secretary may make a subsequent grant to that agency under this subsection.

''(5) No portion of any grant awarded under this subsection may be used for the purposes of administering the grant funds or to subsidize the salaries of State or county veterans service officers or other employees of a State or county veterans agency that receives a grant under this subsection.

''(6) Federal funds provided to a State or county veterans agency under this subsection may not be used to provide more than 50 percent of the total cost of the State or county government activities described in paragraph (1) and shall be used to expand existing outreach programs and services and not to supplant State and local funding that is otherwise available.

''(7) In awarding grants under this subsection, the Secretary shall give priority to State and county veterans agencies that serve the largest populations of veterans.

''(8)(A) In a case in which a county government does not have a county veterans agency, the county government may be awarded a grant under this subsection to establish such an agency.

''(B) In a case in which a county government does not have a county veterans agency and does not seek to establish such an agency through the use of a grant under this subsection, the State veterans agency for the State in which the county is located may use a grant under this section to provide outreach services for that county.

''(C) In the case of a State in which no State or county veterans agency seeks to receive a grant under this subsection, the funds that would otherwise be allocated for that State shall be reallocated to those States in which county veterans agencies exist and have sought grants under this subsection.

''(9) A grant under this subsection may be used to provide education and training, including on-the-job training, for State, county, and local government employees who provide (or when trained will provide) veterans outreach services in order for those employees to obtain accreditation in accordance with procedures approved by the Secretary and, for employees so accredited, for purposes of continuing education.

''(e) DEFINITIONS.—For the purposes of this section:

''(1) The term 'State veterans agency' means the element of the government of a State that has responsibility for programs and activities of that State government relating to veterans benefits.

''(2) The term 'county veterans agency' means the element of the government of a county or municipality that has responsibility for programs and activities of that county or municipal government relating to veterans benefits.

''§ 563. Outreach activities: funding

''(a) SEPARATE ACCOUNT.—Amounts for the outreach activities of the Department under this subchapter shall be budgeted and appropriated through a separate appropriation account.

''(b) SEPARATE STATEMENT OF AMOUNT.—In the budget justification materials submitted to Congress in support of the Department budget for any fiscal year (as submitted with the budget of the President under section 1105(a) of title 31), the Secretary shall include a separate statement of the amount requested to be appropriated for that fiscal year for the account specified in subsection (a).

''§ 564. Definition of outreach

''For purposes of this subchapter, the term 'outreach' means the act or process of taking steps in a systematic manner to provide information, services, and benefits counseling to veterans, and the survivors of veterans, who may be eligible to receive benefits under the laws administered by the Secretary to ensure that those individuals are fully informed about, and assisted in applying for, any benefits and programs under such laws for which they may be eligible.

''§ 565. Authorization of appropriations

''There is authorized to be appropriated to the Secretary for each of fiscal years 2011, 2012, and 2013, $25,000,000 to carry out this subchapter, including making grants under section 562(d) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new items:

''SUBCHAPTER IV—OUTREACH ACTIVITIES

''561. Outreach activities: coordination of activities within the Department.
''562. Outreach activities: cooperative activities with States; grants to States for improvement of outreach.
''563. Outreach activities: funding.
''564. Definition of outreach.
''565. Authorization of appropriations.''.

(c) DEADLINE FOR IMPLEMENTATION.—The Secretary of Veterans Affairs shall implement the outreach activities required under subchapter IV of chapter 5 of title 38, United States Code, as added by subsection (a), by not later than 120 days after the date of the enactment of this Act.

SEC. 302. VISUAL IMPAIRMENT AND ORIENTATION AND MOBILITY PROFESSIONALS EDUCATION ASSISTANCE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—Part V is amended by adding at the end the following new chapter:

''CHAPTER 80—VISUAL IMPAIRMENT AND ORIENTATION AND MOBILITY PROFESSIONALS EDUCATION ASSISTANCE PROGRAM

''Sec.
''8001. Establishment of scholarship program; purpose.
''8002. Application and acceptance.
''8003. Amount of assistance; duration.
''8004. Agreement.
''8005. Repayment for failure to satisfy requirements of agreement.

''§ 8001. Establishment of scholarship program; purpose

''(a) ESTABLISHMENT.—Subject to the availability of appropriations, the Secretary shall establish and carry out a scholarship program to provide financial assistance in accordance with this chapter to an individual—

''(1) who is accepted for enrollment or currently enrolled in a program of study leading to a degree or certificate in visual impairment or orientation and mobility, or a dual degree or certification in both such areas, at an accredited (as determined by the Secretary) educational institution that is in a State; and

''(2) who enters into an agreement with the Secretary as described in section 8004 of this chapter.

''(b) PURPOSE.—The purpose of the scholarship program established under this chapter is to increase the supply of qualified blind rehabilitation specialists for the Department and the Nation.

''(c) OUTREACH.—The Secretary shall publicize the scholarship program established under this chapter to educational institutions throughout the United States, with an emphasis on disseminating information to such institutions with high numbers of Hispanic students and to Historically Black Colleges and Universities.

''§ 8002. Application and acceptance

''(a) APPLICATION.—(1) To apply and participate in the scholarship program under this chapter, an individual shall submit to the Secretary an application for such participation together with an agreement described in section 8004 of this chapter under which the participant agrees to serve a period of obligated service in the Department as provided in the agreement in return for payment of educational assistance as provided in the agreement.

''(2) In distributing application forms and agreement forms to individuals desiring to participate in the scholarship program, the Secretary shall include with such forms the following:

''(A) A fair summary of the rights and liabilities of an individual whose application is approved (and whose agreement is accepted) by the Secretary.

''(B) A full description of the terms and conditions that apply to participation in the scholarship program and service in the Department.

''(b) APPROVAL.—(1) Upon the Secretary's approval of an individual's participation in the scholarship program, the Secretary shall, in writing, promptly notify the individual of that acceptance.

''(2) An individual becomes a participant in the scholarship program upon such approval by the Secretary.

''§ 8003. Amount of assistance; duration

''(a) AMOUNT OF ASSISTANCE.—The amount of the financial assistance provided for an individual under this chapter shall be the amount determined by the Secretary as being necessary to pay the tuition and fees of the individual. In the case of an individual enrolled in a program of study leading to a dual degree or certification in both the areas of study described in section 8001(a)(1) of this chapter, the tuition and fees shall not exceed the amounts necessary for the minimum number of credit hours to achieve such dual certification or degree.

''(b) RELATIONSHIP TO OTHER ASSISTANCE.—Financial assistance may be provided to an individual under this chapter to supplement other educational assistance to the extent that the total amount of educational assistance received by the individual during an academic year does not exceed the total tuition and fees for such academic year.

''(c) MAXIMUM AMOUNT OF ASSISTANCE.—(1) In no case may the total amount of assistance provided under this chapter for an academic year to an individual who is a full-time student exceed $15,000.

''(2) In the case of an individual who is a part-time student, the total amount of assistance provided under this chapter shall bear the same ratio to the amount that would be paid under paragraph (1) if the participant were a full-time student in the program of study being pursued by the individual as the coursework carried by the individual to full-time coursework in that program of study.

''(3) In no case may the total amount of assistance provided to an individual under this chapter exceed $45,000.

''(d) MAXIMUM DURATION OF ASSISTANCE.—The Secretary may provide financial assistance to an individual under this chapter for not more than six years.

''§ 8004. Agreement

''An agreement between the Secretary and a participant in the scholarship program under this chapter shall be in writing, shall be signed by the participant, and shall include—

''(1) the Secretary's agreement to provide the participant with financial assistance as authorized under this chapter;

''(2) the participant's agreement—

''(A) to accept such financial assistance;

''(B) to maintain enrollment and attendance in the program of study described in section 8001(a)(1) of this chapter;

''(C) while enrolled in such program, to maintain an acceptable level of academic standing (as determined by the educational institution offering such program under regulations prescribed by the Secretary); and

''(D) after completion of the program, to serve as a full-time employee in the Department for a period of three years, to be served within the first six years after the participant has completed such program and received a degree or certificate described in section 8001(a)(1) of this chapter; and

''(3) any other terms and conditions that the Secretary determines appropriate for carrying out this chapter.

''§ 8005. Repayment for failure to satisfy requirements of agreement

''(a) IN GENERAL.—An individual who receives educational assistance under this chapter shall repay to the Secretary an amount equal to the unearned portion of such assistance if the individual fails to satisfy the requirements of the agreement entered into under section 8004 of this chapter, except in circumstances authorized by the Secretary.

''(b) AMOUNT OF REPAYMENT.—The Secretary shall establish, by regulations, procedures for determining the amount of the repayment required under this subsection and the circumstances under which an exception to the required repayment may be granted.

''(c) WAIVER OR SUSPENSION OF COMPLIANCE.—The Secretary shall prescribe regulations providing for the waiver or suspension of any obligation of an individual for service

or payment under this chapter (or an agreement under this chapter) whenever noncompliance by the individual is due to circumstances beyond the control of the individual or whenever the Secretary determines that the waiver or suspension of compliance is in the best interest of the United States.

''(d) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to repay the Secretary under this section is, for all purposes, a debt owed the United States. A discharge in bankruptcy under title 11 does not discharge a person from such debt if the discharge order is entered less than five years after the date of the termination of the agreement or contract on which the debt is based.''.

(b) CLERICAL AMENDMENTS.—The tables of chapters at the beginning of title 38, United States Code, and of part V of such title, are each amended by inserting after the item relating to chapter 79 the following new item:

''80. Visual Impairment and Orientation and Mobility Professionals Education Assistance Program ... 8001''.

(c) EFFECTIVE DATE.—The Secretary of Veterans Affairs shall implement chapter 80 of title 38, United States Code, as added by subsection (a), not later than six months after the date of the enactment of this Act.

SEC. 303. INTERMENT IN NATIONAL CEMETERIES OF PARENTS OF CERTAIN DECEASED VETERANS.

(a) SHORT TITLE.—This section may be cited as the ''Corey Shea Act''.

(b) INTERMENT OF PARENTS OF CERTAIN DECEASED VETERANS.—Section 2402 is amended—

(1) In the matter preceding paragraph (1), by striking ''Under such regulations'' and inserting ''(a) Under such regulations'';

(2) by moving the margins of paragraphs (1) through (8) two ems to the right;

(3) by inserting after paragraph (8) the following new paragraph:

''(9)(A) The parent of a person described in subparagraph (B), if the Secretary determines that there is available space at the gravesite where the person described in subparagraph (B) is interred.

''(B) A person described in this subparagraph is a person described in paragraph (1) who—

''(i) is a hostile casualty or died from a training-related injury;

''(ii) is interred in a national cemetery; and

''(iii) at the time of the person's parent's death, did not have a spouse, surviving spouse, or child who is buried or who, upon death, may be eligible for burial in a national cemetery pursuant to paragraph (5).''; and

(4) by adding at the end the following new subsection:

''(b) For purposes of subsection (a)(9) of this section:

''(1) The term 'parent' means a biological father or a biological mother or, in the case of adoption, a father through adoption or a mother through adoption.

''(2) The term 'hostile casualty' means a person who, as a member of the Armed Forces, dies as the direct result of hostile action with the enemy, while in combat, while going to or returning from a combat mission if the cause of death was directly related to hostile action, or while hospitalized or undergoing treatment at the expense of the United States for injury incurred during combat, and includes a person killed mistakenly or accidentally by friendly fire directed at a hostile force or what is thought to be a hostile force, but does not include a person who dies due to the elements, a self-inflicted wound, combat fatigue, or a friendly force while the person was in an absent-without-leave, deserter, or dropped-from-rolls status or was voluntarily absent from a place of duty.

''(3) The term 'training-related injury' means an injury incurred by a member of the Armed Forces while performing authorized training activities in preparation for a combat mission.''.

(c) GUIDANCE REQUIRED.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall develop guidance under which the parent of a person described in paragraph (9)(B) of subsection (a) of section 2402 of title 38, United States Code, may be designated for interment in a national cemetery under that section.

(d) CONFORMING AMENDMENTS.—

(1) CROSS-REFERENCE CORRECTION.—Section 107 is amended by striking ''section 2402(8)'' both places it appears and inserting ''section 2402(a)(8)''.

(2) CROSS-REFERENCE CORRECTION.—Section 2301(e) is amended by striking ''section 2402(6)'' and inserting ''section 2402(a)(6)''.

(3) CROSS-REFERENCE CORRECTION.—Section 2306(a) is amended—

(A) in paragraph (2), by striking ''section 2402(4)'' and inserting ''section 2402(a)(4)''; and

(B) in paragraph (4), by striking ''section 2402(5)'' and inserting ''section 2402(a)(5)''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the death, on or after the date of the enactment of this Act, of the parent of a person described in section 2402(a)(9)(B) of title 38, United States Code, as added by subsection (a), who dies on or after October 7, 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. WALZ. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 3949, as amended, the Veterans' Small Business Assistance and Servicemembers Protection Act of 2009, is a necessary cornerstone to grant deserving heroes the protections and opportunities to succeed. This legislation includes several important provisions and would not be possible without the hard work of many members of this committee and of Congress as a whole.

H.R. 3949 addresses the needs of veteran-owned small businesses. A provision of the bill will require that all businesses listed in the Department of Veterans Affairs VetBiz Vendor Information Pages database have been confirmed as veteran-owned small businesses so our veterans are furnished the economic benefits that Congress intended them to receive through their military service and sacrifice. I would again like to thank Congresswoman HERSETH SANDLIN, chairwoman of the Subcommittee on Economic Opportunity, for her continued leadership on this issue.

H.R. 3949 also includes a timely bill, first introduced by one of our active committee members, Representative ANN KIRKPATRICK of Arizona. This provision seeks to reauthorize the Veterans' Advisory Committee on Education whose authorization is set to expire at the end of this year. Reauthorizing the advisory committee will provide the VA Secretary with a group of subject matter experts to help work to ensure our heroes have the educational opportunities they've earned.

Furthermore, this comprehensive bill includes important updates to the Servicemembers Civil Relief Act. H.R. 3949 will strengthen our efforts nationally to support veterans, servicemembers and their families during deployment. The bill will allow greater flexibility for family cell phone plans, rental leases, and motor vehicle leases when servicemembers are deployed or required to change duty stations. The bill authorizes the U.S. Attorney General to bring a civil action in U.S. district courts to enforce provisions of the Servicemembers Civil Relief Act.

The provisions on the Servicemembers Civil Relief Act included in H.R. 3949 are a collaborative effort that includes bills introduced by Representatives BRAD MILLER of North Carolina, Representative GERALD CONNOLLY of Virginia and Representative PATRICK MURPHY of Pennsylvania, respectively. Their efforts to protect our deployed servicemembers are commendable.

Another important provision included in this legislation seeks to assist in VA's outreach efforts to improve coordination among the key offices within the Department of Veterans Affairs. This provision was originally introduced by my colleague, Representative MIKE MCINTYRE of North Carolina.

To help the 160,000 legally blind veterans in the United States, a provision of this bill would establish a scholarship program for students seeking a degree or a certificate in the area of visual impairment, orientation and mobility. This would help our blind veterans by increasing the number of vision rehabilitation specialists with the appropriate education and training. I would like to thank Representative SHEILA JACKSON-LEE of Texas for her continued leadership on this issue and her dedication to the needs of our veterans.

Finally, the legislation honors our fallen American heroes by providing an eligible parent of a deceased veteran to be buried in a VA national cemetery when the deceased veteran does not have an immediate spouse or child. I want to thank Representative BARNEY FRANK of Massachusetts for introducing this incredibly important piece of legislation.

Mr. Speaker, this bipartisan legislation will provide needed changes for our veterans and their families while addressing the unique needs of veterans and servicemembers as they serve the country. I would like to thank the committee's ranking member, Representative STEVE BUYER of Indiana, members of the committee and my colleagues for working in a bipartisan manner on H.R. 3949. Again, I would like to thank my colleagues who got this final bill here and for helping our veterans.

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

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

It appears this legislation has a lot of wonderful components in it. It represents about seven individual bills. It would amend title 38 of the United States Code and the Servicemembers Civil Relief Act to make certain improvements in the laws relating to benefits administered by the Secretary of Veterans Affairs, and for other purposes.

The bill, H.R. 3949, is designed to continue the Veterans' Advisory Committee on Education, improve protections under the Servicemembers Civil Relief Act, improve VA outreach programs, establish a VA scholarship program, and expand eligibility for burial in a national cemetery.

Public Law 109–461 requires VA to maintain a database of veteran- and disabled veteran-owned small businesses and to validate the ownership and control any business included in the database. Implementing those provisions, VA has allowed any business that applies for inclusion in the database to be listed prior to being validated. The bill would require VA to list only those businesses that have been validated. This will prevent non-veteran-owned businesses from misrepresenting themselves as veteran-owned.

Mr. Speaker, I did want to bring to my colleagues' attention the disappointment on this side of the aisle that the amended bill we are considering drops section 102 from H.R. 3949, which was unanimously reported by the Veterans' Affairs Committee. Section 102 would clarify that Congress intends to allow VA contracting officers at the Department of Veterans Affairs to award sole source contracts to service-disabled veteran-owned small businesses on the same basis as so-called 8(a) businesses under the Small Business Act. VA contracting officers often interpret the Small Business Act as giving 8(a) firms a higher priority than service-disabled veteran-owned small businesses, which we do not believe is consistent with congressional intent. All this provision would do is to give veterans a level playing field with 8(a), women- and minority-owned small businesses. So obviously we're disappointed. We're not clear why this happened, but we wanted to bring that to the attention of my colleagues.

Furthermore, service-connected disabled veteran small business owners have earned and deserve an equal level of priority for VA contracts. Unfortunately, the Small Business Committee majority and the Oversight and Government Reform Committee majority have asserted jurisdiction and are holding up this important provision to help service-disabled veteran-owned small business, and this is just a week before Veterans Day, I might add.

Service-disabled veteran-owned small business owners are men and women of all races and economic groups from all over the country. In these difficult economic times, they need the help section 102 would have provided. While I regret that this important provision isn't in the bill today, we hope to work with the Small Business Committee and the Oversight and Government Reform Committee to ultimately reach an agreement on a way to allow service-disabled veteran-owned small businesses just simply a fair opportunity to obtain sole source contracts from the Veterans Administration. Servicemembers continue to experience service contract and lease difficulties that are related to permanent change of duty stations and deployments. H.R. 3949 would clarify the member's rights and obligations under the Servicemembers Civil Relief Act, or SCRA, when terminating a service contract or lease due to military orders.

The bill also contains provisions that would authorize the United States Attorney General to initiate action in a U.S. district court on behalf of a veteran whose rights under SCRA may have been violated and allows courts to provide relief to the member, including monetary damages, and assess civil penalties up to $110,000. Unfortunately, courts sometimes fail to recognize the individual right of action that is implicit in the Servicemembers Civil Relief Act. As one hearing witness noted, it makes no sense to provide a right and then deny the individual the ability to enforce that right. Therefore, the legislation would also codify a private right of action to make it clear to all courts that an individual has a right to bring legal action to protect rights granted under SCRA.

Title 3 of the bill includes an authorization to allow VA to provide up to $25 million in grants to State veterans agencies and to allow these agencies to provide all or a portion of these grants to county veterans service agencies to increase outreach to veterans.

□ 1500

Such grants carry with them significant responsibility for the VA and State and local veterans agencies to ensure simply these funds are properly accounted for and to measure the results of this provision.

One of the least discussed injuries due to the traumatic effects of improvised explosive devices is the damage to the body's visual system. Unfortunately, these effects may be subtle at first or not occur immediately after the event. To accommodate the increasing number of visually impaired veterans whose sight has been affected either directly by combat or the effects of aging and disease, title III also would authorize the VA to grant scholarships to persons in educational programs relating to treating visual impairment and mobility issues.

Now persons receiving such scholarships would be required to commit to working within the VA health care system for a requisite number of years. The bill also stipulates conditions for repayment of the scholarships in the event that the individual fails to fulfill the conditions that are specified in this scholarship.

Finally, my colleagues, the bill would define the conditions under which the parents of a deceased veteran could be buried with the veteran in a national cemetery.

I support this bill. I urge my colleagues to support it.

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

Mr. WALZ. Mr. Speaker, before I yield time to my chairwoman, I would like to say I concur with the gentleman from Florida's assessment on section 102. And when we looked at this, one of the things we discussed was this was procedural because of the jurisdictional issues. And I would sure be willing to work with the gentleman to make sure we do bring that back up again. I think the issue here was all of the good in this bill would have been held back and we wouldn't have been able to move any of it forward as we worked out the jurisdictional issues.

So I do concur with your assessment that it is an important piece. We did vote on it unanimously, and I think down the road here we need to get it in.

Mr. STEARNS. If the gentleman will yield, I thank my colleague for his support, and I look forward to working with him.

Mr. WALZ. At this time I yield 5 minutes to the chairwoman of the Subcommittee on Economic Opportunity, Ms. HERSETH SANDLIN.

Ms. HERSETH SANDLIN. I thank the gentleman for yielding.

I rise today in strong support of H.R. 3949, the Veterans' Small Business Assistance and Servicemembers Protection Act of 2009, which the full Veterans' Affairs Committee approved with bipartisan support last week and which contains legislation I introduced, along with the ranking member of the Economic Opportunities Subcommittee, Mr. BOOZMAN, to verify the veteran status of small businesses listed in the VetBiz Vendor Information Pages, known as the VIP database.

I would like to thank full committee Chairman FILNER and Ranking Member BUYER for their leadership and support for this legislation.

The overall bill under consideration by the House combines the provisions from a number of other bills into strong legislation that will assist a broad array of veterans in a variety of ways, and I applaud Chairman FILNER for moving this legislation forward.

The bill updates the Servicemembers Civil Relief Act and burial regulations for national cemeteries. It creates a scholarship program to improve the eye care available to veterans and improves the Department of Veterans Affairs' outreach efforts by improving coordination among key offices within the VA.

The Veterans Small Business Verification Act that Mr. BOOZMAN and I introduced follows up on legislation Congress passed in 2006 requiring the VA to

maintain its VIP database and verify that applicants for inclusion in the database were veteran-owned small businesses or service-disabled veteran-owned small businesses. Once firms register in the VIP database, they qualify to receive set-aside or sole-source awards.

The Economic Opportunity Subcommittee learned through hearings and meetings with VA staff and the veterans community that the database contained firms that didn't qualify because the verification process was voluntary. This voluntary process meant that while the VIP database included over 16,000 businesses, less than 1,000 had received verification of their veteran status or had voluntarily submitted information to be verified.

While I'm pleased that Veterans Affairs Secretary Shinseki has taken steps since these hearings over the past 6 months to improve the process by which businesses are verified, this bill will ensure our veterans are afforded the small business opportunities they're due.

The Veterans Small Business Verification Act would amend title XXXVIII to clarify current law and require the VA to verify that firms are veteran-owned small businesses or service-disabled veteran-owned small businesses in order to be listed in the VIP database. Furthermore, it requires that the VA notify small businesses already listed in the database of the need to verify their status.

In conclusion, H.R. 3949 takes important steps toward providing needed assistance in a number of areas to those veterans who have bravely served their country. I encourage my colleagues to support H.R. 3949.

Mr. STEARNS. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. I thank Mr. STEARNS for yielding.

Mr. Speaker, I too rise in support of H.R. 3949, several provisions of which originated in the Subcommittee on Economic Opportunity. I want to especially thank Chairwoman HERSETH SANDLIN for her leadership in moving these provisions, as well as Chairman FILNER and Ranking Member BUYER for bringing the bill to the floor.

I did have one major disappointment, and Mr. STEARNS alluded to it earlier, in the effort to get the ''may'' to ''shall'' provisions, business provisions, that merely would have put disabled veteran-owned small businesses on an equal footing with 8(a) firms when competing for sole-source contracts at the Department of Veterans Affairs. I guess that was removed at the request of the Small Business Committee. And I know Mr. WALZ is concerned and the rest of the committee are all concerned about that.

Hopefully, we can all work together to reach a solution to that problem. This is something that literally we have all been working on for years, the ''mays'' to ''shalls'' and things. So, again, like I said, hopefully we can resolve that problem.

This is a very, very good bill. I think it's something that all of the committee can be very, very proud of. This is the kind of work that we want coming out of the Veterans' Affairs Committee, and so I very much support it. Again, special thanks to Ms. HERSETH SANDLIN, Chairman FILNER, and Ranking Member BUYER.

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

Mr. WALZ. Mr. Speaker, at this time I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK), who had an important piece of this bill incorporated in.

Mr. FRANK of Massachusetts. Mr. Speaker, this is a sad day for me because it is close to the anniversary of the death in Iraq of a very brave young man, Corey Shea, whose picture is here.

He was killed in Iraq just the day after Veterans Day of last year, and I went to the funeral, along with my colleague Senator KERRY, to the town of Mansfield, Massachusetts. Like I think most Members, I try very hard to attend the funeral of every young man and woman who is killed in the service of the country. It's the least we can do. It's not a great deal, but it's the least we can do to show a small piece of the gratitude we feel to those people and our obligation to their families.

Also, it seems to me, anybody in our position who has to vote on going to war needs to fully understand the consequences of those votes, and going to the funerals of the young people killed in those wars ought to be mandatory for any of us who vote. That doesn't mean you don't vote for the war. I voted for the war in Afghanistan. I've been to funerals of people killed there. But it is an important thing to hammer home.

In this case at the funeral I met an extraordinary woman, Denise Anderson, the mother of Corey Shea, who was, in her grief at the loss of her wonderful young son, further concerned because he would be buried alone.

His country took him when he was too young to have married or raised a family. So under the rules of eligibility for burial at a veterans cemetery, he was to be buried alone. His mother said as bad as it was for her to lose her son, the thought that he would be alone forever added greatly to her pain. So she had asked if she could be buried with him, and she was turned down.

Now, under the rules a member of the military eligible to be buried in a national cemetery who has a spouse with children can have up to three parts used. So we're not taking anything away from someone. In Corey Shea's case, this wonderful young man who lost his life has three parts available, and his mother simply asked to be allowed to use one of them. She was turned down.

At that point Senator KERRY and I decided to see what we could do. So we filed legislation to alleviate that, and I am enormously grateful to all members from both parties in the Committee on Veterans' Affairs for the speed with which they acted and the grace they showed to this brave, grieving mother. And I am very pleased that the bill which we would dare concur in, called the Corey Shea Act, is going to be included in this package.

Mr. Speaker, rather than go further myself, I'm going to read the testimony that Denise Anderson, the mother of Corey Shea, presented to the Committee on Veterans' Affairs. We obviously exhausted our remedies, I should say. She applied. Only after it was clear that only legislation would work did we file a bill.

And, of course, I should point out, as a tribute to Denise Anderson, this isn't a bill just for her and her son who lost his life. It's a bill for any parent of any young member of the military who will know at least that that's available to him or to her.

So nearly a year after her son was killed in Iraq, she had the opportunity to address the committee, and here's what she said:

''I stand before you humbly asking you to pass or amend this bill number H.R. 761. This would allow me to be interred with my son, who was killed in action in Mosul, Iraq on November 12, 2008. He sacrificed his life for his country, and I sacrifice every day being without him.

''My son, Corey, had a heart as big as the world. He would be the first one to volunteer or help someone in need. But he would always hesitate to ask for help. He was a lot like me in that way, but today I show my passion for this bill by standing in front of you asking for your help. If you knew my son, you would understand what kind of person he was. He was a very respectful young man who would do anything for anybody. He was my heart and soul, and I cannot express the bond between us. If you have children, you might understand, but losing a child is against nature and he should be burying me.

''I was a single parent until Corey was about 8 years old. His biological father was not around. In fact, he was in prison. He never paid child support, and I worked over 60 hours a week just to support him and make sure he had everything he needed. Jeff took over the job of stepfather and Corey gladly accepted him. When he came home on leave, we would stay up until the sun came up. I did not want to miss a minute with him.

''My son was killed by an Iraqi soldier. These soldiers are supposed to be working with our troops over in Iraq. He was an Iraqi soldier for 4 years before turning on our soldiers. On that terrible day, he killed two soldiers, including my son, and wounded six other American soldiers.

''I was not home when the Army came to my door, but my 18-year-old

daughter was there. She is a very intelligent person and knew why they were there. She called me, not telling me what was going on, which was probably a good thing. But when I arrived home, the Mansfield police and the Army vehicle were parked in front of my home. My son had only a month left on his first tour, and he would have been home. After passing out, the police called the paramedics, who took me to the hospital.

''The whole town came together for Corey. They were so involved with his funeral, and it was very heartfelt. My son was the only and hopefully the only soldier who passed away during this war in Mansfield. He is a Mansfield hero. I belong to the VFW in Mansfield, Massachusetts, and I have spoken to many veterans that are members there, and they don't have a problem with me being interred with my son. In fact, everyone I spoke with doesn't haven't a problem.

''This amendment would not be taking up any other deserving space for other veterans. My son has three extra plots, but he was not married nor did he have any dependents. He did not have time, since, like I said, he was a child himself.

''I could speak all day regarding my son and what a wonderful and respectful young man he was. But I am here to ask you to amend the bill number H.R. 761. If you decide to pass this, it would give me some peace in my life to which I can pay more attention to my husband and daughter, whom I feel I have been neglecting. I could finally be able to move forward in my life just knowing I can spend eternity with my son.

''Please listen with your hearts and amend this bill. I appreciate your time listening to me today. This may be a minimal issue with you, but it means everything to me.

''Thank you for your attention in this matter.

''Denise Anderson, proud mother of Specialist Corey Shea, my warrior hero and wonderful son.''

I would only say the one difference I would have with Mrs. Anderson is no one here takes this as a minimal issue. We are grateful to her for giving us one more chance to show in a small way how much we honor those who have lost their lives.

I will just repeat one thing I said, Mr. Speaker, in the testimony. I cannot think of a greater disproportion than what Denise Anderson gave to us, her son, and what she has asked us to give in return. I am pleased that at least the House will be doing that today.

□ 1515

Mr. WALZ. Mr. Speaker, I yield such time as he may consume to my colleague from North Carolina, Mr. MILLER.

Mr. MILLER of North Carolina. Mr. Speaker, I also rise in support of this bill. A portion of this bill began its legislative life as separate legislation introduced by WALTER JONES, my colleague from North Carolina, and by me to improve the Servicemembers Civil Relief Act, the SCRA. This legislation now provides real teeth and real remedy for the protections of the SCRA.

Someone who is serving in our military, who is defending our country, who is on active service, on active duty, should not have to worry about what is happening in court back home. They shouldn't have to worry if someone is getting a judgment against them or their home is being foreclosed on. Anyone who has a claim against someone who is in our military should not lose their claim, but their claim can wait, the lawsuit can wait, until the servicemember can come home, come to court and defend themselves, assert whatever right they may have, and tell their side of the story.

The law is now not entirely clear about whether a servicemember who has had that right violated, that right to get a little break while they are on military service, whether they can do something about it, and the legislation now makes very clear that they can. They can bring their own lawsuit. The Attorney General can bring a lawsuit, and the servicemember can join in that, and the servicemember can bring a lawsuit of their own.

A right that does not allow a remedy, a right that cannot be enforced is no right at all. This legislation now makes very clear that the rights under SCRA are real rights, and our servicemembers can devote their whole energy to defense of our country and not worry about what is going on in a courthouse back home.

Mr. WALZ. Mr. Speaker, I yield the balance of our time to the gentleman from North Carolina (Mr. MCINTYRE).

(Mr. MCINTYRE asked and was given permission to revise and extend his remarks.)

Mr. MCINTYRE. Mr. Speaker, I rise today in support of the Veterans' Small Business Assistance and Servicemembers Protection Act of 2009, H.R. 3949, which includes provisions of a bill that I introduced on the very first day that this Congress was sworn in this year, the 111th Congress, which was H.R. 32, the Veterans Outreach Improvement Act of 2009. I want to thank Chairman FILNER and Ranking Member BUYER for their support, as well as the many cosponsors from both sides of the aisle who have joined us in this effort to honor those who have put their lives on the line for our country, whom we will soon be honoring as a Nation on Veterans Day.

This important legislation, which passed the U.S. House unanimously during the last session of Congress, the 110th Congress, by a vote of 421–0, would improve the U.S. Department of Veterans Affairs outreach activities by allowing the Department to partner with State and local governments to reach out to veterans and their families regarding benefits for which they are eligible and to assist them in developing a benefits claim package.

About a quarter of our Nation's population of veterans are potentially eligible for VA benefits and services. A quarter of our total Nation's population are potentially eligible for veterans benefits and services. This legislation will help reach out to those who are eligible and ensure the accuracy and completeness of their benefit claims. And under this legislation, the Secretary of the VA would be authorized to provide grants and assistance to State veterans agencies and to our county veterans service officers, those who are on the front lines every day working in counties throughout this entire Nation, to help that veteran when he or she walks through the door.

These activities would allow veterans and their families to be able to get the assistance they need in the development and the submittal of their benefits claims. The Secretary would direct grants to States with large and growing populations of veterans in order to increase the outreach where it is most needed. Grants could be used for education and training of State and county officials to gain accreditation for continuing education. The Secretary would also be required to ensure that the coordination of outreach activities occurred within the Department of the VA.

This bill would authorize $25 million annually, which is an average of $1 per veteran, for fiscal years 2011 through 2013 to improve outreach to veterans. That, I believe, is not too much to ask. That is something we can certainly afford to do, and it is the least we can do to reach out to those who put their very lives on the line for our great Nation.

This legislation is supported by the National Association of County Veterans Service Officers, which is officially recognized by the Secretary of Veterans Affairs for ''the purpose of preparation, presentation, and prosecution of claims.''

This bill has also been endorsed by the American Legion, the Veterans of Foreign Wars, the Military Officers Association of America, the Paralyzed Veterans Association of America, and the National Organization for Veterans Advocacy.

As Veterans Day approaches in just a few days, it is important that we, as a Congress, demonstrate to our Nation's veterans our commitment to provide them with the benefits they deserve.

May God bless those who have served our country.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to applaud the actions of the House of Representatives in addressing the unique needs of our veterans and armed service members. Whether returning home from a tour of duty, or deploying for the first time, it is our responsibility to ensure these men and women are cared for when they return home. Through extensive educational outreach, additional grants, scholarships, and extending protections to today's veterans, we can provide these men and women with the tools they need to foster economic growth. As a member

of the House Armed Services Committee, I strongly support H.R. 3949, which further protects our nation's veterans. I urge my colleagues to support this important bill.

Mr. Speaker, our nation's economy was once empowered by our returning war heroes whose successful small businesses fueled the country's eventual rise as an economic superpower. We are now witnessing the emergence of another great generation. It would be careless of us not to grant this generation the same opportunities to succeed. This can only be done through further investment in small business development.

This bill would expand contract termination provisions for deployed servicemembers, prevent additional fees for early termination, expand assistance and outreach to states to inform veterans about benefits and programs for which they are eligible.

I urge my colleagues to help veterans help themselves.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and pass the bill, H.R. 3949, as amended.

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. WALZ. 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.

RECOGNIZING 60TH ANNIVERSARY OF BERLIN AIRLIFT'S SUCCESS

Mr. WALZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 398) recognizing the 60th anniversary of the Berlin Airlift's success.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 398

Whereas pursuant to mutual agreement among allies concluded at the Potsdam Conference following the unconditional surrender of Adolf Hitler's National Socialist (NAZI) regime on May 8, 1945, the German capitol of Berlin was divided into four zones of military occupation controlled by the United States, the Soviet Union, Great Britain, and France;

Whereas in a bid to maintain leverage over Germany by perpetuating its economic instability, and in opposition to the United States' Marshall Plan and the allies' proposal for a new, more stable German currency, then Soviet Dictator Joseph Stalin ordered a blockade of Berlin on June 22, 1948;

Whereas Stalin's blockade prohibited all ground access to the city, blocking the people of Berlin;

Whereas three 20-mile-wide free air corridors had been agreed on November 30, 1945, to provide unfettered access to Berlin along accepted flight routes;

Whereas the Soviet regime insisted that the Western Allies allow food and medicine to be supplied to these sectors only through Soviet-controlled East Germany, effectively allowing Soviet control over West Berlin;

Whereas President Harry S. Truman ordered the stationing of U.S. B–29 Superfortresses at British airfields on June 28, 1948;

Whereas Britain's Foreign Minister Ernest Brevin, at the suggestion of Commander Sir Brian Robertson, proposed employing a military airlift as an alternative to an armed convoy through the Soviet sector to provide humanitarian relief to Berlin's traumatized and beleaguered population;

Whereas General Lucius Clay, then United States military governor of Germany, and Major General Curtis LeMay, Commanding General of the United States Air Force in Europe, requested Douglas C–54 Skymasters, the largest transport plane available to the United States Air Force, to help supply the colossal strategic air mission;

Whereas the first Skymasters arrived at Rhein-Main Air Base on June 28, 1948, and were immediately loaded to begin Operation Vittles to convey supplies to Berlin;

Whereas the Soviet regime publically derided the airlift, announcing that it would be impossible to carry out and maintain such an operation, characterizing the mission in the East German press as, ''the futile attempts of the Americans to save face and to maintain their untenable position in Berlin'';

Whereas Australia, South Africa, and New Zealand joined Great Britain and the United States in what became the largest humanitarian operation ever undertaken by the United States Air Force;

Whereas Lt. General William Turner, honored in the Air Cargo Hall of Fame for his tactical brilliance as commander of the Berlin Airlift, was called upon to lead the Berlin Airlift and worked tirelessly to ensure that the aircraft he commanded supplied the besieged city of Berlin with essential supplies including coal, heating oil, medicine, and food from July 28, 1948, through the official conclusion of the mission on September 30, 1949;

Whereas the Berlin Airlift resulted in the total delivery of 1,783,573 tons of supplies by the United States and 541,937 tons of supplies totaling 2,300,000 tons delivered on 277,569 total flights to Berlin;

Whereas the United States Air Force's C–47s and C–54s alone logged 92,000,000 miles in the Berlin Airlift;

Whereas the commitment of the United States to aid the besieged people of Berlin resulted in the tragic loss of 101 allied personnel, of which 31 were United States casualties;

Whereas the following Air Force units, aided by the United States Navy and Army, are known to have contributed to the success of the Berlin Airlift—

(1) HHS1Air Life Task Force;
(2) 10 Troop Carrier Squadron;
(3) 11 Troop Carrier Squadron;
(4) 12 Troop Carrier Squadron;
(5) 14 Troop Carrier Squadron;
(6) 15 Troop Carrier Squadron;
(7) 29 Troop Carrier Squadron;
(8) 39 Troop Carrier Squadron;
(9) 40 Troop Carrier Squadron;
(10) 41 Troop Carrier Squadron;
(11) 47 Troop Carrier Squadron;
(12) 48 Troop Carrier Squadron;
(13) 53 Troop Carrier Squadron;
(14) HHS 60 Troop Carrier Wing;
(15) HQ 60 Troop Carrier Group;
(16) 60 Troop Carrier Group;
(17) HQ60 Maintenance Support Group;
(18) 60 Maintenance Squadron;
(19) 60 Supply Squadron;
(20) 60 FIN DIS UT;
(21) 60 COMM Squadron;
(22) 60A police Squadron;
(23) 60 Food Service Squadron;
(24) 60 Install SQ;
(25) 60 Motor Vehicle Squadron;
(26) 60 Base Services Squadron;
(27) 60 Medical Group;
(28) HHS A B Group;
(29) HQ61 Troop Carrier Group;
(30) HQ313 Troop Carrier Group;
(31) HHS61 Troop Carrier Wing;
(32) HQ317 Troop Carrier Group;
(33) HQ317 Maintenance Supply Group;
(34) 317 Maintenance Squadron;
(35) 317 Supply Squadron;
(36) HHS 317 A B Group;
(37) 317 Communications Squadron;
(38) 317A Police Squadron;
(39) 317 Food Services Squadron;
(40) 317 Installation Squadron;
(41) 317 Motor Vehicle Squadron;
(42) 317 Base Services Squadron;
(43) 317 FIN DIS UT;
(44) 317 Medical Group;
(45) 330 Troop Carrier Squadron;
(46) 331 Troop Carrier Squadron;
(47) 332 Troop Carrier Squadron;
(48) 333 Troop Carrier Squadron;
(49) HHS 513 A B Group;
(50) HQ 513 Troop Carrier Group;
(51) 513 Troop Carrier Group;
(52) HQ 513 Maintenance Sup Group;
(53) 513 Maintenance Squadron;
(54) 513 Supply Squadron;
(55) 513 Communications Squadron;
(56) 513A Police Squadron;
(57) 513 Food Service Squadron;
(58) 513 Install Squadron;
(59) 513 Motor Vehicle Squadron;
(60) 513 Base Services Squadron;
(61) 513 Finance Distribution Unit;
(62) 513 Medical Group;
(63) HHS 7350 A B Group;
(64) 7351 Maintenance Supply Squadron;
(65) 7352 AF Police Squadron;
(66) 7353 Installation Squadron; and
(67) HHS 7497A Lift Wing;

Whereas Col. Gail Halvorsen, also known as the ''Candy Bomber'' and recipient of the 1948 Cheney Award, distinguished himself by launching Operation Little Vittles, a magnanimous effort that parachuted over 3 tons of candy to the children of Berlin, including children in the Soviet sector;

Whereas in the face of the massive allied goodwill offensive, the Soviets capitulated and lifted the blockade on May 12, 1949;

Whereas the Berlin Airlift consolidated the successful use of air transport in military operations and led to the creation of the Air Mobility Command;

Whereas German Chancellor Konrad Adenauer noted that the Berlin Airlift ''was a truly visible sign that America recognized her duty to be the leader of free nations and wanted to fulfill it.''; and

Whereas the determined actions of the Berlin Airlift sent a clear message to the Soviet Union that the United States held an unquestionable commitment and unwavering resolve to prevent tyranny in Europe: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 60th anniversary of the Berlin Airlift, and commends all of the operation's United States veterans for their valor and determination to represent the noble ideals that thwarted the fall of the Iron Curtain over Berlin's western strongholds;

(2) honors the veterans of the Berlin Airlift who lost their lives to bring the means of survival and sustenance to civilians under siege in the service to their country;

(3) commends the spirit of collaboration which characterized this united allied operation involving both military and civilian aircraft and crews; and

(4) honors the men and women of the United States military whose continued dedication to the ideals of integrity, compassion, and liberty upholds the honorable legacy of the United States Armed Forces, as illustrated by the Berlin Airlift, and renews

our faith in the power of freedom and goodness to prevail over tyranny.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. WALZ. Mr. Speaker, I would also like to ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 3949, as amended, and H. Res. 398.

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

There was no objection.

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

Before I talk about the importance of the resolution before us today, I want to thank the Committee on Armed Services for working with the Veterans' Affairs Committee to bring this bill to the floor. And I include for the CONGRESSIONAL RECORD the exchange of letters waiving jurisdiction between the Committee of Veterans' Affairs and the Committee on Armed Services.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 6, 2009.

Hon. BOB FILNER,
Chairman, House Committee on Veterans' Affairs, Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On May 4, 2009, the House Resolution 398, ''Recognizing the 60th anniversary of the Berlin Airlift's success,'' was introduced in the House. As you know, this measure was sequentially referred to the Committee on Armed Services.

Our Committee recognizes the importance of H.R. 398 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over this legislation, the Committee on Armed Services will waive further consideration of H.R. 398. I do so with the understanding that by waiving further consideration of the resolution, the Committee does not waive any future jurisdictional claims over similar measures.

I would appreciate the inclusion of this letter and a copy of your response in the Congressional Record during consideration of the measure on the House floor.

Very truly yours,

IKE SKELTON
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, October 14, 2009.

Hon. IKE SKELTON,
Chairman, Committee on Armed Services, Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding House Resolution 398, ''Recognizing the 60th anniversary of the Berlin Airlift's success.'' This measure was referred to the Committee on Veterans' Affairs and sequentially referred to the Committee on Armed Services.

I agree that the Committee on Armed Services has certain valid jurisdictional claims to this resolution, and I appreciate your decision to waive further consideration of H. Res. 398 in the interest of expediting consideration of this important measure. I agree that by agreeing to waive further consideration, the Committee on Armed Services is not waiving its jurisdictional claims over similar measures in the future.

During consideration of this measure on the House floor, I will ask that this exchange of letters be included in the Congressional Record.

Sincerely,

BOB FILNER,
Chairman.

Mr. Speaker, H. Res. 398 recognizes the 60th anniversary of one of our Nation's most commendable humanitarian airlift operations in history.

As a whole, the United States Armed Forces is equipped with advanced and powerful equipment which gives them significant capabilities used not only for defense but also for humanitarian relief, as was so ably demonstrated in Berlin from July 1948 through September 1949.

During a time of tyrannical regime, the people of Berlin were left without the basic necessities, such as food and heat. The first Skymasters delivered humanitarian relief to the Berlin people, demonstrated our commitment to a free Berlin, and brought hope to all of Eastern Europe.

I am in full support of this resolution which honors the veterans of the Berlin Airlift who lost their lives in the service to their country to bring the means of survival and sustenance to civilians under siege.

The Berlin Airlift embodied the spirit of collaboration, valor, and the goodwill of all mankind. The operation stands as a testament of the perseverance and commitment to excellence of the United States Armed Forces. It is only right to honor the brave men and women involved in the Berlin Airlift who set an example of our faith in the power of freedom and goodness to overcome tyranny.

House Resolution 398 does this, and it honors the men and women of today's Armed Forces who continue to uphold the ideals of integrity, compassion, and liberty demonstrated by those involved in the Berlin Airlift.

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

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

Mr. Speaker, I rise in support of H. Res. 398, a resolution recognizing the 60th anniversary of the Berlin Airlift's success.

The Berlin blockade from June 1948 to May 1949 was one of the first major international crises of the Cold War and the first such crisis that resulted in casualties. During the multinational occupation of post-World War II Germany, the Soviet Union blocked the Western Allies' railway and road access to the sectors of Berlin under their control. Their aim was to force the Western powers to allow the Soviet zone to start supplying Berlin with food and fuel, thereby giving the Soviets practical control over the entire city.

The Truman administration reacted quickly by setting up a continual daily airlift that brought much-needed food and supplies into the city of West Berlin. This airlift lasted until the end of September 1949, even though the Soviet Government yielded and lifted the blockade itself on May 12, 1949. The Berlin Airlift resulted in the total delivery of 1,783,573 tons of supplies by the United States and 541,937 tons of supplies totaling 2,300,000 tons delivered on 277,569 total flights into Berlin.

Mr. Speaker, the resolution not only details a history of the Berlin Airlift, but also provides a list of all the units involved in the heroic effort at that time. The Berlin Airlift sent a clear message to the Soviet Union that the United States was unwavering in its resolve against tyranny in Europe.

I would like to thank my colleague, the gentleman from Nebraska (Mr. FORTENBERRY), for introducing this legislation, as well as Chairman FILNER and Ranking Member BUYER for moving the bill as quickly as they could through the subcommittee and to full consideration here on the House floor today.

I urge my colleagues to support H. Res. 398.

Mr. FORTENBERRY. Mr. Speaker, sixty years ago, the United States, joined by Great Britain, Australia, and South Africa embarked on a historic operation to sustain and defend the vulnerable, entrapped people of Berlin, Germany. The Berlin Airlift was a colossal strategic mission that inspired strength and fortitude in those held captive by then Soviet dictator Joseph Stalin's blockade of the Western-held sectors of Berlin. Today, this Congress honors those responsible for this noble feat.

The Veterans of the Berlin Airlift struck the first major blow in the new Cold War, forcing Stalin on May 12, 1949, to lift the blockade that impoverished Germany's capitol, thwarting the fall of the Iron Curtain over the Western strongholds.

These airmen embodied the highest virtues of American air defense, fusing tactical brilliance and innovation with goodness and heart in one of the greatest humanitarian efforts of all time. In providing food, coal, and medical supplies to the besieged citizens of West Berlin, our veterans of the ''Greatest Generation'' led a seminal goodwill offensive that alleviated the suffering inflicted by a communist regime that threatened not only the peace and prosperity of Berlin, but the peace and prosperity of the world.

As Col. Gail Halvorsen and his colleagues carpeted the streets of Berlin with chocolates and candy during Operation Little Vittles, they drew the hearts and minds of Berlin's children to notions of goodness and liberty, and away from the pervasive communist propaganda that sought to turn them against the West.

As we celebrate the 60th anniversary of the Berlin Airlift, let us remember the veterans who exemplified our highest ideals of brilliance and innovation in air defense, and whose integrity and dedication to liberty have inspired so many vulnerable people throughout the world. Their example renews our faith in the power of freedom and goodness to prevail over tyranny.

As memories of World War II and the Berlin Blockade fade with the passing years, I believe it is even more important to commemorate the spirit of kindness that led our veterans to bring hope and joy to the weary and beleaguered citizens of Berlin. May we honor their legacy and follow their example.

I am grateful for this opportunity to commemorate this noble endeavor and to honor the memory of those who are surely with us in spirit, those who gave the last full measure of devotion to a cause greater than themselves, a cause that changed the course of history for the better.

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

Mr. WALZ. Mr. Speaker, I urge my colleagues to unanimously support H. Res. 398, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and agree to the resolution, H. Res. 398.

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. WALZ. 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.

RECOGNIZING THE CRUCIAL ROLE OF ASSISTANCE DOGS IN HELPING WOUNDED VETERANS

Mr. WALZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 291) recognizing the crucial role of assistance dogs in helping wounded veterans live more independent lives, expressing gratitude to The Tower of Hope, and supporting the goals and ideals of creating a Tower of Hope Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 291

Whereas the brave men and women defending America's democracy in Iraq and Afghanistan are in harms way;

Whereas thousands of America's returning veterans were seriously wounded in combat, including brain injuries, single and double amputations, and other traumatic wounds;

Whereas these brave soldiers return to the United States and spend weeks, months, and years in hospitals recovering, and return to their homes needing assistance to regain their independence;

Whereas these recovering soldiers who are teamed up with assistance dogs lead more comfortable and more independent lives;

Whereas these dogs provide assistance to wounded veterans while walking, going up and down stairs, and getting up from a sitting or fallen position, and also pick up dropped articles, retrieve items from a distance, pull manual wheelchairs a short distance, turn lights on and off, and perform other important daily tasks;

Whereas assistance animals offer priceless companionship and unconditional love on a daily basis;

Whereas there are fewer than 75 veterans from Iraq and Afghanistan who currently have assistance dogs because they either cannot afford them or do not know about the benefits that assistance dogs provide;

Whereas severely wounded veterans currently have to wait up to two years before they can receive an assistance animal;

Whereas The Tower of Hope was created following the attacks of September 11, 2001, to bring hope to wounded veterans by providing them with assistance dogs at no cost; and

Whereas The Tower of Hope has substantially improved many lives by raising funds for the training of assistance dogs, providing grants for American combat wounded veterans, and advocating for the benefits of these animals: Now, therefore, be it

Resolved, That the House of Representatives—

(1) acknowledges the importance of assistance dogs in helping combat-wounded veterans live happier and more independent lives;

(2) applauds the outstanding work of The Tower of Hope and its dedication to training and providing assistance dogs to wounded veterans, as well as educating people about the benefits of such animals;

(3) expresses deep gratitude and support to volunteers and donors who have made this great program possible by generously offering time and funds;

(4) encourages the general public to support wounded veterans by volunteering or donating to help train assistance dogs;

(5) calls for a vigorous promotion of, and advocacy for, the benefits of assistance animals for physicians and the general public; and

(6) supports the goals and ideals of creating a Tower of Hope Day in honor of wounded American veterans and their service dogs, the work of The Tower of Hope, and the many generous donors.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Mr. Speaker, I rise in support of House Resolution 291, a resolution to recognize The Tower of Hope and the importance of assistance dogs. I truly believe the lives of our wounded veterans are enhanced by the role of assistance dogs that help them live more independently. The Tower of Hope has dedicated their time and effort to raise funds to train service dogs, advocate for the benefit of such valuable animals, and award grants to our wounded veterans.

□ 1530

The Tower of Hope is an organization that was founded by Ms. Cathy Carilli, whose husband, Tom Sinton, died in the 9/11 terrorist attack on the World Trade Center. As a tribute to the memory of her husband, The Tower of Hope was established and plays a major role in helping those seriously wounded in the war that almost immediately followed the 9/11 terrorist attacks.

Many servicemembers are coming home with serious injuries and currently have to wait up to 2 years before they can receive an assistance animal. Many cannot afford them or do not know about the benefits that assistance dogs provide. House Resolution 291 would help overcome these barriers by bringing more recognition to this organization that provides assistance dogs at no cost, educates the public about the benefits of such animals, and brings hope to our wounded heroes. It can cost up to $20,000 to train a service dog, and I recognize The Tower of Hope for providing these valuable animals at no cost to our wounded warriors. Their work is truly admirable.

These costs are not covered by the Department of Veterans Affairs, but by national and local organizations and generous donors. I am confident that this resolution will help promote the benefits of assistance dogs and express support to all organizations, volunteers, and donors that make such programs possible.

Mr. Speaker, I urge the support of House Resolution 291.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H. Res. 291, a resolution recognizing the role of assistance dogs in helping wounded veterans live more independent lives, expressing gratitude to The Tower of Hope, and supporting the goals and ideals of creating a Tower of Hope Day.

Founded in 2006, The Tower of Hope is one of many organizations across the Nation providing and training assistance dogs to help individuals with disabilities. Assistance dogs not only provide a specific service to their handlers, but also greatly enhance their lives with a new sense of freedom and independence.

Training an assistance dog is fairly expensive. An individual dog trained for placement can cost upwards of around $25,000 in care and training costs, and training takes around 18 months to complete.

With so many veterans in need of this type of help, it is important for us to focus on this need and provide encouragement to organizations such as The Tower of Hope working toward helping these veterans. Individual citizens can check to see if there is an organization in their State providing training to assistance dogs and whether these dogs are being provided to servicemembers by checking the Assistance Dogs International North America Web site.

Mr. Speaker, I would like to thank my colleague, Mr. HASTINGS of Florida, for introducing this legislation and bringing to our attention the importance of these service dogs to our wounded warriors. I would also like to thank Chairman FILNER and Ranking Member BUYER for moving the bill so quickly to the floor for consideration.

I urge all my colleagues to support H. Res. 291.

I yield back the balance of my time.

GENERAL LEAVE

Mr. WALZ. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Resolution 291.

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

There was no objection.

Mr. WALZ. I would also like to thank my colleagues who were involved in pushing this bill forward, with a special thank you to our colleague from Florida, Mr. HASTINGS, for his unwavering support of our veterans.

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

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and agree to the resolution, H. Res. 291.

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. WALZ. 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 VETERANS HISTORY PROJECT WEEK

Mr. WALZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 866) expressing support for designation of a National Veterans History Project Week to encourage public participation in a nationwide project that collects and preserves the stories of the men and women who served our nation in times of war and conflict.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 866

Whereas the Veterans History Project was established by a unanimous vote of the United States Congress to collect and preserve the wartime stories of American veterans;

Whereas Congress charged the American Folklife Center at the Library of Congress to undertake the Veterans History Project and to engage the public in the creation of a collection of oral histories that would be a lasting tribute to individual veterans and an abundant resource for scholars;

Whereas there are 17,000,000 wartime veterans in America whose stories can educate people of all ages about important moments and events in the history of the United States and the world and provide instructive narratives that illuminate the meanings of ''service'', ''sacrifice'', ''citizenship'', and ''democracy'';

Whereas the Veterans History Project relies on a corps of volunteer interviewers, partner organizations, and an array of civic minded institutions nationwide who interview veterans according to the guidelines it provides;

Whereas increasing public participation in the Veterans History Project will increase the number of oral histories that can be collected and preserved and increase the number of veterans it so honors; and

Whereas ''National Veterans Awareness Week'' commendably preceded this resolution in the years 2005 and 2006: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes ''National Veterans Awareness Week'';

(2) supports the designation of a ''National Veterans History Project Week'';

(3) calls on the people of the United States to interview at least one veteran in their families or communities according to guidelines provided by the Veterans History Project; and

(4) encourages local, State, and national organizations along with Federal, State, city and county governmental institutions to participate in support of the effort to document, preserve, and honor the service of American wartime veterans.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Mr. Speaker, Abraham Lincoln, in the Gettysburg Address, stated that the ''world will little note, nor long remember what we say here, but it can never forget what they did here.'' In that spirit, Congress created the Veterans History Project in 2000. The goal of the project is to capture the personal stories of our Nation's heroes so that our children and their children can more fully understand the history of this great Nation.

The project directed the Library of Congress to establish a national archive for the collection and preservation of videotaped oral histories of our veterans, as well as the copying of letters written during their time in service and diaries they kept so there is a national repository of this very important part of our Nation's history. This is a worthwhile investment of time and resources and is a gift that can be given for generations and centuries to come.

There are more than 23 million veterans living in this country today, including the 3 million veterans of World War II. It is important that these stories are told, and it is more important that these stories are told from the mouths of those who were on the front lines and participated firsthand as history was made.

This resolution before us today, House Resolution 866, calls on the people of the United States to interview at least one veteran in their family or community according to guidelines provided by the Veterans History Project.

I would like to thank all the volunteers from across this country, not only the veterans who have shared their stories, but their family members and friends that have helped to capture their accounts.

Volunteers and participants become historians themselves; they can collect video and audio recordings, create a collection of recordings to be available for public use, or collect written materials relevant to personal histories of all war veterans.

I encourage all Americans to reach out and thank the veterans they know, and their families, for their amazing sacrifice, learn more about their great contributions to our country, gain the wisdom of their personal stories of our Nation's history, and participate in the Veterans History Project.

As the chairman of the House Veterans' Affairs Committee has said, he has had the opportunity to hear many accounts from many veterans. He hears the sense of pride that comes with them, as do each of us who defended our country.

This Veterans Day, and the whole year through, join me and take the time to show your gratitude to those who have answered the call to duty.

Mr. Speaker, I would like to thank the chairman, Chairman FILNER, Ranking Member BUYER, and all members of the committee, and a special thank you to Representative RON KIND who introduced this to me.

As a schoolteacher and someone who understands the value of these oral histories, this is an incredible archive. The support of this project cannot be overstated. It is going to be something that will allow generations to come to understand what this country was built upon, and they will have it as a resource to access at any time.

So, again, I thank everyone involved in this project.

I reserve the balance of my time.

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

I rise in support of H. Res. 866, a resolution expressing support for the designation of a National Veterans History Project Week to encourage public participation in a nationwide project that collects and preserves the stories of the men and women who served our Nation at times of war and conflict.

The National Veterans History Project was created by P.L. 106–380, which was signed into law by President Clinton on October 27, 2000. It is housed in the American Folklife Center of the Library of Congress and contains firsthand accounts of veterans from every armed service conflict since World War I. The online database contains records of over 70,000 veterans and will continue to be a wonderful resource to inform and inspire all Americans for generations to come.

In reviewing this collection of information on veterans, you can find the stories in the collection of our only remaining American veteran of World War I, Frank Buckles. His digital collection contains both video and audio

records of his time serving as a corporal in World War I. We also have stories from the most current conflicts in Iraq and Afghanistan in the collection.

To have this personal record is so important to the history and nature of our country as it provides our Nation with the unique perspective of what it's like serving on the ground, a point of view often lost in the history books. Mr. Speaker, it is by preserving these stories and records that the past is shared with the future and lessons can be learned.

I highly encourage all veterans to participate in the Veterans History Project and support this resolution for the designation of National Veterans History Project Week to encourage public participation in this nationwide collection of stories.

Mr. Speaker, I would like to thank my colleagues, Mr. KIND of Wisconsin and Mr. WAMP of Tennessee, for introducing this bipartisan legislation, and Chairman FILNER and Ranking Member BUYER for moving the bill so quickly to the floor for consideration.

I urge all of my colleagues to support H. Res. 866.

I yield back the balance of my time.

GENERAL LEAVE

Mr. WALZ. 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 House Resolution 866.

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

There was no objection.

Mr. WALZ. Again, I, too, want to thank Mr. WAMP, Mr. KIND, and everyone involved in this; it is absolutely appropriate as next week we stop to remember Veterans Day. This project does so all year and for generations to come. I urge unanimous support of this resolution.

Ms. JACKSON LEE of Texas. Mr. Speaker, I stand here today in support of H. Res. 866, which expresses support for designation of a National Veterans History Project Week to encourage public participation in a nationwide project that collects and preserves the stories of the men and women who served our nation in times of war and conflict. I support this resolution because the preservation of our country's history, as told by the men and women of the armed services, is a valuable piece of our nation's heritage and merits our wholehearted endorsement.

The Veterans History Project was established in 2000 by the Veteran's Oral History Project Act, which I was proud to support as a cosponsor. We knew then, as we know now, that the experience of our nation's veterans is a vital part of the history of military conflicts. The Congress unanimously supported the legislation, a testament to the necessity of this effort.

The American Folklife Center of the Library of Congress was charged by Congress to initiate and oversee the Veterans History Project. Its task is to engage the public to create a collection of oral histories, which would be available for scholars. The Veterans History Project is operated by volunteer interviewers, partner organizations, and an array of institutions' dedicated to the preservation of the United States' heritage. Interviews with American war veterans and the civilian workers who supported the veterans are conducted according to the guidelines provided by the Project. The Veterans History Project collects the memories and remembrances of veterans who served in World War I, World War II, the Cold War, the Korean War, the Vietnam War, the Persian Gulf War, and the Iraq and Afghanistan conflicts. So far, the Veterans History Project has collected over 66,000 oral histories, pictures, and diary entries from American men and women who served their country on the battlefield and at home. The stories are made available at the Library of Congress and on the Veterans History Project website for everyone to study and experience.

I would like to acknowledge that there are two official partner organizations assisting this project in my home state of Texas. The first is the League of United Latin American Citizens (LULAC) located in Irving, Texas. The second is the LULAC-Daughters and Mothers Assisting Success Program located in Dallas, Texas. I am proud of the generosity of these organizations that are willing to donate their time to honor veterans and preserve veterans' history.

Veterans History Project Week highlights the need to collect and preserve the personal narratives of the men and women who have served the United States in times of war and conflict. The collection of personal experiences of U.S. service men and women will be a vital part of the historical record that will help future scholars understand the conflicts. There are over 23 million wartime veterans in America whose personal narratives can elucidate both the experience of armed conflict throughout time and the proceedings of the conflicts themselves.

This resolution is a timely reminder of the importance of acting quickly to preserve the experience of U.S. veterans. Approximately 40 percent of veterans are 65 years old or over. Of the 2.6 million World War II veterans who were alive in 2008, we are losing nearly 900 on average each day. We must not let time irreversibly claim the memories that are our nation's heritage.

The Veterans History Project also serves as a tribute to the men and women who have fought our country's battles or supported the effort at home. Collecting and preserving the personal narratives of veterans for historical records demonstrates the importance of the individual experiences. The voices of veterans will be available to be heard by future students of history and their experience will remain alive.

Mr. Speaker, this resolution and the effort to preserve the memory of those who have served our country in times of war and conflict are an invaluable part of preserving our country's heritage.

Mr. WAMP. Mr. Speaker, I rise today in support of H. Res. 866, expressing support for designation of a National Veterans History Project Week to encourage public participation in a nationwide project that collects and preserves the stories of the men and women who served our nation in times of war and conflict. I joined with my colleague, Mr. KIND, to introduce this legislation.

Our Nation loses at least 1,000 veterans every day, and along with them we lose their stories of courage and memories of comradeship and sacrifice. In October 2000, Congress recognized the urgency of collecting these wartime memories, accounts and documents and created the Veterans History Project.

Today we honor all the lives of veterans and the project by supporting the designation of National Veterans History Project Week. We encourage Americans to join in the effort to preserve and honor the service of our wartime veterans by interviewing those in their families and communities to contribute to the Veteran's History Project. It is a unique opportunity to help document the personal accounts of our Nation's veterans for today's generation and future Americans.

More than 600 stories of veterans in the Tennessee Valley have been permanently archived at the Library of Congress as part of the Veterans History project. More than 100 of these local veterans' memories were aired on Chattanooga's WRCB–TV. Through WRCB's television coverage, many veterans were inspired to share their stories and more were collected than we could have ever expected. Some of these memories include those of fresh-faced high school graduates who stormed the beaches of Normandy on D-day, officers who fought through the Battle of the Bulge and left Europe as decorated heroes, and young women who voluntarily served in the Army Corps of Nurses helping our soldiers heal from their battle wounds. Theirs are the stories we may not have heard if not for the Veterans History Project.

Our Nation's history of freedom is passed down from one generation to the next by American patriots who were willing to stand between a threat and our civilian population. It is essential that we work together to preserve their memories and experiences for future generations who have much to learn from those who have so honorably served our Nation.

Mr. WALZ. 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 Minnesota (Mr. WALZ) that the House suspend the rules and agree to the resolution, H. Res. 866.

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. WALZ. 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.

HONORING SENTINELS OF FREEDOM

Mr. WALZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 461) honoring Sentinels of Freedom and commending the dedication, commitment, and extraordinary work of the organization.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 461

Whereas in 2003, Sentinels of Freedom, based in San Ramon and Danville, California, was established;

Whereas the mission of Sentinels of Freedom is to provide life-changing opportunities for men and women who served in the United States Armed Forces and who have suffered severe injuries;

Whereas the Sentinels of Freedom Scholarship Foundation was created to benefit qualified veterans severely injured in the line of duty on or after September 11, 2001;

Whereas Sentinels of Freedom provides four-year scholarships that help veterans to become self-sufficient;

Whereas scholarship recipients receive support to enroll in school, find and maintain a job, and obtain housing;

Whereas Sentinels of Freedom organizes teams of local volunteers that provide mentoring and moral support for scholarship recipients;

Whereas Sentinels of Freedom has excelled in providing assistance to veterans; and

Whereas thanks to Sentinels of Freedom, 39 veterans have benefitted from scholarships and many more will in the coming years: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors Sentinels of Freedom;

(2) commends Sentinels of Freedom's dedication and commitment to the brave men and women who have served the United States; and

(3) praises Sentinels of Freedom for its extraordinary work for the well-being of the Nation's veterans.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Mr. Speaker, I stand in full support of House Resolution 461 to honor the Sentinels of Freedom Scholarship Foundation.

Sentinels of Freedom is an organization that provides support and opportunities to selected veterans with injuries sustaining 60 percent or higher levels of disability in all branches of our military post-9/11. They provide significant support in assisting our veterans to readjust back to civilian life and prosper in their hometowns or new communities.

Each of the past recipients of the Sentinels of Freedom scholarship has an inspiring story of recovery. Many of them have lived through injuries which they were not expected to survive and further endured many surgeries and months of recovery. For example, Army veteran Jake Brown accepted the first Sentinels of Freedom Scholarship in 2004. Crushed by a tank while serving in Germany, he was in a coma for 10 days and was not expected to live, but now he is back in his hometown and he is thriving.

Jake returned to his hometown of San Ramon, California, with his wife and currently works for UPS, where he has earned two promotions. He is also on the dean's list at Diablo Valley College. He has dreams of ultimately attending UC Berkeley's Haas School of Business. Despite having life-altering physical handicaps, veterans like Jake Brown are grateful to be alive and continue to prosper in their communities.

As Mike Conklin, chairman and CEO of Sentinels of Freedom, describes, the program is not a charity but rather an investment in the life of a person who has served our Nation and has earned the right to achieve his or her part of the American Dream.

As our veterans return home from war, it is fitting to have House Resolution 461 before us today. I am grateful to have the Sentinels of Freedom and other organizations that assist our wounded veterans and shed light and let them achieve their dreams.

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

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

I rise in support of H. Res. 461, a resolution honoring the Sentinels of Freedom and commending the dedication, commitment, and extraordinary work of the organization.

The bills we have passed this year will make enormous strides in helping our Nation's veterans improve their lives.

□ 1545

However, the Federal Government cannot do this job alone. It is through the work of organizations like the Sentinels of Freedom that our injured veterans can get back on the road to self-sufficiency.

Started by the father of three Army Rangers after one of his sons was wounded in Iraq in 2003, this 2- to 4-year life scholarship program is meant to assist veterans with severe service-related injuries who have the aptitude, attitude, and drive to become independent and successful members of society. The scholarship recipients are called ''sentinels'' in honor of their sacrifice and commitment to guarding America's freedoms. Over 32 servicemembers have joined the Sentinels of Freedom program. These sentinels are flourishing because of the help and assistance they have received from volunteers in their communities.

Mr. Speaker, I would like to thank my colleague and fellow committee member Mr. MCNERNEY of California for introducing this legislation to honor the work and dedication of the Sentinels of Freedom, as well as to thank the many volunteers working with this organization all across the country to help our injured servicemembers move back into society.

I would also like to thank Chairman FILNER and Ranking Member BUYER for moving the bill so quickly to the floor for consideration.

I urge all of my colleagues to support H. Res. 461.

Mr. Speaker, having no further speakers, again, I urge the passage of this very important resolution; and I yield back the balance of my time.

GENERAL LEAVE

Mr. WALZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on House Resolution 461.

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

There was no objection.

Mr. WALZ. Mr. Speaker, I, too, urge my colleagues to unanimously support this resolution.

I want to thank Mr. MCNERNEY from California for the inspiring story of Jake and for bringing this piece of legislation to the floor—again, absolutely appropriate the week before Veterans Day.

I have no further requests for time, and I yield back all remaining time, Mr. Speaker.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and agree to the resolution, H. Res. 461.

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.

DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

Mr. WALZ. Mr. Speaker, I move to suspend the rules and pass the bill (S. 509) to authorize a major medical facility project at the Department of Veterans Affairs Medical Center, Walla Walla, Washington, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 509

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

SECTION 1. MAJOR MEDICAL FACILITY PROJECT DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, WALLA WALLA, WASHINGTON.

(a) AUTHORIZATION FOR MAJOR MEDICAL FACILITY PROJECT.—The Secretary of Veterans Affairs may carry out a major medical facility project for the construction of a new multiple specialty outpatient facility, campus renovation and upgrades, and additional parking at the Department of Veterans Affairs Medical Center, Walla Walla, Washington, with the project to be carried out in an amount not to exceed $71,400,000.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2009 for the Construction, Major Projects account, $71,400,000 for the project authorized in subsection (a).

The SPEAKER pro tempore (Mr. DRIEHAUS). Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. WALZ. I yield myself as much time as I may consume.

Mr. Speaker, I rise in strong support of S. 509, a bill to authorize a new outpatient clinic at the Jonathan M.

Wainwright Memorial VA Medical Center in Walla Walla, Washington.

This bill would authorize appropriations of $71 million for the VA's construction and major projects account in fiscal year 2009. This funding would be used to design and construct a 65,000-square-foot outpatient clinic which will serve nearly 70,000 veterans in the Walla Walla area.

It has been a long journey since July 2003 when the VA was trying to close the Walla Walla facility. There have been challenges along the way, especially with the CARES Commission's decision in February of 2004, which formally recommended closing this facility.

However, we managed to do right by our veterans in the Walla Walla area by removing this facility from the VA's facility closure list and by getting the VA to include the construction of an outpatient clinic at the Walla Walla VA Medical Center in the fiscal year 2009 major construction priority list.

All of this would not have been possible without the leadership, hard work, and advocacy of Senator MURRAY.

Mr. Speaker, I would like to take a moment to personally thank Senator MURRAY for introducing this bill and to thank Chairman AKAKA of the Senate Veterans' Affairs Committee for moving the bill forward. I know how incredibly important it is to our veterans, especially to those in more rural areas, to get the care they need, so I strongly support the passage of S. 509.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of S. 509, a bill to authorize a major medical facility project at the Department of Veterans Affairs' medical center in Walla Walla, Washington.

S. 509 would facilitate the construction of a new outpatient clinic building, consolidating the administrative and support functions that are currently spread across Walla Walla's 88-acre campus. This new outpatient clinic building will allow for the integration of primary and specialty care as well as for mental health and ancillary services into a single state-of-the-art facility.

S. 509 has the full support of the Washington delegation. It is important to note that funding for this bill has already been appropriated. The funding must now be authorized so that we can move forward with the proposed improvements to the Walla Walla facility.

Mr. Speaker, I strongly support S. 509 and the improvements it will provide to veteran's medical care, and I encourage all of my colleagues to support the bill.

I reserve the balance of my time.

Mr. WALZ. We have no further speakers, and I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield such time as he might consume to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. I want to thank my colleague from Arkansas.

Mr. Speaker, I stand in strong support of S. 509, which would authorize the VA to construct this new, multiple specialty outpatient clinic building as the Jonathan M. Wainwright Memorial VA Medical Center in Walla Walla, Washington.

Now the Walla Walla VA Medical Center serves more than 65,000 veterans in a 14-county area that spreads over northeastern Oregon, southeastern Washington and central western Idaho. It's an integral part of the VA's Northwest health care network and has long established itself as a very important resource for veterans and the veterans community.

Now, the construction of this outpatient clinic, along with campus renovations, upgrades and additional parking, will help this facility better serve our men and women who have worn our uniform. This investment in the Walla Walla VA Medical Center will cement its place as a provider of health care to veterans in Oregon, Washington, and Idaho by providing them with a modern facility that will improve quality-of-care delivery and that will continue to allow them to provide the best care possible.

Since 2003, when the VA's Capital Asset Realignment for Enhanced Services, or CARES, Commission released its draft recommendation for the closure of this facility, veterans have rightfully raised concerns about the future of VA-delivered health care in this very rural region of our country. These veterans face the real possibility of having to drive hundreds of more miles to receive even the most routine care at the next closest VA facilities, which are located in Boise, Idaho; in Portland, Oregon; or in Spokane, Washington.

Like others in 2003, I voiced my strong concerns regarding the proposed realignment through a letter to then-Secretary of Veterans Affairs, Anthony Principi, and I submitted testimony to the CARES Commission. Through concerted efforts by area veterans, local advocates and elected officials, former-VA Secretary Jim Nicholson fully realized the importance of the care provided in this facility and reversed the commission's decision.

Today, the Walla Walla VA Medical Center continues to make a name for itself through the quality of care that it provides to our veterans. I was there in December of 2008, and I had the opportunity to meet with the new director of the Walla Walla VA Medical Center, Mr. Brian Westfield, and to receive an update on the facility, which has recently expanded its reaches into my congressional district through the opening of a very important clinic, a community outpatient clinic in La Grande, Oregon.

Last fall, the VA approved $71.4 million to design and construct this new, multiple specialty outpatient clinic in Walla Walla. The legislation we consider today would authorize that project. It is my hope that, with the completion of this clinic, the Walla Walla VA Medical Center will continue its tradition of providing quality care to the men and women who have given so much in service to our Nation.

So I thank you again for the opportunity to speak in favor of Senate bill 509. I thank Senator MURRAY for bringing this forward, and I thank members of both the Oregon and Washington delegations and of the Idaho delegation for their support. I look forward to the passage of this legislation.

Mr. WALZ. We have no further speakers, and I reserve the balance of my time.

Mr. BOOZMAN. I just want to thank, Mr. Speaker, the gentleman from Oregon for sharing with us and for showing us that this is not only bipartisan but that it is also a tri-State effort to get this done. So I think that further illustrates the importance.

I would like to thank our committee chairman, BOB FILNER, and Ranking Member STEVE BUYER for moving the bill forward for consideration. I urge all of my colleagues to support S. 509.

With that, I yield back the balance of my time.

GENERAL LEAVE

Mr. WALZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on S. 509.

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

There was no objection.

Mr. WALZ. Mr. Speaker, I, too, urge my colleagues to unanimously support this.

I want to thank the gentleman from Oregon (Mr. WALDEN) for so eloquently and clearly stating the need for this. Our rural veterans need this. This would have been a mistake to not extend this facility, and I appreciate your hard work to get this done.

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to recognize this critical bipartisan legislation which authorizes the construction of a new outpatient clinic at the Department of Veterans Affairs (VA) Jonathan M. Wainwright Memorial VA Medical Center (VAMC) in Walla Walla, Washington.

After listening to the concerns of the providers within the facility, local civic leaders, veterans and constituents, it is clear this facility is vital to making a number of services available to our veterans who are at risk of receiving a lower quality of health care if they are forced to seek services outside of the facility.

Veterans seeking health care rely heavily on the Walla Walla facility because of the geographic and climactic challenges in the region. This facility provides care to 65,000 veterans over 14 different counties in Eastern Washington, Northern Idaho and Northeastern Oregon covering 42,000 square miles. More than 11,000 veterans use this facility. We expect this number to increase as more service men and women return from deployments.

The staff at the Jonathan M. Wainwright Memorial VA Medical Center work hard for the

veterans our region. However, they are in desperate need of a new, modern facility that will facilitate the quality of care our deserving veterans require.

In February 2008, I asked Secretary James Peake to allocate these funds before 2010, rather than the 2012 original plan. Last fall, the VA approved $71.4 million to design and construct a new multiple-specialty outpatient facility at the Walla Walla VAMC. However, authorization was still needed for the project. This bill gives construction the necessary green light.

Mr. Speaker, I ask my colleagues to join me in supporting the veterans who are served by the Jonathan M. Wainwright Memorial VA Medical Center.

Mr. MINNICK. Mr. Speaker, I rise today to lend my strong support to Senate bill 509. This bipartisan legislation will authorize the construction of a new outpatient clinic at the VA Medical Center in Walla Walla, Washington. The Walla Walla VA hospital provides vital medical care to thousands of veterans from Idaho and a new state-of-the-art facility will allow the hospital to provide expanded services to the members of our armed forces.

As more of our troops continue to return home from their deployments in Iraq and Afghanistan, it is crucial that they receive the timely and effective care they deserve. And with Veterans Day just around the corner, this is an excellent opportunity to honor those who have sacrificed so much for our country. I urge my colleagues to join me in passing this important legislation.

I thank Chairman FILNER and Ranking Member BUYER for their strong leadership and continued commitment to improving the lives of veterans.

Mr. WALZ. With that, Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and pass the bill, S. 509.

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. WALZ. 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.

MAX J. BEILKE DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CENTER

Mr. WALZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3157) to name the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3157

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

SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC, ALEXANDRIA, MINNESOTA.

The Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, expected to open in September 2009, shall after the date of the enactment of this Act be known and designated as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic''. Any reference to such outpatient clinic in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Max J. Beilke Department of Veterans Affairs Outpatient Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. WALZ. I yield myself as much time as I may consume.

Mr. Speaker, I rise today to offer my support of H.R. 3157, a bill to name a VA outpatient clinic in Alexandria, Minnesota, in memory of Master Sergeant Max J. Beilke.

Master Sergeant Beilke served in the United States Army for 22 years, and he retired from service in 1974. On September 11, 2001, Max Beilke was at the Pentagon. Mr. Beilke was killed in the terrorist attack on the Pentagon on that day. After a lifetime of military service, Sergeant Beilke was laid to rest in Arlington National Cemetery. He was awarded the Defense of Freedom Medal and the Meritorious Civilian Service Award.

While in the Army, Mr. Beilke played a vital role in evacuating U.S. troops from Saigon and is officially listed as the last U.S. combat soldier to leave Vietnam on March 29, 1973, at the end of the Vietnam War.

Max Beilke served overseas in Germany, Korea and Vietnam and was an ROTC instructor at St. Thomas Military Academy in St. Paul, Minnesota. While in the service, Sergeant Beilke earned a bachelor of arts degree in business administration by attending night school at the University of Maryland. He later earned a master's of arts degree in personnel management in 1977 from Central Michigan University.

Sergeant Beilke retired from active duty in 1974, but remained dedicated to the service of our soldiers, to the veterans and to their families. The driving force of Mr. Beilke's life was caring for soldiers and their needs. He was instrumental in getting Congress to pass the TRICARE for Life program for military retirees. For this, he was named a TRICARE hero. From 1984 until September 11, 2001, Mr. Beilke served as deputy chief of the Army Retirement Services, and was an active member of the Army Chief of Staff Retiree Council.

Master Sergeant Max Beilke left behind his wife, two daughters, and three grandsons. Master Sergeant Beilke was a true friend to thousands of Army retirees and was of one of Alexandria, Minnesota's and this country's most distinguished heroes.

In recognition of his commendable service to our soldiers and veterans alike, H.R. 3157 is supported by State and local dignitaries from the Veterans of Foreign Wars, the American Legion, the United Veterans Legislative Council of Minnesota, and the Department of the Army.

H.R. 3157 would name the new Department of Veterans Affairs Outpatient Clinic in Alexandria, Minnesota, as the Max J. Beilke Department of Veterans Affairs Outpatient Clinic. Naming a VA facility for Master Sergeant Beilke, a hero and a strong advocate of veterans, is the proper and honorable thing to do.

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

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

Mr. Speaker, I rise in support of H.R. 3157, a bill to name the Department of Veterans Affairs Outpatient Clinic in Alexandria, Minnesota, as the Max J. Beilke Department of Veterans Affairs Outpatient Clinic.

I also want to thank the gentleman from Minnesota (Mr. PETERSON) for bringing this very important legislation forward.

□ 1600

Master Sergeant Max J. Beilke, United States Army, served 22 years' active duty and was stationed overseas in Germany, Korea, and Vietnam. Master Sergeant Beilke was officially listed as the last U.S. combat soldier to leave Vietnam on March 29, 1973.

Following his retirement from active duty in 1974, Master Sergeant Beilke continued his commitment to U.S. servicemembers and veterans by working with Congress to pass the TRICARE For Life program for military retirees. For his services, Master Sergeant Beilke was named a TRICARE Hero and continued his efforts by working on legislation to create a veterans survivors benefit program.

It was while working on this bill at the Pentagon on September 11, 2001, that Master Sergeant Beilke was killed in the terrorist attack that struck that day. For his dedicated services to the United States military and veteran populations, Master Sergeant Beilke was awarded the Defense of Freedom Medal from the Department of Defense and Meritorious Civilian Service Award from the Department of the Army, both posthumously.

Mr. Speaker, I strongly support H.R. 3157 in recognition of the service and sacrifice made by Master Sergeant Max Beilke for his country.

I encourage all of my colleagues to support this very important bill.

I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, it's a pleasure for me to yield as much time as he may consume to the gentleman and my neighbor from Minnesota, Mr. PETERSON, someone who understands the needs of rural Minnesota and our rural veterans as well as anybody in this

House and in this country, and understands how important these outpatient clinics are and the incredible honor and why it's right to name this clinic for a true Minnesota hero.

Mr. PETERSON. I thank the gentleman, thank him and the gentleman from Arkansas for letting me have a couple of minutes.

I think you have already covered all or most of my speech, but we are very honored to be able to name the outpatient clinic in Alexandria after a true American hero, Mr. Max Beilke, who grew up on a small farm near Alexandria, Minnesota.

He was a 1950 graduate of Alexandria High School. He was drafted into the Army and sent to Korea in 1952. Shortly after he returned home from his tour of service in Korea, he reenlisted and made the Army his full-time career.

Max served in Korea, Germany and, lastly, Vietnam, where he, during his 8-month tour, served as operations sergeant at Camp Alpha in Saigon, where all soldiers were processed going to and coming from the United States. As was noted, he was the last combat soldier to leave Vietnam while his family watched on television.

After 21 years in the Army, Max retired in 1974 as a master sergeant. Eventually, he settled in Laurel, Maryland, where he lived with his wife, Lisa, and raised two daughters. After retiring from the Army, he earned a master's degree from Central Michigan University.

As was noted, Max was very instrumental in establishing the TRICARE system for our veterans, and it was because of that he was at the Pentagon on September 11 and met his untimely death on that day. He was laid to rest on December 11 in Arlington National Cemetery.

He had a distinguished career in the Army and as a civilian. He has the support of all Minnesotans and all our veterans organizations. He very much deserves to have this clinic named after him.

I want to commend the VA for opening this clinic. I think this is the fifth clinic that they have opened in my district. It was proposed in 2004, and we had the grand opening ceremony just last month. For too long rural veterans in my district have had to travel too far for health care, but this clinic will bring veterans' health care services closer to all the veterans who live in that area. The VA estimates that it will serve 3,500 local veterans with primary care and mental health care and will provide a variety of other services as well.

I urge the House to pass this legislation.

Mr. BOOZMAN. Mr. Speaker, again I would like to thank Mr. PETERSON, the gentleman from Minnesota, for bringing this forward. We very strongly support this bill. It's great that we honor a true American hero, not only for his service connection and how he served in the military, but how he led his life.

Again, we urge all of our colleagues to support this bill.

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

GENERAL LEAVE

Mr. WALZ. 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.R. 3157.

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

There was no objection.

Mr. WALZ. Mr. Speaker, I, too, urge my colleagues to unanimously support H.R. 3157. I thank the gentleman from Minnesota for highlighting this, telling one of those stories of heroism, one of those stories of selfless service and then tying it to something that's incredibly important as we move forward—rural care for our veterans.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and pass the bill, H.R. 3157.

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. WALZ. 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.

ESTABLISHMENT OF NATIONAL VETERANS CEMETERY IN SOUTHERN COLORADO REGION

Mr. WALZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 174) to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the southern Colorado region.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 174

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

SECTION 1. ESTABLISHMENT OF NATIONAL CEMETERY IN SOUTHERN COLORADO REGION.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish, in accordance with chapter 24 of title 38, United States Code, a national cemetery in El Paso County, Colorado, to serve the needs of veterans and their families in the southern Colorado region.

(b) CONSULTATION IN SELECTION OF SITE.—Before selecting the site for the national cemetery established under subsection (a), the Secretary shall consult with—

(1) appropriate officials of the State of Colorado and local officials in the southern Colorado region; and

(2) appropriate officials of the United States, including the Administrator of General Services, with respect to land belonging to the United States in El Paso County, Colorado, that would be suitable to establish the national cemetery under subsection (a).

(c) AUTHORITY TO ACCEPT DONATION OF PARCEL OF LAND.—

(1) IN GENERAL.—The Secretary of Veterans Affairs may accept on behalf of the United States the gift of an appropriate parcel of real property. The Secretary shall have administrative jurisdiction over such parcel of real property, and shall use such parcel to establish the national cemetery under subsection (a).

(2) INCOME TAX TREATMENT OF GIFT.—For purposes of Federal income, estate, and gift taxes, the real property accepted under paragraph (1) shall be considered as a gift to the United States.

(d) REPORT.—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the establishment of the national cemetery under subsection (a). The report shall set forth a schedule for such establishment and an estimate of the costs associated with such establishment.

(e) RELATIONSHIP TO CONSTRUCTION AND FIVE YEAR CAPITAL PLAN.—The requirement to establish a national cemetery under subsection (a) shall be added to the current list of priority projects, but should not take priority over existing projects listed on the National Cemetery Administration's construction and five-year capital plan for fiscal year 2008.

(f) SOUTHERN COLORADO REGION DEFINED.—In this Act, the term ''southern Colorado region'' means the geographic region consisting of the following Colorado counties:

(1) El Paso.
(2) Pueblo.
(3) Teller.
(4) Fremont.
(5) Las Animas.
(6) Huerfano.
(7) Custer.
(8) Costilla.
(9) Alamosa.
(10) Saguache.
(11) Conejos.
(12) Mineral.
(13) Archuleta.
(14) Hinsdale.
(15) Gunnison.
(16) Pitkin.
(17) La Plata.
(18) Montezuma.
(19) San Juan.
(20) Ouray.
(21) San Miguel.
(22) Dolores.
(23) Montrose.
(24) Delta.
(25) Mesa.
(26) Crowley.
(27) Kiowa.
(28) Bent.
(29) Baca.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. WALZ. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, while I am pleased to be here today to bring H.R. 174, I think it's probably too light to say sponsored by our former colleague on the committee, Mr. SALAZAR, to the floor today. This bill will establish a national veterans cemetery in El Paso County, Colorado.

Just for background note, Mr. SALAZAR, who has moved on to another committee, has been a tireless advocate of our veterans, and this was a piece of legislation that I watched him advocate for with great passion because of the need. Southern Colorado, including El Paso County and the city of Colorado Springs, has the second highest concentration of veterans living in the entire United States.

Currently, those veterans in southern Colorado and their families who wish to either visit a veterans cemetery or have their loved ones interred must travel into the Denver metropolitan area to Fort Logan National Cemetery in often treacherous weather conditions. Not only is this an undue burden, but the Fort Logan National Cemetery is quickly running out of spaces.

To alleviate this problem, H.R. 174 directs the Secretary of Veterans Affairs to establish a national cemetery for veterans in El Paso County, Colorado.

H.R. 174 reflects a fitting tribute to those Americans who have served our Nation with honor. The veterans' national cemeteries of the United States demonstrate the desire of a grateful Nation to appropriately commemorate those who served in our Armed Forces.

Since 1862, more than 3 million burials have occurred in VA national cemeteries. The National Cemetery Administration of the Department of Veterans Affairs manages 130 national cemeteries nationwide for our veterans. Of the 130 cemeteries, 60 of them are no longer accepting in-ground interments, which results in millions of veterans and survivors being unserved and turned away from our national cemeteries.

While the State Cemetery Grants Program has met with success, the need to build new national cemeteries with a strategic vision is really still quite urgent. This is why Mr. SALAZAR introduced this bill and a related bill, the National Cemeteries Expansion Act of 2009, H.R. 3544, which would require the VA to reexamine its entire national cemetery establishment policy standard of 170,000 veterans in a 75-mile radius. This policy clearly has outlived its usefulness and should be revised immediately.

I want to thank Chairman FILNER and Ranking Member BUYER for pushing this bill forward. As we lose more of our Greatest Generation of veterans and face the unfortunate prospect of additional fatalities, we need to make certain that veterans are provided a dignified, accessible, and well-maintained final resting place. H.R. 174 helps to ensure that this happens for the many veterans and survivors of the region of southern Colorado.

Also, I would like to add that in the past this bill enjoyed the support of the Military Order of the Purple Heart, the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, and the Paralyzed Veterans of America.

Finally, I again want to applaud the leadership of Mr. SALAZAR on this bill, the bipartisan manner of the VA Committee understanding how important this is. Mr. LAMBORN, from Colorado Springs, has been intricate in making this happen.

I can tell you this is one of the most moving and passionate discussions we have in the VA. The commitment to making sure national cemeteries are accessible to our veterans is a key priority.

I urge the passage of H.R. 174.

I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of H.R. 174, which would direct the Secretary of Veterans Affairs to construct a new national cemetery in southern Colorado. Providing our veterans with a place of honor and repose is one of the most sacred missions of the Veterans' Affairs Committee, and we have given this mission our unstinting support over the years.

The National Cemetery Administration's record of high satisfaction among the families of its beneficiaries is the envy of the Federal Government and is a reflection of sound administration and strong congressional support, free of political influence. The Department of Veterans Affairs has a well-established and proven method that uses distance and demographics to select new cemetery sites.

While I believe that the VA process has its flaws and could use revision, it is the established process. Congress has long deferred to this process, which is essentially free from political pressure. Since 1999, Congress has authorized 12 new national cemeteries, all of which went through this process. A recent program evaluation of this policy revealed that there are some weaknesses in this policy and made several recommendations on how to better serve veterans and their families.

One such recommendation was to reduce the population threshold so that each cemetery would serve a population to as little as 120,000 veterans. The current population level is 170,000 veterans. VA is continuing to review the evaluation.

It is because of this process that Mr. STEARNS of Florida offered an amendment that was accepted for H.R. 1660, which is the predecessor of H.R. 174 from the 110th Congress. The amendment was intended to ensure that any new cemetery authorized by this bill would not displace cemetery projects in areas previously identified as priorities. This language preserves the integrity of the cemetery planning process.

I thank the original sponsors of the bill, Mr. SALAZAR and Mr. LAMBORN, for including this language in this year's bill, and I am very pleased to support it.

Having no further speakers, again, I just want to echo what Mr. WALZ said earlier, that this is one of the most important functions that the Veterans' Affairs Committee does and has done it very, very well through the years. This is a very bipartisan bill.

I urge all of our Members to support this very, very important bill as it goes forward.

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

GENERAL LEAVE

Mr. WALZ. 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.R. 174.

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

There was no objection.

Mr. WALZ. Mr. Speaker, I, too, want to thank Mr. BOOZMAN for his eloquent words and his passion on this issue. This is truly an issue that unites every Member of this House and every member of this country, the care and the dignity that we lay our veterans to rest.

I want to thank Mr. SALAZAR and Mr. LAMBORN again for their unwavering commitment to getting this done.

I urge my colleagues to unanimously support H.R. 174.

Mr. SALAZAR. Mr. Speaker, I rise today in support of my bill, H.R. 174, directing the Secretary of Veterans Affairs to establish a national cemetery south of Colorado Springs, to serve the veterans and families of southern Colorado.

Mr. Speaker, Coloradans take great pride in serving our nation.

As a veteran myself, I am proud to represent a district that is home to 70,000 of Colorado's almost 427,000 veterans.

Generations of Coloradans have stood in the service of our nation with pride.

In sharing that pride, our nation must also show its gratitude when our veterans pass away.

During this difficult time, it eases a family's burden when seeing their loved one interred at a veteran's cemetery and to witness their sacrifices being remembered by the nation they served.

However, we are faced with a situation where current standards place many VA cemeteries closer to large metropolitan areas.

In my home state alone, there are 150,000 veterans in the 29 designated southern Colorado counties that are waiting for an accessible veteran's cemetery.

Such policies punish our veterans for choosing to be buried in the small towns where they chose to live and raise their families.

It is wrong to force families to travel many hours and hundreds of miles to visit the final resting place of their loved ones.

As it stands, veterans and their families living in southern Colorado have the option of either making the difficult journey north to Ft. Logan in Denver or east to Ft. Lyons in Las Animas.

With these facilities, families have found themselves forced to travel extreme distances over rough terrain in unpredictable weather.

Since 1862, more than three million burials have been made in VA national cemeteries.

National cemeteries are the testimony of a grateful nation to appropriately commemorate the Americans who have served our nation in the armed forces.

Of the 120 cemeteries the VA National Cemetery Administration manages, 58 of them are no longer accepting interments. In anticipation of this, a cemetery in southern Colorado would extend the life of Ft. Logan and Ft. Lyon.

Families would no longer have to travel to these distant locations and instead could bury their loved ones closer to home.

In doing so, space that would otherwise be used at Ft. Logan and Ft. Lyon would remain available for families closer to Denver and Las Animas.

On May 2, 2008 the House Veterans Affairs Subcommittee on Disability and Memorial Affairs held a field hearing in Colorado Springs, Colorado to review the need for a cemetery in southern Colorado.

The hearing was presided over by Chairman JOHN HALL, Representative DOUG LAMBORN and myself.

Veterans Advocates, VSO's and widows with Gold Star Wives gave testimony in support of the legislation and reinforced the need for such a cemetery.

After hearing testimony and having experienced the difficult driving conditions and an abrupt snow storm, particularly over Monument Hill, then Under Secretary Tuerk committed to bringing a national veterans cemetery to the southern Colorado region.

The cemetery is supported by national VSO's, local veteran's advocates and most importantly the veterans and their families living in Colorado.

With such overwhelming support by the Colorado delegation and Congress, the VA would be acting on the intent of Congress in establishing a cemetery in southern Colorado.

I encourage my colleagues on both sides of the aisle to support our rural veterans and support this bill.

Mr. WALZ. I have no further requests for time, and I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and pass the bill, H.R. 174.

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.

□ 1615

SUPPORTING AND ENCOURAGING GREATER SUPPORT FOR VETERANS DAY

Mr. WALZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 89) supporting and encouraging greater support for Veterans Day each year.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 89

Whereas veterans of service in the United States Armed Forces have served the Nation with honor and at great personal sacrifice;

Whereas the American people owe the security of the Nation to those who have defended it;

Whereas on Veterans Day each year, the Nation honors those who have defended democracy by serving in the Armed Forces;

Whereas veterans continue to provide a valuable service in their communities across the Nation and are important members of American society;

Whereas we must honor and express our sincere gratitude to all our veterans for their unwavering commitment to country, justice and democracy;

Whereas the observance of Veterans Day is an expression of faith in democracy, faith in American values, and faith that those who fight for freedom will defeat those whose cause is unjust; and

Whereas section 6103(a) of title 5, United States Code, provides that ''Veteran's Day, November 11'' is a legal public holiday: Now, therefore, be it

Resolved, That the House of Representatives—

(1) encourages Americans to demonstrate their support for veterans on Veterans Day each year by treating that day as a special day of reflection;

(2) encourages schools and teachers to educate students on the great contributions veterans have made to the country and its history, both while serving as members of the United States Armed Forces and after completing their service; and

(3) requests that the President issue a proclamation each year in connection with the observance of Veterans Day calling on the people of the United States to observe that day with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Mr. Speaker, each year on Veterans Day, Americans come together to honor our Nation's heroes, over 23 million veterans that have served our country. Again this year, our country is engaged in conflicts that require the dedication of our uniformed troops. Our Nation has a proud legacy of appreciation and commitment to the men and women who have worn the uniform in defense of this great land. We must be united in seeing that every soldier, sailor, airman and marine is welcomed back with all the care and compassion that this grateful Nation can bestow.

House Resolution 89 encourages Americans to demonstrate their support for veterans. No other group of Americans has stood stronger and braver for our democracy than our troops and veterans.

As a member of the Committee on Veterans' Affairs, it is my honor to serve the veterans of this Nation, and I encourage my fellow Americans to do the same. I firmly believe that Veterans Day should not be observed just once a year, but our Nation's heroes must be celebrated, honored and remembered every single day of the year.

I encourage all Americans to reach out to veterans, thank them and their families for the amazing sacrifices they make, learn more about their contributions to our country, and gain the wisdom of their personal stories.

On this 90th official Veterans Day, it is important to let these heroes know that this grateful Nation honors their service. Pause to remember that service and the sacrifices of each and every one who has worn this Nation's uniform. On Veterans Day and throughout the year, join me and every Member of this House to take the time and show your gratitude to those who have answered the call of duty.

Mr. Speaker, I know as a veteran myself, as a member of the Veterans' Affairs Committee and having the honor to serve there, and as a teacher of our high school students, how incredibly important it is to remember the foundations this country was founded on and those who are willing to give and, as we speak, are still willing to give the ultimate sacrifice.

Veterans Day is not a day for sales, and Veterans Day is not a day to take the day off. Veterans Day is a day to understand that all the blessings of liberty and freedom this country has emanate from each and every one of those. So I think it is incredibly important. I urge support for this piece of legislation.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H. Res. 89, a resolution supporting and encouraging greater support for Veterans Day each year.

Our Nation's veterans have sacrificed so much for the freedoms that we enjoy on a daily basis. Our Nation has an obligation to ensure that those who have served, and especially those who were injured while serving, have the necessary benefits and services available to allow them to lead productive and fulfilling lives.

Today, a new generation of heroes returns home, too often draped in the Nation's flag. Their comrades in arms stand guard and honor their memories as they themselves become the living symbols of the cost of freedom. It is right that today, almost 1 week before our commemoration of Veterans Day, that we consider this resolution encouraging and supporting the observance of this important day for our Nation.

This resolution encourages Americans to demonstrate their support for veterans on Veterans Day each year by treating that day as a special day of reflection, encourages schools and teachers to educate students on the great contributions our veterans have made to our country, and requests that the President issue a proclamation each year in connection with the observance of Veterans Day.

Mr. Speaker, I want to thank my colleague, Mr. BACA of California, for introducing this legislation, as well as Chairman FILNER and Ranking Member BUYER for moving the bill so quickly to the floor for consideration.

I urge my colleagues to support H. Res. 89.

Mr. Speaker, having no further speakers, I just again want to say how

important this resolution is. Mr. WALZ said it so eloquently, especially coming from somebody like himself who did many years in the military and rose to a place of such prominence. We appreciate his service.

Again, this resolution basically just says that we need to slow down and do more to recognize the sacrifice of our veterans on this very, very important day. I think it is certainly very fitting.

With that, I urge all of my colleagues to support the resolution.

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

GENERAL LEAVE

Mr. WALZ. 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 House Resolution 89.

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

There was no objection.

Mr. WALZ. Mr. Speaker, I would like to thank the gentleman from Arkansas, my good friend, a tireless supporter of veterans, a true gentleman in this House, and someone who embodies what we are here for. There is far more that unites us than divides us, and nothing makes that clearer than Veterans Day. I think all of us know that when we come together in support of our veterans, it is all that is right in this country. We have our differences, we disagree on things, but nothing will ever shake that.

I want to thank Chairman FILNER and Ranking Member BUYER for their outstanding commitment to this. Maybe some people are wondering why this is H. Res. 89 after all the big numbers. Mr. BACA puts this in first every year in every Congress to make sure that it is ready to go for Veterans Day. For that I thank him.

ANDRÉ CARSON was down here earlier. As I explained to Mr. STEARNS why we did this, one of the things was, it is never hard to get anyone to come and support pieces of veterans legislation. Mr. CARSON from Indiana came back early and did that.

I also want to thank the staff for this package of initiatives going forward before Veterans Day, both the majority and the minority staff, for their tireless work on this. The one thing I have found working in the Veterans' Affairs Committee, the staff are there for our veterans. That is their main purpose, that is what they are there for every day, and they continue to work tirelessly to ensure that we are doing good things.

So it is with that that I ask all Americans to stand proud with our veterans, stand tall, know that those freedoms that they enjoy so much come at an incredible cost to many of our fellow Americans, but to let them know that we are with them every step of the way, and these pieces of legislation will go further to do that.

I urge the unanimous support of H. Res. 89.

Mr. BACA. Mr. Speaker, I rise in support of H. Res. 89, the Veterans Day resolution.

I thank Chairman BOB FILNER and Ranking Member STEVE BUYER for their commitment to this resolution and tremendous support for America's veterans.

As one of many veterans who are now Members of Congress, I am proud to introduce and now seek the passage of this important resolution.

To all my colleagues and fellow veterans, I commend you for your service.

This resolution reminds us that Veterans Day is not just a day off from school or work. This is a special day of reflection to honor those that have defended our freedom.

America would not be the great country that she is, if it were not for our veterans.

When our troops commit to serve our country, they make a promise to serve and protect.

We also have a moral responsibility to protect returning veterans and their families.

Veterans returning from Iraq and Afghanistan must receive the best treatment. Sadly, for the last few years, I don't believe our Government has held its end of the bargain.

But Congress is working diligently to correct this, most recently by implementing an outstanding GI bill and for adding more support services to veterans and their families.

We all must do our part to recognize America's greatest heroes.

This is why my resolution also encourages schools to educate our young people about the contributions of our veterans to this country.

Last Congress, as Chair of the CHC, I worked closely with Hispanic veterans and Medal of Honor winners from WWII to today.

The stories of courage and sacrifice I heard from them were nothing short of amazing. They deserve to be recognized and thanked.

A special thanks is due to our military families who are often left behind and face the daily rigors of war within their homes in America and overseas.

These families sacrifice so much for their loved ones and for America. I thank you as well; you are the support system and backbone for all these veterans.

On November 11th, on Veterans Day do not forget who the true heroes of this country are. Reflect on the true meaning of Veterans Day, and remember the sacrifices made by so many proud American sons and daughters.

I urge my colleagues to vote in favor of H. Res. 89.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 89, "supporting and encouraging greater support for Veterans Day each year." The roots of Veterans Day can be traced back to the eleventh hour of the eleventh day of the eleventh month, in 1919, yet the reigning effects of the efforts of our Veterans reach back much further. From our inception as a Nation, freedom has never been free; it has been fought for both on battle fields around the world and on the floors of the Congress.

In November 1919, President Wilson remembered our fallen soldiers of WWI with the following words: "To us in America, the reflections of Armistice Day will be filled with solemn pride in the heroism of those who died in the country's service and with gratitude for the victory, both because of the thing from which it has freed us and because of the opportunity it has given America to show her sympathy with peace and justice in the councils of the nations . . ." The Veterans Day that we know today was signed into law on May 26, 1954 by President Dwight Eisenhower. Congress amended the act on November 8, 1954, replacing "Armistice" with Veterans, and it has been known as Veterans Day since.

In its history, America has endured great tests of faith and each of the roughly 42 million men and women who have served this Nation at some point in time is a testament to the fact that this country truly is the land of the free and the home of the brave. For nowhere else in the world can you live a life of liberty in the pursuit of happiness as you can on American soil, this is the American Dream. A dream had by the likes of Abraham Lincoln, Martin Luther King, Jr., Barbara Jordan and every other American. A dream recently achieved by President Obama, who came from obscurity to the forefront of a truly just nation. Veterans have all done a great service to this Nation and it is our duty to honor them. The Texas Veterans Commission recognizes over 1.7 million veterans in my home state of Texas and within my home district, the 18th District of Texas, we hold our 34,000 veterans in the upmost respect.

Every morning when you wake up, you should thank a Veteran. Every night you make it to bed, you should thank a Veteran. Every breath in freedom you take, you should thank a Veteran. After serving our Nation with honor, our Veterans deserve to be honored.

For these reasons I stand with many of my colleagues in strong support of H. Res. 89, authored by Congressman JOE BACA (CA 43rd District) for the greater recognition of Veterans Day by:

1. Encouraging Americans to demonstrate their support for veterans each year by treating that day as a special day of reflection;

2. Encouraging schools and teachers to educate our children about the many contributions that veterans have made to our society—both during and after their service in the military;

3. Requesting that the President issue a proclamation each year in connection with the observance of Veterans Day calling on the people of the United States to observe that day with appropriate ceremonies and activities.

As stated in the resolution, the observance of Veterans Day is an expression of faith in democracy, faith in American values, and faith that those who fight for freedom will defeat those whose cause is unjust. As our Veterans take an oath to take on a just cause, so must we. We must vow to never forget the indisputable fact that our Veterans are the back bone of this Nation, they are the reason we can stand against forces of oppression. We too must stand and fight for our Veterans, to give them the care they both need and deserve.

Mr. WALZ. I have no further requests for time. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and agree to the resolution, H. Res. 89.

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.

FILIPINO AMERICAN HISTORY MONTH

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 780) recognizing the celebration of Filipino American History Month in October.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 780

Whereas the earliest documented proof of Filipino presence in the continental United States was the date of October 18, 1587, when the first ''Luzones Indios'' set foot in Morro Bay, California, on board the Manila-built galleon ship Nuestra Senora de Esperanza;

Whereas the Filipino American National Historical Society recognizes the year of 1763 as the date of the first permanent Filipino settlement in the United States in St. Malo Parrish, Louisiana, which set in motion the focus on the story of our Nation's past from a new perspective by concentrating on the economic, cultural, social, and other notable contributions that Filipino Americans have made in countless ways toward the development of the history of the United States;

Whereas the Filipino American community is the second largest Asian American group in the United States with a population of approximately 3,100,000 people;

Whereas Filipino American servicemen and servicewomen have a longstanding history serving within the Armed Services of the United States, from the Civil War to the present Iraq and Afghanistan conflicts, including the 250,000 Filipinos who fought under the United States flag during World War II to protect and defend this country;

Whereas Filipino Americans are an integral part of the United States healthcare system as nurses, doctors, and other medical professionals;

Whereas Filipino Americans have contributed greatly to the fine arts, music, dance, literature, education, business, literature, journalism, sports, fashion, politics, government, science, technology, and other fields in the United States which enrich the landscape of the country;

Whereas efforts must continue to promote the study of Filipino American history and culture, as mandated in the mission statement of the Filipino American National Historical Society, because the roles of Filipino Americans and other people of color have been overlooked in the writing, teaching, and learning of United States history;

Whereas it is imperative for Filipino American youth to have positive role models to instill in them the importance of education, complemented with the richness of their ethnicity and the value of their legacy; and

Whereas Filipino American History Month is celebrated during the month of October: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the celebration of Filipino American History Month as a study of the advancement of Filipino Americans, as a time of reflection and remembrance, and as a time to renew efforts toward the research and examination of history and culture in order to provide an opportunity for all people in the United States to learn and appreciate more about Filipino Americans and their historic contributions to the Nation; and

(2) urges the people of the United States to observe Filipino American History Month with appropriate programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from North Carolina (Mr. MCHENRY) 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 H. Res. 780 for consideration. This resolution recognizes the celebration of Filipino American History Month.

House Resolution 780 was introduced on September 25, 2009, by my friend and colleague Representative BOB FILNER of California. In addition, this resolution was favorably reported out of the Oversight Committee by unanimous consent on October 29, 2009, and it enjoys the support of over 50 Members of Congress. Moreover, the United States Senate passed a companion resolution to this legislation, Senate Resolution 298, by unanimous consent on October 1, 2009.

Mr. Speaker, House Resolution 780 recognizes the celebration of Filipino American History Month as a unique opportunity to reflect upon the significant advancements of Filipino Americans in our country as well as highlight the countless and diverse contributions of Filipino Americans to our national history and culture.

This monthlong celebration of Filipino American History Month was established in 1988 by the Filipino American National Historical Society to coincide with the 225th anniversary of the permanent settlement of Filipinos in the continental United States.

Notably, the Filipino American National Historical Society recognizes the year 1763 as the date of the first permanent Filipino settlement in the continental United States in the small fishing village of Saint Malo, located in what is now Saint Bernard Parish in Louisiana. These early settlers were formerly impressed sailors who escaped their oppressive conditions aboard Spanish galleons to establish a Filipino community in present-day Louisiana. The existence of this Filipino settlement was first reported in an 1883 Harper's Weekly article, which is widely believed to be the first article written about Filipino settlers in these United States.

Today, according to the most recent United States Census Bureau estimate, the Filipino American population in the United States is nearly 3.1 million, making the Filipino American community the second largest Asian American group in the United States. And while the majority of our Filipino American population is concentrated in the States of California and Hawaii, Filipino contributions in the field of public service, literature, business, science and other areas have deeply enriched the lives of all Americans across our Nation.

Whether we recall the approximately 250,000 brave Filipino Americans that served during World War II, or our Filipino Americans deployed in the support of Operation Iraqi Freedom and Operation Enduring Freedom in Afghanistan, our brave Filipino American servicemen and -women have continually demonstrated their commitment to safeguarding our Nation at great personal sacrifice.

Accordingly, I would like to thank the sponsor of this resolution, my friend and colleague Mr. FILNER of California, for his great work as chairman of our Veterans' Affairs Committee and for ensuring that the economic stimulus legislation signed by President Obama earlier this year included a provision which required that our roughly 15,000 living Filipino veterans of World War II receive their full and deserved veterans benefits.

The contributions of Filipino Americans to our national history are also evident in various other areas, including government and journalism. Notably, in 1994, Benjamin J. Cayetano became the first Filipino American elected a United States Governor. And in 1997, Filipino American journalists Byron Acohido and Alex Tizon of The Seattle Times were the recipients of Pulitzer Prizes for their outstanding contributions to American journalism.

Mr. Tizon, a native of Manila who came to the United States at the age of 4, was honored for a series of investigative articles about the widespread corruption and inequities in the Federally sponsored housing program for Native Americans. Mr. Acohido received his Pulitzer for his reporting on the conditions of the American aerospace industry.

Mr. Speaker, these are only a few of the many Filipino Americans whose achievements have greatly contributed to our national history. It is my hope that we can commemorate the contributions of all Filipino Americans

through the passage of House Resolution 780 and by recognizing the significance of Filipino American History Month.

I urge my colleagues to join us in supporting H. Res. 780.

I reserve the balance of my time.

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

□ 1630

I rise today in support of this legislation and the two other commemorating resolutions the Oversight and Government Reform Committee has put forth for consideration today on the House floor.

I believe Congress should instead, though, be focusing on high-priority initiatives. We are facing record unemployment deficits that threaten to bankrupt this country and a stimulus that is failing to create new jobs, yet this Congress is considering legislation that is not a high priority for the American people. The Congress should be considering legislation that provides a real and immediate economic solution for the American people before naming and commemorating resolutions.

But I do rise today, Mr. Speaker, in support of this resolution in celebration of Filipino American History Month. We have all seen the countless ways in which these Filipino Americans have advanced our Nation politically, economically and culturally. Filipino Americans have significantly contributed to this country through arts, science, math, sports, commerce and every other aspect of American culture since they first arrived in the 16th century.

During World War II, over 200,000 Filipinos served in our U.S. military. They served in a variety of roles, such as the Philippine Scouts, the Philippine Commonwealth Army under U.S. command and as guerrillas during the Japanese occupation of their islands. The history of our country has shown that Filipino Americans have strengthened the United States in all facets of our growth and development. Over 3 million Americans have traced their lineage to the Philippines, making them the second-largest Asian American group in the United States.

Mr. Speaker, I am pleased to support this resolution.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, I have no further speakers. But I do want to point out that the reason we are here, dealing with noncontroversial items and commemorative items, in fact, is because the House is not scheduled to take up votes, according to the calendar, until 6:30. So we use this time to take up matters that are noncontroversial, and we postpone votes so that Members can come in during the day. They are flying in during the process.

So this is a regularly scheduled event here. This is when we take up matters that are noncontroversial, such as this one, which recognizes the importance of Filipino Americans. This is important to the Filipino American community. It is very, very important and well deserved. I think it is appropriate at a time like this to take the time to recognize their accomplishments and for being an important part of our Nation's history and our culture.

I resent the fact that the inference has been made here that somehow we are using valuable time in the House when this particular time has been segmented so as to not interrupt the important business to be taken up later in the week. We are taking this time now, while Members are flying in and we don't have a full quorum, to address these commemorative issues. We will be in for the full week, so we'll have plenty of time to take those other matters up when the House is fully assembled.

Again, I have no further speakers, but I will continue to reserve the balance of my time.

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

Mr. Speaker, I would say in response to my colleague, I certainly appreciate the substance of this resolution. It is important. However, my colleague's characterization that this is only one day that we do suspensions here in the House actually doesn't comport with the reality that we've faced over the last few weeks in the House of Representatives.

On Monday, Tuesday and Wednesday of last week, the House of Representatives considered suspension items, which are noncontroversial pieces of legislation, many of which are commemorating in nature and are certainly important to the Members and to the group they're commemorating, absolutely. I agree. But we do have major work that we must contend with, and that was certainly the reason why I started this discussion by saying that we should be dealing with real major economic issues as a Congress and take those very seriously and, adding further, that the stimulus has failed our people, and I think we should be working to fix that, rather than simply to commemorate or change the building names of different Federal agencies and different governmental buildings.

I certainly appreciate my colleague's comments, but we certainly have a different focus on that matter and that characterization, although I would say that I share the same focus as my colleague from Massachusetts, and that is trying to do what's right for the American people. I certainly appreciate his work in that regard as well.

I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, the point I was making is that this time, this time right now, has been reserved for this purpose specifically; and this is a regular occasion during the week that we do this. Again, while we have extended a courtesy to Members of the Republican side, from the minority, so that they would know when votes are expected on the floor, and we have put that to a time certain.

The reason that we are dealing with ceremonial matters, commemorative matters here, is because Members are not all in the District of Columbia right now; they're not all in Washington. They are traveling here. This is a matter of courtesy, a courtesy extended to the minority Members so that when matters of contest and of dispute might arise, they would be here in full numbers, having the full opportunity to debate those matters.

Mr. FILNER. Mr Speaker, I rise today to urge my colleagues to support H. Res. 780, which I introduced along with several of my colleagues on the U.S.-Philippines Friendship Caucus.

H. Res. 780 recognizes Filipino American History Month, which was in October, and celebrates the heritage and culture of Filipino Americans and their immense contributions to our nation.

The Filipino American National Historical Society established Filipino American History Month in 1988. However, the U.S. House of Representatives has never recognized Filipino American History Month.

Consideration of H. Res. 780 is long overdue.

I am pleased to honor the Filipino American community and pay tribute to the extraordinary contributions that Filipinos make to this nation. Filipino Americans have been part of the American experience, confronting many difficult challenges while being resolute and steadfast in their cultural heritage.

Today, we honor Filipino Americans, from farm workers to nurses and doctors to the brave and courageous soldiers who fought shoulder-to-shoulder with American servicemen. This country is indebted to the Filipino veterans of World War II for their extraordinary sacrifices.

I urge my colleagues to join with me in honoring the history, culture, and contribution of Filipino Americans in the United States by supporting this important resolution.

Mr. AL GREEN of Texas. Mr. Speaker, I extend my strong support to H. Res. 780, which recognizes and celebrates Filipino American History Month in October.

The first Filipino in the United States arrived at Morro Bay, California, on October 18, 1587 in the Manila-built galleon, Nuestra Señora de Esperanza. In 1763, the first permanent Filipino settlement was established in the United States in St. Malo Parrish, Louisiana. For over 200 years, since before the founding of our great country, Filipino Americans have made varied contributions to American culture and society in countless ways.

Today, there are more than 3 million Filipino Americans and persons of Filipino ancestry living in the United States, including nearly 6,000 in my own 9th Congressional district in Houston, Texas. Filipino Americans count among their community prominent politicians, artists, businessmen, athletes, scientists, educators, writers, television personalities, scholars, and entertainers. Moreover, they are people who have paid the ultimate sacrifice for the safety of our country. Filipino American servicemen and servicewomen have a longstanding history of serving in the Armed Services of the United States, from the Civil War to the present Iraq and Afghanistan conflicts, including more than 250,000 Filipinos who valiantly

fought under the United States flag during World War II.

Notwithstanding their contributions to America, we must continue to promote the study of Filipino American history and culture because of the important roles that Filipino Americans and other people of color have played in United States history. It is my hope that through this House Resolution, we can renew our commitment to ensuring that Filipino Americans and people of color are given their due recognition for their contributions to our nation.

I urge my colleagues to support H. Res. 780 to honor our nation's Filipino Americans and our shared history with this community in the United States. Filipino Americans have altered America, their contributions are documented and forever enshrined in our history, and they deserve our recognition for the countless ways in which they make America great.

Ms. BORDALLO. Mr. Speaker, I rise today in support of H. Res 780, legislation introduced by my colleague, Congressman BOB FILNER of California. H. Res 780 recognizes the celebration of Filipino-American History Month and the important contributions made by the Filipino-American community throughout our Nation's history. Filipino-Americans have contributed to all facets of American society and have enriched our Nation with their lives and achievements.

Guam is home to a large population of Filipino-Americans who are active in all sectors of our community. Filipino-Americans have contributed to the economic, cultural and social success of Guam and have long played a part in the development of our island. The Philippines are culturally and historically linked to our community on Guam.

I would like to recognize the Filipino Community of Guam, an umbrella organization representing over fifty groups, working together for the benefit of our island. I also commend the Filipino Community of Guam for mobilizing and organizing relief efforts for the Filipino flood victims affected by this past year's natural disasters. Numerous members of the Guam Filipino community maintain close ties to their relatives in the Philippines and were eager to help those in need.

As a member of the U.S.-Philippines Friendship Caucus and the Congressional Asian Pacific American Caucus I join my colleagues in urging a "yes" vote on H. Res 780.

Mr. LYNCH. 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. 780.

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.

HONORING NEW HAMPSHIRE STATE SENATE

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (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, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 159

Whereas for over 200 years the citizens of the State of New Hampshire have elected State senators to serve in the legislature;

Whereas from 1931 to 1933, E. Maude Ferguson served as the first female member of the New Hampshire State Senate;

Whereas Vesta Roy served as the first female State senate president, and in 1983 she became the first female Governor of the State of New Hampshire;

Whereas women currently hold the offices of both the Speaker of the New Hampshire House of Representatives and the State Senate President of New Hampshire;

Whereas the New Hampshire State Senate was comprised of 13 women and 11 men for the legislative session beginning on December 3, 2008; and

Whereas the New Hampshire State Senate had nine women chairing committees and five men chairing committees for the legislative session beginning on December 3, 2008: Now, therefore, be it

Resolved, That the House of Representatives honors the New Hampshire State Senate for becoming the 1st statewide legislative body with a majority of women in the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from North Carolina (Mr. MCHENRY) 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.

On behalf of the Committee on Oversight and Government Reform, I am pleased to present House Resolution 159 for consideration. This resolution pays tribute to the New Hampshire State Senate for becoming the first statewide legislative body in United States history with a majority of women members.

House Resolution 159 was introduced on February 11, 2009, by my friend and fellow New Englander, Representative PAUL HODES of New Hampshire. In addition, this resolution was favorably reported out of the Oversight Committee by unanimous consent on October 29, 2009, and enjoys the support of nearly 60 Members of Congress.

Mr. Speaker, House Resolution 159 honors the New Hampshire State Senate for the remarkable distinction of becoming the first statewide legislative body to consist of a majority of women members. According to 2008 Census Bureau estimates, women comprise roughly 50.7 percent of the American population, yet despite the extent of their representation in the U.S. population, women remain significantly underrepresented at local, State and Federal Government levels. Notably, out of the 435 Members of the House of Representatives, women hold 77 congressional seats. Moreover, in the United States Senate, women hold 17 of the Senate's 100 seats.

In light of these and similar statistics evidencing the underrepresentation of women in government, the advancement of female legislators in the New Hampshire State Senate can be characterized as a defining moment in our Nation's history.

Following the State legislature elections of November 2008, the State of New Hampshire began its current legislative session on December 3, 2008, with a historic female majority in the State Senate. Specifically, women legislators currently hold 13 of New Hampshire's 24 State Senate seats. In addition, nine female Senators are currently serving as Chairs in the State Senate, which consists of 14 standing committees. Moreover, the Honorable Sylvia Larsen is currently serving her second consecutive term as State Senate president with the Honorable Terie Norelli also serving her second consecutive term as Speaker of the New Hampshire House of Representatives.

Mr. Speaker, I would also like to recognize that this watershed moment in American history would not have been possible without the efforts of previous female leaders in New Hampshire politics, including the Honorable E. Maude Ferguson and the Honorable Vesta Roy. Senator Ferguson, who served in the New Hampshire State House from 1931 to 1933, has the distinction of becoming the first woman elected to the New Hampshire State Senate. Ms. Roy made history as the first woman elected to serve as president of the New Hampshire State Senate as well as the first woman to serve as the Governor of New Hampshire from 1982 to 1983.

Mr. Speaker, the remarkable achievements of these women legislators are as inspirational as they are historic, to all those Americans that are committed to the equality of all citizens regardless of race, ethnicity, religion or gender.

Let us as a body take this opportunity to honor the great State of New Hampshire and its State Senate for this fine achievement by passing House Resolution 159. I urge my colleagues to join me in supporting this resolution.

I reserve the balance of my time.

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

As I said in the previous resolution that I was managing here on the floor, while I am supportive of this legislation, the previous commemorating resolution and the additional one that the Oversight and Government Reform Committee is offering here for consideration today, I believe that Congress should be, instead, focusing on higher-priority initiatives. We're facing record

unemployment, deficits that threaten to bankrupt the country, and a stimulus that is failing to create new jobs. Congress should be considering legislation providing real and immediate economic solutions for the American people before naming and commemorating anything.

But having said that, I do think it is important to recognize the State of New Hampshire for their major milestone, and I rise in support of H. Res. 159, honoring the New Hampshire State Senate for becoming the first statewide legislative body with a majority of women in the United States. It is a significant achievement. As a result of the 2008 statewide elections, 13 of 24 seats in the Senate are now held by women, an increase of three members which resulted in their majority status. On the national level, less than one in four legislators is female and eight of 50 Governors is a woman. These numbers continue to grow with each election year throughout the country.

I'm pleased to salute the women of New Hampshire for their commitment to public service as well as women throughout the United States who choose to serve our citizens on the local, State and Federal levels as their elected representatives. We certainly commend the wonderful work and addition that New Hampshire has been able to meet by this wonderful milestone.

With that, I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I will just point out that last week, we actually finally had an official draft of the health care reform bill. My colleagues on the other side have insisted, rightly, that they have 72 hours to review that bill; that it be placed online. I think it is a courtesy to keep controversial issues off the floor today to allow Members to consider that legislation because it is so important. I think if we jammed the schedule today with controversial matters, you might hear the complaint from my colleagues and others that they weren't given a full and fair opportunity to read that health care reform bill.

So, you're darned if you do sometimes, and you're darned if you don't. But I certainly do want to join with the lead sponsor and my colleague, the gentleman from North Carolina, but especially PAUL HODES from New Hampshire, who is the lead sponsor of this resolution, in congratulating the New Hampshire State Senate. I happen to be a member of the New Hampshire bar, so this is particularly a proud moment for me as well in celebrating their terrific accomplishment through the passage of House Resolution 159.

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. 159, 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.

HONORING PRESIDENT LINCOLN'S GETTYSBURG ADDRESS

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 736) honoring President Lincoln's Gettysburg Address on ''Dedication Day'', November 19, 2009.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 736

Whereas, on November 19, 1863, Abraham Lincoln dedicated the Soldiers' National Cemetery on the battlefield at Gettysburg, Pennsylvania, with the Gettysburg Address, which harkened back to the promises of the Declaration of Independence in the first sentence, ''Four score and seven years ago, our fathers brought forth, on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal'', and which called upon people of the United States to dedicate themselves to the principles of democracy so that government ''of the people, by the people, for the people shall not perish from the earth'';

Whereas Congress adopted a joint resolution on August 7, 1946, declaring the Gettysburg Address to be ''the outstanding classic of the ages'', designating November 19 as ''Dedication Day'' in honor of the Gettysburg Address, and suggesting that the Gettysburg Address ''be read on that day in public assemblages throughout the United States and its possessions, on our ships at sea, and wherever the American flag flies''; and

Whereas 2009 is the 200th anniversary of the birth of Abraham Lincoln and bicentennial tributes to his birth are expected throughout the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors President Lincoln's greatest speech, the Gettysburg Address; and

(2) encourages people in the United States to read the Gettysburg Address on ''Dedication Day'' in public places across the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from North Carolina (Mr. MCHENRY) 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 as much time as I may consume.

On behalf of the Committee on Oversight and Government Reform, I am proud to present House Resolution 736 for consideration. This resolution pays tribute to the historic Gettysburg Address delivered by President Abraham Lincoln in Gettysburg, Pennsylvania, on November 19, 1863.

□ 1645

House Resolution 736 was introduced on September 10, 2009, by my great friend and colleague, Representative TODD PLATTS, Republican of the 19th District of Pennsylvania. In addition, this resolution was favorably reported out of the Oversight Committee by unanimous consent on October 29, 2009, and enjoys the support of over 50 Members of Congress.

Mr. Speaker, House Resolution 736 honors one of the most remarkable and significant political contributions in terms of speeches made by one of our greatest Presidents, the Gettysburg Address delivered by President Abraham Lincoln at the dedication of the Soldiers' National Cemetery in Gettysburg, Pennsylvania, on Thursday, November 19, 1863. This resolution is not only fitting but also timely, as earlier this year we celebrated the bicentennial anniversary of the birth of President Lincoln, and on November 19 we will mark the 146th anniversary of Dedication Day and the Gettysburg Address.

In his invitation letter to President Lincoln, dated November 2, 1863, Gettysburg attorney David Wills requested that President Lincoln participate in the dedication ceremony by delivering ''a few appropriate remarks,'' as Wills noted that former Senator Edward Everett of Massachusetts was already scheduled to deliver the central oration. Accordingly, the dedication address delivered by President Lincoln more than 4 months following the pivotal battle of Gettysburg is not remembered for its length, but rather for the depth of its content.

In less than 3 minutes and in only 10 sentences, President Lincoln eloquently commemorated the lives of those who had fallen on the hallowed battlefield, reaffirmed the founding principles of the then-divided United States of America, and set forth the impetus behind the continuation of the shared struggle to unify the Nation amidst a deadly Civil War.

As noted by President Lincoln at the conclusion his historic address: ''It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus so far nobly advanced . . . that we here highly resolve that these dead shall not have died in vain; that this Nation, under God, shall have a new birth of freedom; and that government of the people, by the people, and for the people shall not perish from this Earth.''

The elegance of President Lincoln's brief words was noted by Senator Everett, whose oration at Gettysburg preceded the President's address and lasted approximately 2 hours. In a letter that he sent to President Lincoln following the dedication ceremony, Senator Everett wrote: ''I should be glad if I could flatter myself that I

came as near to the central idea of the occasion in 2 hours as you did in 2 minutes.''

And the profound impact of President Lincoln's address on our national history has been evident for generations. In addition to its prominence on the south wall of the Lincoln Memorial in Washington, D.C., the Gettysburg Address has served as a timeless source of inspiration in our eternal commitment as a Nation to achieve equality among all citizens. Notably, President Lincoln's address was referenced in the equally historic ''I Have a Dream'' speech delivered by the Reverend Martin Luther King, Jr. on the steps of the Lincoln Memorial in August of 1963.

Mr. Speaker, in acknowledgement of the lasting impact of President Lincoln's words, the 79th Congress approved House Joint Resolution 35 on August 7, 1946, thereby designating the day of November 19 as Dedication Day. The 79th Congress additionally characterized the Gettysburg Address as ''the outstanding classic of the ages'' and recognized that ''it will touch the hearts of men and inspire faith in our matchless democracy as long as time endures.''

Mr. Speaker, let us pay further tribute to President Lincoln in the year of his bicentennial birthday celebration and in anticipation of the 146th anniversary of the Gettysburg Address through our support of Representative TODD PLATTS of Pennsylvania's resolution, 736.

I would like to thank my colleague Mr. PLATTS for introducing this legislation, and I urge my colleagues to join me in supporting this resolution.

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

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

Mr. Speaker, as I said in the two previous resolutions that have come forth from the Oversight and Government Reform Committee, while I do support the legislation at hand and the motivation behind it, I do think that Congress should be focusing instead on higher-priority initiatives.

We're facing record unemployment, deficits that threaten to bankrupt the country, and a stimulus that is failing to help our people and create new jobs. Congress should be considering legislation providing real and immediate economic solutions for the American people before naming and commemorating resolutions.

I certainly appreciate the initiative of my colleagues to acknowledge the Gettysburg Address and the anniversary that we are fast approaching. I do find it quite interesting as a Congressman from a Southern State that my colleague that controls the majority's time is from a Northern State. It's kind of interesting that actually those dynamics still persist of both Southerners and Yankees alike, or New Englanders. But we can have an honest debate in this country, which is certainly worthwhile, and I think that Lincoln's Gettysburg Address certainly is a wonderful and enormous milestone for all Americans. Whether or not your State was in the Union at that point, whether it even existed at that point, it's certainly important.

On November 19, 1863, President Lincoln delivered a carefully crafted address that was assumed by many to be overshadowed by Senator Edward Everett's 2-hour oration. So unsuspecting was the crowd and so swift was the speech that no pictures were taken while the address was given. If the crowd had known that they were witnessing the defining speech of the War Between the States, I'm confident that many more would have been better prepared for the occasion.

In 10 lines and 272 words, the President redefined the war as an effort to solidify the American political system, our Republic, calling upon the Nation to dedicate themselves to a new birth of freedom so that government ''of the people, by the people, and for the people shall not perish from the Earth.''

We all know these words, Mr. Speaker. We all care about these words. Though brief, his oration was powerful. In these few appropriate remarks, Lincoln honored the fallen but also paid homage to the Founding Fathers and their commitment to a Nation led by its people.

Mr. Speaker, I would say in closing on a larger issue for the American people that this commemorating resolution, while certainly it's important to honor the Gettysburg Address, and though delivered in 1863, I think today we are at an anniversary of the 146th year for the Gettysburg Address, and it's important that we remember and commemorate this; but I think it's also important that we have a real debate about health care.

I do appreciate my colleague saying earlier that we're going to have a debate. We have 72 hours to review the 1,990-page health care bill, which is good, and certainly we're grateful, as a minority party, to have that time to review such a massive piece of legislation.

But I also think it's important that we have significant debate on this legislation. And rather than having just 2 or 3 hours, which has been the news this week that we will have to debate such a far-reaching piece of legislation on this House floor, that we would be able to spend more time, even on a Monday, debating health care and the importance of getting this approach right for the American people not just for today but for tomorrow.

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

Mr. LYNCH. Mr. Speaker, I want to point out that the current resolution is offered by my dear friend and colleague who happens to be a Republican; so if I did not extend him the courtesy, Mr. PLATTS of Pennsylvania, to offer this resolution, I think it would not comport to the level of courtesy that this House requires.

I do want to point out that of the last seven resolutions that we have taken up in the House today, five out of the seven were offered by Republican Members: Senate 475 by Senator BURR, House Resolution 773 by Representative BOOZMAN, again 1168 by Representative BOOZMAN. Those are all dealing with veterans' issues. Representative CAO of Veterans' Affairs, House Resolution 828; and H. Res. 398 by Representative FORTENBERRY, another one of my great Republican friends.

So if the gentleman wanted to complain and restrain his own Members from offering what I think are meritorious and deserving resolutions with respect to veterans and to the people of their own districts, that's a courtesy that I fully and fairly recognize and choose to honor, but if the gentleman wants to press with his desire to curtail—

Mr. MCHENRY. Mr. Speaker, will the gentleman yield?

Mr. LYNCH. The gentleman has already exhausted his time to no apparent purpose. It would be an attack on common sense for me to yield to him at this time.

With that being said, Mr. Speaker, I ask all Members to support Mr. PLATTS of Pennsylvania in his resolution, my Republican friend.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to support H. Res. 736 ''Honoring President Lincoln's Gettysburg Address on Dedication Day.''

Mr. Speaker, this resolution recognizes President Lincoln's speech during the November 19, 1863 dedication of the Soldiers' National Cemetery on the battlefield at Gettysburg, Pennsylvania.

This speech, forever known as the Gettysburg Address, commemorated the sacrifices of the fallen during the Civil War, and called upon people of the United States to dedicate themselves to the principles of democracy so that "government of the people, by the people, for the people shall not perish from the earth." Lincoln's words transcend the context of the Civil War and have served as an inspiration for visitors to the Lincoln Memorial, including the Reverend Martin Luther King Jr., who chose the Memorial steps as the location to deliver his famous ''I Have a Dream'' speech. King started his speech by invoking Lincoln's Gettysburg Address and reminding those gathered before him of the importance of the Emancipation Proclamation.

King's words remind us of the importance of President Lincoln, as well as how his legacy cannot be embodied by any one speech or action. This resolution is particularly timely given that, this year we celebrate the 200th anniversary of President Lincoln's birth. President Lincoln was a true champion of liberty for all Americans, and he led the nation during very turbulent political times from the Civil War. Abraham Lincoln was portrayed as a self-made man, the liberator of the slaves, and the savior of the Union who had given his life so that others could be free. President Lincoln became Father Abraham, a near mythological hero, ''lawgiver'' to African Americans, and a ''Masterpiece of God'' sent to save the Union. His humor was presented as an example of his humanity; his numerous pardons demonstrated his "great soul"; and his sorrowful

demeanor reflected the burdens of his lonely journey as the leader of a ''blundering and sinful'' people.

Abraham Lincoln was born on February 12, 1809, to Thomas Lincoln and Nancy Hanks, two uneducated farmers, in a one-room log cabin on the 348-acre Sinking Spring Farm, in southeast Hardin County, Kentucky. Lincoln began his political career in 1832, at age 23, with an unsuccessful campaign for the Illinois General Assembly, as a member of the Whig Party.

Lincoln was a true opponent of injustice. In 1837, he made his first protest against slavery in the Illinois House, stating that the institution was ''founded on both injustice and bad policy.

Opposed to the 1854 Kansas-Nebraska Act, Lincoln spoke to a crowd in Peoria, Illinois, on October 16, 1854, outlining the moral, political and economic arguments against slavery that he would continue to uphold throughout his career.

His ''Western'' origins also appealed to the newer states: other contenders, especially those with more governmental experience, had acquired enemies within the party and were weak in the critical western states, while Lincoln was perceived as a moderate who could win the West.

On November 6, 1860, Lincoln was elected as the 16th President of the United States. In his First Inaugural Address, Lincoln declared, ''I hold that in contemplation of universal law and of the Constitution the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all national governments,'' arguing further that the purpose of the United States Constitution was ''to form a more perfect union.''

Lincoln possessed a keen understanding of strategic points and understood the importance of defeating the enemy's army, rather than simply capturing cities. He had, however, limited success in motivating his commanders to adopt his strategies until late 1863, when he found a man who shared his vision of the war in Ulysses S. Grant. Only then could he insist on using African American troops and relentlessly pursue a series of coordinated offensives in multiple theaters.

Throughout the war, Lincoln showed a keen curiosity with the military campaigns. He spent hours at the War Department telegraph office, reading dispatches from his generals. He visited battle sites frequently, and seemed fascinated by scenes of war.

The Emancipation Proclamation freed slaves in territories not already under Union control. Lincoln later said: ''I never, in my life, felt more certain that I was doing right, than I do in signing this paper.''

As the war was drawing to a close, Lincoln became the first American president to be assassinated. On April 14, 1865, as a lone bodyguard wandered, and Lincoln sat in his state box, John Wilkes Booth crept up behind the President and fired a single fatal shot into the President. However, his triumphs live on far past this date.

In 1982, forty-nine historians and political scientists were asked by the Chicago Tribune to rate all the Presidents through Jimmy Carter in five categories: leadership qualities, accomplishments/crisis management, political skills, appointments, and character/integrity. At the top of the list stood Abraham Lincoln. The judgment of historians and the public tells us that Abraham Lincoln was the nation's greatest President by every measure applied.

Because he was committed to preserving the Union and thus vindicating democracy no matter what the consequences to himself, the Union was indeed saved. Because he understood that ending slavery required patience, careful timing, shrewd calculations, and an iron resolve, slavery was indeed killed. Lincoln managed in the process of saving the Union and killing slavery to define the creation of a more perfect Union in terms of liberty and economic equality that rallied the citizenry behind him. Because he understood that victory in both great causes depended upon purposeful and visionary presidential leadership as well as the exercise of politically acceptable means, he left as his legacy a United States that was both whole and free. His great achievement, historians tell us, was his ability to energize and mobilize the nation by appealing to its best ideals while acting ''with malice towards none'' in the pursuit of a more perfect, more just, and more enduring Union.

Mr. Speaker, President Lincoln has paved the way for people of color such as me to serve in Congress and represent the people of the 18th District of Texas proudly. He has been a trailblazer, opening the door for our first African American President, President Barack Obama.

This year, we celebrate the life of President Abraham Lincoln. He has given America many victories. Importantly, his presidency opened the door to ensure that all Americans would be assured their constitutional freedoms and that all Americans would enjoy the triumph against oppression and injustice. President Lincoln has lit the candle, let us today continue to carry it and make sure that it will never go out.

One hundred and forty six years after the Gettysburg Address, Lincoln's words continue to inspire people and governments not only in America, but throughout the world. In 1958, France adopted the constitution of its' fifth—and current—republic. Under Title 1, Section 2, the constitution states that ''the principle of the Republic shall be: government of the people, by the people and for the people.'' This is one of many examples of other nations viewing our great country as a beacon of democracy.

I thank my colleague, Rep. TODD PLATTS, of Pennsylvania, for introducing this important legislation, to ensure that we celebrate, treasure and recognize the impact of President Abraham Lincoln's most famous speech and I urge my colleagues to honor President Lincoln not only by joining me in supporting this resolution, but also by promoting the reading and examining of this speech on November 19th.

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. 736.

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, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 58 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HEINRICH) at 6 o'clock and 30 minutes p.m.

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:

H.R. 1168, by the yeas and nays;

House Resolution 291, by the yeas and nays;

Senate 509, by the yeas and nays.

Proceedings on remaining postponed questions will resume 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.

VETERANS RETRAINING ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1168, as amended, 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 Minnesota (Mr. WALZ) that the House suspend the rules and pass the bill, H.R. 1168, as amended.

The vote was taken by electronic device, and there were—yeas 356, nays 0, not voting 76, as follows:

[Roll No. 832]

YEAS—356

Aderholt	Baca	Bean
Adler (NJ)	Bachmann	Berkley
Akin	Bachus	Berman
Alexander	Baird	Berry
Altmire	Baldwin	Biggert
Andrews	Barrow	Bilbray
Arcuri	Bartlett	Bilirakis
Austria	Barton (TX)	Bishop (GA)

Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bono Mack
Boozman
Boswell
Boucher
Boustany
Boyd
Braley (IA)
Bright
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (KY)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Giffords
Gohmert
Gonzalez
Goodlatte
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hodes
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (IA)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
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
Neugebauer
Nye
Oberstar
Obey
Olson
Ortiz
Pastor (AZ)
Paul
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
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
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shuler
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Space
Speier
Stearns
Sullivan
Sutton
Tanner
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Watson
Watt
Waxman
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—76

Abercrombie
Ackerman
Barrett (SC)
Becerra
Blumenauer
Bonner
Boren
Brady (PA)
Brady (TX)
Broun (GA)
Brown, Corrine
Capuano
Carney
Clarke
Conyers
Crenshaw
Davis (AL)
Davis (IL)
Davis (TN)
Deal (GA)
DeFazio
Doyle
Gerlach
Gingrey (GA)
Gordon (TN)
Granger
Grijalva
Gutierrez
Hall (NY)
Hastings (WA)
Himes
Hinchey
Hoekstra
Holden
Johnson (IL)
Kind
King (NY)
Lamborn
Linder
Lipinski
Lucas
Maloney
McCaul
McMorris Rodgers
Meeks (NY)
Murphy, Patrick
Neal (MA)
Nunes
Olver
Pallone
Pascrell
Payne
Poe (TX)
Rush
Ryan (OH)
Salazar
Sarbanes
Schock
Shimkus
Shuster
Sires
Smith (WA)
Souder
Spratt
Stark
Stupak
Taylor
Teague
Thompson (CA)
Tiahrt
Tiberi
Velázquez
Wamp
Waters
Weiner
Wexler

□ 1901

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING THE CRUCIAL ROLE OF ASSISTANCE DOGS IN HELPING WOUNDED VETERANS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 291, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and agree to the resolution, H. Res 291.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 351, nays 0, not voting 81, as follows:

[Roll No. 833]

YEAS—351

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bono Mack
Boozman
Boswell
Boucher
Boustany
Boyd
Braley (IA)
Bright
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carson (IN)
Carter
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (KY)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Giffords
Gohmert
Gonzalez
Goodlatte
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hodes
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (IA)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neugebauer
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pastor (AZ)
Paul
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
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
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shuler
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Space
Speier
Stearns
Sullivan
Sutton
Tanner
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Watson

Watt
Waxman
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—81

Abercrombie
Ackerman
Barrett (SC)
Becerra
Blumenauer
Bonner
Boren
Brady (PA)
Brady (TX)
Broun (GA)
Brown, Corrine
Buchanan
Capuano
Carney
Cassidy
Clarke
Conyers
Crenshaw
Davis (AL)
Davis (IL)
Davis (TN)
Deal (GA)
DeFazio
Doyle
Ellsworth
Gerlach
Gingrey (GA)
Gordon (TN)
Granger
Grijalva
Gutierrez
Hall (NY)
Hastings (WA)
Himes
Hinchey
Hoekstra
Holden
Johnson (IL)
Kanjorski
Kind
King (NY)
Lamborn
Linder
Lipinski
Lucas
Maloney
McCaul
McMorris Rodgers
Meeks (NY)
Moran (VA)
Murphy, Patrick
Neal (MA)
Nunes
Pallone
Pascrell
Payne
Poe (TX)
Rangel
Rush
Ryan (OH)
Salazar
Sarbanes
Schock
Shimkus
Shuster
Sires
Smith (WA)
Souder
Spratt
Stark
Stupak
Taylor
Teague
Thompson (CA)
Tiahrt
Tiberi
Velázquez
Wamp
Waters
Weiner
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1908

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CASSIDY. Mr. Speaker, on rollcall No. 833, I was unavoidably detained. Had I been present, I would have voted "yea."

DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, S. 509, 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 Minnesota (Mr. WALZ) that the House suspend the rules and pass the bill, S. 509.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 352, nays 0, not voting 80, as follows:

[Roll No. 834]

YEAS—352

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blunt
Boccieri
Boehner
Bono Mack
Boozman
Boswell
Boucher
Boustany
Boyd
Braley (IA)
Bright
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (KY)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Giffords
Gohmert
Gonzalez
Goodlatte
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (TX)
Halvorson
Hare
Harman
Harper
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hodes
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (IA)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neugebauer
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pastor (AZ)
Paul
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shuler
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Space
Speier
Stearns
Sullivan
Sutton
Tanner
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wasserman Schultz
Watson
Watt
Waxman
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—80

Abercrombie
Ackerman
Barrett (SC)
Becerra
Bishop (UT)
Blumenauer
Bonner
Boren
Brady (PA)
Brady (TX)
Broun (GA)
Brown, Corrine
Capuano
Carney
Clarke
Conyers
Crenshaw
Davis (AL)
Davis (IL)
Davis (TN)
Deal (GA)
DeFazio
Doyle
Flake
Gerlach
Gingrey (GA)
Gordon (TN)
Granger
Grijalva
Gutierrez
Hall (NY)
Hastings (FL)
Hastings (WA)
Himes
Hinchey
Hoekstra
Holden
Johnson (IL)
Kind
King (NY)
Lamborn
Linder
Lipinski
Lucas
Maloney
McCaul
McMorris Rodgers
Meeks (NY)
Moran (VA)
Murphy, Patrick
Neal (MA)
Nunes
Pallone
Pascrell
Payne
Poe (TX)
Radanovich
Rush
Ryan (OH)
Salazar
Sarbanes
Schock
Shimkus
Shuster
Sires
Smith (WA)
Souder
Spratt
Stark
Stupak
Taylor
Teague
Thompson (CA)
Tiahrt
Tiberi
Velázquez
Wamp
Waters
Weiner
Wexler

□ 1915

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.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, on November 2, 2009, I was unable to cast votes due to personal reasons. I was not present for rollcall votes 832 through 834. Had I been present, I would have cast a "yea" vote for final passage of H.R. 1168. I would have cast a "yea" vote for final passage of H. Res. 291. Also, I would have cast a "yea" vote for the final passage of S. 509.

CONGRATULATING NEVADA ON THE 145TH ANNIVERSARY OF ITS STATEHOOD

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

Ms. TITUS. Mr. Speaker, I rise today to congratulate Nevada on the 145th anniversary of its statehood.

On October 31, 1864, President Abraham Lincoln admitted Nevada into the Union as the 36th State, which is an anniversary that is celebrated today throughout the State as Nevada Day.

Over the past 145 years, Nevadans have exemplified their State motto: "All for our country." Their patriotism and sense of duty have made critical contributions to our Nation's security in times of war and peace. During World War II and the Cold War, Basic Magnesium Mines and the Nevada Test Site played key roles in United States' victories.

Today, Nevada is a premier destination for tourists, business travelers,

family vacationers, and outdoor enthusiasts throughout the United States and around the globe. They are attracted by Nevada's many unique features, including the fabulous Las Vegas Strip, the Hoover Dam and beautiful outdoor settings ranging from vibrant desert landscapes to grand ski slopes.

Nevada exemplifies the independence, opportunity and pioneering spirit of the West. So I join my fellow Nevadans in celebrating our 145th anniversary.

THE ATHALIE RANGE CULTURAL ARTS FOUNDATION

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise tonight to recognize the Athalie Range Cultural Arts Foundation and its upcoming annual Celebration of Life event honoring those who have made significant contributions to the African American community. This year, Miami-Dade County Commissioner Audrey Edmonson, WHQT General Manager Jerry Rushin, and retired Bacardi Heritage Foundation president Jose Bacardi will be honored.

The Athalie Range Cultural Arts Foundation helps to encourage the appreciation and the enrichment of arts, especially of African American arts, in south Florida. The foundation was named after one of south Florida's most dedicated and courageous residents.

Athalie Range was a pioneer in our community, first as a civil rights activist and later as a public official. As the PTA president of Liberty City Elementary, she became a champion for the students of Miami-Dade County. She informed the school board about the deplorable conditions of Liberty City schools, and she demanded better resources for those schools.

Athalie became the first African American to serve on the Miami City Commission, and she also became the first African American and the first woman to head the Florida Department of Community Affairs. Athalie Range lived a life of humility that underscored her deep commitment to civil rights, justice and opportunity for all.

I commend the Athalie Range Cultural Arts Foundation for continuing in Athalie's footsteps, for helping to support the arts and for enriching the lives of all of south Florida residents.

ENERGY

(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, in January, President Obama took office while facing the worst economic crisis in generations.

Faced with that tremendous challenge, President Obama and the Democratic Congress responded with the American Recovery and Reinvestment Act, an aggressive plan to jump-start our economy and to create jobs.

As we look back on the Recovery Act's first 8 months, its success in averting catastrophe is clear. We are not out of the woods yet, and much more work remains to create good jobs and to lower unemployment; but there are positive signs that the recession is over and that the economic policies pursued by the Democrats are starting to work.

Just last week, the Obama administration made important announcements to invest $3.4 billion into the smart energy grid and into the first round of awards under the Advanced Research Projects Agency for Energy, or the ARPA-E program. These announcements by the administration show that the Recovery Act is working, giving investors the confidence they need to leverage private funds to create new clean-energy jobs to put people back to work and to revolutionize the way we power our economy and drive American innovation.

PELOSI'S TAKEOVER IS BAD FOR JOBS

(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 Pelosi takeover bill is nearly 2,000 pages of regulations and tax hikes that will strangle small businesses across America. At the same time we celebrate the new jobs being created by Boeing in South Carolina, the Pelosi takeover will destroy jobs, and we must stop it.

Senior citizens are under attack by squeezing Medicare. The Pelosi takeover will impose $135 billion in taxes on small businesses. In addition, this bill includes nearly $500 billion in other taxes, including a surtax on small businesses. The Nation's largest small business association, the National Federation of Independent Business, NFIB, reports that this employer mandate will negatively impact small businesses, eliminating 1.6 million jobs.

I encourage Speaker PELOSI to scrap her health care takeover and to work across the aisle with Republicans to adopt elements of H.R. 3400 and to give small businesses the opportunity to pull together to receive competitive rates.

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

HEALTH CARE REFORM

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

Mr. COHEN. Mr. Speaker, this weekend, when I went home, I went to the laundry.

A gentleman came up to me and said, You know, we've been friends for 40 years, and you're more liberal than I am—I'm a conservative—but let me tell you that I had a heart attack last month. Do you know what it cost? It cost $100,000. He said, Y'all have got to pass something with this health care. It's just too expensive, and if I were in a different situation, I might lose my health care and might not be able to get it.

I had a Halloween party at a friend's house. I'm 60, and my friends are within the margin of error. They're about the same age. Several of them had had cancer, and they talked about how they couldn't get out of their health policies. The premiums were going up. The deductibles were going up, and it was costing them more and more; and they weren't authorizing certain treatments that they needed.

They said, You need to pass that health care bill. It's important.

I went to my local pharmacy, and a lady came up to me, and she told me about what the cost of prescription drugs was doing to her. I told her we were going to close the doughnut hole, that we were going to help her with her prescription drug prices.

We need to get this country's health care policy where it doesn't destroy the financial condition of people's lives. We need to allow them to move on.

THANKING THE AIRMEN OF BARKSDALE

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

Mr. FLEMING. Mr. Speaker, this past weekend, my district in northwest Louisiana was hit with severe storms and tornadoes which left neighborhoods tattered, families without homes, and thousands threatened by levees that were threatening to break.

On Friday night, Bossier Parish officials had exhausted all options to save this levee when many citizens and especially the airmen of Barksdale Air Force Base mobilized to protect this community. Colonel Steven Basham assembled 140 airmen; and through their efforts, the levees were saved that night.

Over the days that followed, over 400 airmen worked around the clock to protect the levees, the homes and the families that surrounded it. Enlisteds, officers and even generals worked side by side in an effort to make sure that floodwaters did not destroy Bossier Parish.

I want to extend my sincere gratitude for their dedication and work during this natural disaster; and I want to say that the efforts of these airmen prove, once again, why the United States military is the greatest assemblage of outstanding men and women in the world.

VETERANS' SMALL BUSINESS ASSISTANCE AND SERVICEMEMBERS PROTECTION ACT OF 2009

(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 rise to support H.R. 3949, which was on the floor of the House today. I was delayed in coming to Washington because I was meeting with my union members to talk about jobs. Yet I am excited about this legislation that Chairman FILNER has brought to the floor, and I thank him for his leadership, which involves protecting and providing for servicemembers. There are currently 25 million veterans—1,630,000 in Texas with 34,000 veterans living in my community.

I am very proud that he put into the bill my vision impairment bill, which will provide for scholarships to help train those who can work with the visually impaired service veterans, many of whom have suffered from the IED explosions in Afghanistan and Iraq.

It would also protect parents who can be buried with their children. It will keep servicemembers from being evicted or from being foreclosed on when they're serving in Iraq and Afghanistan. Then of course it will provide for small businesses of veterans preferred to be on the list so that they can obtain businesses or business opportunities in the United States Government.

This is very important for the upcoming Veterans Day. We must celebrate our veterans, and I am very grateful that my vision impaired bill is in this bill, H.R. 3949.

RECOGNIZING NOVEMBER AS AMERICAN DIABETES MONTH

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

Mr. PAULSEN. Mr. Speaker, I rise tonight to call attention to November as American Diabetes Month.

Today, 24 million Americans have diabetes, and in this 1 minute that it takes me to give this speech, three more Americans will be diagnosed. The rate of diabetes cases is definitely on the rise, and it is becoming more severe. Based on our current trends, one out of every three children will eventually suffer from diabetes. Unlike cancer, heart disease and strokes, the death rate due to complications from diabetes has actually increased.

Diabetes not only exacts great personal harm; it imposes financial harm as well. Diabetes in the United States costs $174 billion annually, and the cost of caring for someone with diabetes accounts for $1 out of every $5 in total health care costs.

Changing this trend begins with raising awareness about diabetes. So, Mr. Speaker, let's all commit to doing more to educate Americans on the seriousness of this disease.

THE PELOSI HEALTH CARE BILL

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

Mr. BURTON of Indiana. Mr. Speaker, this is the Pelosi health care bill: 1,990 pages. Nobody in this place has even come close to reading it. In addition to that, it costs $2.25 million per word. That's per word. There are almost 3,500 ''shalls'' in there, and a ''shall'' is a mandate that Congress do something. Nobody has read this thing. It's going to cost all this money.

Members of Congress can exempt themselves from being involved in the public option. Every time you go to a town hall meeting, the American people say, Are you guys going to be included? Well, this bill says you don't have to be included if you're a Member of Congress because we're more important than the guy on the street.

You know, this is just a terrible, terrible bill; and the people of this country don't want it passed. I've had five town hall meetings, and the people overwhelmingly are opposed to this thing. They want us to solve the problems of health care. They want us to do it in a responsible way, but they certainly don't want this thing, and this doesn't even include the manager's amendment. This is a bad bill, and it should be defeated.

□ 1930

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.

OCTOBER HAS BEEN THE DEADLIEST MONTH FOR U.S. TROOPS IN AFGHANISTAN

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, I stood up in the House in late July and said the following words, ''Five American soldiers have been killed in Afghanistan this week. That brings the death toll in July to 31, making this the deadliest month for our troops since the conflict in Afghanistan began.''

Tragically, Mr. Speaker, July didn't hold the record for long. It was quickly replaced by August as the deadliest month. Now, 55 of our troops have died in October, making this the deadliest month yet.

We can't blame the troops for this, of course. They continue to fight with tremendous skill and with bravery. They do everything our Nation asks of them.

So what's to blame? It's our strategy. It's a strategy which has relied almost exclusively on military action for over 8 years while ignoring the critically important political, economic, and cultural aspects of the conflict. Yet President Obama is now being urged to double down on the military-only policy that has failed us and send in another 40,000 troops.

If we go down that road, what can the American people expect? They can expect higher troop levels, higher casualty rates, and many years of war that can end up costing us over a trillion dollars. Even if we do all that, the odds will still be stacked against us. That's not a strategy for success, Mr. Speaker. I think we can do better.

If we want to succeed in Afghanistan, we must change the way we do business there. Instead of fighting extremists after they have gotten a foothold, let's invest our resources on what would prevent violent extremism from taking root in the first place. That includes economic development, jobs, reconstruction, education, health care, civil affairs, and diplomacy. All would help stabilize Afghanistan.

Mr. Speaker, a serious commitment to a civilian surge of experts and aid workers to help the Afghan people develop their economy would make a huge difference over there. We must also develop a much better set of rigorous metrics to evaluate progress and report the results to the American people. Then we could develop an exit strategy. We could send the message that our involvement in Afghanistan is not open-ended.

It would also help to reassure the Afghan people that we have no intention of occupying their land, because right now too many Afghan citizens see America as an occupying force. That, more than anything else, Mr. Speaker, is fueling anti-Americanism and the insurgency. We must also do everything we can to assure a credible central government in Kabul to help with humanitarian and other efforts to improve the lives of the Afghan people. These are just some of the elements of smart security that we need to use in Afghanistan.

I have offered a comprehensive strategy for smart security in House Resolution 363, because I firmly believe that it would be a blueprint for victory against extremism in Afghanistan and other parts of the world. Mr. Speaker, by shifting from military power only to smart power, we can help Afghanistan to build a stable and functioning State. We can save the lives of our troops, and we can go a long way toward defeating the extremists who threaten America and the world.

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 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 gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, continuing on from my 1-minute I gave earlier, this bill, the Pelosi bill, the Pelosi health care bill that the Democrats are embracing is almost 2,000 pages long. It's going to cost $2.25 million for each word, and that does not include the manager's amendment, which we have not yet seen. I imagine it's going to come down probably sometime tomorrow.

As I said before, Members of Congress don't have to enroll in this public option which is in the bill. I hope everybody in America, if they happen to be paying attention—I know I can't talk to them, but if I were talking to them I would say, Hey, ask your Congressman why he is voting for a bill that's going to exempt him and make sure he can join a private health care insurance plan when there is a public option in here that he should be joining just like everybody else has to.

This bill is not going to cost under a trillion dollars as the Speaker has said. If you put the doc fix in there, it's going to cost another $250 billion. So we are looking at something between 1.2 and 1.3 trillion at a time when we are suffering economically in this country. Unemployment is close to 10 percent. The deficit this year, the deficit this year is already 1.4 trillion, almost three times just what it was last year, and we are going to add this new bill, which is going to cost another 1.2 to 1.3 trillion dollars.

The American people simply don't want it. Let's go into some of the other things that are in the bill, the Pelosi health care bill.

First of all, there is a surtax on small business people. Now, at a time when we have unemployment that's almost 10 percent, this is going to drive additional jobs out of the country offshore or they are going to have to cut back some of these businesses that stay here in America and let people go, which means there will be more unemployment. There is an employer mandate that's still applied to small businesses. Small businesses that have a payroll as low as $ $500,000 a year are going to be hit with a tax.

There is a new medical device tax. In Indiana, we have some companies that make medical devices to help people, prosthetic devices, wheelchairs and things like that. There's a new medical tax that's going to be levied on these kinds of devices of 2.5 percent, and that's going to be passed on to people who are suffering from medical problems that need these medical devices. We call that a wheelchair tax that's in this bill.

There's going to be new taxes on health savings accounts. The Pelosi bill eliminates the nontaxable reimbursements of over-the-counter medication from HSAs, HRAs, and FSAs. There is a new payroll tax, and the Pelosi bill creates a new voluntary payroll tax to fund new long-term care programs requiring mandatory spending, also known as a new entitlement.

Abortions are authorized in a break from the Hyde amendment and other longstanding pro-life policies. The bill includes the Capps amendment to authorize government funding of abortions through the public option. It also establishes an accounting gimmick to justify subsidizing private plans that cover abortion.

Next, Members of Congress, as I said, are exempt. They say that they may—not have to—enroll in the public option. At the same time it says ''may'' in there, there are 3,425 times in the bill it says you must, shall do something, and ''shall'' means it's a mandatory. There are mandatory things in here to the tune of 3,425 times.

Doctors reimbursement levels are up in the air. They've got those budget gimmicks that I talked about, which removes the doctor fix, the medical doctor fix of 250 billion, which takes this up to between $1.2 and $1.3 trillion.

It reduces affordability credits and instead expands Medicaid. The States are going to love that. They are going to shovel a lot of this onto the States who are already suffering, and they are going to have to raise taxes.

The Pelosi bill reduces the size of affordability credits for patients to purchase the insurance in the exchange and, instead, expands eligibility for Medicaid to up to 150 percent of the Federal poverty level, placing more Americans on entitlement programs at a cost to both the Federal and the State governments.

As I said most States are in the red, and they are not going to like this. Ask any Governor; he will tell you.

This also significantly changes the Medicare part D prescription drug program. The Pelosi bill requires the Secretary of HHS to negotiate drug prices for the prescription drug program. There are also several provisions in the bill that will likely increase seniors' premiums as identified by CBO, including the bill that would force seniors, force seniors, to pay at least an additional 20 percent more for their Medicare prescription drug coverage. That's part D.

These things the American people need to know. This is not a good bill. There is a better way, a better way.

HONORING SENTINELS OF FREEDOM

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

Mr. MCNERNEY. Mr. Speaker, I rise today in support of H. Res. 461, a resolution honoring the Sentinels of Freedom, which passed this afternoon by a unanimous vote when I was coming here this afternoon on the airplane.

Our Nation's veterans made tremendous sacrifices in defending our great Nation, and they deserve the best treatment upon returning home. Whether it is through education, employment, or health care, no veteran should fall through the cracks.

The Sentinels of Freedom, an organization based in San Ramon and Danville, California, provides opportunities to veterans returning from Iraq and Afghanistan and has demonstrated a commitment to America's heroes that we should all emulate. The Sentinels of Freedom Scholarship Foundation awards 4-year scholarships to severely injured veterans who began their service on or after September 11, 2001.

The program provides veterans with community support and mentoring, help with job placement, financial assistance for rent or mortgages, and continuing educational opportunities. The Sentinels of Freedom has helped dozens of veterans in States across the country, including California, Texas, Colorado, and Wisconsin.

Many military personnel fighting in Operation Iraqi Freedom and Operation Enduring Freedom are returning home with serious injuries that hamper their transition from military to civilian life. It's critical that we have programs in place that will help these veterans receive a quality education, secure a job, stay in their home, and lead a fulfilling life. I have seen firsthand the exceptional work and dedication of the Sentinels of Freedom and the way this organization helps to improve the lives of veterans. This group is a true leader in the community and deserves our highest respect.

I want to thank my colleagues for helping me to recognize and honor the outstanding work the Sentinels of Freedom have performed on behalf of our Nation's veterans.

WOMEN'S INFLUENCE IN HEALTH CARE

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, in many households, women are the main link between our family members and the health care that they receive. Women make the majority of health care decisions for their families. As the mother of two young adults and a new grandmother, I know the many responsibilities placed on women with children. From the time children are born to far beyond when they reach adulthood, a mother's care and advice are never far away. If we are fortunate, eventually we will be the grown children of elderly parents.

In my family, my mother suffers from Alzheimer's, among many other age-related problems. I know the responsibility of caring for our elders. My day would not be complete without at least making sure that I, along with my husband, children, and parents, have and take all of our prescriptions

and make it to our doctors' appointments on time. It is no wonder that women are the majority of health care workers in the United States. We are well prepared for this task.

□ 1945

Every American deserves access to health care insurance. This is our goal, and it must be the goal of our Congress. The goal must not be a bill that costs $1 trillion. The goal must not be a bill written behind closed doors. The goal must not be a bill that increases taxes on our families and all of our small businesses. The goal must not be a bill that passes huge debts on to our children and grandchildren.

Women deserve better. Every American deserves better. They deserve health care treatment, and every American deserves both health care treatment and efficiency at an affordable cost. But as America's mothers will tell you, Congress should be utilizing what works in our health care system and fixing what does not. Mothers are masters at finding commonsense and practical solutions.

What we currently see is a health care system burdened by excesses and inefficient bureaucracy. What we see is our children denied coverage because of a preexisting condition. What we see is parents changing jobs, causing our families to lose our doctors. What we see is women and our parents being charged more for insurance premiums because of their gender or because of their age.

What we don't see is how a government takeover of our health care is going to provide for our families' needs. What we don't see is how a bureaucratic takeover of our health care will bring down the cost of health care procedures or health care insurance. What we don't see is how the Pelosi $1 trillion bill helps us more than it hurts us.

Every American family deserves affordable health care and affordable health insurance. To use a mother's saying, let's not go throwing out the baby with the bath water. Simple, commonsense, cost-effective reform is how we can include all families in our health insurance market. We can and we must accomplish health care reform without ruining the current health care coverage that is enjoyed by the majority of families.

Women across the United States want to protect their family's coverage while ensuring that every other mother out there has the same access that she does. The Pelosi bill is not the answer. We can do better. We must do better.

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

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

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

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

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

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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.)

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.)

HEALTH CARE FOR WOMEN IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Tennessee (Mrs. BLACKBURN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. BLACKBURN. Mr. Speaker, I am so thrilled to be here tonight to talk about health care for women in America. Throughout this evening, you are going to see colleagues of mine join me on the floor as we talk about women's health care, to talk about the alternatives that we as Republicans have; how we would answer these questions that women and families have; how they would make the decisions; and some of the great ideas that we would bring forward.

You know, I think there is something that has become very evident to us over the last few weeks; women make most of the health care decisions in their families. Indeed, we have surveys that show that women are making as many as 85–90 percent of all health care decisions for their families, for their children, for their grandchildren many times, and for elderly parents. The Sandwich Generation is really jumping in and making these decisions. They are watching so closely the alternatives for health reform.

Of course, while we all agree that there is indeed a need for health reform, there is a big divide in this House. We have many to the left that are saying they want a government-centered plan, and then we have many of us who are on the right who are saying we want it to be patient-centered. We want the focus to stay with patients, with families, and let's not have a bureaucrat in the room.

We know that women are indeed watching. They have seen what the Democrats have to offer, and they are unimpressed. They are not impressed with this. They know that it limits and restricts their options.

Women are the drivers in the health care marketplace, and I think American women are going to be the drivers in the decisions that are made as we look at how we reform health care, because indeed it should be patient-centered, with families and individuals having control of those health care decisions. We don't want Washington and a layer of bureaucracy making those decisions.

A couple of weeks ago, I saw a story in Politico, and it said the Democrats needed to do a better job in messaging and trying to get their message out to women. I wrote a response to that, because I felt like, you know, they have gotten that message out. Women did not like what they were seeing.

So I am very appreciative that CATHY MCMORRIS RODGERS, who is vice chair of our caucus, and MICHELE BACHMANN from Minnesota have taken the lead for the Republican women tonight in establishing this Special Order time. We know that we have better bills, and they will put women more in charge of health care decisions and bring down the cost, because just like too much of the family budget gets spent on taxes, too much of it gets spent on health care.

We need something to bring the costs down. Even the CBO says the Democrat bill is going to drive the cost up. It is going to drive the cost of health care up, it is going to drive the cost of health insurance up, and we know also it is going to restrict access. We know that women want to have a say in this, and they don't want a bill that is going to end up hurting them and hurting their alternatives at the end of the day. So making certain that we have a plan that works for women is important.

Now, we know that in Speaker PELOSI's bill the Democrats outline how much the government will pay for certain procedures. A doctor who wants to do business with the government will have to accept that rate, and if you are an insurance company, why would you offer any more money than the going rate established by the government?

Well, we also know from what we have seen, from public option health care and the test case that took place in my State of Tennessee, that this doesn't always work. What you see is, when you have a public option plan in competition with private insurance,

the cost goes up, restriction to access takes place.

With Tenncare, the test case for public option health care that took place in our State, we saw the costs quadruple within a few years' period of time. We know that that hurt certain procedures and access to certain procedures, like cardiology, and we are very concerned about the restrictions to cardiology that are in the bill that the Speaker has brought forward.

Mammography, we are very concerned about what would happen to mammography and the ability to have those imaging tests and procedures that are needed and are necessary. The Speaker's bill does we think end up hurting women in a couple of specific areas that I have just pointed out, breast cancer health and cardiology, and we know that there is a better way to do this.

Let me touch on three bills that Republicans have that I think give the ideas that women are looking for. They bring forward great ideas that are patient-centered, that are focused on individuals, focused on reducing costs, increasing access, and making certain that more individuals have the ability to access the health care that they need.

One of those is H.R. 3218. It is by Representative JOHN SHADEGG. It would allow small businesses, churches, alumni associations and other small institutions to pool together, to come together just like you do when you join those associations, come together with that membership and then be able to look forward and say, all right, we are going to offer a health insurance plan. It also would allow for those insurance plans to be implemented across State lines. That is a pretty good idea, and that is a way, by pooling together small businesses and individuals, pooling together, then what you do is to lower that cost.

Now, there is also H.R. 3713, and this is by Representative MIKE ROGERS out of Michigan. He is a member of the Energy and Commerce Committee with us. He has taken an interest in and a leadership role in this issue.

What he has done is to look at the things that the President has said he wanted to accomplish, things that we all agree need to be done: Insurance market reforms, making certain that we have affordable insurance, access to affordable insurance for individuals who have preexisting and chronic conditions; making certain that individuals that are in good standing with an insurance policy are not dropped from that policy if they become ill and want to exercise that policy; making certain that portability is in place.

One of the frustrating things we hear often about, especially from women, is the fact that they may change jobs and then they find they can't take that insurance with them. How many times have you talked with a friend or a neighbor who said, you know, I have had a great job offer, but I can't take it. I have a child who has a chronic condition, or my spouse has a chronic condition, and, because of that, I would have to deal with the preexisting condition issue if I were to change insurance, if I were to change jobs. So addressing those portability issues is tremendously important.

Now, there is another component in this, liability reform. We all hear it. We hear it regularly. We hear from our physicians. We hear from our neighbors. We hear from individuals who say, you know, the practice of defensive medicine, having to make certain, having to make certain that you have a physician who is getting a validating opinion, who sent you to someone else for a second opinion, who sent you to someone else—defensive medicine drives the cost up.

Some of the physicians who are Members of the House have told us that fully they believe that this drives up the cost of medicine repeatedly to the tune of tens of billions of dollars every single year—every single year. So it increases that cost. And it is also a inconvenience to our seniors.

I had a constituent call me the other day and she said, Marsha, I just want to tell you what has happened to me as we have been going through this situation. She has a chronic condition. They were just beginning to address it. She went to her primary care physician, who ran a test and said, I think you need to see a specialist, and referred her. She went to him. He ran the test again, the same test, the same facility, ordered by a different doctor. He got the results back, and he said, I think you need to go and visit with Dr. So-and-so, so that you can get a second opinion on this.

She goes back. She sees the new physician. He runs the test again. Then she goes back to him. That is three times. And then the insurance wanted her to go for a fourth test. As she said, it was the same test run four different times. And her question was very simple. She said, Why don't they run the test once? Run it once and read it four different times, rather than having me have to get my daughter to take off work, which is a half a day for her to go to the test and then return home.

□ 2000

It's expensive. It is invasive. It is inconvenient. It is something that Congress could address and do something about, and I think that most people agree with that. It is of concern to us that H.R. 3962, the Speaker's bill, is 1,990 pages of bill. It is a big bill. This bill, this big huge bill—and we're going to have that bill on the floor for you to see tonight—this bill would be, really, a bill that is not fair to our seniors, and it does concern us. It's one of the primary concerns that we do have in this piece of legislation, the unfair practices that it would move forward on our seniors.

As we are going through our Special Order tonight, if you would like to log on to my Web site, blackburn.house.gov and pull down the legislation and follow along through it as we go through it, we certainly would appreciate you doing so. As I said, we feel the legislation is going to be very unfair to seniors. They're talking about making cuts to the tune of $500 billion in Medicare, basically doing away with Medicare Advantage. Then look what's happening with this, cutting Medicare by 2017. We all know the Medicare trust fund is going to be running out of money. But what we're seeing from the Democrat leadership of this House is a failure to recognize that Medicare is a trust fund. Medicare is not a slush fund. And we want to make certain that we protect our seniors as we work through this bill.

I am so pleased that we have women who are joining us on the floor tonight. At this time, I yield to the gentlelady from West Virginia, SHELLEY MOORE CAPITO, for her comments on health care.

Mrs. CAPITO. Thank you. I would like to thank the gentlewoman from Tennessee. She has been an advocate for health care but also commonsense health care. I think that's what we're facing here today. We're looking at a bill that Speaker PELOSI has put before this body. We've already heard that it's 1,990 pages. I heard it weighs 20 pounds. It just defies logic that anybody can honestly say that they know each and every thing that is in this bill. For those of you who know Washington, who know what can happen, I think that would raise some serious questions—it certainly does in my mind—but in your mind as to what are in the far reaches of this bill.

I would like to talk a little bit about women and health care because being a Member of Congress, a woman Member of Congress, we have certain duties, but we have so many other duties, like women across this country, that when we come into Washington, like many of us did today, we still have a little bit of our hearts or a lot of our hearts at home with our families, with our children, with our husbands, with our parents, with our siblings because we're the nurturers. We're the ones who, as women, oversee the health care in the family. We're the ones who, when the babies are little and they're coughing at night, put our ears to their chests to see if they're having some respiratory issues, and I think we're the ones that, as we become the sandwich generation, much like I am—I have grown children and elderly parents—that we're the ones that our parents come to to help them get to the appointments, fill their medications, help them with the forms, make sure that things are going in the right direction when they can no longer depend on each other.

I'm quite lucky. My parents are in their eighties, and they're extremely self-sufficient on their own. But someday they're going to need that help that I as a daughter and my sister and my brother will provide for them. In

West Virginia, I found—just coming here today, it was astounding to me of the number of folks that just randomly approached me about knowing what is on the docket here, the Speaker's over 1,900-page $1 trillion health care bill, and people are concerned. I was in Wendy's having lunch today, and I met a woman. She asked me to come over and talk with her. She is 75 years old, quite remarkable, and her mother had died the day before. We have a great history of longevity in our State. She is very concerned about this bill because she feels that not only is the bill being balanced on almost $500 billion in cuts in Medicare and Medicaid, which will influence her health care, but she is very concerned about government bureaucracy making decisions for her health care. She is very concerned about the government getting in between her decisions and her doctor's decisions. Quite honestly, she was afraid of a rationing of care. Because she is 75 years old, is she going to get the same care she might have if she was 50 or if she was 25? These are the kinds of thoughts that are very real, and they were very real for her, as I talked with her over lunch.

Then as I was going to get on my plane this afternoon, I was buying a bottle of water, and the lady behind the counter said, Well, you're going back to Washington, right?

I said, Right, going back to Washington.

She said, It's health care, right?

I said, Right, it's health care.

And this voice in the back of the room said, Don't mess with my health care. Again, her view was, she's not on Medicare yet, but she had parents that were. She is concerned about their Medicare, but her concern was government-run health care. She sees this bill as it is. It's a government reach into her health care, and she was very concerned.

Then as I was coming back in from the airport, I had a man who asked me, Going to talk about health care, right?

I said, Right.

And he goes, Well, let me tell you, he said, If in any way that health care bill would leave a crack in the door for my taxpayer's dollars to go for funding of abortion, I am going to go on a rampage. He said, I can understand, and I want to give, and I want to help, but this was his line in the sand.

So you can see that everybody has a different perspective, and the 1,900 pages that are in the Speaker's bill are causing great concerns on a whole lot of levels.

I did some research on West Virginia women. Of West Virginia residents, 51 percent are women, and the 442,000 women in West Virginia who receive health care coverage through their employer, which is almost 60 percent of the women, I am concerned about them because they have health care that generally serves their needs. We need to go in and make sure we make adjustments, that we fill the cracks in the lack of access or coverage. But I am concerned and I think it's a real concern that the Speaker's bill is going to come in and force over 60 percent of the women who have coverage for their employers to be put into a government-run insurance program that they don't choose, is not of their own choosing. Then maybe if that's not what happens, then the insurance option that they have is going to be the one that the government panel says meets adequate coverage. Well, what does that mean? What does that mean to the 60 percent of the women covered through their insurance through their employer?

I think we have to look at what this is going to do for small businesses. In our State of West Virginia, only 37 percent of small businesses who have less than 50 employees provide health insurance coverage as compared to over 95 percent of larger firms employing more than 50. We need to fill that gap. As Republicans, we've come together to find ways to fill the gap for small businesses, to make it affordable, make it available, make it accessible. But the bill that is created by Speaker PELOSI and those in the leadership does not do enough. What it does do is puts another tax on small business to provide that insurance.

Lastly, I asked a lot of the women in my district what they really thought about the plan as they understand it, expanded government involvement in health care. Of the women polled, 54 percent said that they would not personally trade their coverage for a public plan; 56 percent disagreed that they would be best served by government-run health care; 75 percent have said they don't want significant changes in their own health care; and 64 percent of the women in West Virginia said that they prefer private insurance over the public option. These are women that are accessing the health care system not just for themselves, not just for their own families. They're accessing it for their parents. Many of them work in the health care system. They see how it's working. They see the changes that could be made, and they really are rejecting it, I think, out of hand. I know my colleagues will expand on this tonight. The women are rejecting the types of changes where government goes between you and your health care provider.

I believe that is what has happened in this plan, not to mention the over $1 trillion price tag that's attached to this bill, which both men and women across the country know that this is going to be on the backs of their children and grandchildren, a legacy of debt and deficit that's going to be passed on.

I would like to thank the gentlewoman from Tennessee and all of my colleagues for being here tonight. Those are some of the perspectives that I have. It's so interesting to me that in the brief time today that I was out among folks, how tuned in everybody is to this, how aware. Because health care is so personal. It's such an everyday thing for so many people that everybody has an opinion because they're basically living it. This isn't something they're seeing from afar or they're hoping happens or it's happening to their neighbor. It's happening in everybody's home in America, and people are standing up and saying how they feel about it, where the changes need to be made, and how they feel. Generally speaking, today the Speaker's 1,900-page bill, $1 trillion bill, got a big goose egg today because I did not run into one person who said, That sounds like the plan for me.

Thank you.

Mrs. BLACKBURN. I thank the gentlewoman from West Virginia, and I thank her for those comments about women in West Virginia and how this bill would affect them.

What we are hearing all across our Nation is, This is not a bill that women want. Indeed, the blog spot, whymomsrule.com ran a survey, and it said that only 7 percent of American women think the health care proposals that have been brought by the leadership, the Democrat leadership, are proposals that reflect their concerns. We know that. We are listening. We hear them. And we have ways to solve this issue so it puts patients and families in charge of those decisions, not the Federal Government. It preserves that freedom. Indeed, for small businesses—as we all know, women-owned small businesses are a very active part in our economy, in our financial sectors, and we're very concerned about the impact for employer-based insurance that this bill would have on those women-owned small businesses.

At this time, I want to turn to the gentlelady from Illinois (Mrs. BIGGERT) who has been such an active voice not only in the Education and Labor Committee but in the House as a whole, as she has been a leader on this issue.

Mrs. BIGGERT. I thank the gentlewoman from Tennessee, and thank you for having this tonight.

You know, I was just thinking; I've got four children and eight grandchildren. So I think as a mom and a grandmother, I've always been very concerned about health care, and I want to make sure that my family has the best that's possible.

When I was raising the children, all we had was Dr. Spock. We didn't have all the technology and all the wonderful drug therapies and the health care that we have now in the United States. I am always concerned about the quality of health care. Sure, we need reform, but we want to make sure that there's that quality of health care that we have now. We've got moms, doctors, nurses, caregivers, taxpayers and women that really play a critical role in the health care debate. Eighty-five percent of women are the primary health care decision-makers in the home, and that's why we take this so seriously.

The U.S. Census Bureau reports that 82 million adult women are moms, and 32 million women have a child living in their homes. So women are overwhelmingly supportive of health care reform, but they want to know that this reform will improve the quality and affordability of their current health care. For many women and their families, higher health care cost means the difference between receiving care and going without. Unfortunately, the Pelosi health care bill empowers government bureaucracies and undermines a woman's ability to make the best health care decisions for her and her family.

□ 2015

I have got a letter that one of my constituents sent. It's from Maryanne, and she writes to me:

''As a registered nurse and mother of a severely disabled child, I beg you to seriously consider the long-and short-term effects of the new health care proposal. I am horrified to think that medical decisions will be determined by our government. I have seen this fail in many countries. I happen to be of the opinion that the precious commodity of life far exceeds the almighty dollar.''

You know, one of my daughters lives in London. And when this health bill came up, I said to her, Seriously, tell me what is the health care like in the U.K.? What is it like versus here?

And as a matter of fact, every time my daughter brings my three grandchildren home for a visit, she takes them to see the pediatrician that I took her to see just to make sure that they're in the best of health that they can be and make sure that somebody from the United States is looking after them.

And she said, Well, now, in London it's a different system. It started out where doctors don't have this high debt. They don't have the high cost of the medical school that we have here. It's paid for. So they start in the system and they're in the public system. And then some of them become private doctors. Now, my daughter has the public health care, but she also has a private doctor. And she said, Well, in emergencies you're well taken care of. But it's the long term, and she gave me the example, let's say you have a rash on your arm, you go and they say we will make an appointment for you, but the appointment is 9 months later. She also said that if you go on and check on the current wait list in London—for example, the current wait list at the time that I checked was 11 months for a knee replacement, 10 months for a hip replacement, 5 months for a slipped disc, and about 8 months for a hernia operation. And these are just a few of these that they wait so long for.

Now, what that leads to also is rationing. And I had an event this morning where one of the doctors stood up and talked about his belief that there would be rationing, particularly with how many doctors are going to want to remain in a situation like this where they really become staff. You know, we think of them as professionals. I always thought, oh, if I could be as smart as the doctors. To me, it was just the profession that was so outstanding.

And so this leads not only to rationing for these procedures, but also we've had a debate about the end of life and how 80 percent of the costs really are then. And I think as women, when I read in the first bill, and that has changed a little bit to be voluntary rather than mandatory counseling there, in my former life I was a probate attorney and I did estate planning, and what was always so important was to counsel families on aging and to make sure that they had the decision of the family, the decision of the elderly in what they wanted to happen.

So there was always this durable power of attorney that we did so that their wishes would be addressed and a cousin or somebody would say, oh, no, we can't do anything. But the durable power of attorney, the living will, and the do-not-resuscitate, if that's the wish of the person who would become ill in the end of life. And it's so important, but it's important to do it before you ever reach that time. And this bill focuses on that they're doing it as you have already aged. So this is something that should not be put into statute. This is something that families should address, and this is their choice and not some bureaucrat making it happen.

Mrs. BLACKBURN. Reclaiming my time, I just want to expound on this point for just one moment because the point you're making is so relevant to this debate.

The bill that is before us now, the 1,990-page bill that Speaker PELOSI has brought forward, and we hear tomorrow there will be a manager's amendment that will be dropped or also added to this; so it's going to be more than 2,000 pages by the time we get to the end of the week, but in that bill there are the provisions that mandate that end-of-life counseling.

Mrs. BIGGERT. Well, I think that because of the concern and the outrage really of so many of the American people on that and particularly the seniors that were really put off by that, they have changed it to voluntary, and so it's a little bit better. But still that is something that shouldn't be in statute. If a family wants to go to the doctor and ask what are the things that we should do, but then to have the durable power of attorney so that the hospital, let's say somebody is in the hospital, they know what the wishes are of the patient as well as the family knows what the wishes of that patient are. But this should be done long before we get to that situation.

Mrs. BLACKBURN. Reclaiming my time, that's one of those decisions that families make, that husbands and wives make, that parents and children make. It is not one that should be addressed with a ''shall'' or a ''may'' in a Federal statute. And we all know that this bill has over 3,400 new mandates in it.

I yield to the gentlewoman.

Mrs. BIGGERT. It is so important and it has really been something that has really hit the fan, and there has been a lot of rhetoric on this. But just take it as this is a decision to be made by the family, the children and the patient; and it should be done early in life.

We have to make plans like that. It's not that something is never going to happen, but let's not mandate it or make it something that a doctor has to do and is paid to do as part of his job. The doctor as a counselor is fine, but the family should come to them and request that, not to say it in statute.

And I'm concerned about the rationing. It makes you think of, well, you're going to float out on an iceberg or something when the end of life comes. And what we want is to have quality of care throughout everybody's life and to make sure that we have the ability to do that. The doctors are the ones that do deal with these issues, but they need to have the map as to what the family wants in that regard.

So I think that women as the caregivers are the ones that have to make those decisions. And it's a tough decision to make, to bring up a subject early on that you really might not want to talk about; but it's something we all need to do, but to do it by our choice and not by a government-run plan telling us to do that.

So with that let me just say a couple of things about women, and there's been a new poll out. In this poll that was released on October 28, in short, women believe that their current health insurance is better for them and their families than what the Pelosi plan has proposed. And while a majority of women view health care reform as an important issue, only 42 percent are satisfied with the proposal that is brought before Congress and only 38 percent would like to change their own insurance to a public option. In fact, while 48 percent of women want slight changes to health care generally, 75 percent of women want few to no changes to their own health care.

That's kind of interesting. You talked about how I was on the Education and Labor Committee. And while we were marking up the bill, I had an amendment that said if you like the health care plan you have now, you can keep it, and that was voted down by the other side of the aisle unanimously.

Women are also very concerned with costs. You know, women care about affordability, and they are concerned with the costs. And only 5 percent of women believe that Congress should spend over $1 trillion on health care reform, which is the cost, and 45 percent of women would be less likely to support a candidate that votes in favor of such a costly health care bill.

Women believe that health care reform is moving too fast, that Congress

should slow down. Only 9 percent of women want reform legislation in the next few weeks. And we're looking at addressing this this week. Twenty percent would like reform by the end of 2009, and 43 percent believe that Congress should pass a reform bill only when quality legislation is developed even if it means no deadline.

So I think we have got a health care plan that if everybody thought it was a great plan, we would be passing it and we would have passed it in July. But this is now July, August, September, October, and now we are into November, and there still are such concerns by the American people on this.

So I hope that we can slow down and really have a dialogue, a debate on this, and find common ground to find a bill that people would all get behind.

Mrs. BLACKBURN. I thank the gentlewoman.

I appreciate so much that you brought up the fact that they continue to say if you like what you have, you can keep it.

The problem is you can't. Maybe you can keep it today or tomorrow or until the end of the year. But by the time you get to 2013, you're going to have to go through an exchange.

I have got a list here that is 111 new bureaucracies that are created by the Speaker's health care bill, 111 new bureaucracies. There is going to be a health choices commissioner that is going to have over 60 new directives on what kind of health care you can have. And you're going to have the exchange that has to approve the plan that your employer would possibly be able to offer. And if your employer's plan is not good enough, the employer gets an 8 percent tax.

So it's a little bit of a stretch to say if you like what you have, you can keep it when the whole playing field is going to change within just a few years.

And as you said so very well, women make those decisions. Seventy-five percent of the women are very comfortable with what they have, and women want to be able to shop for a plan that is going to best meet the needs of their families.

At this time I yield to Dr. FOXX, the gentlewoman from North Carolina, for her comments.

Ms. FOXX. I thank the gentlewoman from Tennessee for beginning the hour for us.

We stand up here and we talk a lot about what's in this bill, and I know that many Americans wonder are we telling the truth or not. But as you pointed out, there is a provision in that bill that will do away with private health insurance policies beginning in 2013. And if people want to find that, they can find it on page 94, section 202(c). I heard when I came in you were talking about how to read the bill by going to your Web site. I think all of us have Web sites with links to the bill, and I'm assuming most people also have links to these page numbers and section numbers that will back up what we are saying.

I think one of the best things that has come out of the debate that has been going on about this health care, and as our colleague from Illinois said earlier, if this was such a great idea, this bill would have been passed in July, as our colleagues across the aisle wanted. But it isn't a good idea, and it's been very contentious. But we point out to people what's in the bill, and people have been reading the bill.

□ 2030

I think that is a very healthy thing to do, and I hope people will continue to read the bill. I am a bit surprised, actually. The bill was introduced on Thursday, we didn't have session on Friday, and tonight when we had Special Orders and the Democrats had the first hour, I thought they would be here defending this bill and explaining to the American people why this is such a wonderful thing. And yet, they didn't show up. Here we are doing our best to explain to our fellow Americans what is wrong about this bill and why they shouldn't be supporting it. I have found a dearth of Democrats out here defending the bill and saying, Let me tell you on page 94 what is good, or on page 112. It seems to me, if they really liked this bill, they would be doing that. I know over time we have done that kind of thing.

I want to say to my colleague from Tennessee how important I think it is to point out that there are going to be 111 new bureaucracies established by this bill. I am a small government conservative, and I have had the same experiences that my colleague from West Virginia has had. Everywhere I went this weekend, people said to me, Vote ''no'' on that health care bill. Do everything you can to stop that health care bill.

I am not finding people who are saying to me vote for this. My mail is running about 9½ against it to 1. I think the reason is the American people, the average American, understands that increased government intrusion in our lives takes away our freedom. This country is the freest country in the world. We are the greatest country in the world because of that. But when you expand the Federal Government's power over our lives, that undermines our freedom. And NANCY PELOSI's Big Government health care bill is the single largest expansion of government that we have seen in over a generation. It is, I think, a threat to our freedoms. I believe the average American understands that.

When I talk to school groups, I say to them the major difference between Democrats and Republicans is we believe that individuals can solve most of their problems. Yes, we need government. We need a police force. We need an Army. There are many things that we need. But very few things at the Federal level do we need. Republicans have figured this out. We have made proposals. We have not talked much about those tonight. I think we need to at least say that we have made these proposals that fit with what the American people want.

They want to be able to buy insurance across State lines. They want to take a tax deduction for paying insurance premiums like their employer does. They want to be able to get into pools like my small business can join with other small businesses. We want to let the States come up with innovations. We have lots and lots of ideas like that that won't cost $1.4 trillion but will solve this problem for the approximately 10 million Americans who want health insurance but can't afford it.

We are turning our whole country upside down to take care of 10 million Americans who want insurance but can't afford it. We want to do that. What it is going to do, if the American people have any hesitation about what we are talking about in terms of where we are going with health care, we need to point out that it will allow the IRS to be monitoring small businesses and, ultimately, us as individuals. I don't know anybody in this country that wants to be dealing with the IRS. We know what a friendly group they are. And we know what is going to happen to those bureaucracies that take over our health care decisions. That's just the wrong way to go.

We can beat this thing. We need the American people to be calling their Members of Congress who are on the other side who are either undecided or have said that they are going to vote for it and say that this is not what we want. We don't want a further erosion of our freedoms. We want to remain the greatest country in the world.

Mrs. BLACKBURN. I thank the gentlelady for yielding back, and I appreciate that she mentioned how States need to be able to innovate, how they handle the Medicaid payments that are there. This is so very important because they are the ones that are delivering these services. This bill would increase the eligibility for Medicaid to 150 percent of the Federal poverty level. Now, what this does is to shift that burden over to our States. It takes that burden from the Federal Government and places it squarely in the lap of our States.

Now, most of our States have balanced budget amendments. Here we are handing them, and in my State of Tennessee, we know we have heard from our Governor's office that the expectation is this is going to cost us an extra $735 million per year. Every State around the country is looking to see what it would cost them. They know that by shifting that Medicaid burden, expanding that eligibility to 150 percent and then shifting that burden to the States, well, it may help them with budgeting, those that are trying to pass this bill and are looking for budget gimmicks and trying to say it is going to cost less than $1 trillion. Well,

that gimmickry might help them, but for the taxpayer who already has too much month left at the end of his money, what you are saying is get ready, your sales tax is going up. Your State property tax is going up. You are going to see State income taxes going up, and that is all because the Federal Government said, States get ready, it is coming to land in your lap.

I recognize the gentlewoman from Oklahoma (Ms. FALLIN) about how this will affect the States.

Ms. FALLIN. I thank the gentlelady from Tennessee.

You are exactly right. I have heard from a lot of my State senators, representatives, and agencies in Oklahoma that if we pass a massive new Federal Government bureaucrat health care bill that has unfunded mandates, which this bill does, that those costs will be passed on down to the States, and there is only one way that you pay for those extra services and costs, and that would have to be through tax increases or cutting spending.

A lot of States are experiencing budget shortfalls. In my State of Oklahoma, we have cut back services in our State. So, if we have more unfunded mandates upon our State government, whether it is through the expansion of Medicaid or whether it is through the $500 billion that is being proposed to cut seniors' and Medicare services or the taxes on medical devices or some of the services that will be eliminated, those costs get passed on down, and, ultimately, it will be the States that will be picking up those costs.

I appreciate what Congresswoman FOXX said about taking away the freedom of choice and liberties and our Nation. Many people I have talked to are concerned about where is our Nation going. We seem to be looking more like a European nation where we have huge democracies and so much debt being piled on our children and grandchildren. Frankly, people are worried about the future and about our security, our economic security and national security, especially at a time when we are experiencing a recession and people are concerned about keeping their jobs, supporting their families, and making house payments. They are very concerned.

I know some of the people I have been talking to, a lot of small business owners are very concerned about the proposed taxes that will be put onto the small businesses. We have actually had some congressional hearings with small business owners, and they have talked about how tough it is to get access to capital, to get loans, and how they have had to cut back employees and how revenues have dropped off. They tell us in congressional hearings if we pass another tax, as is being proposed, and it would affect small businesses, they will have to lay people off. And then if we have some type of government mandate to provide health insurance because that small business owner can't afford to provide that insurance to their small business employees, then they say they might just have to lay off people to provide for that insurance. Or if they had to pay that new tax, they will have to cut off some products or future plans to expand their businesses or drop the coverage they have and move toward the government plan, because they will pay the 8 percent tax. Getting back to your point as to eliminating some of our options in the private sector, if people start dropping the private sector insurance plans because they are seeing a shift to the government plans, then we will have less options.

As I have visited people in Oklahoma, they have asked me several questions. They want to know is this health care reform bill that Speaker PELOSI and HARRY REID in the Senate are proposing, is it going to lower costs. I can't say that it is going to lower cost. We are talking about almost a trillion dollars, debt and deficit. They were asking if their children will have more costs, more debt, more deficit piled on them, and I have to say I think the answer is yes.

They are asking will this health care reform proposal offer them more choices or will it take away some of their say and being able to choose what kind of health insurance they want for their family. My analysis is that it is going to take away choices for those families.

They are asking if it will make health insurance more affordable. Well, a lot of the estimates we are seeing, when you pile on over $800 billion in new taxes, when you have mandates, when you have unfunded mandates, when you are rationing some of the care, it is not going to make health care more affordable.

And then they are asking if the Federal Government is going to be more involved in decisionmaking for their health care choices. And according to this bill, it looks like there will be a Federal bureaucrat basically between the patient and the doctor.

They want to know if this bill will lead to rationing of care. We have seen what has happened when other nations have implemented some type of government-run health care. It does lead to rationing of care. There are people who have died waiting to receive treatment. In Canada and Europe, it is well documented.

So all of those questions that are being asked of me by my constituents, I can't prove to them that it will lower cost, that it will not increase the deficit, and that it will give us more choices. It appears to me that this is going exactly the opposite.

I think what we have to tell the American people, there are lots of other health care pieces of legislation that we have been working on that would provide choice, that would lower costs, that would work on issues like portability, where you could keep your health insurance if you changed jobs, that would eliminate preexisting conditions so you don't lose coverage, which would have medical malpractice reform which is estimated to save health insurance costs, which would allow us to be able to pool together and lower our costs for small businesses. There is some great language that would allow work on preventive care and more education, those types of things.

There are just all kinds of problems in this legislation that I think the American people are very concerned about, especially since we have been debating behind closed doors on this.

Mrs. BLACKBURN. I thank the gentlelady, and the gentlelady is exactly right. Much of this has been done behind closed doors by our colleagues across the aisle, and many of the great ideas that have been brought forward that do stay focused on the patient have been brought forward by the Republicans in the House, whether it is the Republican Study Committee bill, MIKE ROGERS' bill, JOHN SHADEGG's bill, PAUL RYAN's bill, any of the number of amendments, over a hundred amendments that we on Energy and Commerce had when we were marking up the bill. So there are lots of good ideas on our side of the aisle.

At this time I want to recognize the gentlewoman from Minnesota (Mrs. BACHMANN) who has been so instrumental in helping to lead the debate on health care here in the House. I yield to her for her comments on the issue.

Mrs. BACHMANN. I thank the gentlewoman from Tennessee (Mrs. BLACKBURN). She has done an outstanding job leading this Special Order tonight, and I thank you for what you are doing.

We have so many women in our conference that wanted to be here tonight, and they can't all be here. The women in our conference understand one thing, and it is that women in the United States overwhelmingly make the health care decisions not only for their families, not only for their children, not only for their parents, but quite often women run a lot of the H.R., the human resources offices as well in business after business.

I think one thing that people in business are understanding is they are going to have fewer choices before them rather than more.

What we have seen from the bill that the Speaker of the House released last Thursday, on page 92, I believe, is that by the year 2013, no one will be able to purchase private insurance anymore. That's it. Now let that thought penetrate for a moment, Mr. Speaker.

□ 2045

If we have to be frozen in time and we can purchase no new private insurance after 2013, what will happen? What will happen to our choices? What will happen to the plans that we really have?

Well, it's interesting; a lot of people haven't been waiting around, they've been doing studies. One group called

The Levin Group showed that by looking at the health care that we have in front of us, in all likelihood about 114 million Americans will be thrown off the current health insurance plan they have and onto the government system, which means about 114 million Americans won't have the health care that the President said we would all be entitled to keep. And we remember what the President said, he said, If you like your current health care plan, no problem, you can keep it.

The only problem is, that's just not so. If you take 114 million Americans, throw them off the health care they already like, well, then they're stuck being in the government's plan. That means fewer choices. And that means the women of America don't get to make the choices anymore, it's government.

I think the thing that all American women really get out of this is that there is going to be an enormous hassle factor. There is a big hassle cost that's in all of this. That's what we women deal with, we deal with hassles—hassles with our jobs, hassles with the kids, hassles with trying to make the books balance, and now the biggest hassle of all, life and death decisions because if government literally controls the health care decisions from cradle to grave—because it would be every single American—that means the hassle cost goes way up. That's kind of the last thing we women need right now.

Women are tired, we're burdened, we have so many things on our plate. And I think especially women who are senior citizens, because they're watching this debate, and they get that $500 billion is going to be cut out of Medicare. That's what we know—cut out, gone. So what that means is scarcity, and that means less. So we are all going to be paying a lot more, but we are all going to be getting a lot less. The simple fact is we can do so much better.

The Republican women here know that there are many positive solutions that we can do. We can really do a lot better. I will be real brief, and I will end with one positive solution we could take.

I am a former tax lawyer. Rather than government owning your health care and making all the decisions, or rather than your employer making the health care decisions for you, we change the tax code so that you, every American, gets to make your own health care decision. You own it, you make the decision, it's a wonderful thing. So you own it, you make the health care decision, and you get to take your own money, tax free, purchase the health care plan of your choice—you're not limited to what government says you buy, you buy any plan anywhere. Anything that we don't cover out of your own tax-free money you get to fully deduct on your income tax return. Have true lawsuit reform that costs billions of dollars. In fact, that covers 95 percent of Americans. For the 5 percent who truly, through no fault of their own, can't afford health insurance, we can take care of them and we will take care of them, but we won't break the bank to do it.

We have great solutions. Let's try that rather than burdening the American people, and especially women who don't need those burdens. And I yield back to the very kind gentlelady who's doing an outstanding job tonight, Mrs. BLACKBURN of Tennessee.

Mrs. BLACKBURN. I thank the gentlelady from Minnesota for her good work on this issue and for being here with us tonight as we have brought forward the alternatives that are there, the good, solid, positive, free-market-oriented alternatives that are there from our conference and from the women in our conference. I thank everyone for joining us, and I yield back the balance of my time.

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Tennessee (Mr. ROE) is recognized for 60 minutes.

Mr. ROE of Tennessee. Madam Speaker, we are here tonight to continue the discussion of health care.

Before I get started, I am a freshman here in Congress, and I am going to tell you a little about myself and why I'm here to discuss this.

I grew up in the rural south in a small, rural community. My father was a factory worker. I went to college, I went to medical school in Memphis, Tennessee, at the University of Tennessee—the real UT, I might add, for my Texas friends—and I spent 2 years in the military. I trained in an inner-city hospital, an urban hospital. I spent time in an infantry division in a medical battalion in Korea near the DMZ. I served in a military hospital, in a VA hospital. I practiced in Johnson City, Tennessee, an area in Appalachia in northeast Tennessee, and taught medical school with residents and interns. I really have had a varied experience, 31 years in private practice. My specialty was obstetrics and gynecology, where I delivered almost 5,000 babies. So I bring a rather unique experience to the House floor, and I am very privileged to be part of this debate.

I think before, as a physician, what I would try to do in any case that I saw was try to identify the problem. In America, we are trying to identify a problem with health care. And certainly, I think we have heard it on both sides of the aisle that we do need health care reform. I think the main reasons for that are two: One is costs—health care costs are escalating beyond the average person's ability to pay for the care—and access to adequate care for all of our citizens.

In this country, about 170 million of our citizens are covered by their job. Their health insurance is provided by their job. And this started where your employer provided health insurance after World War II as an incentive to get workers to come work for a particular company. And it has, of course, grown since that time, and I think it has been a good thing for most people. We have been able to provide a level of care in this country that has been unequaled anywhere in the world.

What I have been able to see since 1970, when I graduated from medical school, were advances that I didn't even dream of. The one advance that we haven't seen come to fruition that I thought would is the cure for cancer. We haven't done that, but we have made tremendous strides in cancer and heart disease, diabetes, and so on.

So we have a cost issue, and we have an access issue. We have approximately 47 million of our citizens in this country that are not covered currently by health insurance. Who are they? Well, the Census Bureau believes that approximately 10 million of these folks are illegally in the country. We also believe that probably 9 million or so have incomes above $75,000 a year and choose not to buy health insurance—their own choice. About 8 million people make between $50,000 and $75,000, and they may be families where this does stretch them, where they're a small business, and health insurance premiums—again, the cost factor has gotten so expensive that these folks can't afford it. So we really are looking at about 20 million people in this country who are working poor who don't have access to care.

How are we providing the care in this country now? Well, we're using private health insurance. Many people use their own employer, a small business, their health savings account. There are variations that people use to buy their health insurance.

We have the government now which provides about 46 cents of every dollar spent on health care with Medicare and Medicaid and the VA. So we have government taxpayers approaching 50 percent of the care, and then we have the rest, the 15 percent, who don't have coverage at this time.

So how do we go about keeping the cost down, quality high, and the access? We are joined here this evening—and I am going to stop, having framed the debate—with my good friend from Louisiana, Dr. JOHN FLEMING. And JOHN, I am going to turn this over to you to sort of continue this thought that I put forward.

Mr. FLEMING. I thank the gentleman, my colleague and good friend, Dr. ROE from the great State of Tennessee. I have visited there many times, the Smoky Mountains. Also, speaking of smoky, everything there is smoked, and it smells so delicious you want to eat bark off trees when you go through Tennessee. So it's a lovely State, and I always enjoy visiting it.

Like you, I grew up in a very middle class, working middle class environment. I had to work my way through

college. My mother became disabled when I was five, and then my father died just as I graduated from high school. I suddenly had the burden of helping out with the family, but also working my way through college and then ultimately medical school, which, with the help of the U.S. Navy, I was able to do that. I served 6 honorable years—some of the best years of my life, and my wife—in the Navy practicing medicine in such duty stations as Guam; Charleston, South Carolina; Oceanside, California; Camp Pendleton Marine Base.

It was, indeed, an honor to serve my country in that capacity as a physician. And then of course I've been in private practice since 1982, family medicine. I still see patients, I still provide care. I'm still dealing even day-to-day with some of the issues that all of us as physicians deal with.

Like you, in your many years of practice, I have carried a burden about what a wonderful contrast we have here. We have tremendous quality of care and delivery of care and the best of care and the best of technology, but yet some people do have access problems. There is no question about it; that needs to be solved.

I ran on a reform campaign, health care reform. I wanted reform, I came here to reform, but you know what I found when I got here is really anything but reform. What I'm seeing is a Congress that has taken a sudden left turn towards socialism to dismantle what is the best health care system in the world and remake it into the same image as Cuba, North Korea, Soviet Union, the U.K., Canada. Even some of the States like your own, Tennessee, who have experimented with socialized medicine and government takeover of medicine, have failed. I have actually asked, I have been to venues and asked, please, show me one example where government-run health care has ever been successful, and I have yet to find one single example of that.

So, like you, I am very interested in health care reform that is true reform, that is common sense, that makes the cost go down—bend the cost curve down, that's the common theme today. And there are so many ways that I'm sure we will get into as we go forward that we can do that. And I thank the gentleman for recognizing me.

Mr. ROE of Tennessee. We have also been joined this evening by our colleague from Wyoming, CYNTHIA LUMMIS. We appreciate you being here, and I would like to now yield time to you.

Mrs. LUMMIS. Well, I thank the gentleman from Tennessee, who has tremendous experience with government-run health care in the State of Tennessee. And after he saw the 1,990-page bill that we received last week and saw how much government intervention is involved through that bill, how many unfunded mandates are being passed onto the States, how many government bureaucracies are created, how many times the word ''shall'' appears in that bill, this is truly transformational.

Some of the Members of our caucus have said that this is the most significant debate that they have ever been involved in. So for those of us who are freshmen and did come here to reduce the size of State government, or to reduce spending, or to, as the gentleman from Louisiana said, reform health care, we are seeing things that we hoped would not be a consequence, and that being more government intervention, more spending, more involvement in our lives.

And so we are here to protect people from more government intervention and to protect the relationships that you have with your doctor, with your local community hospital, with your health care provider so you all can make decisions regarding your own lives and your own quality of treatment and the efforts that you will make to enjoy the type of health care and quality of life that you hope to have in your communities. And that is reflected in this recent survey of women. Sixty-four percent of American women would rather have private health insurance than a government-run health insurance plan. Sixty-six percent describe their health insurance as excellent or good. Seventy-four percent describe their health care as excellent or good. Seventy-five percent want few to no changes made in their own health care.

We all know that there needs to be some reform. The cost is too high, and in some areas access is limited. And certainly with regard to Medicare, in rural areas hospitals and doctors are not reimbursed for the full cost of providing the services they provide. In my home State of Wyoming, in fact, the hospital in Casper, Wyoming, has said they are only reimbursed for about one-third of the actual cost of providing care to a Medicare patient.

□ 2100

Now, some doctors who are reimbursed at these very low levels have decided not to take Medicare patients anymore. So, when things like that happen, we really are denying access to care by having a government-run program.

Not only that—and this is one of my greatest concerns—it's what we are giving up by taking on a government-run program. Let's compare ourselves to countries that have government-run programs. Let's look specifically at cancer.

For men in the U.S., survival rates exceed 60 percent and also for women. In fact, two-thirds of women will survive. Spain, Italy, and the United Kingdom are all significantly below the United States in terms of survival rates. One of the reasons for that is, when diagnosis occurs in the United States, treatment follows much more quickly than in some of these countries. So, if you are rationing care, that is a consequence. You don't have the same survival rates that we do in the United States.

Take, for example, my own sister-in-law. She was diagnosed with a very aggressive form of breast cancer on her annual mammogram. She had no symptoms. She had none of the usual markers or factors which would indicate she had a risk of an aggressive breast cancer. Yet she was diagnosed based on her annual mammogram. She was in surgery in the same month that she was diagnosed, and she then began a regimen of both radiation and chemotherapy. Shortly thereafter, it saved her life.

So she falls into that category of two-thirds of American women who are surviving cancer. In fact, with breast cancer, it's a very significant number—the difference between survivability in the United States versus survivability in European countries—and that's because health care is rationed. This is a quote by the chief justice on the Canadian Supreme Court: access to a waiting list is not access to health care.

In this bill, we have to have assurance that we're not going to be on a waiting list. Quite frankly, we don't have that at all. In fact, based on what I've read in this 1,990-page bill and based on what I've been told by my colleague, the gentleman from Tennessee who is leading this discussion tonight, in fact, we will have rationing. The cost will be tremendous, and the taxes that will be imposed on so many of us as a result will be exorbitant.

So it sounds to me like health care reform, in the style of the bill that was introduced last week, includes higher taxes, penalties, less choice, more government, more costs to States, more costs to individuals, more costs to small business, and no guarantee of an improvement in access, in quality or in the ability to craft a plan of treatment between you and your physician or to seek a second or third opinion in the event you feel it's necessary for you, for your family, for your parents or for your children.

This is not health care reform as was envisioned by my colleagues who are here tonight, the gentleman from Louisiana and the gentleman from Tennessee.

Thank you kindly for allowing me to join you.

I yield back.

Mr. ROE of Tennessee. Thank you, the gentlewoman from Wyoming. Excellent comments.

Health care decisions should always be made between patients, their families and their physicians, not the insurance companies and not the Federal Government. I believe that, and I have used that in my practice for many years. It's one of the reasons I was a very successful practitioner. I knew who I worked for—my patients—and I looked after their benefit.

Now, one of the things I want you to think about in this bill—and this is the bill here. It's H.R. 3962. They've changed the number because H.R. 3200

has become so tainted now. It's two parts. As the gentlewoman pointed out, it's 1,990-pages long. I've only been through the first 1,000 or so pages, and it's going to take me a few more wakeful nights to go through it, but I will. In the Senate's Baucus plan, for instance, it's an alleged 1,500-page bill. It gets you to 91 percent coverage.

You can do two things on one page and get to 91 percent coverage, which is to allow young people who have graduated from high school or from college and who are not yet covered by insurance plans at their work or who can't afford it to stay on their parents' plans until they're 26 years old. You can cover 7 million young people by doing that.

Number two, you can sign up the people who are currently eligible for government programs, which would be SCHIP and Medicaid, and you would then be at 91 percent without all the other bureaucratic morass that this bill goes through.

I want to make this point tonight: this bill right here is almost incomprehensible when you read it, because, when you do read it, you have to refer to the IRS code, to HHS, to Medicare, and so on. It's just almost incomprehensible. So I'm going to go over about four or five things which, I think, could be done very simply—and I want the gentleman from Louisiana to step in—which will allow those health care decisions to be made by families.

Number one, one of the big arguments we hear today, or issues which we deal with, is preexisting conditions, and they're real. I've dealt with patients who've had breast cancer who then, as individuals, could not be insured. Well, in the group market, in large groups, that's not a problem because you just accept those increased risks and spread those risks among large groups of people.

When I was mayor of the city of Johnson City, we had 1,500 people, plus their families, with plans—teachers and employees of the city—and we were able to spread risk and to buy reinsurance for high-risk patients, but an individual has a real problem. I, as an individual, going in with a problem am not insurable.

Well, how do you do that, how do you make that same group market available for an individual that you have for large businesses?

Well, you eliminate State lines. You take the State lines out, and you allow association health plans to be formed, and then the individual market becomes a very large group market. Costs go down, and the preexisting condition problem goes away.

Number two, I think that a person shouldn't be bankrupted if a person gets ill. I think, if you become ill through no fault of your own, you shouldn't go into bankruptcy. I think that's a fairly simple thing.

What are you going to do for low-income people who can't afford these things? Well, you can have subsidies or tax credits so that people in this income bracket can also join health plans and can share their risks.

I've never understood why the government treats our patients on Medicaid differently than they do from Medicare patients. They're not treated as well, I don't think, because of the payment differences, but they shouldn't be. They should be allowed to take those dollars as a credit that are spent on Medicaid, and they should be allowed to go into an association health plan and also spread those risks. So those are a few little things.

Lastly—and I think it's barely mentioned in this 2,000-page bill—we talked at the beginning of this hour about costs and about how we control costs. You will never ever control the costs of health care unless you begin to do something with tort reform, or with malpractice reform, because, as a physician, if I don't order a test—if I have a patient come to the emergency room and if I don't get a CT scan and if something by chance happens to that patient, then I'm going to be liable for that problem. If I order the test and if there is nothing wrong, there is no penalty to me. So we have to change that. Let me just explain a couple of things that helped me understand this.

We have a terrible tort system in this country. The reason it's terrible is we have no way to compensate injured people. When someone does have an injury due to malpractice, we have no way to compensate him.

In 1975 in the State of Tennessee, we started a malpractice company called the State Volunteer Mutual Insurance Company. Since the inception of that company, over half the premium dollars have gone to attorneys. Now, these are defense attorneys and plaintiff attorneys, but less than 40 cents on the dollar have actually gone to injured people. All the thousands and hundreds of thousands of dollars I have paid in over these years have not gone to compensate injured people. So that's something which, I think, is not in this bill. Until you address that, you're never going to address the ever-escalating costs.

What do you think about it, JOHN?

Mr. FLEMING. Well, I quite agree, with you, Dr. ROE.

I would like at this moment—and I think it would be a fitting time for this—to quote an excerpt from The Wall Street Journal, today's edition, where there's an editorial, probably the best editorial I've ever read.

For those of you who are watching tonight, I would strongly recommend that you read a copy of, again, today's Wall Street Journal editorial. I'm going to read just an excerpt. Here is what it says. Again, these are financial experts who are writing this. This is probably the widest read newspaper in the country, period, even more than USA Today, and they're certainly the most intelligent and best-trained financial people.

It says: Speaker PELOSI has reportedly told fellow Democrats that she is prepared to lose seats in 2010 if that's what it takes to pass it.

This is obviously suggesting that there are a lot of people out there who don't like this, and she's bound and determined to have this as her legacy.

ObamaCare, as it says—I call it PelosiCare—and little wonder. The health bill she unwrapped last Thursday, which President Obama hailed as a critical milestone, may well be the worst piece of post-New Deal legislation ever introduced. In a rational political world, this 1,990-page runaway train would have been derailed months ago.

That's quite true. Not one single Republican at any point has supported this bill, and many Democrats have not supported it.

With spending and debt already at record peacetime levels, the bill creates a new and probably unrepealable middle class entitlement that is designed to expand over time.

Again, I emphasize ''unrepealable.'' Once this thing gets into law, like so many things, there is no way we can get rid of it. It will be with us forever.

Taxes will need to rise precipitously. Even as ObamaCare so dramatically expands the government control of health care, eventually all medicine will be rationed via politics.

So I think that's very critical. First of all, it's one party—and one party only—that wants to force this. Really, it's even less than that. Just the leadership of one party wants to force this takeover of one-sixth of the American economy forever and wants to put it under government control forever, controlling your life from day to day. For what gain? Dr. ROE just pointed out that we could easily cover the same number of additional people with much less cost and with much less effort.

What it does is it leads to rationing. It leads to long lines. I think, certainly, what has been said about justice is true about health care: health care delayed is health care denied.

Mr. ROE of Tennessee. Will the gentleman yield for a moment?

Mr. FLEMING. Yes, I would be happy to.

Mr. ROE of Tennessee. I just want to give a brief example.

I was home this past week, and I spoke to one of my partners, Dr. Lewis. Dr. Lewis had a patient who had a fertility problem, which he helped her with. She was able to become pregnant, but miscarried. She lost her baby. Her husband worked for the State Department and was sent to England. Apparently, when the American employees are sent to England, they get private insurance. Well, she wanted to move on with her fertility evaluation, so she first had to go through the public system before she could access the private system in England. She went there and she didn't see the doctor. She saw a nurse.

The nurse said, Well, you need to see the doctor for your fertility problem. That will be a year.

She was going to have to wait a year to see the fertility doctor. Well, she had a visit planned back home in a few weeks; and while she was home, she called her doctor, Dr. Lewis, who got her into the office in 1 week. He got her back on her treatment, and she is now back in England. Hopefully, it will be successful.

Those are the kinds of delays that you're going to see. This is just one example. I could spend the rest of the night giving these examples.

Dr. Fleming, I want to get into the cost because that's something that isn't talked about in this CBO report. Now, the CBO report we got said this is going to be deficit-neutral. Well, I want to go back through history a little bit. Let's look at the history of Medicare, of Medicaid, of the TennCare, and of the Massachusetts plan. I'll just briefly and quickly go through them.

In 1965, when Medicare was passed, it was passed as a plan that was going to be about a $3 billion to $4 billion plan. The CBO estimate was that, in 25 years, by 1990, this would be a $15 billion plan. Fast forward to 1990. This was a $90 billion plan. They missed it just a tad there. Today, it's over a $400 billion plan. It's about $428 billion.

The Medicaid program has gone up 37 times since its inception.

The Massachusetts plan had a noble goal, which was to try to cover as many of its citizens as possible. That's absolutely what we should try to do in an affordable way. In Massachusetts now, they're at around 97 percent coverage.

□ 2115

Government spending on health care is up 70 percent since 2006. Between then and 2009, that's just 36 short months. In TennCare—and we will go into that a little bit more. The reason it's important to go into TennCare and what's happening in Massachusetts is because that's basically what the basis of a lot of this plan is that we are debating tonight.

TennCare, which started in 1993 with a $2.6 billion Medicaid plan, by 2004, just 10 years later, 11 years later, it was at 7.5 billion and would go to 8.5 billion in 11 years, which almost bankrupted our State. Today our State is in such dire financial—and this is with the stimulus money that came in—that we can no longer add any further children to the State Children's Health Insurance Plan.

I got a letter from Governor Phil Bredesen, who is a Democrat, who is a health care expert, I might add, and has done a very fine job in Tennessee managing this along with the Republican legislature. They have worked together to try to control these costs. What the Governor said is that in the next 5 years this will add $735 million, which we do not have. If certain other stipulations are placed on this plan, it could be in the billions of dollars. We have seen every single government plan that's out there that didn't meet these cost expectations, and this one won't either.

For our seniors, I know they get it, but I want you to listen, and you can do the math. This plan, according to CBO, is going to be financed by taking $400 to $500 billion out of an underfunded Medicare plan that's going broke by 2017. That's the last number that I saw. That it would be upside down, more money going out than coming in.

We are going to take $400 to $500 billion out of that plan. We are then going to add between 3 and 3.5 million seniors, our baby boomers that are hitting Medicare age, beginning in 2011. That will be between 30 and 35 million new recipients in the next 10 years.

Then in 2 years, in 2011, we are going to cut provider pay by as much as 25 percent. We are going to now add 30 to 35 million more people. We are going to cut $400 to $500 billion and cut our providers. Let me tell what you that adds up to. They get it. I was home this weekend and spoke to many. Our seniors are genuinely worried.

They know, number one, when you do that, you are going to cut access, because when you cut that much money out, you are going to have a very difficult time getting to your doctor. If you can't get to your provider, you are going to cut quality. Number three, to get there, you are finally going to increase your own costs because you are going to have to pay more for the care you are getting; without a doubt, you are.

We have seen it in our State, as I said. We will go into it in more detail, but, Dr. FLEMING, I would like to hear your comments about financing this.

Mr. FLEMING. One thing that I think can be said about this bill that's pretty obvious, and that is by virtue of a lot that you have said tonight, Dr. ROE, is that everyone will see costs go up. There is individual mandates, so even individuals who don't sign up for insurance will pay 2.5 percent taxes, which they don't have to pay. That's middle class, even lower socioeconomic class taxation.

There will be taxation on health savings accounts that does not exist today. Taxpayers will see their taxes increase. An employer will see their net tax go from 35 percent marginal rate today to 39 when the Bush tax cuts expire. Then another 5 percent above that, they will get to marginal rates of 45 percent, which most of those higher-income individuals in that range are small business owners, which means that they will have to reduce other benefits or reduce pay or reduce number of employees. That's all there flat is to it. There are only so many places you can cut.

Mr. ROE of Tennessee. Have you had any of your constituent businesspeople come to you and say, if this plan passes as they understand it, they are out? Their business is closed? I have.

Mr. FLEMING. I have. I have had a number of them say that. They have done the math. They cannot figure out where they are going to get the extra 5, 10, 15 percent. I mean, most businesses today operate on a margin of around 5 percent of gross income. Well, when you add overhead of another 15 percent, that means you are upside down by 10 percent. The bottom line is that everybody, not just the high-income people, everybody is going to be paying more in either taxes or premiums or both. Everybody is going to be getting less access to care. Yes, less access to care.

Again, just quickly going back to Canada, remember in Canada, care is free for everybody. It's universal, 100 percent. Well, only one out of six people have a family doctor in Canada. They actually have a lottery system. Yes, it's 100 percent universal. Unfortunately, you can't get in the system. They close hospitals down.

Even Cuba claims to have universal health care and medicine is free. The only problem is they've got no medicine. So what good is free when it isn't available? That is the direction that we are taking here if we go off this way.

Just to kind of summarize my comments on this, that is that every health care model in the world looks at two possibilities, two options to save money. One is to bring it down to the unit between the doctor and the patient and give them both a stake in what the total cost is, not necessarily pay completely out of pocket but at least pay a portion of it, and that's where health savings accounts make savvy consumers out of patients. Either that, in which they have a stake in controlling costs, or you have a giant bureaucracy such as in Canada and the UK, in which case you have to have long lines and rationing. It's one way or the other.

America, you are going to have to decide what you want. Today, we don't have the ideal thing. We need to improve the system we have. But if we go with the public option, which will lead to single payer, then we are going to go down the road of rationing and long lines. There is no doubt about that. And even Members of the other side of the aisle said that's where they want to be.

Mr. ROE of Tennessee. I think one of the things I want to talk about now—and we have been joined here by Dr. BURGESS, our good friend from Texas—I think, where is the money coming from to pay for this? I think at the end of the day, when a patient comes to me in my office and sees me, am I going to be able to deliver better care when we pass this in the House, if the House does pass this 2,000-page bill? The answer is no. Will access go down? I believe it will. Will costs go up? I believe they will.

You mentioned about the individual mandate. So people understand what that is, you are a person working out there as a painter or you work in a small business or whatever and you don't have health insurance. You choose not to buy it if it's offered at

your group, or you just choose not to. You will pay 2.5 percent of your total income into this exchange as a penalty.

Well, what's happened in Massachusetts? Let me sort of go over that for just a moment. They have a mandate. That experiment is being tried right now in the State of Massachusetts.

The Harvard Pilgrim Health Care plan found from April of 2008 until March of 2009, 1 year, they found that 40 percent of their new enrollees kept their insurance for only 5 months. During that 5-month period of time, the average payment was $2,400 a month; whereas, the average person who just had part of their plan was $350 a month. People were waiting because you don't have any—in Massachusetts, you cannot be denied coverage, and you get a community rating, meaning that everyone pays the same rate. What people are doing is they are waiting until they get sick, at least in this Harvard Pilgrim plan. Then when they get well, they drop their insurance and pay the 2.5 percent penalty.

The other is an 8 percent penalty on business, which is a payroll tax. Basically, a business will pay 8 percent of its payroll into this exchange or into the government. Well, if you are paying 10 or 12 percent now, then what you are going to do is you are going to drop that if you can and get into the public option.

Well, I started thinking about this the other night. It's the first time before, in my business, in my medical practice, I negotiated the health insurance policy every year as a separate cost than payroll. Now what's going to happen is your health care costs are tied directly to the payroll, meaning that if you give your employees a raise, you have also just raised your health care premiums. You put those linked together for the first time, and I think that's not good for the person out there working.

I am going to yield now to my good friend, Dr. BURGESS from Texas. Thank you for joining us, and we have been joined also this evening by Dr. CASSIDY from Louisiana.

Dr. BURGESS.

Mr. BURGESS. I thank the gentleman from Tennessee for yielding.

I was watching the events of this Special Order hour as you all were discussing it earlier. I felt like I needed to come over and talk for just a minute about words we heard on the floor of this House the middle of September that this bill could be passed, and it would be entirely paid for, not one dime would be added to the deficit.

The American people look at this, whatever the figure is, 890 billion, 1.055 trillion, 1.4 trillion, whatever the number is, and they know a statement that it will not add one dime to the deficit is, on its face, preposterous. No one believes that. Yet if we are asking people to believe that statement, what else is hidden in this bill that we are not telling you, because again, clearly, the American people do not believe us on that.

The gentleman talked about how we pay for it. Some significant cuts to the Medicare program in order to fund a new entitlement; a lot of people have difficulty with that.

But what about the taxes? What about the promise that there will be no taxes on individuals in the middle class, no taxes on individuals who earn less than $250,000 a year? And yet, we are going put a tax on so-called Cadillac insurance premiums. We are going to put a tax on medical devices.

I did a press event this morning at a library where I distributed copies of the bill for people who wanted to read the bill. A woman said, Well, then on my $1,000 insulin pump, am I going to have to pay a 15 percent tax? I said, Well, at some point someone will. She said, Well, how will that be assessed? I said, My understanding is it will be like a sales tax or value added tax. She did some quick math and said, That's a lot of money to add to my already stressed budget trying to cover my medical expenses, because I do have diabetes.

Ten percent of people earning under $50,000 a year, 10 percent of the taxes will be paid by people who earn under $50,000 a year. Ninety percent of the taxes are going to be paid by people who earn under $240,000 a year. Clearly, this is a tax on the middle class. That is how it's going to be paid for.

I did have some people ask me, Well, if the benefits don't kick in for 4 years, is there perhaps not a way to, if this passes, if no one can stop this and the Speaker gets her way and this bill passes on Thursday or Friday or Saturday, what about, then, since the benefits don't kick in for a while, maybe we can dial it back over the next several years. My concern there is if we already start collecting the taxes for a benefit that is to occur in the future, it may be very, very difficult to indeed dial back the portion of this bill if we are going to—the sensible thing to do would be to hit the pause button, the reset button. Let's sit down and figure out really what the American people want us to do.

We heard participatory democracy all the way through the month of August. I know. I was on a listening tour of sorts through my town halls in my district. Some people were quite vociferous about what they felt about this bill, both pro and con. But I felt that, after listening to her this summer, that we would come back here to Congress and perhaps sit down and try to rethink where we were. It was almost as if the Democratic leadership said that didn't happen, it didn't matter. It was some sort of national fugue state. This was all an illusion this August. People really weren't upset with the bill. They just wanted it so badly that you misinterpreted their passion because they want the government to control. They want the government to take over the health care system in this country.

One of the other things, and I don't think we can underestimate this, is the effect that this bill will have on jobs and job creation. More people are concerned about jobs in this country than they are about health care right now by a factor of 4 to 1. We are going to go over 10 percent, in all likelihood, on Friday when the jobs report comes up from the Department of Labor, will be the first double-digit unemployment in this country in decades.

People are concerned about jobs; yet, at the same time, our small business people, the people that we, as politicians, say they are the backbone of the economy of America, they are the engine that drives economic growth, they are scared to death of what we are going to do to them in the coming months. They are scared of this health care bill. They are scared of an 8 percent payroll tax that may be levied upon them. They are scared of what we are going to do in cap-and-trade, and they are scared of what we are going to do in financial regulation, not to mention the fact that there are significant tax increases just around the corner when the tax laws of 2001 and 2003 expire.

This is a debate that we must keep at a fever pitch all week. This is the opportunity. Now is the time to aggressively document and talk about what is in this bill. Doesn't really matter so much about what I think, what I would do if I was in charge. Right now, the task before us is to lay out to the American people what is in this bill, let them see for themselves whether they like it or not. Then, Madam Speaker, the American people need to tell us.

Quite honestly they will have a chance on Thursday at noon, the west front of the Capitol, the people will have an opportunity to speak up about this bill.

□ 2130

Mr. ROE of Tennessee. Dr. BURGESS, thank you for your comments. Also, just so people understand, it is not just an insulin pop. It is any medical device that we are talking about. It could be a wheelchair; it could be a prosthetic device, if you have a leg that is a prosthetic device; if you have stents in your heart or hip replacements. And who is going to pay that? The consumer is going to pay that, we know that, the person that is getting that device. What we don't want to see is this unbelievable amount of innovation that has occurred.

Dr. BURGESS, what comes to mind for me is the equipment we use for a laparoscopically assisted hysterectomy. When we first started, those took us 5 to 6 hours because we didn't have the equipment to do it with. Now it is a 1-hour procedure because of the new equipment that is there. Patients have benefited tremendously from this. Did it cost money to do this? Yes, it did. But I look at the advantages for the patient. I don't want to see that innovation brought to a halt, and I fear it will be.

Mr. BURGESS. Well, if the gentleman will yield for a moment on that point, minimally invasive surgery has changed the face of operations like hysterectomy operations, like a cholecystectomy, removal of the gall bladder. I am sure you remember, I remember when I was in medical school and a resident, this large incision that would go underneath the person's rib cage. They would be in the hospital 7 days; not because their gall bladder surgery was that traumatic, it was the incision that was traumatic.

Now it can be done laparoscopically through two or three 1-centimeter incisions. That patient is out of the hospital the next day, or sometimes even the same day if it is done in a surgery center, and that has vastly decreased the cost of hospitalization for that procedure and that has vastly decreased the cost of the time lost from work for people in recovery for operations like gall bladder removal and hysterectomy.

I yield back.

Mr. ROE of Tennessee. I thank the gentleman.

We have been joined by Dr. CASSIDY from Louisiana. I yield to Dr. CASSIDY. We thank you for being here this evening.

Mr. CASSIDY. You know, I agree with almost everything Congressman BURGESS said, except for one thing, in that I do think it is important to discuss our Republican alternatives, because, frankly, part of the rationale, the steamroll we are on, is there is no other option. We have, as the President has said, the cost of doing nothing, the costs will double over the next 10 years, and that is an inflation rate of about 7 percent if it compounds.

Well, as it turns out, since the cost according to the Congressional Budget Office of the reforms before us—the inflation rate is 8 percent per year—under the reform proposals before us, costs more than double in 10 years. At a minimum, reform should not be more costly than the status quo.

That said, I think it is important for us to discuss alternatives. I think we can all agree on the goals. We need to control costs. I am with the President on this. If we cannot control costs, we cannot expand access to quality care.

Now, as it turns out, we three are physicians. We know that if the patient is in the middle of the process, then costs are controlled. There is a report by McKinsey & Company and it talks about the three imperatives for health care reform, and they are to decrease the administrative costs—so much money goes to administration; to have transparency, so that when a patient goes in for her knee surgery, she knows before the surgery how much it will cost her, not find out a month later; and, lastly, incentivize healthy lifestyles. So in a patient-centered plan we should lower administrative costs, increase transparency, and incentivize healthy lifestyles.

So I would like to compare it to the 2,000-page, $1 trillion, 20-pound bill.

Now, does it lower administrative costs? You almost have to laugh, because it creates 111 new bureaucracies, boards, commissions. You name it, it clearly expands administrative costs.

Does it incentivize healthy lifestyles? I actually read that provision today, and it gives grants to small businesses that come up with innovative ways in which you can make employees healthier. But it is very vague and very gauzy. And I kept thinking of that small businesswoman who is really struggling to make ends meet, trying not to lay people off. What is the likelihood that she is going to take 2 hours a day to write a grant application to submit to the Federal Government on the hope they will give her $150 per employee, which is the maximum allowed, in order for her to come up with a wellness program? That is something written by a Washington bureaucrat, not by someone who knows the travails of a small business person.

Lastly, transparency. Frankly, I just find it unbelievable that a bill that creates 111 boards and commissions will be transparent.

That said, what are the alternatives? I think we would all agree from our own experience, patient-centered care can work. For example, you have got great anecdotes about health savings accounts. Congressman FLEMING, who just left, I love his story about a health savings account.

For those who don't know what they are, with traditional insurance policies, a family of four, you put up $12,000 a year. If you use the insurance, you may get some of your money back, but at the end of the year it is gone, and you put up another $12,000 for the next year.

With a health savings account, you sluice off some of that money and you put it into a banking account, and that banking account is yours and you can spend it on the things which you choose. But at the end of the year, if you haven't spent it, you keep it.

With the traditional policy, you start over. With the health savings account, you conserve that money and it is there for you the next year. It rolls over, and it is that much less you have to put forward. It changes the psychology. We know that.

But just to explain it, in a patient-centered account, a patient was telling me, he goes to a doctor. The doctor writes him a prescription, $159. He says, doctor, you have given this to me before. It is $159. Listen, I have got a health savings account. Can you write me something cheaper? He goes, oh, I am sorry. He writes him a $20 generic, so the system just saved $139.

I actually think the power of millions of individuals making decisions at $139 a decision has more ability to control costs than 111 boards and commissions in Washington, D.C., that are attempting to control health care in all the small towns across the United States.

Mr. ROE of Tennessee. If the gentleman will yield for a moment, you are absolutely dead right on this. In my district, I visited four businesses, one is the City of Johnson City, Tennessee, where I was mayor. Another is Holston Munitions, or BAE Corporation.

They have instituted a wellness program that in the last 5 years they have not had a premium increase. What they have done is they have basically incentivized behavior, for instance, smoking.

If you smoke, and one of my good friends had a patient come to him the other day, and he said last spring, and this was in June, she said I have to quit smoking by the first of July. He thought, that is pretty good. I am glad to hear that. They've been trying to get you to quit for several years. But why are you going to quit? She says well, my insurance changes and they are going to penalize me if I smoke. It is going to cost me money.

So, if you don't smoke, or you get your hemoglobin A1C, which is the way we monitor your sugar and diabetes, to get your hemoglobin A1C down, you lose weight, they will pay you for that. So you can earn the money back. And they have done that with their wellness program and been wildly successful.

To tag-team into your health savings account, just me personally in 2 years, and people will say that, well, you can't use that in Medicaid or you can't use that, I absolutely disagree with that. In our own medical practice, of the 294 people that get insurance through our practice, 84 percent use a health savings account. These are the folks that check you in at the front and draw the blood and the nurses that assist us and so forth. So it works very well for everybody. We all respond.

Mr. CASSIDY. If the gentleman will yield for just a second, this bill specifically excludes small businesses from doing what you described as a wellness program. That effective program is specifically excluded. So the patient-centered program which was so successful in Johnson City is not allowed in that 2,000-page bill.

Mr. BURGESS. If the gentleman would yield, you bring up a great point about tobacco. One of the problems with this bill is you are not allowed to rate on tobacco use. In fact, there will be only 2 ratings bands, based on age.

Health savings accounts—I am a big believer. I have had a medical savings account since 1996. I skipped for a few years when I came up here, and we didn't have them available. Now I have it established again, and it is working very, very well. But the problem is, that will not be a qualified plan. It will not meet the minimum benefit standards under the new health care commissar that is going to be developed by this bill that we have before us. So the very thing that may lead to a reduction in costs, we are not going to be allowed to have.

Now, since the gentleman disagreed with me, I do feel obligated to point

out that it is not that Republicans don't have alternatives or shouldn't have alternatives. I individually have 20 bills dealing with health care under my name and have cosponsored at least 30 additional bills. There are a plethora of bills out there with Republican names that do everything from fix the problems that doctors have with the sustainable growth rate formula in Medicare to liability reform. They are not part of this bill. They are not part of the discussion this week. What is the discussion this week is that monstrosity behind the gentleman.

It is our obligation, it is our obligation to our patients and to our profession to kill this bill so we can then begin to talk about some of the alternatives that are rational, because it makes no sense to preclude a wellness program simply because it doesn't fit into some chairman's idea of what a health care bill should look like, some chairman who might have been here since 1974, by the way.

That is the problem we have before us this week, is this bill. After we get rid of this bill, after we get past this bill, yes, we can begin to talk about those things to provide benefit to the American people, help to the American people who actually need it.

You said it earlier in this hour. It is that 8 to 10 million people that have a preexisting condition. If we could make their problem go away, and we can, the Congressional Budget Office estimates between $8 billion and $20 billion over 10 years. That is a far cry from $1 trillion. We could make that problem go away with State reinsurance programs and State high-risk pools. We have that power within our hands. Some people may argue that constitutionally we don't have that power, but it would be a darn sight better than what we are talking about doing tonight.

Mandates have no place in a free society. There was no mandate that required me to buy an iPod, yet everyone in the country has an iPod or iPhone today because it is a great product, and everyone wants one. That is what we should be looking at in our insurance policies, how to create products that people actually want, not making someone take a policy that the insurance company says I can make money selling. That is where we will go with mandates.

Mr. ROE of Tennessee. Reclaiming my time, I would also say it takes away personal freedom to decide what is best for your family. For instance, in my family now we don't need fertility evaluations that maybe other families do need. They should be able to purchase those if they need to.

I want the viewing public tonight to take a peak at H.R. 3962, which is a new name for H.R. 3200. I would encourage you to begin to read this. It will take some time. But the American people did read H.R. 3200. They actually did. I had hundreds that came to me at town halls that printed it off the Internet and read it. It is probably just out on the Net.

It is amazingly complex, and the devil is in the details. When you start reading the details, and I did begin the details today, that is where you begin to see what you lose in this.

Mr. CASSIDY. If the gentleman would yield, I was a little late coming over here because we were having a telephone town hall. For the folks who are watching, that is where we from Washington have a phone call that goes out to thousands of people in our district, and we have a telephone town hall.

There was a woman that got on and she just nailed it. You pointed out, we have a 2,000-page, $1 trillion bill that was introduced last Thursday that we are going to vote on this coming Friday that is going to remake 17 percent of our gross domestic product, drastically affecting the health care for us all.

If it seems kinds of crazy that we would do that, this woman calls in, Rebecca, and I happen to know the family, I didn't realize it was from her family, and they are very bright people, very hardworking, good people.

So here is kind of her quote. She went to the Kaiser Family Foundation site to determine what her costs would be under the bills before Congress, and she figured out that her family's costs would double.

She says a small business is going to do a cost-benefit analysis, and they are just going to dump patients upon the public option because, why shouldn't they? Now, she says, I am quoting her, it seems like the people writing this are obtuse. They are not writing this for the middle class of the Nation. It is not centered on the patient. It feels rushed. It doesn't make sense; 2,000 pages, one week to digest it. It feels rushed.

She finishes up by saying, for all the possible plans, our premiums will double. It is very expensive. You can't get ahead. The more productive a citizen you try to become, it is like you take one step forward and go two steps back.

This is a bill which is two steps back.

Mr. BURGESS. If the gentleman would yield on one point, it is hard to see if we make health care more expensive that we are going to make it more affordable.

I yield back my time.

Mr. ROE of Tennessee. I think, in summary, in closing up this evening, what we have got this week is a discussion, I think the single biggest social discussion we have had in this Nation in 50 years, since Medicare. The challenge is how do we make health care affordable, and how do we provide it for the citizens now who don't have it?

I think, as Dr. BURGESS stated just a moment ago, that right now, the bill before us, they are not our solutions. We keep hearing there are no Republican solutions. There absolutely are. They are not on the table. They are not being discussed. This bill right here, H.R. 3962, all 1,990 pages, that is what we are discussing this week, and, as Dr. FLEMING said, we are probably going to vote on this week.

So I think that this needs to be looked at as quickly as we can by the American people to try to peel this onion back, so to say, and look at what's there. I appreciate my colleagues being here tonight, and we'll be here throughout this week to further discuss this bill and what is in this bill.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Mr. HOYER) for today and November 3.

Mr. DAVIS of Tennessee (at the request of Mr. HOYER) for today and November 3.

Mr. DEFAZIO (at the request of Mr. HOYER) for today on account of travel difficulties.

Mr. LUCAS (at the request of Mr. BOEHNER) for today on account of family illness.

Mr. PATRICK J. MURPHY of Pennsylvania (at the request of Mr. HOYER) for today, November 3 and 4 on account of the birth of a child.

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:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. MCNERNEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, November 6 and 9.

Mr. JONES, for 5 minutes, November 6 and 9.

Ms. FOXX, for 5 minutes, today, November 3, 4, 5, 6 and 9.

Mr. MCHENRY, for 5 minutes, today, November 3, 4, 5 and 6.

Mr. WILSON of South Carolina, for 5 minutes, November 3.

Mr. HASTINGS of Washington, for 5 minutes, November 3, 4 and 5.

Mr. BURTON of Indiana, for 5 minutes, November 6.

ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2996. An act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

H.R. 3606. An act to amend the Truth in Lending Act to make a technical correction

to an amendment made by the Credit CARD Act of 2009.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 1929. 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.

ADJOURNMENT

Mr. ROE of Tennessee. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 46 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, November 3, 2009, at 8 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4394. A letter from the Auditor, District of Columbia, transmitting a copy of the report entitled, ''Auditor's Certification Review of the Accuracy of Initiatives and Key Performance Indicators Set Forth in the Department of Consumer and Regulatory Affair's Fiscal Year 2008 Performance Accountability Report'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4395. A letter from the Auditor, District of Columbia, transmitting a copy of the report entitled, ''Audit of the Office of the People's Counsel Agency Fund for Fiscal Year 2004'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4396. A letter from the Auditor, District of Columbia, transmitting a copy of the report entitled, ''Auditor's Review of Fiscal Oversight of the 2008 Summer Youth Employment Program'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4397. A letter from the Auditor, District of Columbia, transmitting a copy of the report entitled, ''Audit of the Office of the People's Counsel Agency Fund for Fiscal Year 2003'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4398. A letter from the Auditor, District of Columbia, transmitting a copy of the report entitled, ''Auditor's Certification Review of the Office of the State Superintendent of Education'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4399. A letter from the Auditor, District of Columbia, transmitting a copy of the report entitled, ''Audit of the Public Service Commission Agency Fund for Fiscal Year 2005'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

4400. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Tampa Bay, FL [COTP Sector St. Petersburg, FL 07-216] (RIN: 1625-AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4401. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Coast Guard Live Fire Exercise, Gulf of Mexico, FL [COTP Sector St. Petersburg, FL 07-206] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4402. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Garrison Channel, Florida [COTP Sector St. Petersburg, FL 07-200] (RIN: 1625-AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4403. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; July 4, 2006 Fireworks, Manitowoc, Wisconsin [CGD09-06-097] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4404. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Marinette July 4th Celebration, Marinette, Wisconsin [CGD09-06-098] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4405. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fourth of July Fireworks, Au Sable River, Oscoda, MI [CGD09-06-099] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4406. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Petoskey Fourth of July Fireworks, Petoskey, Michigan [CGD09-06-100] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4407. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Sheboygan 4th of July Celebration, Sheboygan, Wisconsin [CGD09-06-102] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4408. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Shopko Fireworks Celebrate Americafest, Green Bay, Wisconsin [CGD09-06-103] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4409. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Boyne City July 4th Fireworks, Boyne City, Michigan [CGD09-06-106] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4410. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sturgeon Bay Fireworks, Sturgeon Bay, Wisconsin [CGD09-06-107] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4411. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; National Cherry Festival July 4th Fireworks, Traverse City, Michigan [CGD09-06-108] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4412. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; National Cherry Festival Finale Fireworks, Traverse City, Michigan [CGD09-06-109] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4413. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; TCF Bank Milwaukee Air Expo, Milwaukee, Wisconsin [CGD09-06-112] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4414. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bauernfind/Morris Wedding Fireworks, Betsie Lake, Frankfort, MI [CGD09-06-115] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4415. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Captain of the Port Lake Michigan, Chicago River, Chicago, IL [CGD09-06-116] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4416. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Captain of the Port Lake Michigan, Milwaukee, WI [CGD09-06-119] (RIN: 1625-AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4417. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Air show Practice Flights, Milwaukee, Wisconsin [CGD09-06-120] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4418. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Festa Italiana Fireworks, Milwaukee, Wisconsin [CGD09-06-124] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4419. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Moving safety zone; YMCA Lake Michigan Swim, Lake Michigan [CGD09-06-125] (RIN: 1265-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4420. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Venetian Night Fireworks, Saugatuck, Michigan [CGD09-06-126] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4421. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Door County Triathlon, Egg Harbor, Wisconsin [CGD09-06-127] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4422. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tonawandas Canal Fest Fireworks, Niagara River, Tonawanda, NY [CGD09-06-128] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4423. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Spirit of Racine Triathlon, Racine, Wisconsin [CGD09-06-129] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. CONYERS: Committee on the Judiciary. H.R. 1110. A bill to amend title 18, United States Code, to prevent caller ID spoofing, and for other purposes; with an amendment (Rept. 111–321). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 3596. 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; with an amendment (Rept. 111–322). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 1168. A bill to amend chapter 42 of title 38, United States Code, to prevent certain veterans with employment training assistance; with an amendment (Rept. 111–323). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. 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 (Rept. 111–324). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 3237. A bill to enact certain laws relating to national and commercial space programs as title 51, United States Code, ''National and Commercial Space Programs'' (Rept. 111–325). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROGERS of Alabama:

H.R. 3978. A bill to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to authorize the Secretary of Homeland Security to accept and use gifts for otherwise authorized activities of the Center for Domestic Preparedness that are related to preparedness for and response to terrorism, and for other purposes; to the Committee on Homeland Security.

By Mr. BERRY:

H.R. 3979. A bill to amend the Internal Revenue Code of 1986 to deny the deduction for advertising and promotional expenses for prescription pharmaceuticals; to the Committee on Ways and Means.

By Mr. CUELLAR:

H.R. 3980. A bill to provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, and for other purposes; to the Committee on Homeland Security.

By Mr. HOLDEN:

H.R. 3981. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to eliminate the matching requirement for certain bulletproof armor vest purchases under the matching grant program for bulletproof armor vests; to the Committee on the Judiciary.

By Mr. KILDEE (for himself, Mr. EHLERS, Ms. KILPATRICK of Michigan, Ms. FUDGE, Mr. THOMPSON of Mississippi, Mr. KISSELL, Mr. HASTINGS of Florida, Mr. CONYERS, Mr. GRIJALVA, Mr. MEEKS of New York, Mr. MASSA, Mrs. NAPOLITANO, Mr. ROTHMAN of New Jersey, Mr. MCGOVERN, Ms. LINDA T. SÁNCHEZ of California, Mr. FILNER, Mr. SABLAN, Mr. BACA, Mr. CARDOZA, Ms. HIRONO, Ms. MATSUI, Mr. PIERLUISI, Ms. WATSON, Mr. CAO, Ms. CORRINE BROWN of Florida, Mr. FALEOMAVAEGA, Mr. PAYNE, Mr. CLAY, Mr. COURTNEY, Mr. MICHAUD, Ms. BERKLEY, Mrs. CHRISTENSEN, Mr. PLATTS, Mr. SCOTT of Virginia, Mr. MARKEY of Massachusetts, and Mr. CASTLE):

H.R. 3982. A bill to prepare young people in disadvantaged situations for a competitive future; to the Committee on Education and Labor.

By Mr. MARKEY of Massachusetts:

H.R. 3983. A bill to suspend temporarily the duty on certain high-performance loudspeakers; to the Committee on Ways and Means.

By Mr. MARKEY of Massachusetts:

H.R. 3984. A bill to suspend temporarily the duty certain electrical transformers rated at 40VA; to the Committee on Ways and Means.

By Mr. VAN HOLLEN:

H.R. 3985. A bill to amend the Internal Revenue Code of 1986 to provide for a second generation biofuel producer credit, and for other purposes; to the Committee on Ways and Means.

By Mr. HERGER (for himself, Mr. CAMP, Mr. SAM JOHNSON of Texas, Mr. RYAN of Wisconsin, Mr. NUNES, and Ms. GINNY BROWN-WAITE of Florida):

H. Res. 883. A resolution expressing the sense of the House of Representatives that Members of the House receive the necessary cost information regarding health care reform legislation at least 72 hours before any vote on such legislation; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. COHEN.
H.R. 197: Mr. HOEKSTRA.
H.R. 198: Mr. SMITH of Nebraska.
H.R. 272: Mr. DAVIS of Kentucky.
H.R. 273: Mr. COFFMAN of Colorado.
H.R. 275: Mr. WALZ and Mr. HUNTER.
H.R. 422: Mrs. MILLER of Michigan.
H.R. 571: Mr. MCNERNEY and Mr. BERMAN.
H.R. 624: Mr. TIM MURPHY of Pennsylvania.
H.R. 644: Mrs. CHRISTENSEN, Mr. FARR, Mr. SERRANO, and Ms. SHEA-PORTER.
H.R. 646: Mr. ROTHMAN of New Jersey.
H.R. 658: Mr. KAGEN.
H.R. 690: Mr. CHANDLER, Mr. DAVIS of Alabama, and Mr. DINGELL.
H.R. 734: Mr. SMITH of New Jersey.
H.R. 930: Ms. VELÁZQUEZ.
H.R. 949: Ms. SHEA-PORTER and Mr. POMEROY.
H.R. 982: Mr. ADERHOLT, Mr. ALEXANDER, Mrs. BACHMANN, Mr. BARTON of Texas, Mr. BILIRAKIS, Mr. FLEMING, Mr. GARRETT of New Jersey, Mr. JORDAN of Ohio, Mr. KLINE of Minnesota, Mr. LEWIS of California, Mr. DANIEL E. LUNGREN of California, Mr. MARCHANT, Mr. REHBERG, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. WALDEN, Mr. WHITFIELD, Mr. BROWN of South Carolina, Mr. CARTER, Mr. CAMPBELL, Mr. COBLE, Ms. GRANGER, Mr. MICA, Mr. SHIMKUS, and Mr. STEARNS.
H.R. 1064: Mr. ROSS.
H.R. 1126: Mr. MILLER of North Carolina.
H.R. 1142: Mr. ENGEL.
H.R. 1168: Mr. MINNICK.
H.R. 1173: Ms. SHEA-PORTER.
H.R. 1189: Mr. AL GREEN of Texas.
H.R. 1207: Mr. HEINRICH.
H.R. 1235: Mr. COHEN.
H.R. 1305: Mr. COHEN.
H.R. 1326: Mr. RAHALL and Mr. BROWN of South Carolina.
H.R. 1454: Ms. NORTON.
H.R. 1507: Mr. ACKERMAN.
H.R. 1526: Ms. SLAUGHTER.
H.R. 1585: Mr. JACKSON of Illinois.
H.R. 1677: Mr. SMITH of Washington, Ms. HERSETH SANDLIN, and Mr. ARCURI.
H.R. 1721: Mr. NADLER of New York.
H.R. 1792: Mr. BRALEY of Iowa and Mr. MORAN of Kansas.
H.R. 1820: Ms. RICHARDSON.
H.R. 1821: Ms. SHEA-PORTER.
H.R. 1826: Mr. VAN HOLLEN.
H.R. 1866: Mr. FARR.
H.R. 1895: Mrs. MCCARTHY of New York.
H.R. 1932: Ms. MOORE of Wisconsin.
H.R. 1964: Mr. PAYNE.
H.R. 1993: Mr. AL GREEN of Texas.
H.R. 2024: Mr. KILDEE.
H.R. 2103: Mr. LEWIS of Georgia and Mr. DELAHUNT.
H.R. 2136: Mr. MCGOVERN and Mr. MITCHELL.
H.R. 2149: Mr. MORAN of Virginia.
H.R. 2194: Mr. FRANK of Massachusetts and Mr. BOEHNER.
H.R. 2254: Ms. FUDGE.
H.R. 2256: Ms. MOORE of Wisconsin.
H.R. 2269: Mr. ROTHMAN of New Jersey and Mr. BISHOP of Georgia.
H.R. 2279: Ms. CORRINE BROWN of Florida and Mr. DOGGETT.
H.R. 2373: Mr. KING of Iowa.
H.R. 2377: Mr. JACKSON of Illinois and Mr. WALZ.
H.R. 2406: Mr. GERLACH.
H.R. 2408: Mr. DAVIS of Illinois, Ms. SLAUGHTER, and Mr. HIGGINS.
H.R. 2452: Mr. WOLF, Mr. KING of Iowa, and Mr. MELANCON.
H.R. 2456: Mr. COHEN.
H.R. 2487: Ms. ZOE LOFGREN of California.
H.R. 2502: Mr. COURTNEY.
H.R. 2528: Mr. ROSS.
H.R. 2559: Mr. COHEN.
H.R. 2563: Mr. BARROW.
H.R. 2567: Ms. VELÁZQUEZ and Mr. LARSON of Connecticut.
H.R. 2568: Mr. AL GREEN of Texas.
H.R. 2573: Mr. PASTOR of Arizona.
H.R. 2579: Mr. KENNEDY, Mr. HONDA, Ms. ZOE LOFGREN of California, and Mr. WALZ.
H.R. 2616: Mr. CARSON of Indiana.
H.R. 2740: Ms. BALDWIN.
H.R. 2755: Mr. KENNEDY.
H R. 2817: Mr. PAYNE.
H.R. 2897: Mr. KINGSTON, Mr. FILNER, Mr. WALZ, and Mr. KRATOVIL.
H.R. 2969: Mr. MCGOVERN.
H.R. 3010: Mr. JACKSON of Illinois.

H.R. 3077: Mr. CLAY and Ms. WOOLSEY.
H.R. 3101: Mr. CARSON of Indiana and Ms. NORTON.
H.R. 3116: Mr. SHERMAN, Mr. FILNER, and Mr. ARCURI.
H.R. 3149: Mr. SERRANO.
H.R. 3156: Mr. GRIJALVA and Mr. JOHNSON of Georgia.
H.R. 3226: Mr. RADANOVICH and Mr. BARRETT of South Carolina.
H.R. 3238: Mr. MCGOVERN.
H.R. 3248: Ms. BERKLEY.
H.R. 3276: Ms. SUTTON and Ms. ZOE LOFGREN of California.
H.R. 3308: Mr. BAIRD.
H.R. 3328: Mr. CARSON of Indiana.
H.R. 3365: Mr. NYE and Ms. KOSMAS.
H.R. 3380: Mr. PETRI.
H.R. 3415: Mr. LARSON of Connecticut.
H.R. 3439: Mr. SOUDER and Mr. ELLSWORTH.
H.R. 3480: Mr. CARNAHAN.
H.R. 3485: Mr. FRANK of Massachusetts.
H.R. 3535: Mr. BISHOP of New York.
H.R. 3560: Ms. MOORE of Wisconsin.
H.R. 3578: Ms. HERSETH SANDLIN.
H.R. 3646: Mrs. CHRISTENSEN.
H.R. 3650: Ms. WASSERMAN SCHULTZ.
H.R. 3652: Mr. BRALEY of Iowa.
H.R. 3696: Ms. GRANGER.
H.R. 3710: Ms. SHEA-PORTER and Mr. MCGOVERN.
H.R. 3721: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3734: Mr. BROWN of South Carolina and Ms. RICHARDSON.
H.R. 3752: Mrs. BACHMANN.
H.R. 3761: Mr. BARTON of Texas.
H.R. 3764: Mr. KUCINICH and Mr. NADLER of New York.
H.R. 3778: Mr. CARNEY and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 3790: Ms. SHEA-PORTER, Ms. KAPTUR, and Mrs. MALONEY.
H.R. 3791: Mr. KING of New York, Mrs. EMERSON, Mr. SCOTT of Georgia, and Mr. VISCLOSKY.
H.R. 3795: Mr. SHERMAN.
H.R. 3822: Mr. SMITH of Nebraska.
H.R. 3828: Ms. GRANGER.
H.R. 3838: Ms. JACKSON-LEE of Texas and Mrs. CHRISTENSEN.
H.R. 3839: Mrs. MCMORRIS RODGERS and Mr. RODRIGUEZ.
H.R. 3885: Ms. NORTON, Mr. COHEN and Mr. WOLF.
H.R. 3905: Mr. MANZULLO, Mr. HARPER, and Mr. REHBERG.
H.R. 3924: Mr. WILSON of South Carolina.
H.R. 3939: Mr. PASTOR of Arizona and Mr. CONYERS.
H.R. 3943: Ms. ROS-LEHTINEN, Mr. LAMBORN, Mr. COSTELLO, Mr. HARE, and Mr. THOMPSON of California.
H.R. 3959: Mr. BRALEY of Iowa.
H.R. 3977: Mr. FILNER, Mr. CARNEY, Mr. MORAN of Virginia, and Mr. BRALEY of Iowa.
H.J. Res. 11: Mr. PAULSEN.
H. Con. Res. 139: Mr. NEUGEBAUER.
H. Con. Res. 169: Mr. BONNER.
H. Con. Res. 175: Mr. LATTA, Mr. SOUDER, and Mr. CARTER.
H. Con. Res. 199: Mr. LARSEN of Washington, Mr. COURTNEY, Mr. JOHNSON of Georgia, Mrs. NAPOLITANO, Mrs. CHRISTENSEN, Mr. ORTIZ, Mr. REYES, Mr. ANDREWS, Ms. LORETTA SANCHEZ of California, Mr. KISSELL, Mr. MASSA, Mr. MURPHY of New York, Mr. LOEBSACK, Mrs. MCMORRIS RODGERS, Mr. FLEMING, Ms. BORDALLO, Mr. CONAWAY, and Mr. LAMBORN.
H. Res. 68: Mr. GENE GREEN of Texas.
H. Res. 89: Mr. JONES, Mr. PITTS, Mr. DRIEHAUS, Ms. ROS-LEHTINEN, and Mr. DINGELL.
H. Res. 185: Mr. LAMBORN.
H. Res. 398: Ms. ROS-LEHTINEN.
H. Res. 510: Mr. JACKSON of Illinois.
H. Res. 633: Mr. FARR.
H. Res. 711: Mr. LYNCH, Mr. CAPUANO, Mr. ELLISON, Mr. SHERMAN, and Mr. LEWIS of Georgia.
H. Res. 713: Mr. HASTINGS of Florida, Mr. ELLISON, Mr. MCNERNEY, Ms. EDWARDS of Maryland, Mr. PAYNE, Ms. MOORE of Wisconsin, Mr. CLAY, Mr. LEWIS of Georgia, Ms. WATSON, Mr. PERLMUTTER, Mrs. MCCARTHY of New York, Mr. ISRAEL, Mr. HINOJOSA, Mr. RUSH, Ms. SPEIER, and Mr. SCOTT of Georgia.
H. Res. 759: Mr. LINDER.
H. Res. 763: Mr. BILIRAKIS and Mr. EHLERS.
H. Res. 771: Mr. BISHOP of Georgia, Mr. CASTLE, and Mr. DELAHUNT.
H. Res. 773: Mr. BUYER, Mr. COURTNEY, and Ms. SHEA-PORTER.
H. Res. 833: Mr. ISRAEL, Mr. SNYDER, Mr. JACKSON of Illinois, Mr. BAIRD, Mr. WEXLER, Mr. COHEN, Mr. MCGOVERN, Ms. GRANGER, Mr. GALLEGLY, Mr. ACKERMAN, Ms. BERKLEY, Mr. SHERMAN, Ms. WOOLSEY, Ms. WATSON, Ms. LEE of California, Mr. COSTA, Mr. TANNER, Mr. SIRES, Mr. FALEOMAVAEGA, Mr. ENGEL, Ms. JACKSON-LEE of Texas, Mr. CARNAHAN, Mr. MILLER of North Carolina, Mr. MEEKS of New York, Mr. CONNOLLY of Virginia, Mr. DELAHUNT, Mr. KINGSTON, Mr. GENE GREEN of Texas, Mr. ELLISON, Ms. GIFFORDS, Mrs. LOWEY, and Mr. MANZULLO.
H. Res. 835: Mr. HERGER.
H. Res. 839: Mr. LEWIS of Georgia.
H. Res. 841: Mr. OLSON and Mrs. BLACKBURN.
H. Res. 847: Mr. BARTON of Texas, Mr. FORBES, and Mr. YOUNG of Alaska.
H. Res. 856: Mr. LAMBORN and Mr. LANGEVIN.
H. Res. 857: Mrs. NAPOLITANO, Mr. LOEBSACK, Mr. CHANDLER, and Mr. NEUGEBAUER.
H. Res. 858: Mr. SHERMAN.
H. Res. 861: Mr. CONAWAY, Mr. CRENSHAW, Mr. HUNTER, Mr. YOUNG of Florida, and Mr. SESTAK.
H. Res. 866: Mr. LUJÁN, Ms. SCHWARTZ, Mr. LAMBORN, Mrs. BIGGERT, Ms. ROS-LEHTINEN, and Mr. MOLLOHAN.
H. Res. 867: Mr. ADLER of New Jersey, Mr. WALDEN, Mr. AUSTRIA, Mrs. BLACKBURN, Mr. PLATTS, Mr. ROSKAM, Mr. HENSARLING, Mr. MINNICK, Mrs. KIRKPATRICK of Arizona, Mr. SHULER, Mr. COLE, Mr. HODES, Mr. COSTELLO, Mr. DRIEHAUS, Mr. GORDON of Tennessee, Mr. BUYER, Mr. SHERMAN, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. KILROY, Mr. BOCCIERI, Mr. CARNEY, Mr. CAO, Ms. TITUS, Mr. BILIRAKIS, Mr. MARIO DIAZ-BALART of Florida, Mr. MCKEON, Mr. BISHOP of New York, Mr. SMITH of New Jersey, Ms. GRANGER, Mr. DAVIS of Alabama, Mrs. LUMMIS, Mr. PITTS, Mr. LATHAM, Mr. PUTNAM, Mr. MELANCON, and Mr. CASSIDY.
H. Res. 868: Mrs. MYRICK.
H. Res. 870: Mr. BLUNT, Mr. BOEHNER, Ms. FOXX, Mr. LATHAM, Mr. LATOURETTE, Mr. MCCARTHY of California, Mr. PLATTS, Mr. SESSIONS, and Mr. WOLF.
H. Res. 874: Mr. GINGREY of Georgia.
H. Res. 878: Mr. SABLAN.
H. Res. 880: Mr. SABLAN.

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:

OFFERED BY MR. CONYERS

The provisions that warranted a referral to the Committee on Judiciary in H.R. 3962, the ''Affordable Health Care for America Act,'' do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. RAHALL

The provisions that warranted a referral to the Committee on Natural Resources in H.R. 3962, the ''Affordable Health Care for America Act,'' do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SPRATT

The provisions that warranted a referral to the Committee on the Budget in H.R. 3962, the ''Affordable Health Care for America Act,'' do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SUBMITTED BY MR. GEORGE MILLER OF CALIFORNIA

The provisions that warranted a referral to the Committee on Education and Labor in H.R. 3962, the ''Affordable Health Care for America Act,'' do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SUBMITTED BY MS. SLAUGHTER

The provisions that warranted a referral to the Committee on Rules in H.R. 3962, the ''Affordable Health Care for America Act,'' do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submited as follows:

H.R. 3962

OFFERED BY: MR. COFFMAN OF COLORADO

AMENDMENT NO. 1: In section 302(a), before ''In accordance with this section'', insert the following and adjust the indentation appropriately:

(1) IN GENERAL.—

In section 302(a), add at the end the following new paragraph:

(2) TREATMENT OF CERTAIN ELECTED OFFICIALS.—

(A) IN GENERAL.—Members of Congress (as defined in section 2106 of title 5, United States Code) and the dependents of Members of Congress shall be enrolled in the public health insurance option under subtitle B. For purposes of the proceeding sentence, Members of Congress and the dependents of Members of Congress shall each be treated as an Exchange-eligible individual.

(B) CONFORMING AMENDMENT.—

(i) CHANGE TO FEHBP.—Section 8901(1) of title 5, United States Code, is amended by striking subparagraphs (B) and (D).

(ii) EFFECTIVE DATE.—The amendment made by clause (i) shall take effect on the first day of Y1.

In section 302(c)(1)

(1) in subparagraph (A), strike ''; and'' and insert a semicolon;

(2) in subparagraph (B), strike the period and insert ''; and''; and

(3) add at the end the following new subparagraph:

(C) Members of Congress and the dependents of Members of Congress.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, MONDAY, NOVEMBER 2, 2009 No. 161

Senate

The Senate met at 2 p.m. and was called to order by the Honorable MARK WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Our God, we are thankful that You have not only known us but You have made Yourself known to us. It is amazing that You know us and still love us.

May our lawmakers come to You with the confidence borne of the knowledge that comes from being loved by You. As they seek to be Your ambassadors to our Nation and world, help them to acknowledge that without You they can accomplish nothing that will endure. May they remember to use our liberties and privileges, bought with so crimson a cost, to promote the common good of humanity.

Lord, we end this prayer by asking You to bless our military men and women in harm's way and their loved ones.

We pray this prayer in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK WARNER 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, November 2, 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 WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

HEALTH CARE REFORM

Mr. REID. Mr. President, our job as legislators is to write and pass a bill that will make it easier for every American family to afford to live a healthy life. Democratic Members have worked tirelessly over the past weeks, months, and even years to fulfill this tremendous responsibility. We have listened to the vast majority of Americans who demand that we stop health insurance companies from taking advantage of each of us. We have listened to the vast majority of Americans who know that a public option for health insurance is the best way to keep competition up, keep costs down, and keep insurance companies honest. We continue to listen to Senators as diverse ideologically as they are diverse geographically as we craft a final bill.

Today, we are closer than ever before to making sure every American can access quality, affordable health care—and making sure they have the choice of whether they get that care through their private insurer or a public one.

We are closer than ever, but we are not there quite yet. As we head for the finish line, one of the most important parts of this process is transparency. That is exactly why the two Senate committees that drafted the foundations of this bill—the HELP and Finance Committees—conducted lengthy public meetings. At these meetings, the American people could see that the committees considered and approved numerous amendments and proposals by both Democrats and Republicans. For example, you could go on the HELP Committee's Web site and watch them adopt 160 Republican amendments into this bill. It is in the name of transparency that the committees' legislation has been fully available on the Internet for many weeks now. The HELP Committee's bill has been on its Web site since June 9, and the Finance Committee's bill has been on its Web site since September 16.

It is important to understand where we are in this process. Right now, we are merging those two bills into one bill. That work is ongoing, and many different options are being weighed. The CBO is analyzing those options, and based on their analysis we will decide what to put into a bill. Those who demand to see the bill this minute forget that a final bill doesn't yet exist. If it did, we would bring it to the floor. All should remember that as soon as the CBO results are in and as soon as important decisions are made based on those results, we have pledged to make the final bill available to the full Senate and the American people. The final bill will be public as soon as it is written. I will repeat that so there is no confusion. The final bill will be made public as soon as it is written.

Only one final decision has been made so far. We are going to give people the power of deciding whether they want to get their health insurance from somewhere other than the reckless private companies that are responsible for the mess we are in, and we are going to give the States the power of deciding whether that choice is best for its citizens.

So that is where we stand. It is important to get these facts on the

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

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record, as misinformation, half-truths, and distractions fill the airwaves.

Let's be honest. These facts don't matter much to those who are dead set on opposing health insurance reform for partisan reasons. They don't matter to the Republican Senator who said he hopes the effort to fix our broken health care system will be President Obama's ''Waterloo.'' They don't matter to the Republican Senator who said Republicans will oppose the bill regardless of any concessions Democrats make. They don't matter to the Republican Senator who said, ''I don't have to read it, or know what's in it. I am going to oppose it anyways.'' Their strategy is to deny the undeniable fact that families' personal health and pocketbooks are suffering. Their strategy is to defend the indefensible practices of insurance companies that make huge profits on the backs of our seniors and our sick. Their strategy is to ignore polls that clearly and consistently show the American people support a public option and instead argue, without evidence, that they don't.

Republicans make no effort to hide their shortsighted and self-destructive strategy. In fact, Roll Call newspaper today reports that they ''have mapped out a strategy to draw out debate'' rather than work with us to strengthen the bill. Politico reported last week that Republican consultant Frank Luntz is out with a new memo urging Republicans to fake bipartisanship. You will recall that, back in May, Luntz encouraged Republicans to oppose a health care reform bill before there was a single hearing held to determine what should be in the bill and long before a single bill was even written. Now Luntz says Republicans have more to gain by faking bipartisanship and from complaining about the health care bill than working to improve it. All of us—every single American—stand to lose if that happens. I know Senate Republicans appreciate transparency because their strategy is as transparent as it comes. That strategy is simply to delay, delay, delay. And now the newspaper Roll Call acknowledges that.

At the same time, I couldn't help but notice that while Senate Republicans demand transparency, their own plan is being drafted, obviously, in secret—if, in fact, there is one. We don't know how much their bill will cost—the Republican bill—if there is one. We don't know whom it will help, if anybody, or how it will keep insurance companies from abusing Americans. They won't tell us how their plan will lower your health care bills so you don't have to choose between medication and your mortgage. So I can only conclude one of two things: Either the Senate Republicans are drafting a bill in secret or their proposal simply doesn't exist and the Republicans have no solutions to one of the greatest and most urgent challenges of our time—health insurance reform. Whichever it is should concern the American people greatly.

I will acknowledge there is one thing that won't be in their bill secretly or in a transparent fashion, and that is to repeal the McCarran-Ferguson Act that exempts insurance companies from antitrust laws. The insurance companies love that because they can take advantage of the American people, as they have since 1945, since that act became law.

It is increasingly clear to the American people who is trying to help them. It is clear who is reaching across the aisle and negotiating in good faith and compromising where necessary.

Mr. President, we want to work with the Republicans, but how can you work with a party that says that they hope President Obama fails and that this is his Waterloo? It doesn't matter what is in the bill, they will oppose it. Again, today, we heard from Roll Call that their only strategy is to delay. I hope that will change and they will work with us to come up with some ideas on how they can improve health insurance. Let's get the bill on the floor and start debating it.

SCHEDULE

Mr. REID. Mr. President, today, following the remarks of the two leaders, there will be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each. At 4 p.m., the Senate will resume consideration of the Unemployment Benefits Extension Act, with the time until 5 p.m. equally divided and controlled between the two leaders or their designees. At 5 p.m., the Senate will proceed to a cloture vote on the Reid-Baucus substitute amendment.

German Chancellor Angela Merkel will address a joint meeting of Congress tomorrow at 10:30 a.m. Senators should begin to gather in the Chamber at 10 o'clock tomorrow morning so they can leave at 10:10 a.m. to proceed to the House of Representatives.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

HEALTH CARE WEEK XVI DAY I

Mr. MCCONNELL. Mr. President, for months, the American people have been sending us a clear message about what they want to see in health care reform. They want practical, commonsense reforms that drive down the cost of care, improve access, and create more choices. What they are getting instead from Congress are higher premiums, higher taxes, Medicare cuts, and more government control over their health care decisions.

They are getting the same old big-government solutions to problems that call for creative, modern-day solutions.

Quite simply, there seems to be a disconnect between the American people and Democrat leaders in Congress. And nowhere is that disconnect more apparent than in the 2,000-page bureaucratic monstrosity of a bill that House Democrats dropped on the American people last week.

At its core, this bill is very similar to what we have already seen in the Senate—a trillion-dollar government experiment that raises taxes, raises premiums, slashes Medicare, and leads to unprecedented government control over the health care decisions of Americans. That is the foundation, the starting-off point. It doesn't get any better from there.

Let's start with the pricetag. At a time of unprecedented government spending and a staggering $12 trillion debt, the Democrat health care bill asks taxpayers to pony up at least another trillion dollars. To get some sense of the size of that figure, consider the fact that this bill would cost more than $2 million per word. And believe it or not, that is a conservative estimate.

Once fully implemented, the bill will spend $2.3 trillion. And this doesn't even account for the $250 billion that is needed to prevent a cut in reimbursements to doctors who treat Medicare patients. While this so-called ''Doc Fix'' is no longer in the bill, we saw last month how Democrats in both the House and Senate plan to pay for it. They want to put this $250 billion on the government credit card and then claim their plans don't add to the deficit.

Well, Americans aren't buying it.

The bill would also hit already-struggling States by imposing a crippling, 10-year, $34 billion expansion of Medicaid. And it fails to meet the key test that Americans had set for reform, which was to control costs. Indeed, contrary to early promises by the administration about the need to control costs, this bill would actually increase long-term Federal health care spending.

The health care choices that Americans currently enjoy would also be limited under this bill, and the government's role would increase dramatically. If you don't want to buy insurance, too bad: under this bill, the government forces you either to buy insurance or pay a new 2.5-percent tax. Under this bill, the government would also tell you what kind of insurance you can have by dictating the benefits you receive. If a politician in Washington doesn't approve of your current health care plan, you may be forced to give it up. Ironically, the person who would dictate your benefits would go by the title of the Health Choices Commissioner only in Washington, Mr. President.

Notably, this bill no longer includes language from earlier draft legislation stating that essential benefits coverage should not lead to the rationing of health care. Language preventing rationing is out. We can only conclude from the exclusion of this language that the bill writers have opened the

door to rationing care at some point down the road—just like every other country that has gone in the direction of government-run health care for all.

Business owners are also a special target of this bill. The government will tell all but the smallest employers they must cover employees even if they cannot afford it. If they refuse, they get hit with a $135 billion tax—a tax that independent experts warn will lower wages and kill jobs.

Unemployment is nearly 10 percent, despite the administration's prediction that it would not rise past 8 percent if we passed the stimulus. But instead of trying to create jobs, Democrats are trying to push through a trillion-dollar experiment with massive new taxes that would kill even more jobs right in the middle of a recession.

Finally, under this bill, the government would create a government-run health care plan that Americans oppose. Democrats say the whole point of a government plan is to give Americans a lower cost option. But the CBO has said that the premiums for the House government plan would actually be higher than the premiums for private plans. So in order for the government plan to meet its goal of offering a lower cost alternative, it would have to use the power of government to subsidize costs, ration care, and undercut private insurers. Democrats may call this an option, but it is clear to everyone else that this type of government-run plan would eventually become the only option.

Americans want real reforms that lower costs and increase access—reforms such as getting rid of junk lawsuits, leveling the playing field on health care taxes, and incentivizing healthy choices. Yet instead of adopting these commonsense ideas, the authors of this bill seem intent on forcing the American people to accept more spending, more debt, more taxes, and more government in their daily lives.

You can call that a lot of things. You can call it a lot of things, but you cannot call it reform. The passage of time has not been good to Democratic efforts at health care reform. Earlier versions were deeply flawed to begin with. But when Americans look closely at this latest version, they will wonder who exactly congressional leaders have been listening to over the past several months. Clearly, it is not the American people.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Illinois.

HEALTH CARE AND UNEMPLOYMENT BENEFITS

Mr. DURBIN. Mr. President, we just heard the Republican leader of the Senate speak, as he does every day, against health care reform. He has opposed it from the start. He is consistent. His message is consistent. He does not propose any alternative. There is no Republican health care reform bill anyone has seen or heard of. He comes in each day and tells us what is wrong with the efforts underway in Congress, both the House and the Senate, to change the health care system of America.

Unfortunately, most Americans—certainly most business people—understand that the current health care system in America is unsustainable. The cost of health care is going up so fast that fewer and fewer businesses are protecting their employees and fewer and fewer individuals can afford to buy health insurance. And those who buy health insurance know the reality of what it means today. They know that when they need it the most, many health care insurance companies turn them down. People who had paid for a lifetime into a health insurance plan they had never used finally faced an accident or a diagnosis or a critical illness, went to their doctor, headed to the hospital, only to find that now they were not just going to have to battle an illness, they had to battle their insurance company.

I cannot tell you how many cases have come to my office—so many that we have lost count—asking: As a Senator, will you please intervene with my health insurance company.

The most recent involved a young man who has been battling cancer in my State for years, a heroic battle that I know something about because I know his family. He finally found a drug that worked that his oncologist recommended. It was a new drug, but it was one that worked. For a while, the health insurance company paid for it. Then they announced they were going to cut off payments because it was not an appropriate drug. Do you know how much it will cost his family to provide that lifesaving drug to him each month? It is, $13,000. How long can he last? How long can the savings last? How long can we stand here and tolerate that kind of mistreatment of the American people?

Yet day after day, the Republican leader comes and tells us he is opposed to change; he does not support our efforts to bring about real significant change when it comes to health insurance in this country.

Let me tell you what our bill does—this bill he said we should not pass. It eliminates preexisting conditions. Do you know what that means? When you need your insurance the most and your health insurance company goes back and pulls out your health insurance application and says: You forgot to tell us you had headaches as a teenager or acne and, therefore, we are going to walk away, disallow any medical care. Does that sound outlandish? It is a fact in both instances and in cases that have come to our office—preexisting conditions. Preexisting conditions, a battle that people have to fight all the time with these health insurance companies, would be prohibited under health insurance reform that we are working on.

Or how about their decision to cap the amount of coverage they will provide. You don't know when you get into cancer treatment or serious brain surgery what the ultimate bill is going to be. But the health insurance companies can walk away from you when you are sick and need their help the most.

We know what they do with kids, young people, when they reach the age of 23. It happened in my family. They cut off your children. No more will they cover them. They have to find their own coverage. This bill says we will extend that coverage.

We are basically trying to plug the gaps in health insurance coverage today that haunt American families when they desperately need help. And the Republican minority leader comes to the floor and objects to that, objects to this health care reform. I don't understand where he is coming from.

He says this bill is too long. I have heard the Senator from Kentucky and other Senators say: Why, this bill is 1,000 pages long—1,000 pages. I don't know if there is an appropriate number of pages for health care reform. I don't know if 100 is the right number and 1,100 is too much. I don't know if we should be involved in that kind of silly argument.

What we are talking about here is a piece of legislation that will impact health care for every American and will literally address one-sixth of the American economy. Mr. President, $1 out of every $6 spent in America is spent on health care. We are working now to bring down costs and create a system that is fair, stable, and secure for people across the United States. If it takes 2,000 pages, does that mean the bill is wrong?

The other day on the floor, I asked one of the Republican Senators who was talking about the bill being too long, first I said: Have you seen it? Of course he had not because the bill is currently being written. The final bill is not before us. It will be on the Internet for at least 3 days before it is considered on the floor, as it should be, but there is no final bill.

Then I asked him how many pages is the Republican alternative on health care reform. He stumbled a little bit because there is no Republican alternative to health care reform. Speeches, yes, but nothing in writing.

When we went through the HELP Committee and marked up the bill—one of the bills that is part of the package being considered—there were 150

Republican amendments that were accepted. You would think that after 150 Republican amendments were accepted out of about 500, perhaps one Republican Senator would vote to move the bill forward. Not a single one, not one in the HELP Committee would vote to move it forward.

It is unfortunate, but I think Majority Leader REID is right. There appears to be, by most Republican Senators, a strategy to delay this as long as possible and to oppose all change. I don't know if you can build a political party on that. I certainly don't believe you can build a nation on that. And you certainly cannot address the concerns that people express to us every day about the current cost of health care and the need for us to have health insurance we can trust and the need to bring more and more people into health insurance coverage.

The bill before us, that we will vote on at 5 o'clock today, is about unemployment compensation. It is a record-breaking bill. And you know why? Because it has taken us almost 4 weeks by Wednesday to bring up the extension of unemployment compensation benefits. The reason it breaks a record is that historically this was never a debatable item. People said: Of course, we are going to help people who are unemployed on a bipartisan basis, give them a helping hand in a tough economy. Now we are facing an economy with millions of people unemployed and, unfortunately, the Republicans have delayed us for 4 weeks to bring this matter up.

While they have delayed us, thousands of people have lost their unemployment benefits. They are in my office, sending e-mails talking about this, spelling out what it means when you don't have a job, you don't have health insurance, you are struggling to pay the rent or the mortgage payment, trying to pick up some skills to find a new job and the checks end.

We want to extend those unemployment benefits because there are six unemployed Americans for every available job. Even people who are working the hardest to find new jobs are having a tough time. But for 4 weeks, the Republicans have stopped us. And why? They want to offer amendments that have nothing to do with unemployment compensation.

One of the amendments the Senator from Louisiana wants to once again debate is about an organization called ACORN. ACORN has not been in business in Illinois for a long time. It is an organization that is controversial in some sectors. In fact, it has led to four or five votes already on the Senate floor. This Senator has said he wants to hold up the extension of unemployment benefits for thousands of Americans so he can debate again another effort to criticize ACORN.

I suppose it is an important speech to him but not as important as that unemployment check is to thousands of people in Louisiana and Illinois who don't receive it because he and others on his side of the aisle have held up this bill for no good reason.

We have work to do. We need to create a safety net for those who have lost their jobs. We need to push forward on the President's recovery and reinvestment program that is creating jobs to put people back to work, and we need to sit together—I hope—come together and find a way to expand the number of jobs in this economy. We cannot do it if it takes 4 weeks for us to provide an unemployment check for someone in my home State who has been out of work for a year and is desperate to keep his family together.

That is the reality of what this issue is all about, the reality of the strategy of the party on the other side of the aisle. Whether it is unemployment benefits or health care reform, they believe if they delay long enough, somehow the clock will run out, the calendar will end, and we will do nothing. We cannot do that.

For the unemployed people in this economy, for those counting on us for real health care reform, we must do better. I urge my colleagues—I hope—on the other side of the aisle—a few of them—to step forward and say this is an issue that goes way beyond politics. I hope they join us in providing unemployment benefits long overdue.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BOND. Mr. President, I ask unanimous consent to proceed in morning business for 15 minutes.

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

Mr. BOND. Mr. President, survey after survey shows that most Americans like their health plan, but they believe it costs too much. That is why I am concerned that at a time when the American people are asking for lower health care costs, the trillion-dollar bills the Democrats are trying to ram through Congress actually increase the cost of health care.

You heard me correctly. The majority of both Houses is actually proposing to spend $1 trillion of taxpayer funds on proposals that will cause an increase in health care for all Americans. That is not the kind of reform Americans want.

Back home we call that a pig in a poke. The only way to sell a pig in a poke is to hide from Americans what their tax dollars are buying. That is why, despite the President's promise of transparency, the majority in charge of Congress and in charge of the Senate is working behind closed doors on a complicated, probably 1,000-plus-page bill that will lead to a massive government takeover of health care.

The assistant majority leader is correct; we have not seen a bill. It has been done in secret. Just wait; sometime we will see it. But we heard some facts that we think are very important.

First, the nonpartisan Congressional Budget Office, headed by a Democratic appointee, Doug Elmendorf, has said that the majority's government-run health plans will actually raise insurance premiums.

Despite the pig in a poke the majority is trying to sell to the American people, these independent experts have said that the government-run option being proposed will have higher premiums than private plans. There is another analysis that shows that the cost the government would impose would increase the cost of the premiums on private health care plans, particularly if they continue to propose to impose taxes on the health insurers. That is going to be shuffled off on every health care provider, every person holding private insurance.

When has government ever lowered the cost of anything? We know these bills will raise taxes on families and small businesses. We also know these bills would cut Medicare for seniors, up to one-half trillion dollars, leaving our seniors with fewer health care options. The majority is not even denying these charges. They are hoping no one is paying attention. Also what the majority does not want you to know is under these health care bills, government bureaucrats will have control over decisions that only you and your doctor should have. These are startling conclusions, but that is why Missourians are rightly concerned about the direction we are headed. Missourians and the people across this country don't want the same kind of denial, delay, and rationing that is common in countries with government-driven health care.

Americans are also concerned with the high price our children and grandchildren will pay for these health care schemes. My constituents are asking why, in the midst of a recession, when unemployment is 10 percent, why, when Americans are already saddled with massive Federal debt, the majority isn't listening to their concerns as they move ahead with a costly vast expansion of government that increases rather than lowers the cost of their health care.

Also, I have heard concern about gimmicks that are being used to claim the bill is deficit neutral, such as collecting all the taxes and fees long before the plan takes effect and has to be paid for. It is a grand scheme, but no one outside of Washington actually believes a $1 trillion health care bill will do anything but increase costs and pile more debt on our kids and grandkids. In fact, experts have confirmed there would be shortfalls outside the 10-year budget window. It is another smoke and mirrors trick to disguise the fact we are heaping massive debt on future generations.

Sadly, this proposed $1 trillion government takeover is just the latest in a string of efforts to expand the government at the cost of our children and grandchildren's fiscal future. Already this year the administration and the majority in Congress have spent $1 trillion on the misnamed stimulus bill,

adopted a budget that will double the debt in 5 years and triple it in 10, proposed a $3.6 trillion new gasoline tax, and other massive takeovers of various companies and industries.

Mr. President, I think we are all in agreement that health care costs too much, there are too many uninsured, and we need reform. But the question is, What does real reform look like? To date, we have seen two vastly different philosophies. For my colleagues on the other side of the aisle reform means a vast expansion of government costing more than $1 trillion that will increase health care costs, raise taxes, and cut Medicare benefits that are needed to pay for the services our seniors will get. Under this kind of reform, Americans will end up paying more for less.

Our view on this side of the aisle—as the majority leader has already said—is reform must be commonsense solutions focused on lowering health care costs for families and small business. We are offering solutions that increase access and improve patient care as well. Contrary to what has just been said on the Senate floor, we support tax equity for all families, allowing small businesses to form their own associations to purchase across State lines, and end the waste of the $120 billion annually spent for malpractice insurance and the defensive medicine it causes.

We don't need an overhaul of health care to give the American people what they want. What is needed is for Democrats to stop ignoring the American people and start working on a bipartisan basis—which they have not done so far—on real reforms that can make a difference, reforms that will lower costs, increase access, and improve patient care. That is what Americans want and that is where our focus should be, and we hope the Democrats will join us.

Mr. President, another example where Americans are in a position where we are going to be seeing a major expansion of government indebtedness and exposure of our tax burden is the measure that is probably going to be adopted today to continue and expand the home buyer tax credit provision.

Let me begin by pointing out that I originally supported the creation and the first extension of the home buyer tax credit. Unfortunately, these days it seems as if the fastest way to make something permanent is to have Congress legislate a temporary program.

As a longtime housing advocate, I believe a temporary credit, combined with other tools, such as housing counseling and refinancing efforts by State financing housing agencies, would help in the stabilization and recovery of the market.

Like many of my colleagues, I believed it was critical to address the housing market that was at the root of the housing crisis and led to our recession. However, the housing crisis has evolved from a crisis caused by loose lending through risky subprime loans to a crisis where job loss has become the primary cause of foreclosures and delinquencies. But for several reasons, I strongly believe the home buyer tax credit must end—primarily the disturbing news about fraud in the program and the high cost to taxpayers.

Before voting for another extension, I hope my colleagues ask themselves, based on its track record, whether the home buyer tax credit is an effective tool in helping the housing market. It is clear to me the answer is no due to its high cost and its vulnerability to fraud.

News about the real cost to taxpayers is alarming. In reality, this $8,000 home buyer tax credit costs the taxpayers at least $43,000 per new home sale using the most generous assumptions. According to the Brookings Institution, the vast majority of home buyers who used the credit would have bought a home without it, and at best the credit simply brought forward home sales that would have occurred in the future. Brookings estimates only 15 percent of the sales were attributable to the credit.

If we used Goldman Sachs's less generous estimate that far fewer sales were directly caused by the credit, the cost to taxpayers rises to $80,000 per new sale of homes. For the vast majority of cases, the home buyer tax credit amounted to a free gift since it did not affect their decision to purchase.

As described in a September 19 editorial this year in the Washington Post, the tax credit simply moved around the demand to purchase homes from future to present and from other consumers and other sectors to home buyers and homes. For the small minority of buyers whose decision was directly caused by this credit, this raises the question of whether we are subsidizing buyers who may not have been able to afford buying a home in the first place.

In the face of these figures, it seems obvious the home buyer tax credit is a terribly inefficient, irresponsible, and poor use of scarce taxpayer resources. The expansion of the home buyer tax credit, if it continues only to affect one in five new home purchases with the new higher limits, will significantly increase the cost of exposure of the American public to the costs of these credits and to the risk.

Even worse than the inefficient use of tax dollars is the misuse of funds. With the lack of oversight and uncovered fraud in this program, extending the credit could result in throwing away billions of taxpayer dollars. The evidence of fraud in the program was reported by the Treasury Inspector General for Tax Administration. According to him, the IRS is investigating more than 100,000 suspicious and potentially fraudulent claims involving tax credits. In addition, the IRS and Federal law enforcement agencies are investigating 167 criminal schemes involving the credit.

Further, the Inspector General uncovered hundreds of cases where children—some as young as 4 years old—and illegal immigrants claimed the credit. Even more disturbing, the IG found that IRS employees themselves were illegally using the credit. It sounds to me as though we have the fox guarding the hen house. It is, therefore, not surprising that one low-income tax aide recently testified before a congressional panel that the abuse of the tax credit appeared to be widespread.

Legislative changes are being included to address this fraud. Thank you. I appreciate the efforts. But it is unrealistic to believe they will be successful due to the longstanding management and oversight challenges of the IRS and the rampant fraud in the marketplace.

My colleagues on the Finance, Appropriations, and Homeland Security and Government Affairs Committees are very familiar with the IRS tax administration shortcomings that have been well documented by the Inspector General and the GAO. When I chaired the Treasury, Transportation, HUD, and Related Agencies Appropriations Subcommittee, I became familiar with the IRS administration tax challenges. I am also familiar with other housing fraud cases because I have been working with the FHA for too many years.

As I learned, waste, fraud, and abuse cannot be stopped no matter how many ''thou shalt nots'' are included in the legislation.

In the case of the home buyer tax credit, it is nearly impossible to stop fraud when those who are supposed to prevent fraud are actually committing fraud at the IRS. With the FBI reporting that mortgage fraud is at a level even higher during the subprime boom, we are kidding ourselves if we think we can prevent more fraud and more taxpayer losses.

The most effective means of preventing fraud is simply not to extend the credit. That was the approach taken by Congress to finally stop the waste, fraud, and abuse of the so-called FHA seller no-downpayment program.

Finally, and most troubling, is that we are going down the same path that led us to the subprime crisis. The previous two administrations tried to prop up home prices through government incentives and programs similar to the tax credit, which contributed to the housing bubble. No-downpayment sales led to the explosion of foreclosures.

If a family doesn't have the dollars for a downpayment, they often cannot cover the unexpected but sure to occur unforeseen costs of owning a home. No downpayment has meant for too many people the American dream turning into the American nightmare.

Are we going down the same road with the home buyer tax credit? Are the credits being monetized to cover for an inability of the purchaser to come up with the downpayment?

Lastly, does anyone remember President Clinton's 1995 National Homeownership Strategy in which he charged HUD to work with leaders in government and the housing industry to increase home ownership? Have we forgotten President Bush's 2002 America's Homeownership Challenge and the 2004 Ownership Society Initiative to work with the real estate and mortgage finance industries to help boost the home ownership rates of minorities with the goal of increasing the number of minority homeowners?

All of these are extremely noble objectives. I agree with the objectives. But how did the government actually encourage home ownership? The government used a number and variety of tools, such as tax incentives and easy access to financing for borrowers through entities such as Fannie Mae, Freddie Mac, and the FHA.

The Tax Code already provides generous incentives to encourage home ownership through mortgage interest deduction, property tax deduction, and capital gains tax exclusion. The Joint Committee on Taxation estimates that for 2008 these tax incentives totaled just over $108 billion.

Through the implicit backing of the Federal Government and its own tax advantages, Fannie Mae and Freddie Mac were to boost home ownership by improving access to credit for borrowers. For low-income borrowers, the government pushed Fannie and Freddie to increase its purchases of the riskiest loans, such as alternative A and subprime mortgages—some where they didn't even check to see if the person had an income. The riskiest loans eventually accounted for about 15 percent of Fannie and Freddie's portfolio, which included a significant number of subprime loans originated by lenders such as Countrywide.

Not surprisingly, Countrywide became Fannie Mae's top business partner, accounting for 28 percent of Fannie's loan portfolio in 2007. FHA also was used by the government to encourage home ownership by ensuring loans at virtually no risk to lenders and with little or no downpayment by borrowers.

In other words, nobody who was running up the tab, who was taking on the obligations on the government's credit card, had any skin in the game. With the implosion of the private subprime industry and the credit crunch, the government—through Fannie, Freddie, and FHA—has become the primary source of mortgage funding. The Federal Reserve Bank recently estimated the Federal Government now accounts for 95 percent of the mortgage market. In other words, the Nation's mortgage market has been effectively federalized, and all of the risk is now on the back of the taxpayer.

As with previous housing bubbles, the taxpayer ends up bearing the brunt. Last time I checked, the government didn't do a good job of being a landlord.

I urge my colleagues to read the Congressional Quarterly cover story of July 7, 2008, entitled ''FHA Guarantees Not A Panacea.'' By pushing and subsidizing home ownership, the government has turned the American dream into the American nightmare for homeowners, for neighbors, communities, the global financial system, and taxpayers.

Are we learning from past mistakes or repeating them? Even without the tax credit, government has already taken unprecedented steps to stabilize the housing sector. The Fed has bought hundreds of billions of dollars' worth of mortgage-backed securities, taken on the debts of Fannie and Freddie, replaced the private subprime lending with the government's version of subprime through the FHA by expanding their business in several ways, such as the enactment of HOPE for Homeowners. Not surprisingly, FHA losses have dramatically increased.

I ask unanimous consent to continue for 1 minute.

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

Mr. BOND. The damage caused by distorting housing prices cannot be denied. Economics Professor Edward Glaeser of Harvard wrote:

> Subsidized lending has encouraged millions of markets to leverage themselves wildly to bet on the housing market.

Betting taxpayer funds is a bad bet. Why are we continuing these debt-fueled policies? Why do we keep using taxpayer dollars to distort and manipulate the market? What is our exit strategy from a massive Federal Government takeover of housing?

Josh Rosner, a managing director of Graham Fisher, said:

> We've created a society where we love the term home ownership, yet we can't allow people to understand that they are being taken advantage of.

I ask unanimous consent to have the Washington Post editorial of September 19 and articles by Professor Glaeser printed in the RECORD.

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

[From the Washington Post, Sept. 19, 2009]

EXTRA CREDIT

It's time for Congress to cancel a temporary tax subsidy for homebuyers.

For the Nation's troubled housing market, things are looking tentatively but undeniably better. New-home sales, though still well below where they were a year previously, rose at a nearly 10 percent monthly rate in July. The median home price ticked up in 15 of 20 metropolitan areas in June, according to the S&P/Case-Shiller Home Price Index. This is important good news for the economy, because it promises an end to the foreclosure wave that has rippled across the country and because even families not threatened by foreclosure tend to trim their spending in times of declining home equity.

This fragile stability has been achieved through colossal government intervention in the housing sector. To hold down mortgage rates, the Federal Reserve has bought hundreds of billions of dollars worth of mortgage-backed securities on its way to a promised total of $1.25 trillion. The Treasury has taken on the debts and operational losses of Fannie Mae and Freddie Mac, which own or guarantee a combined $5.4 trillion in mortgages. The Federal Housing Administration, designed to insure mortgages for a relatively few low-income buyers, backed 40 percent of all new home loans (together with other agencies) in August, according to the Mortgage Bankers Association. Yet its losses have mounted: An audit shows that FHA reserves are about to fall below the legal minimum, which is 2 percent of the value of all loans guaranteed by the agency. In short, the very real risk of homeowner default is now more concentrated than ever before in the government's hands. That is perhaps necessary in an emergency, but certainly undesirable in the long run.

The housing market has also benefited from its own version of the ''Cash for Clunkers'' program, which Congress created for autos. As part of the February stimulus bill, Congress created an $8,000 tax credit for individual first-time homebuyers who make less than $75,000, or couples who makes less than $150,000; it expires in November. This was an expansion of a slightly less generous ''temporary'' credit Congress had adopted in 2008. The National Association of Realtors says that the policy generated 350,000 home sales this year. And, not surprisingly, the real estate industry and its supporters on Capitol Hill are calling for an extension of the $8,000 credit to save the incipient housing recovery. Sen. Johnny Isakson (R-Ga.) wants to make it $15,000.

The credit probably did stimulate home sales, just as Cash for Clunkers gave auto dealers a shot in the arm this summer. But, like Cash for Clunkers, the housing credit does not magically generate demand. It moves demand around—from the future to the present, and from other consumers, and other sectors, to homebuyers and homes. These ''results'' don't come for free. Cash for Clunkers added $4 billion to the federal deficit, and the housing tax credit is on track to add $15 billion.

Congress should end this program while it still can. With hundreds of billions of dollars in support from the Fed, the Treasury and the FHA still in place, the housing market can survive without it. Indeed, the looming problem for the U.S. economy is how to wean housing off its dependence on federal backing. That job will be hard enough without adding yet another not-so-temporary subsidy to the list.

[From the Boston Globe, Nov. 2, 2008]

THIS OLD HOUSE POLICY

(By Edward Glaeser)

At the heart of this fall's historic financial crisis lies a steep, nationwide fall in the price of homes. After a wild, bubble-like boom, housing prices have fallen more than 30 percent in some areas, wiping away the wealth of ordinary Americans and bringing some of the nation's biggest financial institutions to the point of insolvency.

For many pundits and politicians, the solution is clear: find some way to keep the price of houses high, whether through new government-subsidized loans or by buying up troubled mortgages. Keeping house prices up has an obvious appeal to home-owning voters. The banking system would certainly benefit if new subsidies actually did shore up the assets that lie at the center of the crisis.

But despite its popular appeal, the notion that the government should try to prop up housing prices with more mortgage subsidies is a mistake. On a practical level, even a huge expenditure of taxpayer money is unlikely to have a meaningful effect on the

price of homes. And to the extent that it did work, artificially high house prices will only encourage more new homes to be built, adding to the glut and making the crisis worse.

In a larger sense, the problem lies in the very idea that the government should spend money to keep house prices high—the legacy of an expensive national housing policy that has long outlived its purpose.

Today, there is no more case for artificially boosting housing prices than there is for artificially inflating the price of tea or T-shirts. We need to start treating housing markets not as some sort of ephemeral part of the American dream, but with the same rigorous logic that is used to think about markets for oil or software or orange juice. The goal of housing policy should be not to make prices higher, but to make homes more affordable—and, in so doing, to give people the opportunity to choose housing that fits their needs.

A better response to this crisis would be to define sensible housing goals and to find policies that will actually help us meet them. Rather than increasing the subsidies for borrowing, the government would do better to offer a small, targeted tax benefit to first-time home buyers. Instead of large-scale incentives that divert billions of dollars toward wealthy Americans who borrow to buy bigger homes, we should make housing more affordable by reducing the barriers to building more housing where it's needed.

Housing is special. It is not just a commodity or an investment, but a basic human need. Our homes are the stages on which much of our lives play out. For most Americans, homes are also the primary form of savings, which means that the government has a strong interest in not paying to fuel the borrowing that helped spur this painful boom-bust cycle in the first place.

For 75 years, through both Democratic and Republican administrations, the federal government has aimed to increase homeownership by making it easier for people to borrow money to buy a house. The roots of this approach lie in the New Deal, when the government wanted to boost employment in the construction industry. The public commitment to subsidized lending increased in the Housing Act of 1949, which embraced the objective of ''a decent home and a suitable living environment for every American family.''

To achieve its goals, the government established Fannie Mae and Freddie Mac, which created a fluid mortgage market by guaranteeing mortgages against default. On an even larger scale, the government provides an immense annual subsidy to mortgage holders in the form of the home mortgage interest deduction—a tremendous tax advantage enjoyed by anyone who borrows money to buy a house and earns enough to make itemization worthwhile. The more you borrow, the more you save in taxes.

These policies helped create a multitrillion-dollar home-lending market, which has helped bring about remarkable improvements in American housing. In 1940, almost 45 percent of American homes lacked complete indoor plumbing. More than 20 percent of homes had more than one person per room. By 1980, less than 3 percent of homes lacked plumbing and less than 5 percent had more than one person per room. Today, the average American has close to 1,000 square feet of living space, more than twice the norm in France or England or Germany. Much of that improvement was driven by rising American incomes rather than government policy. Still, by those measures, federal housing policy at least looks like a success.

But the public subsidy of credit markets has also had a dark side. The tax subsidy does modestly encourage homeownership. But it specifically encourages borrowing to invest in expensive homes, which are risky assets that can crash as well as boom. We had housing bubbles long before the federal government got into the subsidy business, but encouraging homeowners to buy with borrowed money certainly did nothing to moderate extreme price swings.

The past eight years, in which housing prices first doubled and then collapsed, deserve a place in the annals of market mania. In states like Massachusetts, where housing supply is limited, borrowing has kept prices high, which benefits existing homeowners but counterproductively makes homeownership more difficult for ordinary Americans. In states like Nevada, with few regulations and wide-open spaces to build, these policies encourage further construction of more and bigger homes. In the 1940s, it may have made sense to encourage Americans to house their children in larger and better houses. But today, we are essentially spending federal money to encourage people to live in 3,000-square-foot houses instead of 2,500-square-foot houses.

In the midst of the crisis, it's understandable that some economists would think that the right response is to try to keep housing prices up by jacking up the federal subsidy for borrowing. Their logic is that lower mortgage rates will energize home buyers and cause housing prices to rise again. This kind of policy—bolstering prices by subsidizing borrowing—is like catnip to politicians, since most American voters are homeowners who would like to see prices go up.

But trying to boost house prices through looser lending is likely to be expensive, ineffective, and create a number of unattractive side effects. Even a massive and expensive government intervention is likely to do no more than prop up house prices by 5 percent—a difference almost imperceptible to the people who need it most, those who have seen their house values drop by 30 percent.

Lending subsidies are likely to be particularly ineffective in the areas that have had the biggest boom-bust cycles, like Las Vegas and Phoenix. In these places, there are neither natural nor man-made limits on building, and, as a result, house prices in these areas stayed close to the cost of construction until 2003. Between 2003 and 2006, these areas experienced a brief, wild price boom. Today, prices in these areas are headed down toward construction costs again. If a housing subsidy did manage to keep prices higher for a time, this would only encourage more overbuilding and a larger housing glut.

Any new subsidy would only increase the cost of our current system, which is already immensely expensive. We still don't know how much restructuring Fannie Mae and Freddie Mac will cost. The mortgage-interest subsidy was estimated to cost the government $74 billion in 2007 alone. Most of that money benefits people with the largest mortgages. The current system, in other words, allocates vast amounts of money to help well-off people bid up the prices of even better-off people's homes.

Instead of continuing the debt-fueled policies that got us where we are, why not rethink our approach to the housing market?

Our current policy takes homeownership itself to be a public good. Our leaders seem to like homeowners. Thomas Jefferson lauded yeoman farmers and George W. Bush admires the ownership society. Homeowners are indeed more likely to vote in local elections or know the name of their congressman; they are also more likely to garden, and own guns.

Yet homeownership is not for everyone. As recent events well illustrate, owning a home comes with large risks, especially for people who aren't planning on living in the same place for a long time. For people who live in multifamily dwellings, the administrative costs of renting can be much lower than dealing with the difficulties of collective ownership. Renting creates more flexibility for people in America's highly mobile workforce. A far more sensible approach to housing would view homeownership as one possible housing option, not a primary public goal.

And even if, as a society, America decides that the social benefits of homeownership are sufficiently strong that ownership should be encouraged, there are much cheaper and more effective ways of doing that than by encouraging people to borrow more money.

For instance, the home mortgage interest deduction could be reduced or even eliminated. Most people who are on the margin between renting and owning have relatively lower incomes. Yet the home mortgage interest deduction targets its benefits to the richest people, who buy the biggest homes. A small targeted subsidy for first-time buyers could encourage homeownership just as effectively as the current system, without encouraging people to borrow vast amounts or to buy larger homes. (Reducing the home mortgage interest deduction doesn't mean that taxes need to go up—we could take the $75 billion that it costs and use that money to reduce other taxes.)

Instead of spending federal money to encourage borrowing and keep prices high, it would make more sense to make housing more affordable by eliminating the artificial restrictions that stymie supply. In other areas of the economy, the government protects consumers by eliminating monopolies and other barriers to competition; our nation's commitment to free markets and free trade reflects our faith that ordinary Americans win when the price of clothing is brought down by imports from China, or when retailers and manufacturers face fewer unnecessary regulations.

In the housing market, prices are artificially inflated by barriers to building new housing in many communities. In dense states like Massachusetts, prices have been kept high by localities that oppose new construction, with large minimum lot sizes, Draconian barriers to subdivisions, and a general hostility to any multifamily housing. If those rules were eased, then housing would become more abundant and affordable.

Today, in the depths of the crisis, it's easy to think that the quickest solution is to keep house prices from falling any further. Certainly, we shouldn't feed the financial panic by deliberately pushing housing prices downward in the midst of a price collapse. But it also doesn't make sense to try to stop the natural return of housing prices to their long-run levels—and to do so for reasons that no longer suit America's housing needs.

Subsidized lending has encouraged millions of Americans to leverage themselves wildly to bet on the housing market. All that betting helped to create the bubble that has now popped. Lending more cheap money would be like a gambler doubling down and hoping for a win next time.

Not everyone needs to be a homeowner. Not everyone needs to live in a McMansion. There's no single solution to the puzzle of housing policy, but one thing is clear: it should be based on good economics, not on an attachment to homeownership, the political appeal of helping homeowners, or the sentimental view that the American dream means owning a big house.

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

Mr. KYL. Mr. President, once again this weekend I got an earful when I

went home and heard from my constituents. Arizonians have told me repeatedly they don't want government-run insurance and they deserve to have their concerns taken seriously. The Democratic leaders in both Chambers of Congress have decided to include government-run insurance, the so-called public option, in their healthcare bills anyway.

Supporters of government-run insurance say it would be one choice of many and that it would promote competition. In reality, the government-run insurance would soon be the only option. Its artificially low prices, government backing, and ability to run at a huge loss would quickly put private insurers out of business, forcing millions of Americans onto the government-run plan.

That is why the Lewin Group estimates that 88 million Americans with employer-sponsored insurance would wind up on the government-run plan. The Lewin Group is a well respected firm that consults in the area of health care.

It concludes that once the architecture for a huge government-run plan is in place, future Congresses need only take small steps to get to a single-payer system.

We have seen what happens in countries with government-run health care—rationing, delays, and denials. No country, not even the most prosperous on Earth, has unlimited resources to spend on health care. So when a government takes over health care—as it has in countries such as Britain, Canada, and many European countries—care ends up being rationed. People in Canada and the United Kingdom routinely wait months for procedures Americans can get in a matter of days, if not hours. The stories you hear about monthly, in fact years-long, waiting lists are not cherry-picked scare stories. They are commonplace. Patients often wait in pain for an MRI or a hip replacement or dental care.

According to a study by the Fraser Institute, which is a Canadian-based think tank, the average wait time for treatment from a specialist is 18.3 weeks in Canada.

The $1.055 trillion Pelosi health care bill unveiled last week sets us on course to experience that kind of government rationing. Under the Pelosi plan, a new health care choices commissioner—by the way, that sounds a little Orwellian to me—will decide what counts as essential benefits for Americans. Simply put, Washington bureaucrats at 111 new Federal boards, commissions, and programs will dictate your health insurance.

The Government will order all insurance plans to offer a one-size-fits-all benefits package, and the same array of plan options. Rather than having the freedom to compete, insurers would in essence become prepaid health utilities.

The new Federal mandates and requirements will quickly raise health care costs. In fact, the nonpartisan Congressional Budget Office, the Joint Committee on Taxation, the Chief Actuary at the Department of Health and Human Services, and other independent actuaries all agree: The Democrats' plan will drive up premiums and overall health care spending faster than in the absence of such so-called reforms.

As premiums rise, politicians will search for ways to control spiraling costs without relinquishing their control. The most obvious path would be more tax increases and payment cuts for doctors and hospitals, but when those options are exhausted—and they will be—the government's only remaining cost containment tool is to control how much health care everyone receives; that is, to ration care.

The Pelosi bill shows Democratic leaders have not listened to the American people at all. Americans have been clear. They do not want a government takeover of health care. Americans want high-quality health care that is more affordable. Instead, they are getting a 2000-page, $1.055 trillion bill that leads to a near Washington takeover of health care with rationing and increased premiums and new taxes along the way.

Republicans will insist on protection for our constituents from the harmful effects of this bill. We believe Americans have rights in this process. We want to see commonsense reforms that empower patients and families, not government bureaucrats.

I ask unanimous consent that an editorial in the Wall Street Journal, dated November 1, called ''The Worst Bill Ever'' be printed in the RECORD.

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

[From the Wall Street Journal, Nov. 1, 2009]

THE WORST BILL EVER

Speaker Nancy Pelosi has reportedly told fellow Democrats that she's prepared to lose seats in 2010 if that's what it takes to pass ObamaCare, and little wonder. The health bill she unwrapped last Thursday, which President Obama hailed as a ''critical milestone,'' may well be the worst piece of post-New Deal legislation ever introduced.

In a rational political world, this 1,990-page runaway train would have been derailed months ago. With spending and debt already at record peacetime levels, the bill creates a new and probably unrepealable middle-class entitlement that is designed to expand over time. Taxes will need to rise precipitously, even as ObamaCare so dramatically expands government control of health care that eventually all medicine will be rationed via politics.

Yet at this point, Democrats have dumped any pretense of genuine bipartisan ''reform'' and moved into the realm of pure power politics as they race against the unpopularity of their own agenda. The goal is to ram through whatever income-redistribution scheme they can claim to be ''universal coverage.'' The result will be destructive on every level—for the health-care system, for the country's fiscal condition, and ultimately for American freedom and prosperity.

The spending surge. The Congressional Budget Office figures the House program will cost $1.055 trillion over a decade, which while far above the $829 billion net cost that Mrs. Pelosi fed to credulous reporters is still a low-ball estimate. Most of the money goes into government-run ''exchanges'' where people earning between 150% and 400% of the poverty level—that is, up to about $96,000 for a family of four in 2016—could buy coverage at heavily subsidized rates, tied to income. The government would pay for 93% of insurance costs for a family making $42,000, 72% for another making $78,000, and so forth.

At least at first, these benefits would be offered only to those whose employers don't provide insurance or work for small businesses with 100 or fewer workers. The taxpayer costs would be far higher if not for this ''firewall''—which is sure to cave in when people see the deal their neighbors are getting on ''free'' health care. Mrs. Pelosi knows this, like everyone else in Washington.

Even so, the House disguises hundreds of billions of dollars in additional costs with budget gimmicks. It ''pays for'' about six years of program with a decade of revenue, with the heaviest costs concentrated in the second five years. The House also pretends Medicare payments to doctors will be cut by 21.5% next year and deeper after that, ''saving'' about $250 billion. ObamaCare will be lucky to cost under $2 trillion over 10 years; it will grow more after that.

Expanding Medicaid, gutting private Medicare. All this is particularly reckless given the unfunded liabilities of Medicare—now north of $37 trillion over 75 years. Mrs. Pelosi wants to steal $426 billion from future Medicare spending to ''pay for'' universal coverage. While Medicare's price controls on doctors and hospitals are certain to be tightened, the only cut that is a sure thing in practice is gutting Medicare Advantage to the tune of $170 billion. Democrats loathe this program because it gives one of out five seniors private insurance options.

As for Medicaid, the House will expand eligibility to everyone below 150% of the poverty level, meaning that some 15 million new people will be added to the rolls as private insurance gets crowded out at a cost of $425 billion. A decade from now more than a quarter of the population will be on a program originally intended for poor women, children and the disabled.

Even though the House will assume 91% of the ''matching rate'' for this joint state-federal program—up from today's 57%—governors would still be forced to take on $34 billion in new burdens when budgets from Albany to Sacramento are in fiscal collapse. Washington's budget will collapse too, if anything like the House bill passes.

European levels of taxation. All told, the House favors $572 billion in new taxes, mostly by imposing a 5.4-percentage-point ''surcharge'' on joint filers earning over $1 million, $500,000 for singles. This tax will raise the top marginal rate to 45% in 2011 from 39.6% when the Bush tax cuts expire—not counting state income taxes and the phase-out of certain deductions and exemptions. The burden will mostly fall on the small businesses that have organized as Subchapter S or limited liability corporations, since the truly wealthy won't have any difficulty sheltering their incomes.

This surtax could hit ever more earners because, like the alternative minimum tax, it isn't indexed for inflation. Yet it still won't be nearly enough. Even if Congress had confiscated 100% of the taxable income of people earning over $500,000 in the boom year of 2006, it would have only raised $1.3 trillion. When Democrats end up soaking the middle class, perhaps via the European-style value-added tax that Mrs. Pelosi has endorsed, they'll claim the deficits that they created made them do it.

Under another new tax, businesses would have to surrender 8% of their payroll to government if they don't offer insurance or pay at least 72.5% of their workers' premiums, which eat into wages. Such ''play or pay'' taxes always become ''pay or pay'' and will rise over time, with severe consequences for hiring, job creation and ultimately growth. While the U.S. already has one of the highest corporate income tax rates in the world, Democrats are on the way to creating a high structural unemployment rate, much as Europe has done by expanding its welfare states.

Meanwhile, a tax equal to 2.5% of adjusted gross income will also be imposed on some 18 million people who CBO expects still won't buy insurance in 2019. Democrats could make this penalty even higher, but that is politically unacceptable, or they could make the subsidies even higher, but that would expose the (already ludicrous) illusion that ObamaCare will reduce the deficit.

The insurance takeover. A new ''health choices commissioner'' will decide what counts as ''essential benefits,'' which all insurers will have to offer as first-dollar coverage. Private insurers will also be told how much they are allowed to charge even as they will have to offer coverage at virtually the same price to anyone who applies, regardless of health status or medical history.

The cost of insurance, naturally, will skyrocket. The insurer WellPoint estimates based on its own market data that some premiums in the individual market will triple under these new burdens. The same is likely to prove true for the employer-sponsored plans that provide private coverage to about 177 million people today. Over time, the new mandates will apply to all contracts, including for the large businesses currently given a safe harbor from bureaucratic tampering under a 1974 law called Erisa.

The political incentive will always be for government to expand benefits and reduce cost-sharing, trampling any chance of giving individuals financial incentives to economize on care. Essentially, all insurers will become government contractors, in the business of fulfilling political demands: There will be no such thing as ''private'' health insurance.

All of this is intentional, even if it isn't explicitly acknowledged. The overriding liberal ambition is to finish the work began decades ago as the Great Society of converting health care into a government responsibility. Mr. Obama's own Medicare actuaries estimate that the federal share of U.S. health dollars will quickly climb beyond 60% from 46% today. One reason Mrs. Pelosi has fought so ferociously against her own Blue Dog colleagues to include at least a scaled-back ''public option'' entitlement program is so that the architecture is in place for future Congresses to expand this share even further.

As Congress's balance sheet drowns in trillions of dollars in new obligations, the political system will have no choice but to start making cost-minded decisions about which treatments patients are allowed to receive. Democrats can't regulate their way out of the reality that we live in a world of finite resources and infinite wants. Once health care is nationalized, or mostly nationalized, medical rationing is inevitable—especially for the innovative high-cost technologies and drugs that are the future of medicine.

Mr. Obama rode into office on a wave of ''change,'' but we doubt most voters realized that the change Democrats had in mind was making health care even more expensive and rigid than the status quo. Critics will say we are exaggerating, but we believe it is no stretch to say that Mrs. Pelosi's handiwork ranks with the Smoot-Hawley tariff and FDR's National Industrial Recovery Act as among the worst bills Congress has ever seriously contemplated.

Mr. KYL. Let me quote four sentences from this editorial.

In a rational political world, this 1,990-page runaway train would have been derailed months ago. With spending and debt already at record peacetime levels, the bill creates a new and probably unrepealable middle-class entitlement that is designed to expand over time. Taxes will need to rise precipitously, even as ObamaCare so dramatically expands government control of health care that eventually all medicine will be rationed via politics.

The editorial goes on to say:

The result will be destructive on every level—for the health-care system, for the country's fiscal condition, and ultimately for American freedom and prosperity.

The editorial goes on to detail the myriad of ways this is true. I believe the conclusion is correct and mirrors the comments I made at the beginning here.

The final thing I wish to do is to comment on a letter which Republicans wrote to the majority leader and the response which we received. Out of fairness to the majority leader, I ask unanimous consent that at the conclusion of my remarks, his letter be printed in the RECORD.

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

(See exhibit 1.)

Mr. KYL. Mr. President, what we wrote was to ask him if he would be willing to share with us the bill that the media reported he had sent to the Congressional Budget Office to have scored. That is congressional talk for to have the cost facts, costs of and savings from the bill, or taxes generated by the legislation provided to us. Every bill that comes to the Senate floor has to be scored. The news had reported that the majority leader had sent a bill to CBO to be scored.

He held a press conference in which he talked about the government option or government-run health care part of that, what I spoke about earlier. But what the majority leader said in this letter is that there is no bill. He talked about the part he had referred to the CBO, relating to the so-called public option, but he then said that is all he had sent to them, and I will quote his conclusion here: ''In other words, there is no bill to release publicly—it does not exist.''

Apparently there is no bill yet from the majority leader, only this concept of a public option which he has presented to CBO to be scored. He then concluded by asking where the ''comprehensive Republican alternative is,'' and he said he would like to get a copy of that.

This is something Republicans have been saying for months now. You are not going to see the same size bill out of Republicans you have seen out of the Democratic majority. You are not going to see a 2,000-page bill. I exaggerate by 10 pages; I am sorry, it is 1,990 pages. We are not going to propose a comprehensive reform of the entire health care system and insurance industry as the Pelosi bill has done. Nor are you going to see an over-a-thousand-page bill such as the bills that came out of the Senate committees. You are not going to see $1 trillion come out of Republicans. We do not believe that is the way to deal with the discrete problems that exist in our system.

Yes, we have problems. Those problems have specific solutions. But they do not have to cost $1 trillion or consume 2,000 pages of text and take over our health care system. That is the whole point of the debate. You have two different philosophies: one which says we have to do it in a comprehensive way that takes over everything we currently have; the other says, no, we don't have to do that, that is too much taxes, too much loss of freedom, an increase in premiums, too much government control, and too much debt. We don't need to do that. What we need to do is focus on the specific problems and solve them.

We have talked repeatedly about the ideas we have to do that. You can save maybe $100 billion to $200 billion a year in unnecessary health care expenditures that result from the practice of defensive medicine. That is, medical malpractice reform could save that much money without costing a dime.

You could also provide for more competition among the insurance companies—not through a government-run insurance company but allowing them to compete with each other across State lines, by allowing small businesses and others to join together and expand their risk pools into something called association health plans, so they would have more bargaining power when they negotiate with the insurance companies, as big business does, and a variety of other things.

My point is the Republican solutions to the specific problems are targeted solutions that don't cost a lot of money, don't ration health care, don't take away your freedom, and don't require 2,000 pages to wade through what you are doing.

When the majority leader tries to entice Republicans into sharing with him our comprehensive bill that is like the Democrat comprehensive bill, my answer to him is I am sorry, Mr. Leader, you are going to be disappointed because that is not our approach, as we have been saying all along. But at the time you have your 1,000-page or 2,000-page bill, whatever it is, obviously we wish to see it.

I think the American people deserve to see it because, as I heard from my constituents this weekend, they are very afraid about what they are hearing. They are hearing about this massive government takeover, massive expense, new taxes, premium increases, increase in the debt, and rationing of health care. They are scared to death and they have a reason to be frightened about this.

As soon as the majority bill is ready, obviously Republicans are going to

want to examine it and share it with our constituents. In the meantime, what we have to talk about, I guess, is the bill that will be debated and voted on in the House of Representatives this week, the so-called Pelosi bill which, as I said, the Wall Street Journal has editorialized about today in a way that I think should continue to frighten people. As I said, it is called ''The Worst Bill Ever,'' and after you read the editorial I think you can see the reasons why.

I yield the floor.

EXHIBIT 1

U.S. SENATE,
Washington, DC, November 2, 2009.

DEAR COLLEAGUE: Thank you for your recent letter on health care reform. I agree with you about the importance of ensuring that the Senate debate health care reform in an open and transparent way, and assure you that the process for considering this critical legislation will continue to meet that standard.

As you know, both the HELP and Finance Committees conducted lengthy public markups at which Republican and Democratic Senators offered numerous amendments and proposals by members of both parties were approved. This legislation has been fully available on the Internet for many weeks.

As you also know, we are now working to take these publicly-available provisions and meld them together into a single bill. Apart from my decision to include a public option from which states may opt out, no final decisions have been made—and none can be made until we get more information about how CBO would score different combinations. In other words, there is no bill to release publicly—it does not exist.

Once we receive the necessary information from CBO, we can begin to make decisions about what to include in a merged bill. I assure you that I will make the legislation available to the full Senate and the American people prior to its consideration. There will be ample opportunity to examine and evaluate its provisions. Furthermore, if we are able to overcome your opposition to permitting the Senate to even debate this important legislation, all members will have the opportunity to offer amendments. I have no intention of rushing this process or blocking Senators from offering alternatives.

While the two health care reform plans that are serving as the main building blocks for the merged bill have been publicly available for quite some time, I would note that the Republican Leadership's health care plan remains a secret, unless perhaps it does not exist.

Needless to say, I fully understand if your plan is still under development, and would not presume to suggest that you publicly share draft legislative text for even an individual element of your plan, let alone an entire bill, before it is finalized.

However, as soon as a comprehensive Republican alternative is complete, I hope you will be willing to immediately make it public. I am sure you agree that the American people deserve the opportunity to fully review both parties' health reform plans before we begin this important debate.

Sincerely,

HARRY REID,
Senate Majority Leader.

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

Mr. JOHANNS. Mr. President, as I start out this afternoon, I wish also to speak about health care. If I could, I wish to associate myself with the remarks of the Senator from Arizona. In his comments, I thought Senator KYL hit the nail on the head. What we are looking for and I believe what the American people are looking for in this health care debate is a very thoughtful, step-by-step approach. That is what I hear when I go back home. I suspect other Senators are hearing the same thing.

Today I want to talk about something that I as a former Governor—and I know the Presiding Officer was a former Governor; we were Governors together—have experience with and that is Federal legislation that comes along and it basically says to the States: If you don't like this Federal legislation, you can opt out. I often had that situation when I was Governor. Within the last 2 weeks or so, this idea came to the forefront with the health care debate. All of a sudden, there was this trumpeting going on that there would be a State choice here and that would be kind of a compromise, I think a compromise to bring some reluctant votes over in favor of the bill.

I have to say I am very skeptical of this concept. We have not seen the bill yet here on the Senate side. That is being worked on behind closed doors. I was fascinated to listen to the Senator from Arizona talk about the fact that the majority leader said there is no bill yet. If we are going to start debate here, I hope a bill comes up soon so we have an opportunity to study it. But I think we can look from past experience and maybe get an idea of what this opt-out is going to look like.

No doubt about it, in order for this health care legislation to be able to work at all, billions of dollars are going to have to be collected through taxpayers, be collected all across the country, from all States and their taxpayers. So if a State such as Nebraska is seriously considering the possibility that it might opt out of this bill, it is going to have to examine what choice is available and is there a choice at all. Does that mean the State of Nebraska will get to opt out of higher premiums?

Does that mean the State of Nebraska will get to opt out of any individual mandates that are a part of the legislation? Does that mean that if the Governor of Nebraska says, We do not want any part of this bill, the Medicare recipients in Nebraska will not have to experience the nearly $500 billion in Medicare cuts? Does that mean that if the Governor of Nebraska chooses to opt out of this legislation, he literally has the ability to save Nebraska taxpayers from the $400 billion, or their share of that, that they would pay in taxes for this legislation, or is this going to be like so many other opt-out opportunities that the Federal Government gives to the States, and when you really get down to it, you begin to realize there really is not an opt-out, there really is not a choice; you have all of the burdens of the legislation but, of course, get no benefit.

Further, it appears the legislation—again, I am speculating to some degree, but it appears the legislation would require States to opt out by 2014. Yet it is going to take about 3 or 4 years to get this government plan up and running. So almost at the same time that you are supposed to opt out, we will finally see, in terms of the regulations, what this government plan is going to do to States and taxpayers in those States. I can't see that there is much choice.

You see, today we have the opportunity to opt out of various Federal programs—No Child Left Behind. Nebraska could opt out of the Federal bureaucracy. Why don't they opt out? Why don't other States? Because you really don't have a choice. The burden of the legislation is still going to be there, and by opting out, what you are saying is: I will force the burden upon my taxpayers and we will forego whatever limited benefit is available. So I just say, as we study this, don't be fooled. Opt-out in fact may have more of a downside and I suspect it is going to have more of a downside than any potential for an upside, and therefore that is not a choice.

The other thing I have to tell you is that as I look at this, there really is not an opt-out. I think where we are headed is a first step toward a single-payer, government-type program. Government should not be the sole provider of health insurance. It should not be the sole arbiter of what kind of health care people will get in this country.

What is the track record when there is a government program when it comes to health care? Well, we can look at the track record because there is a lot of it out there. Medicare and Medicaid would be perfect examples. Studies have been done of Medicare. They are done on a regular basis. If you are a Medicare recipient out there, you have heard about this. Medicare is due to be insolvent in 2017. And I am not talking about a little fix that is necessary here; this is trillions of dollars. That is frightening when you think about it. It is especially frightening when you recognize that the proposal is that about $450 billion will be pulled out of this program, not to stabilize Medicare, although I would argue that would make a lot of sense in terms of trying to say that any dollars that you can save in Medicare should stay with Medicare. No, that is not what is happening at all. You see, what is happening is that $450 billion will go to start a new government program, a new entitlement. Then there is that estimate that says about $10 billion annually is the minimum loss sustained by taxpayers every year due to Medicare fraud—$10 billion due to Medicare fraud. Medicaid has a 10-percent waste, fraud, and abuse rate. Neither is sustainable under its current form.

Again, as a former Governor, I will tell you that Medicaid is the greatest challenge Governors face in keeping

their budget together. We all talk about it, Democrats, Republicans; it does not make any difference. Yet a part of this health care plan will shift the burden to the States when they are already in very difficult times.

I recently got a letter from a high school junior from Kearney, NE. She said to me:

> In my government class, we have discussed the health care issue. I feel very strongly about this issue for a few reasons, the first being the fact that all the money the government is spending is going to come out of the pockets of Americans. This will mostly affect the youth of this country. This will be my generation who will be paying off the bills that you will create with this health care plan.

My goodness. Did she get that right or not?

You know, it is just the commonsense approach. If you are really going to try to do what we are elected to do, why would you not shore up current government programs first before going off in this massive, 1,990-page bill to create a new entitlement? Why would you go off and siphon nearly $½ trillion away from Medicare? We should ensure Medicare's solvency first.

I believe the current proposal is about advancing an agenda versus addressing a real need. The government-run plan will not make health care more affordable. I think we are going to see that confirmed over and over again as it is analyzed. If affordability is the goal, let people buy insurance across State lines. You will get virtually unanimous bipartisan support for that. Let small businesses and farmers and ranchers band together to get more competitive rates. Allow tax deductibility to level the playing field between corporations and individuals buying insurance. You see, again, if you did a step-by-step approach, I think you would get nearly unanimous support for these ideas.

Nebraskans see through the rhetoric. I got another letter from a constituent in Omaha:

> Please oppose latest iteration of health care reform. This reform package will accomplish none of the objectives that have been laid out at the outset of this process.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. JOHANNS. I ask unanimous consent for 1 additional minute.

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

Mr. JOHANNS. I thank the Chair.

> This bill will ultimately lead to Government-run health care, will have more waste and fraud than the current system and will necessarily lead to arbitrary rationing and long wait times for treatment.

Mr. President, I appreciate the indulgence to just wrap up my comments and say that if there were ever a time to go thoughtfully and carefully one step at a time and work in a bipartisan way to fix this issue, it is now. My hope is that in the weeks ahead, as we debate this issue, we will do precisely that.

I yield the floor.

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

Mr. LEMIEUX. Mr. President, I wish to follow up on the comments of my colleagues from Nebraska and Arizona. I will not be as eloquent as they, but I also want to lend my voice to the discussion regarding health care.

I had the opportunity to receive the House bill, 1,990 pages. It is not an easy read. I am making my way through it. But we have learned a lot through it. I have already found that the taxes start on page 297. There is an estimated over $1 trillion in costs over the next 10 years in these 1,990 pages. This is the House bill, the bill Speaker PELOSI has put forth. We do not yet have a copy of the Senate bill to digest. So this is the text we will go on for now. But I think it is good to see this in the larger context in which we debate health care. It is important to remember that this year, this Congress has passed a budget that has a record-setting $1.4 trillion deficit. That is more deficit than the last 3 years of Congress combined.

Americans want and deserve more affordable health care. We have more than 40 million Americans without health insurance, nearly 4 million of them in Florida. They want better access to health care. They certainly want their health care to be less expensive. But keeping this in mind, we have to look at the situation in which we find ourselves. The reckless spending of this Congress must stop or we are going to bankrupt the future of our children and of our grandchildren.

The Senator from Nebraska was talking about a letter he received from his constituent. I sat in my office and looked at some of the letters that have come in from Florida. I wanted to read one from John Miller from Valrico, FL, which is in the Tampa Bay area, right near Brandon. He writes—it is in handwriting, it is not typed. It is from October 19. He says:

> Mr. LeMieux, I am one of those who have not paid enough attention to what is going on. Like others, I am waking up. I have decided to go old school and start hand-writing letters again. It was recently reported the Federal deficit for the 2009 fiscal year was $1.4 trillion, up from $459 billion the year before. I think it is time for Congress to stop all work and start working on ways to cut the deficit. One way is to shrink the government.

Good thing Mr. Miller in Valrico, FL, gets it. Before we start embarking upon 1,990-page endeavors to create new entitlement programs that cost $1 trillion, we should focus, as Senator JOHANNS from Nebraska said, on the programs that we already have, and we should do so through the lens of the debt and deficit we have now that is going to bankrupt the future of our children.

Right now, we spend $253 billion a year in interest alone—$253 billion to pay the interest on our debt. That is the third highest expenditure we have in the Federal budget, $700 million a day. The national debt is nearing $12 trillion. In the next few days, we will reach that mark. The White House projects we will be at $23 trillion in 10 years. The national debt rose at a rate of $4 billion a day. It took us until 1982 to hit $1 trillion in debt; now we are near $12 trillion.

When I gave my maiden speech a couple of weeks ago, I tried to put some real-world context into what these amounts of money mean because $1 trillion or $1 billion are numbers that are hard to understand. I said in that speech that $1 billion laid edge to edge in one-dollar bills would cover the city of Key West, FL, about 3.4 square miles, and $1 trillion would cover Rhode Island twice. Another way to think of it is if you had one-dollar bills and you stacked up $1 trillion, it would be 678 miles high. These are staggering amounts of money.

So where will all of this spending lead us? Well, I think we know. When you have too much spending, you have to increase taxes. When you increase taxes, you reduce prosperity. We know this 1,990-page bill already increases taxes.

In the Wall Street Journal this weekend, Peggy Noonan talked about the problems of New York. I do not mean to single out my friends from New York, but I thought what she said in her article was telling because here is a State with high taxes. She said that the Post reported this week that 1½ million people have left high-taxed New York State between 2000 and 2008, more than a million of them from ever higher tax New York City. They took their tax dollars with them, more than $4 billion in 2006 alone.

I do not know that people are going to leave the United States of America because we have taxes that are too high, but, as I said in my maiden speech 2 weeks ago, I am very concerned that one of my three sons—Max, Taylor, or Chase—or maybe the baby we have on the way is going to come to me when they are an adult and say: Dad, my opportunities are better in another country because I do not want to pay 60-percent taxes to pay for the deficit and the debt you have laid on my shoulders. I hope that day never comes.

So what should we do? Instead of focusing on new entitlement programs, perhaps we should try to fix the ones we already have. Medicare, health care for seniors, and Medicaid, health care for the poor, have huge amounts of waste, fraud, and abuse, an estimated $60 billion in waste, fraud, and abuse in Medicare alone—$60 billion. There could be as much as $225 billion in fraud and abuse and waste across the whole health care system.

I seek to be a problem solver in this Chamber, and I seek to bring Democrats and Republicans together. So last week, I introduced my first bill, S. 2128, the Prevent Health Care Fraud Act of 2009. What that bill does is simply three things: No. 1, it creates in the Department of Health and Human

Services a Deputy Secretary, the No. 2 person in the agency who will be the chief health care fraud prevention officer of the United States.

They will be responsible for only one job—to make sure we ferret out health care fraud. No. 2, we will bring predictive modeling to health care administration in this government. What is predictive modeling? An easy way to understand it is, it is the same way your credit cards work. If you make a credit card purchase and your credit card company thinks it is a questionable transaction, the computer has a model, and you get a phone call or an e-mail. If you don't call and validate that transaction, the vendor doesn't get paid. It happened to me a week or two ago. I went to buy a television. I am from Florida. I get an e-mail on my BlackBerrry before I walk out the door, saying: Did you authorize this purchase? We don't do that in health care. Instead, we chase the bad guys later and try to get the money back. That would stop the money from ever being paid.

The third thing it would do is require background checks for health care providers. The American people would be surprised to learn we don't do this right now. We have people ripping off Medicare and Medicaid, $10, $20 million a shot. My State, specifically in southeast Florida, is the health care fraud capital of the world.

We need to do a better job of spending the money of the people now before we embark upon new programs to spend trillions more. Senator KYL mentioned the Wall Street Journal's editorial of today. It called this bill the worst bill ever—that is a heck of a name—because it implements a spending surge to the tune of more than $1 trillion. It has $572 billion in new taxes, and it threatens to bankrupt the States. Senator JOHANNS mentioned this as a former Governor. I was the chief of staff to a Governor. I know how difficult it is to make ends meet in a State system where you actually have to balance budgets, not like the Federal Government where you can just spend more money and print more money. The States actually have to balance budgets. In Florida, we spend more than 30 percent on health care. If you spend more money on health care, specifically Medicaid, guess what you spend less money on. Education and other good programs. With these increased Medicaid obligations, the States will be in more of a difficult place. They will have to either cut other programs or raise taxes.

The Wall Street Journal said we can't regulate our way out of the reality that we live in a world of finite resources and infinite wants.

We should focus on the programs we have before we embark upon new programs. The majority wants to focus on new programs and not on effectively and efficiently running programs we have.

I hope my colleagues from both sides of the aisle will join me in supporting S. 2128, the Prevent Health Care Fraud Act of 2009.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

HISTORY OF THE MEDICAL INSURANCE INDUSTRY

Mrs. FEINSTEIN. Mr. President, since most people have some form of health insurance, I decided, after many calls from constituents who have said to me: I can't afford a 20-percent increase in my medical health insurance premium; I had a 10-percent one last year, I began to look into the history of the medical insurance industry in America. I have come to the floor to discuss the current state of the private, publicly owned, for-profit health insurance industry and the ways this system must be changed during health care reform. Bottom line: Our country is the biggest health care spender in the world. In return, we get very average results.

It wasn't always this way in America. I wish, for a moment, to briefly review the history of health insurance in our country. Because understanding its development and its transition to the for-profit, commercial health insurance model is actually critical to this debate.

The story began to take shape about 90 years ago. There were very few health insurance plans before the 1920s. As a matter of fact, there was not much in the way of medical services to insure. Options for medical care were primitive by today's standards. In 1900, the average American spent $5 each year on health care-related expenses. This amounts to roughly $100 in today's dollars. Health insurance was not necessary because the cost of care was low. Over 90 percent of medical expenses were paid out of pocket. Most patients were treated in their homes, and medical technology and treatment options were very limited. The earliest private health insurance plans in the United States were fairly basic agreements, primarily sponsored through employers or unions. Employers deducted funds from participating workers' salaries and contracted with local physicians for treatment.

During the 1920s, medical technology was advancing and the treatment of acute illnesses shifted from homes to hospitals. But on the heels of the Great Depression, an increasing number of Americans were unable to afford medical services, which were becoming more costly. In 1929, the Baylor University Hospital developed a plan to guarantee affordable treatment options for patients while ensuring a steady stream of revenue for the hospital. According to author Paul Starr, the Baylor plan provided up to 21 days of hospital care and certain services to 1,500 local teachers in Dallas, TX, for $6 a year or 50 cents a month, if we can believe it.

A hospital official promoting the plan at the time said:

> We spend a dollar or so at a time for cosmetics and do not notice the high cost. The ribbon-counter clerk can pay 50 cents, 75 cents or $1 a month, yet it would take about 20 years to set aside [enough money for] a large hospital bill.

The Baylor plan proved popular and was soon expanded. It served as the foundation for what would become Blue Cross, the first example of a major, nonprofit medical insurance provider. Throughout the 1930s, the number of Blue Cross plans grew and enrollments expanded. By 1937, 1 million subscribers were covered.

In response to the lack of coverage by Blue Cross for physician services, in 1939, the precursor to Blue Shield, called the California Physicians Service, was developed. This plan reimbursed physicians for the cost of services based on negotiated payment schedules. According to the Congressional Research Service, in 1945, nonprofit Blue Cross and Blue Shield plans had expanded to cover 19 million subscribers nationally in most States. These nonprofit Blue Cross and Blue Shield plans dominated the health insurance industry. At this same moment, Congress was reviewing the matter of insurance regulation, generally. In 1945, after significant lobbying by the industry, the McCarran-Ferguson Act was enacted. By passing this law, the Federal Government committed to a hands-off approach to insurance regulation, generally, including the regulation of for-profit, commercial health insurance companies.

This is where things began to change. The McCarran-Ferguson Act gave States, not the Federal Government, primary responsibility for overseeing the insurance business. It meant, as a practical matter, that whether insurance companies would be regulated forcefully or with little care would be left up to individual insurance commissioners in each of the 50 States. Additionally, the McCarran-Ferguson Act included a specific antitrust exemption for the business of medical insurance. As a result, practices such as price fixing, bid rigging, and market allocation, prohibited by Federal law in every other industry, were left up to the States and their enforcement mechanisms.

If insurance companies colluded to raise prices above competitive levels, Federal officials would not and could not investigate or intervene. All regulation was up to the States and, in fact, very little regulation has taken place.

During World War II, for-profit, employer-based health insurance plans expanded rapidly and took a firm hold in our country. Due to price and wage controls, employers competed for workers by offering health insurance benefits. In 1944, the unemployment rate was 2 percent. Additionally, unions were able to collectively bargain health insurance benefits and employer contributions for health insurance which were excluded from a worker's taxable income. By the 1950s, for-

profit commercial health insurers, such as Aetna and the Connecticut General Life Insurance Company, known now as CIGNA, became very active. Then things started to change. The market share of Blue Cross and Blue Shield was significantly reduced in many parts of the country. As of 1953, commercial insurers provided hospital insurance to 29 percent of Americans versus Blue Cross's 27 percent.

The widespread entry of commercial insurance into the health insurance market had a dramatic impact. First, the commercial health insurers did not operate under the same rate restrictions as Blue Cross. Second, Blue Cross premium rates were based on the average cost of medical services in a defined geographic area or community. Commercial insurers, on the other hand, calculated premiums based upon the claims of particular groups or individuals and adjusted these premiums each year depending on their health status. This also allowed commercial insurers to evaluate coverage on an individual rather than use the community rating system of Blue Cross. Therefore, commercial insurers were able to underbid Blue Cross for firms with very healthy workers who were cheaper to insure.

Right then and there, we begin to see the skewing of the system away from a community rate toward an individual assessment; whereby companies could cherry-pick only the healthiest and, therefore, make more money.

The loss of these healthier groups then raised average costs among the remaining employees, placing Blue Cross at a competitive disadvantage with commercial insurers. This competition from commercial insurers eventually resulted in Blue Cross changing the way its premiums were calculated. The single, community-wide premium pricing model was replaced in favor of the commercial approach. This shift toward charging premiums based on claims of particular groups or individuals changed the nature of competition in the health insurance market. Insurers could reduce costs by shifting risk and recruiting employers with healthier workers, and they did. Furthermore, because they could choose whom to insure, many large, for-profit commercial insurers left the individual market altogether in favor of large-scale employers because they carried lower operating costs.

Where does that leave us today? Today we have a health insurance industry where the first and foremost goal is to maximize profits for shareholders and CEOs, not to cover patients who have fallen ill or to compensate doctors and hospitals for their services. It is an industry that is increasingly concentrated and where Americans are paying more to receive less.

Here is the bottom line: According to the Kaiser Family Foundation, in the last 9 years, American families have seen their health insurance premiums more than double, while benefits have been getting worse and the industry has been growing less competitive.

A snapshot of the American health insurance industry today presents an alarming picture.

As of 2007, just two carriers—WellPoint and UnitedHealth Group—had gained control of 36 percent of the national market for commercial health insurance. Both these companies had more than doubled since 2000. Since 1998, there have been more than 400 mergers—that is in 11 years—400 mergers of health insurance companies, as larger carriers have purchased, absorbed, and enveloped smaller competitors.

In 2004 and 2005 alone, this industry had 28 mergers, valued at more than $53 billion. That is more merger activity in health insurance than in the 8 previous years combined.

Today, according to a study by the American Medical Association, more than 94 percent of American health insurance markets are highly concentrated under U.S. Department of Justice guidelines. This means these companies could raise premiums or reduce benefits with little fear that consumers will end their contracts and move to a more competitive carrier.

In 10 States—Alabama, Alaska, Arkansas, Hawaii, Iowa, Maine, Montana, Rhode Island, Vermont, and Wyoming, these 10 States—two health insurance companies control 80 percent or more of the State market. So 10 States, 2 health insurance companies control more than 80 percent of the statewide market.

In my State of California—nearly 40 million people—just two companies—WellPoint and Kaiser Permanente—control more than 58 percent of the market. The market presence of these two companies is up a combined 14 percent in 1 year. Let me repeat that. The market presence of two companies in California is up 14 percent in 1 year.

When you look at specific health markets, the situation is even worse. In 2007, the two largest health insurance companies in Bakersfield, CA, controlled 76 percent of the market there. In Salinas, the top two controlled 65 percent. In Los Angeles, the top two carriers controlled 51 percent of the market. This is a huge market. It is a 12-million-person market, and two companies control over half of that insurance market.

The American Medical Association described it this way:

> The United States is headed toward a system dominated by a few publicly traded companies that operate in the interest of shareholders and not primarily in the interest of patients.

I think that is a very sobering statement.

The effects of this market concentration are being felt by consumers and families. They are being felt by American businesses. They are being felt by doctors and health care providers.

Premiums are skyrocketing for employers and for individuals trying to buy health insurance. According to the Kaiser Family Foundation, since 1999, the average health insurance premium has more than doubled, rising 119 percent. That is an increase of four times the national wage growth over the same period and more than four times the rate of inflation. So it is ''open sesame.''

This is an amazing factor. Between 1999 and 2007, the average American worker saw his wages increase 29 percent. His insurance premiums rose more than 120 percent during that same period. This is how disproportionate it is, and it is wrong.

For some people, this means their employer is paying more and struggling more to stay in business. For some, it means they are personally paying more and struggling to make ends meet. For some, it means they have been forced to join the ever-growing group of 47 million Americans who simply cannot afford health insurance coverage today.

While premiums are going up, there is no evidence coverage is improving. We have heard countless stories from consumers about the way insurers are cutting costs and saving money by denying coverage to people with preexisting conditions, rescinding care when people fall ill and haggling administratively over coverage and benefits.

These stories come from health care providers too. When just a few companies control the market, physicians and hospitals have fewer places to turn when they believe they are not being reimbursed fairly. Just as American families and their employers have fewer choices for purchasing insurance, health care providers have less bargaining power over reimbursement rates. The net result is, consumers and health care providers are losing out, while health insurance companies and their shareholders are bringing in record profits.

According to Health Care for America Now, between 2000 and 2007, profits at the 10 largest publicly traded health insurance companies soared up 428 percent, from $2.4 billion in 2000 to $12.9 billion in 2007.

The CEOs of these companies took in record earnings. In 2007, these 10 CEOs made a combined $118.6 million. The CEO of CIGNA took home $25.8 million. The CEO of Aetna took home $23 million. The CEO of UnitedHealth took home $13.2 million. The CEO of WellPoint took home $9.1 million.

This history, and this failed market, is a uniquely American story. I recently read ''The Healing of America'' by T.R. Reid. He is a former Washington Post journalist who has a bum shoulder. So he decided he would go from country to country and go to doctors in that country, examine their health care sector, see what would help him, what they recommended, and it is a very interesting book. He writes about the health care systems of the countries he visits.

A few things are clear. First, as Reid says:

The United States is the only developed country that relies on profit-making health insurance companies to pay for essential and elective care.

So in every country that has health care reform—the United Kingdom, France, Switzerland, Germany, Canada—the United States is the only one that allows this open, ribald, for-profit health insurance industry that we do in this country.

Profit-seeking motives do influence insurance companies. Today, insurance companies have a financial reason to deny coverage to people who may actually get sick, so they exclude people with even the most minor preexisting conditions.

Secondly, if you get sick, insurance companies will comb through past records to find a reason to retroactively deny coverage. This means people lose their health coverage when they need it the most.

In other nations, with not-for-profit insurance, there is no motivation for companies to engage in these practices. Everyone is covered regardless of his or her health history. This allows risk to be effectively spread across the entire population.

Other countries accomplish this with employer responsibility and an individual requirement to become part of the insurance system.

A few examples: In Germany, most people enroll in sickness funds, with premiums split between workers and employers. Only the very wealthy can opt out to buy separate insurance.

In Switzerland, everyone must purchase basic, nonprofit insurance. Companies can only make a profit on the extra benefits they sell, such as for cosmetic surgery or a private room in a hospital, but not by providing basic coverage.

In France, everyone is enrolled in one of several large health insurance funds, which are closely regulated by the federal government.

In the United Kingdom, everyone is automatically covered by the National Health Service.

Americans like to criticize other nations' systems as bureaucratic. But in truth, it is our system that is wasteful and inefficient. Many other countries are able to deliver better health care for lower prices than we do currently. I wish to point this out.

As T.R. Reid points out, our system, with for-profit insurance and medical underwriting, has some of the highest administrative costs in the world because, in the United States, roughly 20 percent of every premium dollar is spent on administration. This includes advertising, profits, and paperwork—20 percent goes to this.

Let's compare this: Canada, on the other hand, spends about 6 percent. France spends about 5 percent. One of France's advantages comes from an electronic form, a personal health record. It is called the Carte Vitale. Here is a picture of it I have in the Chamber. I had actually asked some of my family, newly returned from living in France for a long time, if they would send me their actual Carte Vitale, which I have seen. Unfortunately, they have not arrived. But, as shown in this picture, this is what they look like.

As shown on this part of the picture, this is a small chip. In this chip is the entire medical history of a patient—every shot received, every diagnosis made, everything about the patient. So the patient goes in for a physician's visit, which costs about $27 in France today, and the doctor takes the Carte Vitale, puts it into his computer, and the entire background of the individual pops up.

Let's say he prescribes certain medication. That then goes into this small chip. Every French citizen over the age of 15 carries a Carte Vitale, which has taken the place of the walls of paper records we see at our physicians' offices in this country.

Also, this system allows French physicians to bill automatically for the care they provide without paperwork or bureaucracy. The Carte Vitale has helped the French achieve what many consider to be the world's best health care system.

As we have seen, other industrialized nations spend less on administrative costs. They have nonprofit insurance. They use employers and individual responsibility to provide basic health care to everyone. This structure does, by independent analysis, provide better results because, whatever the indicator, the United States lags behind the rest of the industrialized world.

This is painful, but I believe we have to look at it. According to the World Health Organization, France leads the world in overall system performance, followed by Italy. America is 37th. These are the top health care systems: France, Italy—and, as you can see, the rest. We are No. 37.

In avoidable mortality, which measures a system's effectiveness in caring for people who contract a potentially serious medical condition, again, France tops the list, again, followed by Japan. The United States is 15th.

The United States lags other developed nations in infant mortality. Here it is, as shown on this chart. This is according to the Commonwealth Fund. The leader is Japan, with 3 deaths per 1,000 births. We are No. 22 on that list.

This is surprising because you would think, particularly with infant mortality, we would be a real leader, but we are not.

To summarize, I think action is needed.

Other countries are far from perfect, and I am not saying anything other than that. But these lessons show that high-quality health care can be delivered for less than we currently spend. Our system of relying on for-profit medical insurance, I believe, is broken. We are spending more for worse results than the rest of the world. That is what I hope to show.

That is why it is essential that we take action, and take action now. I basically believe the medical insurance industry should be nonprofit, not profit-making. There is no way a health reform plan will work when it is implemented by an industry that seeks to return money to shareholders instead of using that money to provide health care. This is difficult to accomplish today, but there are a number of steps that can be taken in this direction.

The first is to repeal the antitrust exemption. I believe we must take strong action to stop illegal, anti-competitive activity in the industry. The Justice Department currently has authority to review certain health insurance mergers. But although almost 400 health insurance mergers took place during the past administration, the Department brought challenges to only two of those mergers. Even those that were challenged were later allowed to proceed with relatively minor adjustments.

When a dominant market player tries to subsume a smaller competitor, the Justice Department should review the acquisition carefully to ensure that consumers, employers, and health care providers still have bargaining power. We should also repeal the antitrust exemption for health insurance companies. This exception is a relic of the past, and it has no current justification.

The Justice Department should be able to investigate and sue health insurance companies when they engage in price fixing, bid rigging, or market allocation. These kinds of collusive activities are not fair play. They are not allowed in other industries, and they should not be allowed in this one.

I also believe a public option is an essential piece of any effort. It will provide robust, nonprofit competition for an industry that is broken and profit-ridden. In concentrated markets, the public option will provide consumers with real choice. Remember, the largest market in America is the Los Angeles market, and a majority of that market is controlled by two health insurance companies.

Because it will not attempt to make a profit, the public option will not turn anyone away. It may be able to charge lower premiums because its goal will be to provide health care coverage, not to return profits to shareholders. Whether it is opt-in or opt-out, States that strongly object to providing nonprofit competition to residents should have the opportunity not to participate. But make no mistake; the public option alone will not solve our Nation's problem with health care. It will be available to a relatively few Americans at first. Only those who will purchase insurance in newly created exchanges will have the opportunity to buy it. But I believe it is a building block as we work to construct a new system.

In addition to creating a public option, we must put health insurance companies on a path toward more responsible behavior. That is why I am

proposing a Federal medical insurance rate authority.

My proposal for a medical insurance rate authority builds on the successful and well-accepted model of utility commissions. Throughout this country, providers of gas, water, and electricity need to justify any proposed rate increase. This is required because the services they provide—water, gas, and power—are considered necessities for life.

Well, are they more a necessity for life than health insurance? I don't think so. Health insurance should be no different. Access to affordable medical care is certainly a necessity of life.

Under my proposal, the Federal Government would be required to establish a medical insurance rate authority which would oversee premiums charged by the for-profit medical insurance industry. Premium increases above a certain threshold would need to be approved. The medical insurance rate authority would conduct basic oversight insuring that premium funds are spent on medical care and not for profit or overhead.

These safeguards will ensure that the health insurance industry does not continue their pattern of astronomic premium increases. It is fair for the price of insurance to reflect the actual price of medical care, but it is not fair for insurance companies to increase their profits while Americans pay higher and higher premiums.

It has taken many decades for our health system to evolve and break down as it has, and we cannot expect to fix it overnight. We need to remember what health insurance originally was in this country, nonprofit; and what it is around the world, nonprofit; and a way to ensure that people can get basic care to stay healthy and they are protected from financial ruin when they get sick. I believe strongly this must be the underlying goal of any health reform the Senate approves this year.

Mr. President, I ask unanimous consent that a list of sources be printed in the RECORD.

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

SOURCES

1. Congressional Research Service, The Market Structure of the Health Insurance Industry, 10/21/09.

2. Congressional Research Service, Health Care Reform: An Introduction, 8/31/09.

3. Alex Blumberg, All Things Considered, National Public Radio, October 22, 2009, ''Accidents of History Created U.S. Health System.''

4. Paul Starr, The Social Transformation of American Medicine, 1982.

5. Melissa Thomasson, ''The Importance of Group Coverage: How Tax Policy Shaped U.S. Health Insurance.'' American Economic Review, 2003.

6. Blue Cross and Blue Shield, A Historical Compilation. Accessed 10/30/09 at www.consumersunion.org.

7. Kaiser Family Foundation & Health Research and Education Trust, ''Employee Health Benefits: 2008 Annual Survey.''

8. American Medical Association, Competition in Health Insurance: A Comprehensive Study of U.S. Markets, 2007.

9. American Medical Association, Competition in Health Insurance: A Comprehensive Study of U.S. Markets, 2008.

10. David Balto, Testimony Before the Senate Judiciary Committee Subcommittee on Antitrust, July 31, 2008, Hearing on ''The Right Prescription? Consolidation in the Pennsylvania Health Insurance Industry.''

11. Corporate Research Group, The Managed Care M&A Explosion, 2005.

12. Health Care for America Now, Premiums Soaring in Consolidated Health Insurance Market, May 2009, citing U.S. Securities and Exchange Commission filings.

13. T.R. Reid, The Healing of America: A Global Quest for Better, Cheaper, and Fairer Health Care, 2009.

Mrs. FEINSTEIN. I thank the Chair and I yield the floor.

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

Mr. GRASSLEY. Thank you, Mr. President.

Mr. President, I come to the floor to address the issue of health care reform. In order to demonstrate the complicated issues that face us, I have with me the House of Representatives health care reform bill, approximately 2,000 pages; I have over here the Senate HELP Committee bill, approximately 1,000 pages; and over here, the Senate Finance Committee bill, approximately 1,500 pages.

Some on the other side of the aisle are saying their bills do not represent a government takeover of the health care system. I want to believe that. I would really like to believe it, but the facts seem to tell a different story. If we look at the specifics of the bill reported by the Senate HELP Committee or the House bill released last week, I don't see how one could call it anything but a government takeover.

So I wish to start with the Senate HELP Committee bill.

On September 17, the HELP Committee finally released what I previously said was a bill containing about 1,000 pages—more accurately, 839 pages—over 2 months after the majority party on the HELP Committee voted to report it. When I was back in my State of Iowa for the August recess, I held 17 townhall meetings. Due to the controversial health care bill the HELP Committee and the three House committees had just voted on, the attendance was the highest I have seen in the 2,871 townhalls I have held during my years in the Senate.

Many of the people who attended were citing sections from the health reform bills. They had good questions. I heard repeatedly about the new powers being granted to the government in these bills. So I decided we should have a catalog of how many times these bills grant new powers to the Secretary of Health and Human Services.

Well, I have the HELP Committee bill with me today, and there is a lot going on in the 839 pages of that bill. We have gone through the 20,725 lines of legislative text just to see how many new government authorities it creates, and here is what we found: This bill creates a total of 87 new government programs.

In addition to the 87 new government programs created by this legislation, a substantial amount of new regulatory authority has been granted to the Secretary of Health and Human Services. I know the other side doesn't like to hear that this bill calls for a government takeover of our health care system, but let's let the facts speak for themselves. If it isn't a government takeover of our health care system, why does the word ''Secretary''—meaning Secretary of HHS—appear 982 times in this bill? Maybe the other side needs a reminder that the Secretary of Health and Human Services is an agent of the Federal Government appointed by the President, confirmed by the Senate.

Iowans keep telling me that Congress needs to just slow down, consider all ideas, and, of course, common sense tells us to actually read the legislation. But the HELP Committee bill makes it clear that the majority leadership and the White House would rather push something through quickly and leave the important decisions to an unelected, unaccountable government official.

The long list of new powers granted to the Secretary begin on page 11 of the HELP Committee bill, and I quote:

> The Secretary shall by regulation establish a minimum size for community ratings areas.

So let me put it in common language rather than statutory language.

This bill includes a number of controversial rating reforms, and one of those reforms would set a 2-to-1 age rating band. That means premiums for the oldest person could be no more than twice the cost of the premiums to the youngest person. Now, that is going to reduce premiums substantially for older people, and that is a fine goal, but the money has to come from somewhere. So to pay for those lower premiums for older people means much higher premiums for younger people. It is a new hidden tax being imposed on young people. It will increase premiums for young people by at least 50 percent.

This bill would give the Secretary the regulatory power to draw the map in each State for these rating areas, and that is where we go back to the quote I just cited:

> The Secretary shall by regulation establish a minimum size for community rating areas.

Keep in mind, under current law this sort of policy is presently decided by 50 different State legislatures or by 50 different insurance commissioners. But some in Congress want to take this responsibility away from the States and turn it over to unelected bureaucrats in Washington, DC.

I spoke on the Senate floor earlier last week about how the Democratic proposals for health care will increase premiums and overall health care spending. Quite the opposite: I think to most people hearing us talk in Washington, DC, about health care reform, the word ''reform'' would mean to

them not increasing premiums and overall health care spending.

To offset the increase in premiums, they say they will subsidize them using taxpayer dollars. But guess who is given the power to decide what benefits are eligible for these new subsidies? I will read the answer straight from the bill on page 90, line 11. It says:

> The Secretary shall establish . . . the essential health care benefits eligible for credits. . . .

My friends on the other side of the aisle claim their proposal will increase choice and competition in the health insurance industry. But after reading this bill, it is clear that only 1 percent will have a choice, and that person is the Secretary of HHS.

On page 74, line 17, the Secretary is given the power to regulate what type of health plan works best for you and your family. I will read that quote:

> The Secretary shall, by regulation, establish criteria for certification of health plans as qualified health plans.

After the Secretary chooses what plan works best for you and your family, the Secretary can choose what conditions your doctor must meet in order to contract with the plan chosen for you.

On page 80, line 14, it says that a qualified health plan may contract with " . . . a health care provider if such provider implements such mechanisms to improve health care quality as the Secretary may by regulation require."

That means if you want to purchase coverage through a new exchange established by this bill, the Secretary of HHS will be deciding what health plan and what doctor is best for you and your family.

This bill also extends the Secretary's influence into classrooms, where our future doctors are being trained. On page 685 of the bill, line 10, it says:

> The Secretary shall support development, evaluation, and dissemination of model curricula for . . . use in health professions schools . . . and for other purposes determined appropriate by the Secretary.

That is a lot of power in a sentence of the law that says "and for other purposes determined appropriate by the Secretary."

Are all of these new requirements and regulations going to help our health care system? Will they make Americans healthier? The truth is, we have no way of knowing since so much in this bill, including what I have highlighted, is left to the regulatory decisions of an unelected government bureaucrat.

The proponents of this bill say it isn't a government takeover of health care. But after reading only a fraction of the bill out loud, as I have done, it is hard to argue the fact that the Secretary of HHS is granted a lot of power over our health care system.

The Secretary will determine the size of new rating areas. The Secretary will decide what benefits health care plans have to cover. The Secretary will decide what health plan works best for you and your family. The Secretary will decide what conditions your doctor must meet to be included in your plan. The Secretary will decide what curriculum should be taught in our medical schools.

You may be tired of hearing me say "Secretary," because I am tired of saying it. I have only said it 25 times in this speech. But this bill uses the word "Secretary" another 957 times, which is an indication that the HELP Committee bill is moving control of our health care system in what many people in this country consider the wrong direction.

That brings me to the House bill that was released last week. The House bill, right here—2,000-some pages—seems to be heading in the wrong direction also. In fact, a spokesman for the small business industry said to the Hill newspaper:

> [The House bill] is a "how to" on how not to do health care reform.

That is pretty disappointing, since the bill costs about $2.2 million per word. You would think we would be getting something for that kind of investment.

The Wall Street Journal today calls the House bill "the worst bill ever." Quoting, "Epic new spending and taxes, pricier insurance, rationed care, dishonest accounting: the Pelosi bill has it all."

Again, that was from the Wall Street Journal.

Let's start with what is in the 2,000 pages and $1 trillion in spending in this new bill.

The bill includes a government-run insurance provision. All the caveats aside, it is still a government insurance plan—or let me say government insurance company, plain and simple.

Interestingly, after all the promises about lower costs, the Congressional Budget Office has said that premiums in the government-run plan would be more expensive than premiums in the private market. That report just came out within the last couple of days.

The bill also locks every American with an income below 150 percent into Medicaid. Today, a family of 4 with an income of $33,000 is at 150 percent of the poverty level. Under this new House bill, that family would not get any assistance to get private health coverage. In other words, they would not have choice.

Let me point out that Medicaid is already financially unsustainable in its current form. This is the biggest expansion of Medicaid in its history. With this Medicaid expansion, the new House bill continues to leave States liable for a significant share of that new spending—a share States cannot afford. Ultimately, that will force States to raise taxes to pay for their share of this expansion of Medicaid. That is a hidden tax, although it will come separately among the 50 States.

The bill also proposes a host of new Federal insurance market reforms that will actually raise costs for most individual Americans.

With the creation of a new unelected Federal bureaucrat, called the "health choices commissioner," the Federal Government will now be in charge of deciding what insurance you have to buy.

If this isn't a government takeover of health care, I don't know what it is. If you don't like what the new health choices commissioner comes up with or you cannot afford it, you will be hit with a new individual mandate tax penalty, and that will be enforced by the IRS.

Despite all the promises about being able to keep what you have, the bill cuts more than $150 billion from Medicare Advantage plans, endangering the existing coverage for millions of seniors.

Don't take my word for it, because the Office of the Actuary—that is a professional office, not a political office—at the Department of Health and Human Services said that with this level of cuts "enrollment in [Medicare Advantage] plans would decrease by 64 percent."

The CBO has taken a look at some of the changes in the Medicare Part D drug benefit and concluded that the changes will actually raise premiums.

So whether you are in Medicare Advantage, Medicare Part D, or private insurance, this new House bill means higher costs, more government interference, and less choice. I don't think that is what people in my State of Iowa have in mind when they ask us to fix the health care system.

The House bill also includes a part that is called the CLASS Act, which creates a new long-term care entitlement. I happen to be very supportive of taking steps to improve long-term care for Americans. But the CLASS Act is fiscally irresponsible. I am not going to name the prominent Senate Democrat, but one has been quoted as calling the CLASS Act a Ponzi scheme that Bernie Madoff would have been proud of.

Finally, I hope everyone out there pays special attention to what House Democrats call "shared responsibility."

If you make money in America, the House Democrats expect you to do some extra sharing. Lots. The bill includes a massive tax increase to pay for it.

Now I wish to go to what is not in the bill. Even though President Obama continues to support medical liability reform, as I do, the House still refuses to consider it. In the "devil's in the details" category, I find it particularly worrisome that the House bill failed to include a prohibition on rationing that was in their original discussion draft. The discussion draft of H.R. 3200 stated that the committee should "ensure that essential benefit coverage does not lead to rationing of health care."

Every time you get the government more involved in health care, the issue at grassroots America comes up: Will

we have rationing? A lot of committees have tried to say that there would not be any rationing coming from this, and that was in the original House bill. But as it is put together as one final package, as it is here, that section, unfortunately, was dropped. In other words, the prohibition on rationing is not in this bill.

This is what the latest House bill proposes: more taxes, more spending, higher premiums, fewer choices, a government-run plan, the biggest Medicaid expansion in history, unsustainable new entitlement programs, and 2,000 pages.

Despite all the promises, the facts don't lie. The House bill and the HELP Committee bill I referred to during these remarks represent an unprecedented government takeover of our Nation's health care system—a takeover that this country cannot afford, and a takeover that the American people don't want.

I thank my colleagues for giving me this time beyond the hour of 4, when the unemployment compensation bill was to be taken up, so I could keep another obligation.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2009

The PRESIDING OFFICER (Mr. MERKLEY). Under the previous order, the Senate will resume consideration of H.R. 3548, which the clerk will report.

The bill clerk read as follows:

A 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.

Pending:

Reid (for Baucus/Reid) amendment No. 2712, in the nature of a substitute.

Reid amendment No. 2713 (to amendment No. 2712), to change the enactment date.

Reid amendment No. 2714 (to amendment No. 2713), of a perfecting nature.

Reid amendment No. 2715 (to the language proposed to be stricken by amendment No. 2712), to change the enactment date.

Reid amendment No. 2716 (to amendment No. 2715), of a perfecting nature.

Reid motion to commit the bill to the Committee on Finance, with instructions to report back forthwith, with Reid amendment No. 2717, to change the enactment date.

Reid amendment No. 2718 (to the instructions (amendment No. 2717) of the motion to commit), of a perfecting nature.

Reid amendment No. 2719 (to amendment No. 2718), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I yield to the Senator from Illinois such time as he desires.

Mr. DURBIN. Mr. President, I thank the chairman of the Finance Committee. He will be discussing a matter of grave importance in Illinois and all across the Nation, the extension of unemployment benefits, which we have been trying to bring to the floor for 27 days. Our Republican colleagues have opposed it, stopped it, delayed it, and demanded every vote they can think of to stop the extension of unemployment benefits, even though there are millions of Americans out of work and desperately looking for jobs. Many of them have exhausted their family savings trying to avoid foreclosure, to feed their families, and they need these benefits desperately. But we have been held up time and again because several Republican Senators have insisted on amendments that have nothing to do with unemployment and nothing or little to do with the economy. I hope today we can break through that. I hope we can find bipartisan support to extend the unemployment benefits.

I thank the Senator from Montana for yielding a moment to me.

I wish to respond to my friend—and he is my friend—my colleague, Senator GRASSLEY of Iowa, my neighboring State. He and I have worked on many things together. Our political views differ, that is for sure, but I believe he is a hard-working, good representative of his State. In fact, when I said that once on the floor, he ended up quoting it in one of his campaign brochures, which got me in trouble with the Iowa Democratic Party. But so be it. I like him, and I hope he feels the same.

We have worked together on many issues, but for the Senator from Iowa to come to the floor and be critical of a bill saying it is too many pages—that is what I have heard over and over again from the Republican side. They have argued that health care reform in the Senate is going to run over 1,000 pages in length, and they say it over and over again.

I don't know historically what major legislation considered on the Senate floor is comprised in the number of pages, but we have had some pretty big bills in the past—in the Senate Appropriations Committee and other places—because those bills take on big issues and big subjects. Nothing is bigger than our health care system in America. To talk about 1,000 pages really does not do justice to the enormity of the task we are tackling, to try to bring costs under control so people and businesses across America have secure and stable health care.

We ought to make sure as well that the health insurance companies stop exploiting those who have health insurance policies. We want to eliminate preexisting conditions as an exclusion. We want to make sure when you are sick, your health care will be there; that when you change jobs, you can take your health care with you. We want to make sure your children are covered for longer periods of time than they are now under current law. It takes a few pages to put that together. You cannot put it in a few sentences if you want to change the law and make it work.

So to come here and criticize the bill which has not been presented in a final form as I stand here I don't think makes a very strong case.

I asked the other day for the Republicans to tell me how many pages their health care reform bill is. The Senator from Tennessee said they were working on several different bills but they would be shorter in length. The closest we can come to the Republican health care reform bill I hold in my hand. It is 2½ pages long, and it consists of a press release from MITCH MCCONNELL, the Senate Republican leader. That is as far as the Republicans have gone in writing health care reform for the American people. It is a press release. In this press release, there are no positive things they stand for, only criticisms of our efforts to write a health care reform bill.

To my right is the Senator from Montana, the chairman of the Senate Finance Committee. He has spent the better part of a year—at least a year—trying to put together a health care bill. He has engaged others in trying to bring them into this conversation. Unfortunately, at the end of the day, only one Republican Senator, Ms. SNOWE of Maine, joined Senate Democrats in voting for health care reforms. So far, she is the only Republican in the House or the Senate who has voted for health care reform even at the committee level. The Republicans have been standing on the sidelines while we have been trying our best to put together good legislation which will bring the cost of health care down, protect those beneficiaries who are denied coverage under their health insurance plans, and extend the reach of competition and choice so more Americans have places to turn. When the Senator from Iowa complains about so-called rationing, I think he overstates the case.

We know there is too much money spent on the current health care system. There is duplication, waste, and fraud, and we want it to come to an end. If Medicare is going to be on sound financial footing, if we can say to seniors today and for years to come that they can count on Medicare being there when they need it, we have to cut out unnecessary spending.

One of the areas in that particular program that is highly controversial is called Medicare Advantage.

Medicare Advantage was proposed by the insurance industry. They said years ago: The government has tried to run Medicare for 40 years, but they haven't done a very good job. Why don't you let the private insurance companies offer a Medicare plan. We will show you what you can do when you use the genius of the insurance industry in America to offer Medicare.

We took them up on their challenge and said to them: Present the insurance policy to seniors that will provide Medicare benefits.

They called it Medicare Advantage, and there are literally millions of these policies all across America today.

We stepped back after a number of years and said: How did they do?

They challenged the government and said: We can do it better.

Some did. But we also found Medicare Advantage plans that were overcharging the government 14 percent more than the cost of basic Medicare the government offered. So instead of bringing the costs down, the costs went up 14 percent. We were creating a subsidy to private health insurance companies to offer Medicare plans. That is a waste of dollars. The health insurance industry, although they used those dollars to their own benefit, are not helping Medicare, and they are not helping the taxpayers of this country.

The recent news about profits of the insurance giant Humana explains why the major health insurance companies and most of the Republicans oppose health care reform and why they have gone to such great lengths to defeat our efforts.

Last quarter, Humana saw their profits rise 65 percent, mostly due to the participation in the Medicare Advantage Program, the subsidies the taxpayers are sending them. This one company made $301 million in profits in the last 3 months alone, and they did it, by their own admission, on the backs of Medicare and Medicare Advantage beneficiaries.

The insurance industry is making billions by gaming the Medicare Advantage system at the expense of seniors' traditional Medicare coverage, and taxpayers are picking up the bill. For some reason, the Senate Republicans feel the need to defend them at every turn. When you hear the opposition to health care reform, it is inspired not exclusively but to a great extent by the opposition to health care reform from the private health insurance companies.

Why are these companies opposed to health care reform? Because it means competition. A public option plan that is available around this country will create in many parts in our country the first real competition for health insurance. It means consumers have a fighting chance to get a lower monthly premium because there will be a not-for-profit company there offering health insurance benefits. It is a company that is not focused on the bottom line of showing profits for shareholders. It will be a company that is not marketing and spending a fortune on advertising. It will be a company that is not spending so much on administrative help to say no to those covered by insurance policies. This will lower costs, and this is what drives the private health insurance companies wild.

Secondly, they hate to hear two words—McCarran-Ferguson—because they refer to a law passed by Congress 64 years ago which exempted the insurance industry and health insurance industry from antitrust regulations. Currently under the law, health insurance companies can legally conspire and collude to establish the premiums they will charge all across America. There is no real competition. When they set premiums, they have sat down and agreed on what they are going to charge. And they can allocate markets. They can make sure they dominate markets so there is no real choice there for consumers.

I think McCarran-Ferguson is outdated. It is a travesty under the law to allow it continue, and it should end. You will not hear one single Republican Senator say that—at least I haven't yet. I hope they join us in calling for real health insurance reform, in ending McCarran-Ferguson protection and exclusions based on preexisting conditions, for example, and giving real choice to consumers across this country. Instead, what we hear from them is the language of the health insurance companies opposing fundamental health insurance reform.

The American people have run out of patience with those who tolerate and encourage the current system—a system that fails us, as premiums go up even as wages do not; a system that, unfortunately, is not offering health care protection for millions of Americans working for businesses that even last year offered health insurance protection but they just cannot afford to do it anymore.

We are going to keep pressing forward. The Republican plan consists of a three-page press release. It will take more than that to bring meaningful change to health care in America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, we are now on the provision to extend unemployment insurance, as well as extend the home buyers tax credit, as well as expand the net operating loss provision. I wish to speak about that provision because I think it is so important that it pass.

The British mathematical physicist Lord Kelvin once said:

> Until you can measure something and express it in numbers, you have only the beginning of understanding.

The numbers now measure the beginning of a recovery, and we are beginning to understand the depth of the great recession of 2008 and 2009. It has been the longest recession since World War II. The numbers show that the American economy has been shrinking from the middle of last year to the middle of this year—shrinking. For January through March, it declined at a 6.4-percent annual rate. It has been the sharpest decline in 27 years. But last week, the Commerce Department reported that from July through September, the numbers show the economy grew at a 3.5-percent annual rate.

When economists talk about the end of a recession, however, they mean the time when things stop getting worse, not necessarily getting better but stop getting worse. For most Americans, it will still be some time before things start getting better. Even though the economists can measure some improvement and express it in the numbers, we still have only the beginning of a recovery.

Economists say that the stimulus package we passed last winter is part of the reason for the growth. On Friday, the Obama administration reported that the stimulus package has created or saved more than 640,000 jobs so far. Economists also credit consumer spending for the latest growth. In particular, economists credit automobile and housing sales. From July through September, housing sales rose at a 23.4-percent annual rate. The home buyer tax credit played a big part in that growth. That is one of the provisions we are considering in the amendment before us today.

It will still take some time for the job picture to improve. Job growth turns around more slowly than the economy as a whole. Economists call this a lagging indicator. Last month, the jobless rate reached 9.8 percent. That is the highest rate in 26 years. Economists expect this week's report will show that unemployment rose again this month. Economists will say jobs will still be hard to find well into 2010.

Last week, the Labor Department reported that 530,000 people filed their first jobless claims. That number has been heading down, but at more than half a million people, it is still far too high.

We still need to do more to help the economy recover, and we still need to do more to help Americans get and keep good jobs. The extension of unemployment benefits and the tax relief in this legislation are part of the answer. I hope that today the Senate can act to bring relief to millions of Americans waiting for this important legislation. Unemployment insurance is a vital lifeline for millions of Americans. It is a lifeline many families and communities continue to need just to keep afloat.

Along with the rest of the Nation, my State of Montana has felt the effects of this great recession. Our unemployment rate is up to 6.5 percent, and although it is not as high as the national average, many in my State are suffering. This is particularly true in the Montana mining, lumber, and construction industries. The national demand for lumber is expected to fall below 30 million board feet this year. The amount of lumber used to build new homes is expected to drop from 28 billion board feet to about 5 billion board feet, and that hits Montana very hard.

When we help unemployed Americans, let's remember, we help their communities. When we help our unemployed neighbors, we also help keep open the neighborhood grocery store and the neighborhood gas station.

When we help our unemployed neighbors, we also help our economy and ourselves.

I am gratified that a majority of my colleagues appear to agree that it is important to extend unemployment benefits. I am also hopeful that we will deliver those benefits very soon.

The amendment before us today also includes an extension of the Federal unemployment tax. This extension covers the cost of the extended unemployment benefits. The Federal unemployment tax has been extended every year since 1982.

The amendment before us today would also provide tax relief to help our economy recover. The pending amendment would extend the home buyers tax credit and provide employers important tax relief.

The home buyers tax credit has helped millions of Americans to buy their first homes. The tax credit has boosted demand and it has helped reduce the inventory of unsold homes. This, in turn, has helped to bring much needed stability to the housing market.

But in the housing market, like the labor market, we are not yet in the clear. The housing market is still recovering from the implosion of the subprime mortgage market. In many parts of the country, housing prices remain at record lows and foreclosures continue as Americans continue to lose their jobs and the means to pay their mortgages.

That is why it is important to extend the home buyers tax credit. In the amendment before us today, we have raised the income limitations to open the tax credit to millions more who are thinking about buying a home. Our amendment also extends the credit to include home buyers seeking to move up to a new home—not just for first-time home buyers but those who want to move up to a new home. For those who have lived in their current residence for 5 years or more, they would be eligible for a $6,500 tax credit if they want to buy a new home. It is $8,000 for first-time buyers and a $6,500 tax credit for those who want to move up—for those who have stayed in their current residence for 5 years.

The home buyers tax credit would be extended to April 30 of next year. We also include new binding contract language. This language would effectively make the credit available until June 30 of next year, as long as the home buyer entered into a binding contract before May 1.

I think this temporary extension of the home buyers tax credit is the right approach. It would provide a much needed stimulus of the housing market, and it would remain fiscally responsible.

Our amendment also would add net operating loss relief for businesses. Under current law, small businesses are able to carry back their 2008 losses to profitable years for up to 5 years. Senator SNOWE and I worked together on a bill that would expand this provision to all businesses. The amendment before us today includes that legislation. It would provide all businesses with the ability to carry back losses from 2008 and 2009 for 5 years—not just 2 years but 5 years. That is 3 years longer than under current law. This type of relief will help small and large businesses alike.

This tax relief is paid for also in a fiscally responsible manner. Our amendment would delay a tax break for multinational corporations, many of which would benefit from the expanded NOL relief. We also included increases and penalties for taxpayers who fail to timely file partners and S corporation returns. We believe these provisions will increase compliance with the tax law and also help us close the tax gap.

This package provides timely and essential relief to American families and businesses that have been affected by our economy. Our amendment would extend benefits to the unemployed Americans who are hurting the most and would help home buyers to buy homes. It would provide support for all businesses that are having trouble meeting their payroll in these tough economic times.

This amendment would help to speed the recovery from the great recession. It would help to improve our economy, and it would help the American people. I urge my colleagues to support the legislation and vote for cloture on the amendment.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, a few moments ago, the Senator from Illinois was on the Senate floor essentially responding to comments that had been made by the Senator from Iowa, Mr. GRASSLEY, regarding the health care debate and the legislation that has been reported out of the House and that is going to be voted on this week—legislation which is 1,990 pages long.

The Senator from Illinois asked: Where is the Republican bill, if they do not like the Democratic bill? Well, there are a number of Republican bills out there, but I would say to the Senator from Illinois or anybody on the Democratic side who is waiting for Republicans to produce a 2,000-page bill, it is not likely to happen. We don't believe legislating with 2,000-page bills makes a lot of sense when we are talking about one-sixth of the American economy. We believe it makes a lot more sense to approach that in a way that fixes and addresses the problems that exist with the health care economy in this country today in a step-by-step way, not with a huge, massive expansion of the Federal Government in Washington, DC.

The bill that came out of the House last week—at least according to the CBO—was a $1 trillion increase in spending. But that is before it is fully implemented. When it is fully implemented, it will be $2 trillion in additional spending—a massive expansion of the Federal Government in Washington, DC, with massive tax increases on small businesses and working families in this country, massive cuts to Medicare Programs upon which seniors across this country rely and depend. And that doesn't even include what happens if those cuts in Medicare don't happen. And we have reason to believe based on historical patterns they would not happen. Then it probably gets borrowed, and we add more trillions of dollars to the Federal debt—a debt which is already growing at $1 trillion a year every year for the next 10 years.

So we have a massive expansion of government—a $2 trillion expansion of government, massive tax increases, massive cuts to Medicare, and perhaps massive borrowing and additions to the Federal debt. That is what happens with the 2,000-page bill which is being proposed by the Democratic leadership in the House of Representatives.

So if the Senator from Illinois or anybody on the other side is waiting for Republicans to produce a 2,000-page bill that expands the government by $2 trillion and raises taxes on small businesses—which are the economic engine of our economy and that will create the jobs and get us back on a path toward recovery—I would suggest they are going to be waiting a very long time.

That isn't to say for 1 minute that there aren't lots of ideas that Republicans are putting forward that will help drive the cost of health care down—contrary to the big government schemes put forward by the other side which, in addition to raising taxes, cutting Medicare, and borrowing more—if you can believe this—increases the cost of health care by raising premiums for everybody who currently has health insurance in this country.

So the 2,000-page bill isn't coming from us. We have a lot of great ideas that we will have an opportunity to debate and amendments we can offer, if and when we get on this bill. But the 2,000-page bills—the massive expansion of the Federal Government in Washington, DC—is not the way we believe we should fix and address the health care economy.

That brings me to my point because in contrast to a 1,990-page bill some are calling reform—which doesn't reform but certainly wrecks one-sixth of the American economy—I have a simple one-page amendment. It is four lines long. I would like to have the opportunity to offer it to the underlying legislation that is a matter of debate on the unemployment insurance extension, which I think most people on both sides of this aisle support. I think both Republicans and Democrats in the Senate believe it makes sense for us to extend unemployment benefits coverage to people who are losing it, and the underlying bill would do that by 14 weeks.

We also believe when a bill comes before the Senate, under the historical practices of the Senate, typically it is

open to amendment. That is what makes the Senate different from the House of Representatives. Our Founders, in their infinite wisdom, conceived of two institutions—one, the House of Representatives; two, the Senate. The Senate has a more deliberative role. In doing so, it allows for open consideration and debate and votes on amendments.

What has happened today is that the majority leader has decided to fill the tree; in other words, not to allow votes on any amendments. So my one-page amendment, which is very simple and straightforward, isn't going to get voted on.

Mr. President, all my amendment does is end, on December 31 of this year, TARP. If the Congress doesn't take action, the Treasury Secretary can extend TARP. What is important to note about that is TARP has over $200 billion that hasn't been spent, and with payments that have come back into that fund, over $300 billion in funds that are unexpended. If we don't spend those—and it doesn't become a political slush fund to be spent on other priorities the Federal Government in Washington comes up with—that goes to pay down the Federal debt.

I can't think of anything more important now than trying to pay down the Federal debt. If we are worrying about trying to help the economy recover and helping taxpayers, let's take the unobligated balance in the TARP fund, end that program at the end of the year, and use those proceeds to apply to the Federal debt so we can start making a dent in these massive deficits and this massive debt building in Washington, DC.

So that is all my amendment does. It just ends TARP at the end of the year. I think it is significant that since Congress created TARP, Congress ought to have a say in whether it gets extended. If we are going to have that say, it has to happen between now and the end of the year.

I couldn't find many opportunities between now and the end of the year to get this amendment offered, and as we had this piece of legislation moving through the Senate, the sort of natural inclination of this institution is to allow for amendments to be considered. So I offered that amendment so that Congress can be on the record as to whether we think TARP ought to be extended or whether it ought to be ended and those unobligated balances be used to pay down the Federal debt, which, as I said, is growing at $1 trillion a year for the next 10 years.

So I think it is a very straightforward, simple amendment, and simple enough that it can be put on one page. It doesn't take 1,990 pages to explain this. That is all it does. I think it is important to the taxpayers that we have this vote and that the Senate be on the record, that we be heard with respect to whether we think TARP ought to be extended or not, since Congress created TARP a year ago to bring stabilization to the financial services industry of this country.

That having been accomplished, it seems to me the next step ought to be to focus on getting the Federal debt under control and paying down the debt. We can do that by taking those unexpended balances and the unobligated balances in TARP and put those toward the Federal debt.

What is being done today is filling the tree and preventing us from having votes in the Senate. It has been done before; it is not like this is entirely new. But it is important to bear in mind what my colleagues on the other side have said in the past when it was done back when the Republicans were in charge of the Senate. I want to quote what some of the Democrats who are in leadership positions in the Senate today said back then.

This is in February of 2006.

> This is a very bad practice. It runs against the basic nature of the Senate.

That was Senator HARRY REID.

> This is a bad way, in my opinion, to run the Senate.

HARRY REID in March of 2006.

> I have a right, under the procedures of the Senate, to offer this amendment. I should have the right to offer it at the moment, but I am not because there is—I guess the word ''obstruction'' is to be used—obstruction at the moment is the tree is filled so that no one can offer an amendment.

That was Senator BYRON DORGAN back in February 2006.

> If you don't want to cast controversial votes, don't run for the Senate. That is what this is all about. You have to face the music and face the voters.

That was the Senator from Illinois, DICK DURBIN, back in May of 2006.

Those are just a few examples of what my colleagues on the other side have said about the very practice that is being employed by the leader today to prevent Republicans from offering amendments. Those are statements, as I said, made by Members of the now majority back when they were in the minority.

So we are going to have a cloture vote at 5 o'clock—in a few minutes—on whether to proceed to this substitute that is pending before us and whether we are going to allow this practice of filling the amendment tree to be used to prevent not only Members on the Republican side but Members on the Democratic side from offering amendments.

Filling the tree is, as I said, not without precedent. It has been done. But it has been used rarely, historically, up until now. This will mark the 22nd time the Democratic leader has filled the amendment tree in an attempt to prevent an open and fair debate and a vote on amendments that are offered by the Senate.

I served as a Member of the House of Representatives for three terms. There, the Rules Committee regulates what legislation comes to the floor, what amendments are made in order, how much time is allocated to each amendment, and it is an orderly process. That is the way the House was designed by our Founders.

The Senate is a very different institution. The Senate is supposed to be the place where we have open debate, where we have a fair process that allows amendments to be heard and allows amendments to be voted on. I think we have been very reasonable in seeking to offer amendments to the underlying unemployment insurance bill. But as I said, Mr. President, the majority leader has chosen to ''fill the amendment tree'' and thereby prevent those amendments from being offered, those amendments from being debated, and those amendments from being voted on.

Mr. President, I know the Senator from Nebraska is here as well. He also has an amendment he would like to offer that would offset in a different way the extension of the unemployment coverage to the people who are losing their coverage and should have their benefits extended by the additional 14 weeks. His is an amendment I also think should be voted on in the Senate.

But I would like an opportunity to have this amendment voted on. It is one page. But we will not have that opportunity because the majority leader has opted to fill the amendment tree and prevent votes on those amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I wish to make a couple of points, not get into a knockdown, drag-out argument with my good friend from South Dakota.

First, he is saying the Democratic side is limiting his opportunity to offer amendments. I want to remind my friend that actually there has been a lot of to and fro here. The majority leader has offered many other opportunities for your side to offer amendments, back and forth, but it has gotten to the point where the leader had to draw the line and say we have to get moving here, we have to get moving on extending unemployment insurance. The point is, there were many opportunities to offer amendments, both ways. We have to get moving here and get unemployment insurance extended.

The other main point I think is important, just to raise it, basically suggesting this bill is not paid for. The Congressional Budget Office is the gold standard here. The Congressional Budget Office says at least the Finance Committee bill—we don't have another bill before us yet in the Senate, but the Finance Committee bill, the committee I chair—the CBO said the Finance Committee bill was deficit neutral for 10 years. That is their assessment. The CBO is the gold standard. They make these determinations. That is what they said.

They also concluded that the Finance Committee bill would reduce the deficit in future years—reduce the deficit

in future years—and significantly reduce the deficit in subsequent 10-year intervals.

I must say, they also made another very interesting conclusion that rebuts the charge that this health care legislation is more government. The fact is, the Congressional Budget Office concluded, in a letter to our committee, the bill would ''reduce the Government's overall commitment to health care.''

Reduce the Federal Government's overall commitment to health care—not the same, not increase, but reduce. That is the Congressional Budget Office, in a letter: Reduce it. They gave a percentage. I think reduce it by a quarter or half percent GDP over time.

We do not have legislation before us now because the leader is melding two bills together, the HELP Committee and Finance Committee bills. Then we have to go to conference and so on and so forth, but it would be my hope, be my expectation, be my interest, to see that continues, namely that the bill we pass out of this body is deficit neutral, when it comes back from conference it is deficit neutral over 10 years, actually does reduce the budget deficit over time, and actually reduces the Federal Government's commitment to health care. That is, the Federal Government would be paying less in health care over time. I hope that will be the case and that will be my expectation. That is something I will strive for.

I want to make it clear: not more government, less government—according to CBO anyway. Also the proposal out of the Finance Committee was deficit neutral.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. JOHANNS. Mr. President, may I inquire how much time is remaining?

The PRESIDING OFFICER. There remains 4 minutes 12 seconds.

Mr. JOHANNS. Mr. President, I rise today to speak to the amendment process with this unemployment bill. It is a very important point that we are making this afternoon.

A few hours ago the very distinguished Member from Illinois, the senior Senator, got up and talked about how the unemployment insurance bill had been stalled by Republicans. He claimed that Republicans had been stalling it for 4 weeks. I rise today to respectfully disagree with that. We have come forward with a series of amendments. That is what the Senate is about. The other side has resisted votes on the amendments. So we started this process of trying to scale this back. We started out with eight amendments. The majority leader said, no, it could only be six. So Republicans got together and said we will come back with only three Republican amendments. Then, lo and behold, there was an objection to that.

Let me repeat: We said eight, they said six, we said three, and they said no.

It turns out there is one significant vote and it is the Senator from South Dakota who I think very appropriately and, I think, wisely put an amendment forward that would put TARP to an end at the end of the year.

I am new to this process. But I have to tell you, in the first weeks I was here when we were voting on amendments I said to myself: This is the most remarkable institution. Somebody from the minority could literally come with an idea from a citizen back home, put that idea out here, and get a vote on that. There cannot be anything like this anywhere in the world.

What is happening today, if I might point out, is that this is being thwarted by filling the tree. For those who are listening to this and saying what does this filling the tree mean, all it means is that the majority leader, who is in control of the process, simply puts all the amendments out there and there is no opportunity for anybody else to offer an amendment. It is called filling the tree.

Look at what is happening. This is what does concern me as a Member of this great institution. If you go back through the history of majority leaders, you can see what has happened. Tom Daschle, when he was majority leader, I think used this once. Bill Frist, when he was majority leader, used this I think it was 12 times, if I remember correctly.

Today, this will be 22 times that the majority leader has done this. What this graph means is if you have an amendment, as I do, that basically says I like what you are doing here. I don't have any problem with extending unemployment. I voted for the tax credit for homes. I voted, or I would vote, for the loss carryback. I talked about it on the campaign trail. But I have an amendment that says we should pay for this the way we did originally, with stimulus funding. That is simple. This is not complicated. All I am asking is for a vote on that. I think that makes a tremendous amount of sense.

What I am saying is if we are going to act like a Senate, if we are going to give each Member the ability to make their case, then what we have to do is stop this and bring these issues to a vote.

I yield the floor.

Mr. KYL. Mr. President, I intend to vote in favor of the H.R. 3548, the Unemployment Compensation Extension Act.

When the Bureau of Labor Statistics recently released jobless figures for September, they showed an estimated 287,300 people unemployed in my home State of Arizona. The State's unemployment rate now stands at 9.1 percent—the highest since 1983.

And as if that weren't bad enough, the Bureau reports that Arizona's unemployment rate approaches 17.2 percent when the number of people who are underemployed are taken into account, along with those who are so discouraged that they have given up on their job search.

The construction industry in Arizona has been particularly hard hit. A report in the East Valley Tribune earlier this week noted that while there were nearly 248,000 people employed in construction in June of 2006, that number had declined to just 137,700 by September. That is a decline of 44 percent. The State's trade and transportation sector is off 15 percent from its peak, and manufacturing is down nearly as much.

The unemployed need the support that this benefit extension will provide. It is a shame, though, that we couldn't have passed this legislation sooner to speed the delivery of these benefits to those who need them.

The House of Representatives passed its version of the unemployment benefits extension bill on September 22, but it was not until 2½ weeks later, on October 8, that the majority leader finally brought a different version before the Senate for consideration. Senators were then given just an hour and a half to review the bill and vote, with no opportunity to consider amendments.

In other words, the majority leader proposed that Senators either pass his bill or no bill at all.

And that is a problem because there are changes that should be made to the bill, yet there is no opportunity for Senators of either party to offer amendments. Acting in my capacity as minority whip, I objected on behalf of other Senators to the leader's short-circuited procedure, fully expecting that we could promptly come to an agreement to allow votes on a limited number of amendments and then vote on final passage. Had the leader agreed, we could have disposed of the bill nearly 3 weeks ago, and it would probably be law by now.

Instead, the majority leader continued to insist that Senators vote on his bill and only his bill, without amendment.

Only within the last few days has there been some willingness to work with us on the important amendments Senators wanted to address. For example, both Republican and Democratic Senators want to include an extension of the homebuyer tax credit, which some credit with reviving the homebuilding industry.

Another colleague would like to offer an amendment to better use E-Verify to prevent fraudulent claims of unemployment benefits. This amendment would help ensure that people who claim benefits are who they say they are.

In addition, colleagues want to offer amendments on net operating loss as a stimulus to struggling companies. Others would sunset the TARP program, provide nongovernment management of the TARP, and prevent TARP recipients from providing funds to ACORN.

Another amendment proposes an alternative offset for the $2.4 billion cost of extending unemployment benefits. The majority's version offsets the cost by extending the Federal unemployment surtax, but imposing a direct tax

on job creation is perhaps one of the worst things we could do when the economy continues to lose jobs. The alternative that some Senators would like to offer would offset the cost of the bill with unspent funds from the so-called stimulus package instead.

How these amendments will be addressed is not yet clear; we do not have the right to offer any of them under the majority leader's closed process.

We should also recognize that we are engaged in this exercise of extending unemployment benefits for one simple reason: Our economy continues to lose more jobs than it is producing. That is because the President's stimulus program is simply not working as intended.

According to an October 29 Associated Press report, the Obama administration is overstating the impact of the stimulus and the number of jobs the program has created. According to the AP report, ''the review found some counts were more than 10 times as high as the actual number of jobs; some jobs were credited to stimulus spending when, in fact, none were produced.''

AP went on to note that ''there's no evidence the White House sought to inflate job numbers in the report, but the administration embraced the flawed figures the moment they were released.''

An October 21 report in the Phoenix Business Journal recalled that while President Obama projected that the stimulus bill would create 70,000 new jobs in Arizona, the State has actually lost 77,300 jobs since the stimulus was signed into law.

If the stimulus isn't working, we ought to consider alternatives or at least try to put some of the remaining unspent funds to better use.

After all, we can and should extend unemployment benefits, but unless new jobs are being created, the unemployed will be no better off once the additional benefits we are providing run out.

Mr. President, I wish the majority leader had allowed this bill to move forward sooner under an open process. We could have passed it weeks ago. But I intend to vote for it today.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, how much time is remaining on each side?

The PRESIDING OFFICER. The time remaining is 7 minutes 8 seconds on the Democratic side, and 4 seconds on the Republican side.

Mr. BAUCUS. Four seconds. That is interesting.

I want to set the record straight for my good friend from Nebraska. I don't know how wise it would be to pay for this unemployment extension by stopping stimulus payments. Our economy is still coming out, still in recovery. We are by no means out of the woods yet. I think it would not make sense to pay for the extension of unemployment insurance benefits by going back to stimulus money and stopping the payment of stimulus dollars. I do not know exactly how many stimulus dollars are not yet spent, but I think it is significant and I think it would be unwise for us to stop them at this point.

Beyond that, I think we should get on, vote, and pass this legislation. People are out of jobs. There is a record number of people seeking unemployment. There are, I think, about 15 million Americans chasing 3 million jobs. They can't find jobs, can't get them; they are unavailable. It seems to me it only makes sense for us to extend the underlying unemployment insurance for another 14 weeks for all States and 6 weeks for those high unemployment States.

I mentioned earlier how important it is for us to keep spending stimulus dollars. I chuckled when I heard my good friend talk about filling the tree. Frankly, in my State we need not to fill up trees, we need to fell more trees so we can get more jobs in our State, and that is one reason for the extension of the home buyer's tax credit.

The people in our home States, as we know, are more worried about jobs than anything else. That is what it comes down to is jobs, good-paying jobs. With this legislation, hopefully, if we get enough cloture votes so we can invoke cloture and get to the passage of the legislation, it is about jobs—extending the homeowners tax credit, it is expanding the net operating loss provision, which is so important to so many companies. Add to that, it is extending unemployment insurance to those people who need benefits because they are out of work, looking for jobs.

Let me repeat two figures I mentioned earlier: There are about 15 million people in our country unemployed who are looking for about 3 million jobs. That is about one out of five. That is unconscionable in a country such as ours.

Let's get on with this, let's pass this legislation so people can get some help.

I yield the remainder of my time. I guess there is only 4 seconds left on this side. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BAUCUS. Mr. President, I ask all remaining time be yielded back and I ask consent we proceed to the vote on the underlying measure.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BAUCUS. I thank the Chair.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Baucus-Reid amendment No. 2712 to H.R. 3548, the Unemployment Compensation Extension Act of 2009.

MAX BAUCUS, BYRON L. DORGAN, EDWARD E. KAUFMAN, MARK L. PRYOR, JEFF BINGAMAN, TOM UDALL, ROLAND W. BURRIS, TIM JOHNSON, MARY L. LANDRIEU, PATTY MURRAY, AL FRANKEN, MICHAEL F. BENNET, BENJAMIN L. CARDIN, RICHARD DURBIN, HERB KOHL, MARK BEGICH.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived. The question is, Is it the sense of the Senate that debate on amendment No. 2712, the Baucus-Reid substitute to H.R. 3548, the Unemployment Compensation Extension Act of 2009, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from Kentucky (Mr. BUNNING), the Senator from Oklahoma (Mr. COBURN), the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CORNYN), the Senator from New Hampshire (Mr. GREGG), the Senator from Texas (Mrs. HUTCHISON), the Senator from Georgia (Mr. ISAKSON), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Alabama (Mr. SESSIONS).

Further, if present and voting, the Senator from Kentucky (Mr. BUNNING) would have voted ''yea,'' and the Senator from Texas (Mr. CORNYN) would have voted ''yea.''

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

The yeas and nays resulted—yeas 85, nays 2, as follows:

[Rollcall Vote No. 332 Leg.]

YEAS—85

Akaka	Enzi	McCain
Alexander	Feingold	McConnell
Barrasso	Feinstein	Merkley
Baucus	Franken	Mikulski
Bayh	Gillibrand	Murray
Begich	Graham	Nelson (NE)
Bennet	Grassley	Nelson (FL)
Bingaman	Hagan	Pryor
Boxer	Harkin	Reed
Brown	Hatch	Reid
Brownback	Inhofe	Risch
Burr	Inouye	Roberts
Burris	Johanns	Rockefeller
Byrd	Johnson	Sanders
Cantwell	Kaufman	Schumer
Cardin	Kerry	Shaheen
Carper	Kirk	Shelby
Casey	Klobuchar	Snowe
Chambliss	Kohl	Specter
Cochran	Kyl	Stabenow
Collins	Landrieu	Tester
Conrad	Lautenberg	Thune
Crapo	LeMieux	Udall (CO)
Dodd	Levin	Udall (NM)
Dorgan	Lieberman	Vitter
Durbin	Lincoln	
Ensign	Lugar	

Voinovich	Webb	Wicker
Warner	Whitehouse	Wyden

NAYS—2

Bond	DeMint

NOT VOTING—13

Bennett	Gregg	Menendez
Bunning	Hutchison	Murkowski
Coburn	Isakson	Sessions
Corker	Leahy	
Cornyn	McCaskill	

The PRESIDING OFFICER. On this vote, the yeas are 85, the nays are 2. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked on amendment No. 2712, the motion to commit falls.

The Senator from New Hampshire.

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

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

Mrs. SHAHEEN. Mr. President, the Senate has just voted on a motion to advance the Unemployment Compensation Extension Act. This is the second time—that is right, the second time—we voted on this critical legislation. But, unfortunately, opponents of the extension are still holding it up.

The bill under consideration today incorporates important ideas from both sides of the aisle. When the House bill included additional weeks only for workers in States with unemployment rates above 8.5 percent, the chairman and the majority leader allowed us to work out a compromise that would support jobless workers in all 50 States.

An amendment by Senator ISAKSON to extend the home buyers tax credit has now been incorporated into the Senate bill, as well as an important amendment from Senator BUNNING to extend the carryback of net operating losses for up to 5 years. Both of these are good ideas that will help homeowners, help our housing market, and provide relief to businesses that are trying to weather this economic recession. Both have now been included in the Unemployment Compensation Extension Act.

Now it is time for all of us to stop playing politics and to focus on the critical issue we started to address a month ago: the devastating rates of unemployment and the nearly 2 million Americans who are exhausting their benefits at the rate of 7,000 a day.

This is good legislation. It is legislation that provides at least 14 additional weeks of unemployment insurance for those Americans who have been hardest hit by this recession and those whose benefits are starting to be exhausted. I was pleased that once again the motion to advance this bill received broad bipartisan support. The vote was 85 to 2. The first vote was 87 to 13. It should receive this kind of support because unemployment isn't a New England problem or a Montana problem or a southern problem; it isn't a Republican or an Independent or a Democratic problem; it is a hardship that hits every community in every State in every part of our country.

Last week, I spoke about my constituent Jane McDermott from Stoddard, NH. Jane wrote me last week that without this extension, she doesn't know how she is going to pay for the gas she needs to get out and look for a job, she doesn't know how she is going to pay for groceries for her family or any of the other family necessities. I was hoping that today Jane would get the news she has been waiting for—that this extension will be put into effect and that she, along with millions of other Americans who need it, will get the help to be able to continue to look for a job and continue to get the family necessities while she does that.

I think it is time—again, way past time—for us to put politics aside. We shouldn't make Jane or any of the other hundreds of thousands of Americans who have been waiting for this extension wait one more day.

Mr. President, I yield the floor with the hopes that we will get an agreement today, tomorrow, as soon as possible, to help the people who need help. Thank you.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. 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

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each, and that the time during morning business count against the postcloture time.

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

HONORING OUR ARMED FORCES

Mr. LAUTENBERG. Mr. President, another 6 months have passed, and more American troops have lost their lives overseas in Iraq and Afghanistan. I wish to honor their service and sacrifice by including their names in the CONGRESSIONAL RECORD.

Since I last included the names of our fallen troops on April 23, 2009, the Pentagon has announced the deaths of 310 troops in Iraq and in Operation Enduring Freedom, which includes Afghanistan. They will not be forgotten and today I submit their names into the RECORD:

PFC Lukas C. Hopper, of Merced, CA; SPC Adrian L. Avila, of Opelika, AL; Frank R. Walker, of Oklahoma City, OK; PFC Brian R. Bates, of Gretna, LA; SPC Joseph L. Gallegos, of Questa, NM; SPC Robert K. Charlton, of Malden, MO; SSG Keith R. Bishop, of Medford, NY; SFC David E. Metzger, of San Diego, CA; SGT Nikolas A. Mueller, of Little Chute, WI; SGT Josue E. Hernandez Chavez, of Reno, NV; SSG Shawn H. McNabb, of Terrell, TX; CW3 Niall Lyons, of Spokane, WA; CW4 Michael P. Montgomery, of Savannah, GA; PFC Christopher I. Walz, of Vancouver, WA; SPC Jared D. Stanker, of Evergreen Park, IL; SGT Patrick O. Williamson, of Broussard, LA; SGT Issac B. Jackson, of Plattsburg, MO; SGT Dale R. Griffin, of Terre Haute, IN; SGT Fernando Delarosa, of Alamo, TX; SSG Luis M. Gonzalez, of South Ozone Park, NY.

LCpl Cody R. Stanley, of Rosanky, TX; SPC Brandon K. Steffey, of Sault Sainte Marie, MI; MAJ David L. Audo, of Saint Joseph, IL; PFC Devin J. Michel, of Stockton, IL; SGT Eduviges G. Wolf, of Hawthorne, CA; Capt Kyle R. Van De Giesen, of North Attleboro, MA; Capt David S. Mitchell, of Loveland, OH; Capt Eric A. Jones, of Westchester, NY; CPL Gregory M.W. Fleury, of Anchorage, AK; PFC Kimble A. Han, of Lehi, UT; SPC Eric N. Lembke, of Tampa, FL; SPC Kyle A. Coumas, of Lockeford, CA; SSG Bradley Espinoza, of Mission, TX; LCpl David R. Baker, of Painesville, OH; SPC Michael A. Dahl Jr., of Moreno Valley, CA; PFC Daniel J. Rivera, of Rochester, NY; PFC Brandon M. Styer, of Lancaster, PA; SPC Daniel C. Lawson, of Deerfield Beach, FL; SPC Jesus O. Flores, Jr., of La Mirada, CA; SSG Glen H. Stivison, Jr., of Blairsville, PA.

SPC Anthony G. Green, of Matthews, NC; SSG Chris N. Staats, of Fredericksburg, TX; SGT Christopher M. Rudzinski, of Rantoul, IL; SSgt Aaron J. Taylor, of Bovey, MN; LCpl Alfonso Ochoa Jr., of Armona, CA; SPC George W. Cauley, of Walker, MN; SFC Kenneth W. Westbrook, of Shiprock, NM; SPC Kevin O. Hill, of Brooklyn, NY; PFC Kevin C. Thomson, of Reno, NV; SPC Stephan L. Mace, of Lovettsville, VA; SPC Christopher T. Griffin, of Kincheloe, MI; SGT Michael P. Scusa, of Villas, NJ; SGT Joshua J. Kirk, of South Portland, ME; SGT Joshua M. Hardt, of Applegate, CA; SGT Justin T. Gallegos, of Tucson, AZ; SSG Vernon W. Martin, of Savannah, GA; MAJ Tad T. Hervas, of Coon Rapids, MN; PFC Alan H. Newton Jr., of Asheboro, NC; CPT Benjamin A. Sklaver, of Medford, MA; SPC Paul E. Andersen, of Dowagiac, MI.

SSG Thomas D. Rabjohn, of Litchfield Park, AZ; SPC Brandon A. Owens, of Memphis, TN; SGT Aaron M. Smith, of Manhattan, KS; SGT Roberto D. Sanchez, of Satellite Beach, FL; SGT Ryan C. Adams, of Rhinelander, WI; SPC Russell S. Hercules Jr., of Murfreesboro, TN; SSG Jack M. Martin, III, of Bethany, OK; SFC Christopher D. Shaw, of Markham, IL; SSG Alex French, IV, of Milledgeville, GA; SPC Ross E. Vogel, III, of Red Lion, PA; LCpl Jordan L. Chrobot, of Frederick, MD; SPC Kevin J. Graham, of Benton, KY; SPC Joseph V. White, of Bellevue, WA; SGT Edward B. Smith, of Homestead, FL; SGT Titus R. Reynolds, of Columbus, OH; LCpl John J. Malone, of Yonkers, NY; PFC William L. Meredith, of Virginia Beach, VA; TSgt James R Hornbarger, of Castle Rock, WA; SGT David A. Davis, of Dalhart, TX.

SPC Damon G. Winkleman, of Lakeville, OH; SPC Corey J. Kowall, of Murfreesboro, TN; SPC Michael S. Cote Jr., of Denham Springs, LA; SrA Matthew R. Courtois, of Lucas, TX; PFC Jeremiah J. Monroe, of Niskayuna, NY; SSG Joshua M. Mills, of El Paso, TX; SFC Shawn P. McCloskey, of Peachtree City, GA; SFC Bradley S. Bohle, of Glen Burnie, MD; SGT Robert D. Gordon, II, of River Falls, AL; 1LT David T. Wright, II, of Moore, OK; SGT Andrew H. McConnell, of Carlisle, PA; SPC Demetrius L. Void, of Orangeburg, SC; SSgt Bryan D. Berky, of

Melrose, FL; SPC Daniel L. Cox, of Parsons, KS; SSG Nekl B. Allen, of Rochester, NY; PFC Matthew M. Martinek, of DeKalb, IL; SFC Duane A. Thornsbury, of Bridgeport, WV; SGT Tyler A. Juden, of Winfield, KS; 1LT Tyler E. Parten, of AR; LCpl Christopher S. Fowlkes, of Gaffney, SC.

PFC Zachary T. Myers, of Delaware, OH; PFC Thomas F. Lyons, of Fernley, NV; SSG Shannon M. Smith, of Marion, OH; SGT Youvert Loney, of Pohnpei, Micronesia; SSgt Aaron M. Kenefick, of Roswell, GA; 1LT Michael E. Johnson, of Virginia Beach, VA; GySgt Edwin W. Johnson Jr., of Columbus, GA; PO3 James R. Layton, of Riverbank, CA; Capt Joshua S. Meadows, of Bastrop, TX; 1st Lt Joseph D. Helton, of Monroe, GA; SSG Michael C. Murphrey, of Snyder, TX; SGT Randy M. Haney, of Orlando, FL; 2LT Darryn D. Andrews, of Dallas, TX; LCpl Christopher S. Baltazar Jr., of San Antonio, TX; PO3 Benjamin P. Castiglione, of Howell, MI; SPC Jordan M. Shay, of Salisbury, MA; SSG Todd W. Selge, of Burnsville, MN; SPC Tyler R. Walshe, of Shasta, CA; PFC Jordan M. Brochu, of Cumberland, ME; SPC Jonathan D. Welch, of Yorba Linda, CA.

LCpl David R. Hall, of Elyria, OH; PFC Eric W. Hario of Monroe, MI; SSG Jason S. Dahlke of Orlando, FL; SPC Abraham S. Wheeler, III, of Columbia, SC; PVT Taylor D. Marks, of Monmouth, OR; SGT Earl D. Werner, of Mondovi, WI; SSG Kurt R. Curtiss, of Murray, UT; PFC Matthew E. Wildes, of Hammond, LA; SPC Dennis M. Williams, of Federal Way, WA; SFC Ronald W. Sawyer, of Trenton, MO; CPT Cory J. Jenkins, of AZ; CPT John L. Hallett, III, of Concord, CA; LCpl Donald J. Hogan, of San Clemente, CA; CPL Darby T. Morin, of Victoria, Canada; 2LT Joseph D. Fortin, of St. Johnsbury, VT; SSG Andrew T. Lobosco, of Somerville, NJ; PFC Jonathan C. Yanney, of Litchfield, MN; SPC Troy O. Tom, of Shiprock, NM; SGT Matthew L. Ingram, of Pearl, MS; SPC Justin R. Pellerin, of Boscawen, NH

PFC Brian M. Wolverton, of Oak Park, CA; 1SG Jose S.N. Crisostomo, of Inarajan, Guam; SSG Clayton P. Bowen, of San Antonio, TX; PFC Morris L. Walker, of Chapel Hill, NC; SPC Paul E. Dumont, of Williamsburg, VA; SPC Matthew D. Hastings, of Claremore, OK; SPC William Z. Van Osdol, of Pinson, AL; GySgt Adam F. Benjamin, of Garfield Heights, OH; LCpl Leopold F. Damas, of Floral Park, NY. SFC William B. Woods Jr., of Chesapeake, VA; CPL Nicholas R. Roush, of Middleville, MI; LCpl Joshua M. Bernard, of New Portland, ME; SGT William J. Cahir, of Washington, DC; CPT John Tinsley, of Tallahassee, FL; LCpl Bruce E. Ferrell, of Perdido, AL; SPC Richard A. Walters Jr., of Cleveland, OH; LCpl Patrick W. Schimmel, of Winfield, MO; LCpl Javier Olvera, of Palmdale, CA; LCpl Dennis J. Burrow, of Naples, FL; SGT Jerry R. Evans Jr., of Eufaula, Al.

SPC Matthew K.S. Swanson, of Lake Forest, CA; SSG Tara J. Smith, of Nashville, NC; Capt Matthew C. Freeman, of Richmond Hill, GA; Sgt Jay M. Hoskins, of Paris, TX; Cpl Christian A. Guzman Rivera, of Homestead, FL; LCpl Travis T. Babine, of San Antonio, TX; LCpl James D. Argentine, of Farmingdale, NY; PO3 Anthony C. Garcia, of Panama City, FL; PVT Keiffer P. Wilhelm, of Plymouth, OH; SFC Severin W. Summers, III, of Bentonia, MS; SFC Alejandro Granado, of Fairfax, VA; CPT Ronald G. Luce Jr., of Fayetteville, NC; PVT Patrick S. Fitzgibbon, of Knoxville, TN; PFC Richard K. Jones, of Roxboro, NC; CPL Jonathan M. Walls, of West Lawn, PA; SPC Alexander J. Miller, of Clermont, FL; SSG Johnny R. Polk, of Gulfport, MS; LCpl Jonathan F. Stroud, of Cashion, OK; LCpl Gregory A. Posey, of Knoxville, TN; CW2 Douglas M. Vose, III, of Concrete, WA.

SGT Gerrick D. Smith, of Sullivan, IL; AT Andrew Scott Charpentier, of Great Falls, MT; SPC Justin D. Coleman, of Spring Hill, FL; PFC Donald W. Vincent, of Gainesville, FL; SPC Herberth A. Berrios-Campos, of Bealeton, VA; Cpl Nicholas G. Xiarhos, of Yarmouth Port, MA; LCpl Jeremy S. Lasher, of Oneida, NY; Sgt Ryan H. Lane, of Pittsburgh, PA; SPC Randy L.J. Neff, Jr., of Blackfoot, ID; SGT Joshua J. Rimer, of Rochester, PA; SGT Raymundo P. Morales, of Dalton, GA; PFC Dennis J. Pratt, of Duncan, OK; SPC Andrew J. Roughton, of Houston, TX; SGT Anthony M. Lightfoot, of Riverdale, GA; SGT Gregory Owens Jr., of Garland, TX; Cpl Benjamin S. Kopp, of Rosemount, MN; LCpl Brandon T. Lara, of New Braunfels, TX; Capt Mark R. McDowell, of Colorado Springs, CO; Capt Thomas J. Gramith, of Eagan, MN; SPC Carlos E. Wilcox, IV, of Cottage Grove, MN.

SPC James D. Wertish, of Olivia, MN; SPC Daniel P. Drevnick, of Woodbury, MN; SFC Jason J. Fabrizi, of Seffner, FL; Sgt Michael W. Heede, of Delta, PA; SSgt David S. Spicer, of Zanesfield, OH; CW2 Rodney A. Jarvis, of Akron, OH; SSG Eric J. Lindstrom, of Flagstaff, AZ; MSgt Jerome D. Hatfield, of Axton, VA; LCpl Pedro A. Barbozaflores, of Glendale, CA; Cpl Matthew R. Lembke, of Tualatin, OR; SPC Joshua R. Farris, of La Grange, TX; MSgt John E. Hayes, of Middleburg, FL; LCpl Roger G. Hager, of Gibsonville, NC; SPC Gregory J. Missman, of Batavia, OH; PFC Lucas M. Bregg, of Wright City, MO; Sgt Michael C. Roy, of North Fort Myers, FL; AO Darren Ethan Tate, of Canyon, TX; SPC Issac L. Johnson, of Columbus, GA; SPC Chester W. Hosford, of Hastings, MN; SGT Brock H. Chavers, of Bulloch, GA.

2LT Derwin I. Williams, of Glenwood, IL; CPT Mark A. Garner, of Elkin, NC; PFC Nicolas H. J. Gideon, of Murrieta, CA; SPC Christopher M. Talbert, of Galesburg, IL; PO2 Tony Michael Randolph, of Henryetta, OK; LCpl Charles S. Sharp of Adairsville, GA; PFC Aaron E. Fairbairn, of Aberdeen, WA; PFC Justin A. Casillas, of Dunnigan, CA; SPC Robert L. Bittiker, of Jacksonville, NC; SGT Juan C. Baldeosingh, of Newport, NC; SGT Roger L. Adams Jr., of Jacksonville, NC; SFC Edward C. Kramer, of Wilmington, NC; SGT Terry J. Lynch, of Shepherd, MT; SSG Timothy A. David, of Gladwin, MI; PFC Steven T. Drees, of Peshtigo, WI; SPC Joshua L. Hazlewood, of Manvel, TX; 1LT Brian N. Bradshaw, of Steilacoom, WA; SPC Casey L. Hills, of Salem, IL; SGT Rodrigo A. Munguia Rivas, of Germantown, MD; SGT Ricky D. Jones, of Plantersville, AL.

1SG John D. Blair, of Calhoun, GA; MCPO Jeffrey J. Garber, of Hemingford, NE; SPC Chancellor A. Keesling, of Indianapolis, IN; SSG Joshua A. Melton, of Carlyle, IL; SSG Paul G. Smith, of East Peoria, IL; SGT Joshua W. Soto, of San Angelo, TX; MSG Kevin A. Dupont, of Templeton, MA; CPT Kafele H. Sims, of Los Angeles, CA; SPC Jonathan C. O'Neill, of Zephyrhills, FL; SSG Edmond L. Lo, of Salem, NH; CWO2 Ricky L. Richardson Jr., of Franklin, MO; MAJ Rocco M. Barnes, of Los Angeles, CA; LCpl Joshua R. Whittle, of Downey, CA; LCpl Robert D. Ulmer, of Landisville, PA; SGT Christopher M. Kurth, of Alamogordo, NM; SPC Charles D. Parrish, of Jasper, AL; SPC Jeffrey W. Jordan, of Rome, GA; SFC John C. Beale, of Riverdale, GA; MAJ Kevin M. Jenrette, of Lula, GA; SGT Jasper K. Obakrairur, of Hilo, HI.

SPC Jarrett P. Griemel, of La Porte, TX; SPC Roberto A. Hernandez, I, of Far Rockaway, NY; SGT Justin J. Duffy, of Cozad, NE; PFC Matthew W. Wilson, of Miller, MO; PFC Matthew D. Ogden, of Corpus Christi, TX; SSG Jeffrey A. Hall, of Huntsville, AL; LCpl Matthew G. Reza, of Austin, TX; SPC Marko M. Samson, of Columbus, OH; SPC Samuel D. Stone, of Port Orchard, WA; PVT Bradley W. Iorio, of Galloway, NJ; PVT Thomas E. Lee, III, of Dalton, GA; SPC Chad A. Edmundson, of Williamsburg, PA; Dr. Maged M. Hussein, of Cairo, Egypt, 1SGT Blue C. Rowe, of Summers, AR; CDR Duane G. Wolfe, of Port Hueneme, CA; SrA Ashton L. M. Goodman, of Indianapolis, IN; Lt Col Mark E. Stratton, II, of Houston, TX; SFC Brian Naseman, of New Bremen, OH; CW4 Brent S. Cole, of Reedsville, WV; SSG Paul F. Brooks, of Joplin, MO.

1LT Leevi K. Barnard, of Mount Airy, NC; MAJ Jason E. George, of Tehachapi, CA; 1LT Roslyn L. Schulte, of St. Louis, MO; SGT Carlie M. Lee, III, of Birmingham, AL; SSG Esau I. De la Pena-Hernandez, of La Puente, CA; SPC David A. Schaefer Jr., of Belleville, IL; CPL Ryan C. McGhee, of Fredericksburg, VA; MAJ Steven Hutchison, of Scottsdale, AZ; PFC Michael E. Yates Jr., of Federalsburg, MD; SPC Jacob D. Barton, of Lenox, MO; SSG Christian E. Bueno-Galdos, of Paterson, NJ; MAJ Matthew P. Houseal, of Amarillo, TX; SGT Lukasz D. Saczek, of Lake in the Hills, IL; SPC Omar M. Albrak, of Chicago, IL; CDR Charles K. Springle, of Wilmington, NC; PVT Justin P. Hartford, of Elmira, NY; SSG Randy S. Agno, of Pearl City, HI; SPC Shawn D. Sykes, of Portsmouth, VA; SPC Jake R. Velloza, of Inverness, CA; SPC Jeremiah P. McCleery, of Portola, CA.

SPC Ryan C. King, of Dallas, GA; SGT James D. Pirtle, of Colorado; Springs, CO; SGT Christopher D. Loza, of Abilene, TX; PO2 Tyler J. Trahan, of East Freetown, MA; SSgt Mark A. Wojciechowski, of Cincinnati, OH; Sgt James R. McIlvaine, of Olney, MD; SSG Leroy O. Webster, of Sioux Falls, SD; CSM Benjamin Moore Jr., of Waycross, GA; CPL Brad A. Davis, of Garfield Heights, OH; Cpl William C. Comstock, of Van Buren, AR.

We cannot forget these men and women and their sacrifice. These brave souls left behind parents, spouses, children, siblings, and friends. We want them to know the country pledges to preserve the memory of our fallen soldiers who gave their lives for our country.

SERGEANT MICHAEL P. SCUSA

Mr. Ben NELSON of Nebraska. Mr. President, I rise today to honor Army SGT Michael P. Scusa, who lost his life as the result of an attack in Kamdesh, Afghanistan, on October 3, 2009.

As a child in Crete, NE, Michael Scusa had his sights set on a military career. He joined the U.S. Army in 2005, immediately following his high school graduation in Villas, NJ, where he had been living with his mother. After basic training in Kentucky, Scusa was assigned to Fort Carson, CO.

While stationed at Fort Carson, Sergeant Scusa met his wife Alyssa. She describes her husband as a man with a wonderful sense of humor who always brightened other people's spirits. He never complained and always wore a smile. The two had been married for 2 years and had a son Connor, named after one of Scusa's close friends who was also killed while serving his country. Scusa was deployed to Afghanistan when Connor was just 8 months old.

Sergeant Scusa had been in Afghanistan for 5 months and was on his second tour overseas, having deployed to Iraq from October 2006 to December 2007. He and seven other soldiers out of

Fort Carson, all of the 3rd Squadron, 61st Cavalry Regiment, 4th Brigade Combat Team, 4th Infantry Division, were killed in combat while bravely defending their outpost against a coordinated attack by hundreds of insurgents in the mountainous Nuristan Provence. Over the course of his service, Sergeant Scusa received an array of honors and awards, including a Bronze Star, Purple Heart and Army Good Conduct Medal; and he was posthumously promoted from specialist to sergeant.

Upon his wishes, Sergeant Scusa has been laid to rest in Colorado in order to be near his wife and son. He also leaves behind his mother Cindy; father and stepmother George and Kelley; sisters Susan and Kami; brothers John and Jimmy; and numerous other family members and friends.

Sergeant Scusa passed away making the ultimate and most valiant sacrifice. My condolences and prayers go out to his family and friends. His heroism and selflessness will remain an inspiration for all of us.

CALLING UPON TURKEY TO FACILITATE THE REOPENING OF THE HALKI SEMINARY

Mr. CARDIN. Mr. President, this week's visit to Washington by the Ecumenical Patriarch, Bartholomew I, is an appropriate occasion to renew calls for the reopening of the Halki Seminary, without further delay. Founded in 1844, the Theological School of Halki, located outside modern-day Istanbul, served as the principal seminary for Ecumenical Patriarchate until its forcible closure by the Turkish authorities in 1971. Counted among alumni of this preeminent educational institution are numerous prominent Orthodox scholars, theologians, priests, and bishops as well as patriarchs, including Bartholomew I. Many of these scholars and theologians have served as faculty at other institutions serving Orthodox communities around the world. Despite occasional indications by the authorities of pending action to reopen the seminary, to date all have failed to materialize.

Earlier this year, several of my colleagues from the Commission on Security and Cooperation in Europe, which I chair, joined me in a letter to President Obama to underscoring our longstanding concern over the continued closure of this unique institution. The continued denial of requests for the reopening of the seminary stands in clear violation of Turkey's obligations pursuant to the 1989 OSCE Vienna Concluding Document which affirmed the right of religious communities to provide ''training of religious personnel in appropriate institutions.'' While there is no question that the Halki Seminary is the appropriate institution for training Orthodox clergy in Turkey, the Government of Turkey continues to refuse to reopen the school.

In his address to the Turkish Gran National Assembly in April, President Obama said, ''Freedom of religion and expression lead to a strong and vibrant civil society that only strengthens the state, which is why steps like reopening Halki Seminary will send such an important signal inside Turkey and beyond.'' In a welcomed development, Turkey's Prime Minister, Recep Tayyip Erdoğan met with the Ecumenical Patriarch in August. In an address to a wider gathering of minority religious leaders that day, Erdoğan concluded by stating, ''We should not be of those who gather, talk and disperse. A result should come out of this.''

Mr. President, I urge Prime Minister Erdoğan to follow through on the sentiment of those remarks by actions that will facilitate the reopening of the Halki Seminary without further delay. I am told that the Theological School of Halki is situated atop the summit of the Hill of Hope. For those of us who have pursued this issue over the years, our hope has been that we would indeed witness the reopening of this historic institution. I remain hopeful and encourage Prime Minister Erdoğan to act decisively and without condition on this matter before his upcoming visit to Washington.

ADDITIONAL STATEMENTS

REMEMBERING GEORGE M. SULLIVAN

• Ms. MURKOWSKI. Mr. President, I wish to remember one of the great public officials in the history of the State of Alaska, the former mayor of Anchorage, George M. Sullivan, who died peacefully in his sleep last month at age 87. George served Alaska during a time of transition in our State's history.

A lifelong Alaskan who was born and raised in Valdez, George worked for the U.S. Army's transportation corps during World War II in the Aleutians. He later won a seat in the Alaska House of Representatives in 1964 and 1965, being an excellent representative for Anchorage to represent the city's vast economic needs in the State legislature. He was a convincing spokesman for Anchorage in securing the aid that the city so desperately needed to rebuild.

George became the mayor of the city of Anchorage in 1967, just 8 years after statehood, but more importantly just 3 years after the Good Friday earthquake of 1964 that destroyed most of downtown Anchorage. The city was still in the early phases of rebuilding when George became the leader of city government. He guided the city through crafting new building and zoning codes as well as implementing land use planning to prevent further earthquake damage from occurring in the future.

Meanwhile, an economic earthquake struck Alaska—the discovery of oil on Alaska's North Slope in December 1968. That discovery did more than any other event, even the earthquake, to turn Anchorage from a small port city to Alaska's largest city and the center of business, commerce, and supply in the State.

In preparation for the construction of the Trans-Alaska pipeline and the subsequent economic boom, Sullivan had the vision to see that municipal government needed to have greater authority to regulate and supervise growth. He led the effort to bring about the merger of the city of Anchorage with the surrounding borough to build a unified government, helping to write the city-borough's first charter in 1975. He then stayed on to guide the young unified city-borough government, serving as mayor for 14 years, longer than any other person before or since.

While guiding Anchorage to become the State's largest city, he also found time to represent Alaska as the State's first member of the executive board of the National League of Cities in 1972. He also served as the president of the Alaska Municipal League.

George also worked tirelessly to represent Alaska's needs during congressional consideration of the Alaska lands act that eventually passed in 1980. It was then that I first met him since I was working as an aide for the Alaska Legislature. George truly was an inspiration. He could light up a room in Juneau just by entering it and could influence legislation simply with a few words of wisdom.

George did not speak to hear himself talk, but everyone listened when he did talk. That was because everyone who knew George knew he was a straight shooter, a totally honest, fair, dedicated and hard-working man of outstanding judgment. He was a gentleman in every sense of the word.

He worked tirelessly to develop a complete city, one with services for the young which is why the town's sports center the the Sullivan Arena—is named after him. He also worked to build facilities for senior citizens and low-income individuals and he worked to build the infrastructure necessary for a modern city in a cold climate.

While we had known of his ill health and his battle with cancer for some time, there is still a great emptiness at his passing. While his wife Margaret passed away 2 years ago, George is survived by nine children, one of which, Dan, is Anchorage's current mayor.

As much as George was known for his leadership in the community and State, he was also known to be a family man. He and his wife Margaret were married for 59 years and raised nine children. I offer my deepest condolences to all of his children and grandchildren.

George was truly one of Alaska's original pioneers, a giant who will be sorely missed. His many accomplishments will live on in Alaska's history. Many Alaskans, including myself, will continue to remember the good humor, wisdom, and selflessness of the man who will always be called Mr. Mayor.•

TRIBUTE TO ANNA ''ANN'' ROSS KARY ANDERSON

• Mr. THUNE. Mr. President, today I recognize Anna ''Ann'' Ross Kary Anderson who served honorably during World War II as a member of the Women Airforce Service Pilots, WASP.

More than 1,000 women answered the call and served as pilots during World War II. However, because WASP records were classified and archived for over 30 years, WASPs have been left out of much of the documented history of World War II.

On July 1, 2009, legislation was signed into law that honors the service of these women with the Congressional Gold Medal, which is given in honor of outstanding service to the United States and is one of the Nation's highest civilian awards. This Congressional Gold Medal finally gives Anna ''Ann'' Ross Kary Anderson and the rest of these brave women the honor and recognition they deserve.

Between 1942 and 1944, the 1,102 women of WASP were trained in Texas, and then went on to fly noncombat domestic military missions so all their male counterparts could be deployed to combat. WASPs were required to complete the same primary, basic, and advanced training courses as male Army Air Corps pilots, and many went on to specialized flight training. By the conclusion of the war, WASPs logged 60 million miles of flying in every kind of military aircraft.

Following the war, the WASPs were disbanded and the women pilots paid their own way home without pomp or circumstance. Even during the war, the families of the 38 women who died in the line of duty were responsible for the costs to transport their bodies and arrange burials. It was not until 1977 that the WASPs were granted veterans status.

Anna ''Ann'' Ross Kary Anderson was born in 1920 on her family's homestead in Mellette County in South Dakota. Following high school, she attended the University of South Dakota. After her military service ''Kary,'' as she was known to her students, went on to instruct hundreds of future pilots and was one of the first female FAA inspectors. By the time she retired she had logged over 20,000 flight hours. She still has family living in South Dakota.

While many of the South Dakota WASPs are no longer with us, I would like to recognize all of the women who joined from South Dakota in addition to Anna ''Ann'' Ross Kary Anderson: Helen (Anderson) Severson of Summit, SD. who was killed in service during a flight training accident in 1943; Marjorie (Redding) Christiansen of Mystic, SD; Loes (Monk) MacKenzie of Salem, SD; Laurine Nielsen of Deadwood, SD; Maxine (Nolt) Wright DeHaven of Sioux Falls, SD. I would also like to honor Violet (Thurn) Cowden formerly of Bowdle, SD, who now lives in California, and Ola Mildred ''Millie'' Rexroat, who currently resides in Edgemont, SD.

The WASPs served our country with extraordinary bravery, even in the face of discrimination. Their service was essential to the war effort, and this recognition of their heroics is long overdue and rightfully deserved. Though the pages of history have thus far overlooked the accomplishments and even the existence of this group, which served its country so well, this bill ensures forever their rightful place in history.•

TRIBUTE TO BILL GROETHE

• Mr. THUNE. Mr. President, today I recognize Rapid City, SD, resident Bill Groethe on the occasion of his 86th birthday.

Bill has dedicated most of his life to preserving and capturing the history and heritage of Native Americans and South Dakota through his photographs. This means of documentation, which Bill has so aptly and skillfully employed, has allowed for the preservation and study of many of our region's most significant events.

Bill's photographic experiences and services extend beyond the scenery and history of the South Dakota. During World War II, he served his country as a photo reconnaissance technician for the Army Air Force.

Throughout his career, the photographs Bill has taken have not only been masterpieces of great artistic achievement but have also contributed, in a unique way, to memorializing great events of the past and, oftentimes, the people whom these events affected. Examples of this include photographs of Gutzon Borglum and his crew during the carving of Mount Rushmore, the dedication of the Crazy Horse monument, survivors of the 1890 Wounded Knee Massacre, the Rapid City flood of 1972, and, most notably, 1948 photos of the last nine Native American survivors from the Battle of the Little Big Horn. Each of these photographs captures a pivotal and monumental event in our history.

Thanks to the efforts, talents, and generous donations of Bill Groethe, generations to come will have the opportunity to look upon and more fully appreciate the events of the past.•

TRIBUTE TO JUNE CULP ZEITNER

• Mr. THUNE. Mr. President, today I recognize the life and accomplishments of June Culp Zeitner, the ''First Lady of Gems,'' who passed away on October 11, 2009.

June, a longtime South Dakota resident and world-renowned mineralogist, contributed greatly to the study and knowledge of minerals and fossils through her research and published writings. Her written works include 12 books and more than 1,000 scholarly and magazine articles on subjects such as natural history, cutting and polishing techniques, and collection methods.

In 1976, June acquired the nickname of the ''First Lady of Gems'' during a ceremony honoring the 25th anniversary of the American Federation of Mineralogical Societies. Those in attendance that day in the White House's Rose Garden to honor and thank June Culp Zeitner included First Lady Betty Ford and Mayor of Washington, DC, Walter Edward Washington.

As the founder of the State Stone Program, June encouraged each State to select an official stone, mineral, and fossil. It is thanks to June's initiative in founding the State Stone Program that South Dakota's official gem is the Fairburn Agate, our mineral is Rose Quartz, and our fossil is the Triceratops.

June's activities extended beyond the purely scientific to include education and journalism, serving as a teacher and, for 38 years, a member of the editorial staff of Lapidary Journal. She also founded the National Rockhound and Lapidary Hall of Fame in my hometown of Murdo, SD. Her other accomplishments include creating a display collection for the Smithsonian Institution and receiving various State and national awards.

The passion and dedication June displayed for mineralogy has done much to influence professionals and hobbyists alike. The people of South Dakota and our Nation are grateful for the contributions and life of June Culp Zeitner.•

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on October 30, 2009, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

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.

H.R. 2996. An act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

H.R. 3606. An act to amend the Truth in Lending Act to make a technical correction to an amendment made by the Credit CARD Act of 2009.

The enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD).

MESSAGES FROM THE HOUSE

At 2:06 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3854. An act 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.

At 5:40 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 475. An act to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3854. An act 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; to the Committee on Small Business and Entrepreneurship.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3619. An act to authorize appropriations for the Coast Guard for fiscal year 2010, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 30. A bill to amend the Communications Act of 1934 to prohibit manipulation of caller identification information (Rept. No. 111–96).

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. SCHUMER:

S. 2608. A bill to extend temporarily the reduction of duty on certain pesticide chemicals; to the Committee on Finance.

By Mr. SCHUMER:

S. 2609. A bill to extend temporarily the reduction of duty on certain acetamiprid, whether or not combined with application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:

S. 2610. A bill to suspend temporarily the duty on digital camera lenses; to the Committee on Finance.

By Mr. SCHUMER:

S. 2611. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 55 mm or more; to the Committee on Finance.

By Mr. SCHUMER:

S. 2612. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 70 mm or more; to the Committee on Finance.

By Mr. SCHUMER:

S. 2613. A bill to suspend temporarily the duty on certain golf umbrellas; to the Committee on Finance.

By Mr. SCHUMER:

S. 2614. A bill to suspend temporarily the duty on certain printed golf umbrellas; to the Committee on Finance.

By Mr. SCHUMER:

S. 2615. A bill to extend the temporary suspension of duty on C12-18 alkenes; to the Committee on Finance.

By Mr. SCHUMER:

S. 2616. A bill to extend the temporary suspension of duty on cis-3-Hexen-1-ol; to the Committee on Finance.

By Mr. SCHUMER:

S. 2617. A bill to suspend temporarily the duty on certain stick umbrellas; to the Committee on Finance.

By Mr. SCHUMER:

S. 2618. A bill to suspend temporarily the duty on 2-Hydroxypropylmethylcellulose; to the Committee on Finance.

By Mr. SCHUMER:

S. 2619. A bill to suspend temporarily the duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one (Butyl benzisothiazoline) and application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:

S. 2620. A bill to suspend temporarily the duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one (Butyl benzisothiazoline), 1-hydroxypyridine-2-thione, zinc salt (Zinc pyrithione) and application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:

S. 2621. A bill to suspend temporarily the duty on 4-Methylbenzenesulfonamide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2622. A bill to suspend temporarily the duty on mixture of calcium hydroxide, magnesium hydroxide, aluminum silicate and stearic acid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2623. A bill to suspend temporarily the duty on 3-(1,3-Benzodioxol-5-yl)-2-methylpropanal (Helional); to the Committee on Finance .

By Mr. SCHUMER:

S. 2624. A bill to extend the temporary suspension of duty on magnesium zinc aluminum hydroxide carbonate coated with stearic acid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2625. A bill to extend the temporary suspension of duty on magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) and magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) coated with stearic acid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2626. A bill to extend the temporary suspension of duty on polytetramethylene ether glycol; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2627. A bill to temporarily suspend the duty on aluminum lamp-holder housings containing sockets; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2628. A bill to extend temporarily the suspension of duty on brass lamp-holder housings containing sockets; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2629. A bill to extend temporarily the suspension of duty on porcelain lamp-holder housings containing sockets; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2630. A bill to extend temporarily the duty on plastic lamp-holder housing containing sockets; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2631. A bill to suspend temporarily the duty on certain time switches; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2632. A bill to suspend temporarily the duty on certain electrical connectors; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2633. A bill to suspend temporarily the duty on certain tamper resistant ground fault circuit interrupter receptacles; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2634. A bill to suspend temporarily the duty on certain occupancy sensor switches; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2635. A bill to suspend temporarily the duty on certain surge protective receptacles; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2636. A bill to suspend temporarily the duty on certain stage lights of aluminum; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2637. A bill to suspend temporarily the duty on certain plastic base material spotlights and nightlights; to the Committee on Finance.

By Mr. SESSIONS:

S. 2638. A bill to extend the temporary suspension of duty on 1,3,5-Triazine-2,4,6-triamine,N,N‴-[1,2-ethane-diyl-bis-[[[4,6-bis[butyl (1,2,2,6,6-pentamethyl-4-piperidinyl)amino]-1,3,5-triazine-2-yl]imino]-3,1-propanediyl]]bis[N',N″-dibutyl-N',N″-bis(1,2,2,6,6,-pentamethyl-4-piperidinyl)-and Butanedioic acid, dimetheylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperdine ethanol; to the Committee on Finance.

By Mr. SESSIONS:

S. 2639. A bill to extend the temporary suspension of duty on butanedioic acid, dimethyl ester, polymer with 4-hydroxy-2,2,6,6 ,-tetramethyl-1-piperidineethanol; to the Committee on Finance.

By Mr. SESSIONS:

S. 2640. A bill to suspend temporarily the duty on certain unwoven polypropylene zippered sleeping bag carry cases, not under 77.5 cm in circumference and not exceeding 106.7 cm in circumference; to the Committee on Finance.

By Mr. SESSIONS:

S. 2641. A bill to extend the temporary suspension of duty on N,N-Hexane-1,6,diylbis(3-(3,5-di-tert-butyl-4-hydroxyphenylpropionamide)); to the Committee on Finance.

By Mr. SESSIONS:

S. 2642. A bill to suspend temporarily the duty on man-made shells used in the manufacture of sleeping bags; to the Committee on Finance.

By Mr. SESSIONS:

S. 2643. A bill to extend temporarily the reduction of duty on polyethylene HE1878; to the Committee on Finance.

By Mr. BUNNING:

S. 2644. A bill to suspend temporarily the duty on high pressure fuel pump; to the Committee on Finance.

By Mr. BUNNING:

S. 2645. A bill to suspend temporarily the duty on electric vehicle inverter; to the Committee on Finance.

By Mr. BUNNING:

S. 2646. A bill to suspend temporarily the duty on injection fuel injector; to the Committee on Finance.

By Mr. BUNNING:

S. 2647. A bill to suspend temporarily the duty on lithium ion electrical storage battery; to the Committee on Finance.

By Mr. BUNNING:

S. 2648. A bill to suspend temporarily the duty on motor generator units; to the Committee on Finance.

By Mr. BUNNING:

S. 2649. A bill to suspend temporarily the duty on power electronics boxes; to the Committee on Finance.

By Mr. BUNNING:

S. 2650. A bill to suspend temporarily the duty on stator/rotor; to the Committee on Finance.

By Mr. BUNNING:

S. 2651. A bill to extend temporarily the suspension of duty on compound of barium magnesium aluminate phosphor; to the Committee on Finance.

By Mr. BUNNING:

S. 2652. A bill to extend temporarily the suspension of duty on calcium chloride phosphate phosphor; to the Committee on Finance.

By Mr. BUNNING:

S. 2653. A bill to extend temporarily the suspension of duty on compound of strontium chloroapatite-europium; to the Committee on Finance.

By Mr. BUNNING:

S. 2654. A bill to extend temporarily the suspension of duty on lanthanum phosphate phosphor; to the Committee on Finance.

By Mr. BUNNING:

S. 2655. A bill to extend the temporary suspension of duty on mixtures or coprecipitates of lanthanum phosphate, cerium-doped lanthanum phosphate, cerium phosphate, and terbium phosphate; to the Committee on Finance.

By Mr. BUNNING:

S. 2656. A bill to extend temporarily the suspension of duty on mixtures or coprecipitates of yttrium oxide and europium oxide; to the Committee on Finance.

By Mr. BUNNING:

S. 2657. A bill to extend temporarily the suspension of duty on strontium halophosphate doped with europium; to the Committee on Finance.

By Mr. BUNNING:

S. 2658. A bill to extend temporarily the suspension of duty on strontium magnesium phosphate-tin doped inorganic products; to the Committee on Finance.

By Mr. BUNNING:

S. 2659. A bill to extend temporarily the suspension of duty on yttrium vanadate phosphor; to the Committee on Finance.

By Mr. BUNNING:

S. 2660. A bill to extend temporarily the suspension of duty on yttrium oxide phosphor; to the Committee on Finance.

By Mr. KERRY:

S. 2661. A bill to create a 3-year pilot program that makes small, nonprofit child care businesses eligible for loans under title V of the Small Business Investment Act of 1958; to the Committee on Small Business and Entrepreneurship.

By Mr. GRAHAM (for himself and Mr. CHAMBLISS):

S. 2662. A bill to establish Federal standards for the resolution of health care malpractice claims, and for other purposes; to the Committee on the Judiciary.

By Mr. BURR:

S. 2663. A bill to suspend temporarily the duty on DCDNBTF Benzene, 2,4-dichloro-1,3-dinitro-5-(trifluoroethyl)-; to the Committee on Finance.

By Mr. BURR:

S. 2664. A bill to extend the duty suspension on S-[(5-Methoxy-2-oxo-1,3,4-thiadiazol-3(2H)-yl)methyl]-O,O-dimethyl phosphorodithioate; to the Committee on Finance.

By Mr. BURR:

S. 2665. A bill to extend the suspension of duty on mixtures of cyhalothrin and application adjuvants; to the Committee on Finance.

By Mr. BURR:

S. 2666. A bill to extend the suspension of duty on cyprodinil; to the Committee on Finance.

By Mr. BURR:

S. 2667. A bill to amend the Harmonized Tariff Schedule of the United States to modify the tariffs of engines with cylinder capacity of less than 1 liter, designed for motor vehicles of heading 8709; to the Committee on Finance.

By Mr. BURR:

S. 2668. A bill to extend temporarily the suspension of duty on erasers of vulcanized rubber other than hard rubber or cellular rubber; to the Committee on Finance.

By Mr. BURR:

S. 2669. A bill to extend temporarily the suspension of duty on electrically operated pencil sharpeners; to the Committee on Finance.

By Mr. BURR:

S. 2670. A bill to suspend temporarily the duty on 1-(4,6-dimethoxypyrimidin-2-yl)-3-[2-(dimethylcarbamoyl)phenylsufamoyl] urea; to the Committee on Finance.

By Mr. BURR:

S. 2671. A bill to suspend temporarily the duty on [(+/−)-2-(2 ,4-dichlorphenyl)-3-(1H-1,2,4-triazole-1-yl) propyl, 1,1,2,2-tetrafluoroethyl ether]; to the Committee on Finance.

By Mr. BURR:

S. 2672. A bill to suspend temporarily the duty on copper oxychloride and copper hydroxide; to the Committee on Finance.

By Mr. BURR:

S. 2673. A bill to suspend temporarily the duty on certain window shade material in rolls; to the Committee on Finance.

By Mr. BURR:

S. 2674. A bill to extend the temporary suspension of duty on acrylic or modacrylic filament tow; to the Committee on Finance.

By Mr. BURR:

S. 2675. A bill to extend the temporary suspension of duty on acrylic or modoacrylic staple fibers, not carded, combed, or otherwise processed for spinning; to the Committee on Finance.

By Mr. BURR:

S. 2676. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Finance.

By Mr. BURR:

S. 2677. A bill to extend temporarily the suspension of duty on 2,2-(6-(4-methoxyphenol)-1,3,5-triazine-2,4-diyl)bis(5-((2-ethylhexyl)oxy)phenol); to the Committee on Finance.

By Mr. BURR:

S. 2678. A bill to extend temporarily the suspension of duty on 2,2-Methylenebis[6-(2H-benzotriazolyl-2-yl)-4-(1,1,3,3-tetramethylbutylphenol)phenol]; to the Committee on Finance.

By Mr. BURR:

S. 2679. A bill to suspend temporarily the duty on 4,4′-methylenebis(2-chloroaniline); to the Committee on Finance.

By Mr. BURR:

S. 2680. A bill to extend temporarily the suspension of duty on Butralin; to the Committee on Finance.

By Mr. BURR:

S. 2681. A bill to suspend temporarily the duty on Methyl chloroacetate; to the Committee on Finance.

By Mr. BURR:

S. 2682. A bill to extend the temporary suspension of duty on Pyrimethanil; to the Committee on Finance.

By Mr. BURR:

S. 2683. A bill to suspend temporarily the duty on Pyrasulfotole; to the Committee on Finance.

By Mr. BURR:

S. 2684. A bill to extend the temporary suspension of duty on Fenamidone; to the Committee on Finance.

By Mr. BURR:

S. 2685. A bill to suspend temporarily the duty on 2,2-Dimethylbutanoic acid 3-(2,4-dichlorophenyl)-2oxo-1-oxaspiro(4 .5)dec-3-en-4-yl ester; to the Committee on Finance.

By Mr. BURR:

S. 2686. A bill to extend and modify the temporary reduction of duty on cyclopropane-1,1-dicarboxylic acid, dimethyl ester; to the Committee on Finance.

By Mr. BURR:

S. 2687. A bill to extend and modify the temporary suspension of duty on Aluminum tris (O-ethylphosphonate); to the Committee on Finance.

By Mr. BURR:

S. 2688. A bill to extend the temporary suspension of duty on Triadimefon; to the Committee on Finance.

By Mr. BURR:

S. 2689. A bill to reduce the temporary suspension of duty on B-Cyfluthrin; to the Committee on Finance.

By Mr. BURR:

S. 2690. A bill to reduce and modify the temporary suspension of duty on Iprodione; to the Committee on Finance.

By Mr. BURR:

S. 2691. A bill to reduce temporarily the duty on AE 0172747 Ether; to the Committee on Finance.

By Mr. BURR:

S. 2692. A bill to suspend temporarily the duty on certain laminated rolled filmstock; to the Committee on Finance.

By Mr. BURR:

S. 2693. A bill to suspend temporarily the duty on Methyl acrylate; to the Committee on Finance.

By Mr. BURR:

S. 2694. A bill to suspend temporarily the duty on Hexanedioic acid, polymer with N-(2-aminoethyl)-1,3-propanediamine, aziridine, (chloromethyl)oxirane, 1,2-ethandiamine, N,N-1,2-ethanediylbis(1,3-propanediamine), formic acid and alpha-hydro-omega-hydroxypoly(oxy-1,2-ethandiyl); to the Committee on Finance.

By Mr. BURR:

S. 2695. A bill to suspend temporarily the duty on N-Vinylformamide; to the Committee on Finance.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 2696. A bill to extend the temporary suspension of duty on Pigment Red 187; to the Committee on Finance.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 2697. A bill to extend the temporary suspension of duty on Acid Blue 80; to the Committee on Finance.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 2698. A bill to suspend temporarily the duty on Pigment Orange 43; to the Committee on Finance.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 2699. A bill to suspend temporarily the duty on Phophinic acid, diethyl-,zinc salt; to the Committee on Finance.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 2700. A bill to suspend temporarily the duty on Ammonium polyphosphate; to the Committee on Finance.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 2701. A bill to extend the temporary suspension of duty on Phosphinic acid, diethyl-, aluminum salt with synergists and encapsulating agents; to the Committee on Finance.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 2702. A bill to extend the temporary suspension of duty on Phosphinic acid, diethyl-, aluminum salt; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. REED):

S. 2703. A bill to renew the temporary suspension of duty on Pigment Yellow 154; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. REED):

S. 2704. A bill to suspend temporarily the duty on Pigment Orange 74; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. REED):

S. 2705. A bill to suspend temporarily the duty on Pigment Yellow 191; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. REED):

S. 2706. A bill to suspend temporarily the duty on Pigment Yellow 180; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. REED):

S. 2707. A bill to suspend temporarily the duty on Pigment Yellow 97; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. REED):

S. 2708. A bill to suspend temporarily the duty on Pigment Yellow 194; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. REED):

S. 2709. A bill to suspend temporarily the duty on Pigment Yellow 151; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2710. A bill to extend the temporary suspension of duty on certain ion-exchange resins; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2711. A bill to extend the temporary suspension of duty on dimethyl malonate; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2712. A bill to extend the temporary suspension of duty on D-Mannose; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2713. A bill to provide for the liquidation or reliquidation of certain entries of granulated polytetrafluoroethylene resin from Italy; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2714. A bill to suspend temporarily the duty on Propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-methyl, polymers with 5-iso-cyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane and reduced methyl esters of reduced polymerized, oxidized tetrafluoroethylene, compounds with trimethylamine; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2715. A bill to suspend temporarily the duty on neopor expandable polystyrene; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2716. A bill to suspend temporarily the duty on preparations based on polyethylenimine; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2717. A bill to extend the temporary reduction of duty on palm fatty acid distillate; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2718. A bill to extend the temporary suspension of duty on certain ion-echange resins (cationic H form); to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2719. A bill to extend the temporary suspension of duty on diphenyl (2,4,6-trimethylbenzoyl) phosphine oxide; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2720. A bill to extend the temporary suspension of duty on 1, 1, 2-2-Tetrafluoroethene, oxidized, polymerized; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 2721. A bill to extend the temporary suspension of duty on Ethene, tetrafluoro-oxidized, polymerized, reduced, methyl esters, reduced; 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 Mr. CASEY (for himself and Mr. SPECTER):

S. Res. 330. A resolution commending the service of the 56th Stryker Brigade Combat Team of the Pennsylvania Army National Guard; to the Committee on Armed Services.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. Res. 331. A resolution congratulating the United States Military Academy at West Point on being named by Forbes magazine as America's Best College for 2009; considered and agreed to.

By Mr. KERRY (for himself, Mr. LUGAR, and Mr. CARDIN):

S. Res. 332. A resolution commemorating the 20th anniversary of the fall of the Berlin Wall, the end of the division of Europe, and the beginning of the peaceful and democratic reunification of Germany; considered and agreed to.

ADDITIONAL COSPONSORS

S. 305

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 305, a bill to amend title IV of the Public Health Service Act to create a National Childhood Brain Tumor Prevention Network to provide grants and coordinate research with respect to the causes of and risk factors associated with childhood brain tumors, and for other purposes.

S. 461

At the request of Mr. CRAPO, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 545

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 545, a bill to develop capacity and infrastructure for mentoring programs.

S. 749

At the request of Mr. COCHRAN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 749, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 812

At the request of Mr. BAUCUS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 812, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 883

At the request of Mr. KERRY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 883, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1524

At the request of Mr. KERRY, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1524, a bill 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, and for other purposes.

S. 1660

At the request of Ms. KLOBUCHAR, the name of the Senator from Kansas (Mr. BROWNBACK) 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. 1745

At the request of Mrs. MCCASKILL, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 1745, a bill to expand whistleblower protections to non-Federal employees whose disclosures involve misuse of Federal funds.

S. 1778

At the request of Mrs. SHAHEEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1778, a bill to amend the Federal Food,

Drug, and Cosmetic Act with respect to generic drugs, and for other purposes.

S. 1781

At the request of Mrs. SHAHEEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1781, a bill to provide for a demonstration program to reduce frequent use of health services by Medicaid beneficiaries with chronic illnesses by providing coordinated care management and community support services.

S. 1789

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1789, a bill to restore fairness to Federal cocaine sentencing.

S. 1790

At the request of Mr. DORGAN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1790, a bill to amend the Indian Health Care Improvement Act to revise and extend that Act, and for other purposes.

S. 1822

At the request of Mr. MERKLEY, the name of the Senator from Colorado (Mr. UDALL) 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. 1834

At the request of Mr. AKAKA, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors 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 name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1927, a bill to establish a moratorium on credit card interest rate increases, and for other purposes.

AMENDMENT NO. 2652

At the request of Mr. FEINGOLD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 2652 intended to be proposed to H.R. 2847, a bill making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2712

At the request of Mr. BAUCUS, the names of the Senator from Ohio (Mr. BROWN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Illinois (Mr. BURRIS), the Senator from Massachusetts (Mr. KIRK), the Senator from New York (Mr. SCHUMER), the Senator from Washington (Mrs. MURRAY), the Senator from Alaska (Mr. BEGICH), the Senator from New York (Mrs. GILLIBRAND), the Senator from Michigan (Ms. STABENOW), the Senator from Colorado (Mr. UDALL), the Senator from Kentucky (Mr. BUNNING), the Senator from Colorado (Mr. BENNET), the Senator from Vermont (Mr. LEAHY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Jersey (Mr. MENENDEZ), the Senator from North Dakota (Mr. CONRAD), the Senator from Minnesota (Mr. FRANKEN), the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KERRY) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 2712 proposed to H.R. 3548, a bill to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY:

S. 2661. A bill to create a 3-year pilot program that makes small, nonprofit child care businesses eligible for loans under title V of the Small Business Investment Act of 1958; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, as we explore ways to help the working families in America, we should not forget the many working parents who face difficulty finding quality, affordable child care. Approximately 6 out of 10 children are cared for by someone other than their parents on a regular basis. And far too many children are left home alone before they are ready. Across America, more households than ever are struggling to make ends meet, while providing safe, nurturing environments for their children to grow up in. For many, child care is not a choice, but a necessity. We owe it to America's families to increase the availability of quality child care.

I believe one way to support this goal is to expand financing options for nonprofit child care centers. That is why I am reintroducing the Child Care Lending Pilot Act, which establishes a three-year pilot program enabling small, non-profit child care businesses to be eligible for the SBA's 504 loans. Under current law, for-profit child care small businesses have access to these loans to finance facility expansions and building repairs but non-profit centers are shut out. Since the majority of child care centers in many states are non-profit, this exclusion blocks needed resources from the facilities serving the majority of our families. The Child Care Lending Pilot Act addresses this problem and allows the centers to better serve the children they care for. With low, predictable monthly payments, these non-profit centers can improve their buildings and materials without breaking the bank or raising fees.

This industry is not one with high-earnings overall, so access to capital is particularly difficult. Balancing the needs of maintaining a qualified staff while providing care that families can afford is difficult at best. Calling for reductions in operating costs can result in decreased safety and quality in the children's environment that should be structured to foster their learning and development. The cost of child care—ranging anywhere from around $4,000 to over $15,000 a year—is highly prohibitive for many families and limited options only exacerbate this problem.

Not only is child care extremely expensive, but there are simply not enough spaces. Nearly 14.5 million children under the ages 6 years old have working parents and need child care. But there are only an estimated 10.8 million legally-operating spaces for both young and school-aged children.

Non-profit child care centers are a resource for America's working families and deserve the same opportunities for-profit centers have with access to SBA's 504 loans. This is one clear step forward that we can take to help solve this problem and invest in our children. I urge my colleagues to support this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 330—COMMENDING THE SERVICE OF THE 56TH STRYKER BRIGADE COMBAT TEAM OF THE PENNSYLVANIA ARMY NATIONAL GUARD

Mr. CASEY (for himself and Mr. SPECTER) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 330

Whereas the members of the Army National Guard and Air National Guard of the State of Pennsylvania reside throughout the State and come from a number of different backgrounds, professions, and communities;

Whereas members and units of the Pennsylvania National Guard have been deployed in support of United States military operations at home and in Iraq, Afghanistan, and dozens of other countries;

Whereas one such unit, the 56th Stryker Brigade Combat Team of the Pennsylvania Army National Guard, is composed of approximately 4,000 citizen-soldiers from throughout the State of Pennsylvania;

Whereas the 56th Stryker Brigade Combat Team is the only National Guard Stryker Brigade serving in the United States Army;

Whereas the 56th Stryker Brigade Combat Team, following mobilization and deployment to Kosovo in 2003, was placed on Federal active duty for a second overseas mobilization on September 19, 2008, and deployed to Iraq on January 15, 2009;

Whereas during the deployment of the 56th Stryker Brigade Combat Team in Taji, Iraq, the brigade was primarily engaged in convoy security, force protection, provincial reconstruction, and base operations missions;

Whereas the members of the 56th Stryker Brigade Combat Team performed more than 800 combined operations, captured 7 brigade-level high-value targets, and discovered more than 80 enemy weapon caches; and

Whereas in September 2009, upon completion of 1 year of service in support of military operations in Iraq, the 56th Stryker Brigade Combat Team returned to the United States and demobilized: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its gratitude to the members of the Army National Guard and Air National Guard of the State of Pennsylvania and their families for their service and sacrifice on behalf of the United States;

(2) commends the members of the 56th Stryker Brigade Combat Team of the Pennsylvania Army National Guard on the completion of their deployment to Iraq;

(3) recognizes the achievements of the members of the 56th Stryker Brigade Combat Team, as well as all other formerly and presently deployed Pennsylvania Army National Guard and Air National Guard units and members, for their exemplary service; and

(4) offers its condolences to the family and friends of Specialist Chad Edmundson of Williamsburg, Pennsylvania, and Staff Sergeant Mark Baum of Quakertown, Pennsylvania, who died in service to their country.

Mr. CASEY. Mr. President, I would like to recognize the contributions of the 56th Stryker Brigade, which recently returned to homes and families across Pennsylvania. For nine months, the 56th Stryker Brigade has been deployed to Camp Taji, Iraq. Here, these civilian soldiers, known as the Independence Brigade, worked side by side with their Iraqi counterparts to continue to bring stability and security to the Iraqi people.

On the front lines, they patrolled neighborhoods in unrelenting conditions, targeted insurgents, and swept for improvised explosion devices, IEDs. They performed more than 800 combined operations, captured seven brigade-level high valued targets, and discovered more than 80 enemy weapon caches. Any success we have had in Iraq is not only the result of military achievements. In this regard, it is equally important to recognize the $22 million in reconstruction efforts that the 56th Stryker Brigade assisted with in coordination with an embedded U.S. provincial reconstruction team.

While these young men and women are now home, we must also remember those who fell in battle. Two members of the 56th gave ''the last full measure of devotion.'' Specialist Chad Edmundson of Williamsburg was killed by an IED and Staff Sergeant Mark Baum of Quakertown was killed by enemy small arms fire. To these soldiers' families and friends, I want to express condolence and gratitude on behalf of the people of Pennsylvania for their sacrifice. Please know that our prayers are with you, and that we will never take for granted their personal courage and sacrifice. We pray for Chad and Mark and ourselves that we may be worthy of their valor.

While deployed, many things may have changed for these members of the Pennsylvania National Guard. For example, some service members met their sons and daughters for the first time. Nevertheless for all, a time of readjustment and reintegration back into their communities and daily lives lies ahead.

I want the National Guard to know that I will always be committed to helping them during this phase. I know that there are other Guard members who bear scars from battle, some visible and some not. The U.S. Senate must ensure that our citizen soldiers' jobs are maintained while they are deployed and we must provide opportunities for them to find employment upon their return. For this reason, I will continue to urge my colleagues to take up and adopt the Service Members Access to Justice Act and the FORCE Act, which will make National Guard assistance programs more effective and responsive, and ensure that National Guard troops keep their jobs and employment benefits as required under law.

Again, I want to express my appreciation to the 56th Stryker Brigade and all of our men and women in service.

SENATE RESOLUTION 331—CONGRATULATING THE UNITED STATES MILITARY ACADEMY AT WEST POINT ON BEING NAMED BY FORBES MAGAZINE AS AMERICA'S BEST COLLEGE FOR 2009

Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted the following resolution; which was considered and agreed to:

S. RES. 331

Whereas Forbes magazine has named the United States Military Academy at West Point as America's Best College for 2009;

Whereas the United States has had a military presence at West Point since the Revolutionary War because of its strategic position overlooking the Hudson River;

Whereas General George Washington selected Thaddeus Kosciuszko to design West Point's fortifications in 1778;

Whereas West Point is the oldest continuously occupied military post in the United States;

Whereas President Thomas Jefferson established the United States Military Academy at West Point in 1802;

Whereas West Point has educated many of the United States Army's commissioned officers;

Whereas West Point instructs 4,400 cadets per year in academics, military tactics, physical fitness, and leadership;

Whereas approximately 1,000 cadets graduate each year and are commissioned in the United States Armed Services;

Whereas 2 Presidents of the United States, 74 Congressional Medal of Honor recipients, 88 Rhodes Scholars, 33 Marshall Scholars, and 28 Truman Scholars have graduated from West Point;

Whereas in addition to academics and military training, West Point offers extracurricular activities that include the Eisenhower Hall Theatre and 115 athletic and nonsport clubs; and

Whereas West Point offers a well-rounded, highly regarded education to the next generation of the Nation's leaders: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the United States Military Academy at West Point on being named by Forbes magazine as America's Best College for 2009;

(2) supports West Point's mission ''to educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of Duty, Honor, Country and prepared for a career of professional excellence and service to the Nation as an officer in the United States Army''; and

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Superintendent of West Point.

SENATE RESOLUTION 332—COMMEMORATING THE 20TH ANNIVERSARY OF THE FALL OF THE BERLIN WALL, THE END OF THE DIVISION OF EUROPE, AND THE BEGINNING OF THE PEACEFUL AND DEMOCRATIC REUNIFICATION OF GERMANY

Mr. KERRY (for himself, Mr. LUGAR, and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 332

Whereas, between 1945 and 1961, more than 2,500,000 people, or 15 percent of the total population of the German Democratic Republic (referred to in this preamble as ''East Germany''), left the country to pursue economic opportunity and enjoy the benefits of liberty and political freedom in the Federal Republic of Germany (referred to in this preamble as ''West Germany'') and other countries;

Whereas, at midnight on August 13, 1961, East Germany sealed its border with West Berlin and began construction of a 100-mile barrier that would later include bunkers, watchtowers, searchlights, minefields, barbed wire, concrete walls, and armed guards, to prevent the emigration of the people of East Germany to seek freedom and opportunity elsewhere;

Whereas, during the 28 years the Berlin Wall existed, approximately 5,000 people successfully fled East Germany for West Germany and West Berlin, more than 75,000 people were imprisoned for attempting to leave East Germany, and an estimated 1,200 people were killed trying to escape;

Whereas Presidents John F. Kennedy and Ronald Reagan declared their vision of Berlin as a free city, in the heart of a free Germany;

Whereas Chancellor Willi Brandt of West Germany and others demonstrated great foresight in their pursuit of ''Ostpolitik'', a policy of engagement that lowered tensions and ultimately helped undermine the authoritarian rule of the wall-builders;

Whereas more than 22,000,000 Americans served in the Cold War, supporting the efforts to bring military, economic, and diplomatic pressure to bear in the defense of Germany and the West, and ultimately helping more than 400,000,000 people gain their freedom from the bondage of communism in the Soviet Bloc;

Whereas the Solidarity Movement in Poland demonstrated that the will of a people united could not be silenced by winning a surprise landslide victory in elections to the Contract Sejm in June 1989;

Whereas, on August 23, 1989, Hungary officially opened the border between Hungary and Austria, resulting in 13,000 refugees from East Germany fleeing into West Germany through Hungary;

Whereas, on September 4, 1989, after prayers for peace in the Nikolai Church, crowds that would eventually number in the hundreds of thousands gathered in Leipzig, East Germany, to repeatedly and peacefully protest the authoritarian regime of East Germany and to demand basic freedoms;

Whereas, in September 1989, thousands of people in East Germany took refuge in the

embassy of West Germany in Prague, Czechoslovakia, in order to emigrate to West Germany and the West;

Whereas, on October 18, 1989, faced with widespread civil unrest and a deteriorating political situation, East German leader Erich Honecker, who had predicted that the Wall ''will stand in fifty or a hundred years,'' resigned;

Whereas, on November 4, 1989, more than 1,000,000 people gathered in Alexanderplatz in East Berlin and 40 other cities and towns in East Germany to demand free elections and basic civil rights, such as freedoms of opinion, movement, press, and assembly;

Whereas, on November 9, 1989, East German politbureau member Günter Schabowki announced that the government would allow ''every citizen of the German Democratic Republic to leave the GDR through any of the border crossings,'' and East German leader Egon Krenz promised ''free, general, democratic and secret elections'';

Whereas thousands of people in East Berlin immediately flooded the border checkpoints at the Berlin Wall and demanded entry into West Berlin, causing the overwhelmed border guards of East Germany to open the checkpoints to allow people to cross into West Berlin;

Whereas, in the days following the fall of the Berlin Wall, hundreds of thousands of people from East Germany freely crossed the border into West Berlin and West Germany for the first time in more than 28 years;

Whereas the Chancellor of West Germany Helmut Kohl and Foreign Minister Hans Dietrich Genscher managed the political situation and foreign diplomacy with great tact and in close cooperation with Western allies, leading to the peaceful reunification of Germany as a sovereign, democratic state on October 3, 1990;

Whereas, on November 9, 2009, the people of Germany will celebrate on both sides of the Brandenburg Gate the 20th anniversary of the fall of the Berlin Wall with the ''Festival of Freedom'';

Whereas the fall of the Berlin Wall was one of the milestones of the 20th century, brought about by the actions of many ordinary and some extraordinary people; and

Whereas the fall of the Berlin Wall embodied the end of the division of Europe, the opening of the Iron Curtain, and the triumph of democracy over communism: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 20th anniversary of the fall of the Berlin Wall;

(2) celebrates 20 years of an undivided Europe, free from the oppression of authoritarianism, with the people of the former communist countries and Western Europe;

(3) honors the service and sacrifice of the people of Germany, the United States, and other countries who served in the Cold War to bring freedom to Central and Eastern Europe;

(4) expresses its appreciation to the people of Germany for their commitment to preserving the dignity and freedom of others in their leadership on international assistance, peacekeeping, and security efforts, including in Afghanistan, Bosnia and Herzegovina, Georgia, Kosovo, Lebanon, Sudan, and off the coast of the Horn of Africa; and

(5) reaffirms the friendship between the Government and people of the United States and the Government and people of Germany.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2721. Mr. CORKER 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.

SA 2722. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill H.R. 3548, supra; which was ordered to lie on the table.

SA 2723. Mr. ENZI (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill H.R. 3548, supra; which was ordered to lie on the table.

SA 2724. Mr. SCHUMER (for himself and Mr. MENENDEZ) 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 2721. Mr. CORKER 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. ____. TARP MANAGEMENT IMPROVEMENTS.

(a) SHORT TITLE.—This section may be cited as the ''TARP Recipient Ownership Trust Act of 2009''.

(b) AUTHORITY OF THE SECRETARY OF THE TREASURY TO DELEGATE TARP ASSET MANAGEMENT.—Section 106(b) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5216(b)) is amended by inserting before the period at the end the following: '', and the Secretary may delegate such management authority to a private entity established under section 101(c)(4), except as to the supervision of the Secretary, as the Secretary determines appropriate, with respect to the assets of any designated TARP recipient, as required under subsection (c) of the TARP Recipient Ownership Trust Act of 2009''.

(c) CONFORMING AMENDMENT.—Section 101(c)(4) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5211(c)(4)) is amended by inserting before the period at the end the following: '', provided that a TARP Trust established and operated in accordance with subsection (d) of the TARP Recipient Ownership Trust Act of 2009 shall satisfy the requirements of this section.''.

(d) CREATION OF MANAGEMENT AUTHORITY FOR DESIGNATED TARP RECIPIENTS.—

(1) TRANSFERS TO TARP TRUST.—Notwithstanding any provision of the Emergency Economic Stabilization Act of 2008, or any other provision of law, the Secretary shall transfer all voting, nonvoting, and common equity in any designated TARP recipient to a limited liability company established by the Secretary for such purpose, to be held and managed on behalf of United States taxpayers and to be known as a ''TARP Trust''.

(2) TRANSFER TIMING.—Transfers under paragraph (1) shall occur not later than 120 days after—

(A) the date of enactment of this Act, with respect to any entity that is a designated TARP recipient on that date of enactment; and

(B) the date on which an entity becomes a designated TARP recipient, with respect to any entity that becomes a designated TARP recipient after that date of enactment.

(3) LIMITATION.—Nothing in this Act may be construed to limit the authority of the Secretary of the Treasury to sell or dispose of, or enter into contracts, commitments, or arrangements to sell or dispose of, any asset to be transferred to TARP Trust under this subsection during the period beginning on the date of enactment of this Act and ending on the date on which all assets are transferred to a TARP Trust.

(4) APPOINTMENT OF TRUSTEES.—

(A) IN GENERAL.—The President shall appoint 3 trustees, managers, or directors (in this section referred to as ''trustees''), to manage the equity held in a TARP Trust.

(B) CRITERIA.—A trustee appointed under this subsection—

(i) may not be an elected or appointed Government official;

(ii) may not be an employee, director, or officer of any designated TARP recipient or have any financial interest in any designated TARP recipient that is material, in accordance with the regulations or guidelines of the Secretary issued under this section;

(iii) may be removed by the Secretary for cause; and

(iv) shall be paid at a rate equal to the rate payable for positions at level III of the Executive Schedule under section 5311 of title 5, United States Code.

(C) INDEMNIFICATION.—The TARP Trust shall indemnify the trustees, and the trustees shall be held harmless, with respect to any claim made by a third party arising out of the actions of the trustees, to the extent that such actions were taken in the normal course of the duties of the trustees, and were taken in good faith in the fulfillment of the fiduciary duty of the trustees.

(5) DUTIES OF TRUST.—Consistent with the goal of protecting the interests and investment of the United States taxpayer, with the purpose of maintaining economic stability and maximizing the return on investment to the taxpayer in a reasonable period of time, the trustees of the TARP Trust shall—

(A) exercise the voting rights of any shares held by the TARP Trust, in accordance with the voting principles;

(B) not participate in the day-to-day management of any designated TARP recipient;

(C) develop and implement a plan of disposition;

(D) develop an annual operating budget for its operations, which shall be subject to the approval of the Secretary, and conduct the operations of the TARP Trust in accordance with that budget;

(E) provide for an accounting of the books and records of the TARP Trust that is audited on an annual basis, as well as monthly unaudited accounting and reporting, and such other reports as the Secretary shall require;

(F) hire such employees, advisors, and agents as may be required, define their duties, and determine their compensation, without regard to the provisions of title 5, United States Code, or other laws related to the appointment, compensation, or termination of Federal employees;

(G) enter into such contracts as may be required, including contracts for services authorized by section 3109 of title 5, United States Code, without regard to any other provision of law regarding public contracts;

(H) comply with standards and practices of the Secretary with respect to custody of assets, cash management services, and related activities including depositing the net cash proceeds of any disposition of assets in an account established by the Secretary pursuant to the Emergency Economic Stabilization Act of 2008; and

(I) comply with the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.) and the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5221 et

seq.) with respect to budgeting, accounting, and financial reporting.

(6) LIQUIDATION.—

(A) IN GENERAL.—The trustees shall liquidate a TARP Trust, including the assets held by such trust, not later than December 24, 2011, unless—

(i) the trustees submit a report to the Congress that liquidation would not maintain financial stability or maximize the return on investment to the taxpayer; and

(ii) not later than 15 calendar days after the date on which the Congress receives such report, there is not enacted into law a joint resolution disapproving the extension, as described in subparagraph (B).

(B) CONTENTS OF JOINT RESOLUTION.—For purposes of this paragraph, the term ''joint resolution'' means only a joint resolution—

(i) that is introduced not later than 3 calendar days after the date on which the report referred to in subparagraph (A)(i) is received by the Congress;

(ii) which does not have a preamble;

(iii) the title of which is as follows: ''Joint resolution relating to the disapproval of the extension of a TARP Trust''; and

(iv) the matter after the resolving clause of which is as follows: ''That Congress disapproves the extension of a TARP Trust established under the TARP Recipient Ownership Trust Act of 2009.''.

(C) FAST TRACK CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(i) RECONVENING.—Upon receipt of a report under subparagraph (A)(i), the Speaker, if the House would otherwise be adjourned, shall notify the Members of the House that, pursuant to this paragraph, the House shall convene not later than the second calendar day after the date of receipt of such report.

(ii) REPORTING AND DISCHARGE.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House not later than 5 calendar days after the date of receipt of the report described in subparagraph (A)(i). If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

(iii) PROCEEDING TO CONSIDERATION.—After each committee authorized to consider a joint resolution reports it to the House or has been discharged from its consideration, it shall be in order, not later than the sixth day after Congress receives the report described in subparagraph (A)(i), to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) CONSIDERATION.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except two hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(D) FAST TRACK CONSIDERATION IN SENATE.—

(i) RECONVENING.—Upon receipt of a report under subparagraph (A)(i), if the Senate has adjourned or recessed for more than 2 days, the majority leader of the Senate, after consultation with the minority leader of the Senate, shall notify the Members of the Senate that, pursuant to this paragraph, the Senate shall convene not later than the second calendar day after receipt of such message.

(ii) PLACEMENT ON CALENDAR.—Upon introduction in the Senate, the joint resolution shall be placed immediately on the calendar.

(iii) FLOOR CONSIDERATION.—

(I) IN GENERAL.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time during the period beginning on the 4th day after the date on which Congress receives a report of the plan of the Secretary described in subparagraph (A)(i) and ending on the 6th day after the date on which Congress receives a report of the plan of the Secretary described in subparagraph (A)(i) (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(II) DEBATE.—Debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(III) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(IV) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(E) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(i) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House, that House receives from the other House a joint resolution, then the following procedures shall apply:

(I) The joint resolution of the other House shall not be referred to a committee.

(II) With respect to a joint resolution of the House receiving the resolution—

(aa) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(bb) the vote on passage shall be on the joint resolution of the other House.

(ii) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce or consider a joint resolution under this paragraph, the joint resolution of the other House shall be entitled to expedited floor procedures under this paragraph.

(iii) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate then receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(iv) CONSIDERATION AFTER PASSAGE.—

(I) IN GENERAL.—If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President takes action with respect to the joint resolution shall be disregarded in computing the 15-calendar day period described in subparagraph (A)(i).

(II) VETOES.—If the President vetoes the joint resolution—

(aa) the period beginning on the date the President vetoes the joint resolution and ending on the date the Congress receives the veto message with respect to the joint resolution shall be disregarded in computing the 15-calendar day period described in subparagraph (A)(i); and

(bb) debate on a veto message in the Senate under this paragraph shall be 1 hour equally divided between the majority and minority leaders or their designees.

(v) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subparagraph, and subparagraphs (B), (C), and (D) are enacted by Congress—

(I) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(II) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(7) REPORTING.—The trustees of any TARP Trust shall provide reports to the Secretary, with respect to the assets of any such trust and their operations, as the Secretary may request, and shall provide reports to Congress that are similar to the reports that the Secretary would be required to provide under the Emergency Economic Stabilization Act of 2008.

(8) OVERSIGHT AND AUDIT.—A TARP Trust established in accordance with this section shall be subject to audit and oversight, to the same extent and in the same manner as provided under sections 104, 116, 121, and 125 of the Emergency Economic Stabilization Act of 2008, with respect to the TARP generally.

(9) CONFLICTS.—The Secretary shall issue regulations or guidelines necessary to address and manage or to prohibit conflicts of interest that may arise in connection with the administration and execution of the authorities provided under this section and the operations of any TARP Trust, as soon as practicable after the date of enactment of this Act.

(10) FUNDING.—The operating expenses of each TARP Trust shall be administrative expenses payable under section 118 of the Emergency Economic Stabilization Act of 2008, until such time as the TARP Trust generates sufficient income to support the expenses, as approved by the Secretary as part of the annual operating budget of the TARP Trust.

(e) DEFINITIONS.—As used in this section—

(1) the term ''designated TARP recipient'' means any entity that has received, or receives, financial assistance under the Troubled Asset Relief Program or any other provision of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), such that the Department of the Treasury holds or controls, as of the date of enactment of this Act, or will hold or control at a future date, not less than a 10 percent ownership stake in the outstanding equity that ordinarily votes in the election of directors (except that warrants to acquire voting equity shall not be included in such determination,

unless and until exercised) in the company as a result of such assistance, other than any investment fund created under the Public Private Investment Partnership Program under TARP or any other special purpose vehicle that was created in connection with purchasing or insuring troubled assets, except that stock held in a trust of which the trustees were appointed by the Federal Reserve Bank of New York shall not be deemed held or controlled by the Department of the Treasury for purposes of this section;

(2) the term ''Secretary'' means the Secretary of the Treasury or the designee of the Secretary;

(3) the terms ''director'', ''issuer'', ''securities'', and ''securities laws'' have the same meanings as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c);

(4) the term ''plan of disposition'' with respect to any TARP Trust, means a plan to dispose of the assets of such trust in a timely and orderly manner and in a manner that is consistent with the duties of the TARP Trust; and

(5) the term ''Voting Principles'' means, with respect to any voting rights of equity shares in any designated TARP recipient, that the trustees shall—

(A) exercise such voting rights on—

(i) the membership of the board of directors (or similar governing body) of the company;

(ii) amendments to the corporate charter or bylaws (or similar operating document) of the company;

(iii) mergers, liquidations, substantial asset sales, and other major corporate transactions involving the company; and

(iv) the issuance of securities on which shareholders are entitled to vote; and

(B) vote on any other issue proportionally with the other shareholders of the company.

(f) OVERSIGHT OF TRUSTEES.—Section 121 of the Emergency Economic Stability Act of 2008 (12 U.S.C. 5231) is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following:

''(k) OVERSIGHT OF TRUSTEES.—Notwithstanding any other provision of law, and in addition to the authorities set forth in this Act, the Special Inspector General may audit, investigate, and conduct other oversight activities of the operations of any TARP Trust established or trustee appointed in connection with the Federal Government equity or other ownership interest in any institution that has received financial assistance pursuant to section 101(c)(4).''.

SA 2722. Mr. JOHANNS 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:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Worker, Homeownership, and Business Assistance Act of 2009''.

SEC. 2. REVISIONS TO SECOND-TIER BENEFITS.

(a) IN GENERAL.—Section 4002(c) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''If'' and all that follows through ''paragraph (2))'' and inserting ''At the time that the amount established in an individual's account under subsection (b)(1) is exhausted'';

(B) in subparagraph (A), by striking ''50 percent'' and inserting ''54 percent''; and

(C) in subparagraph (B), by striking ''13'' and inserting ''14'';

(2) by striking paragraph (2); and

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

(b) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the Supplemental Appropriations Act, 2008, except that no amount shall be payable by virtue of such amendments with respect to any week of unemployment commencing before the date of the enactment of this Act.

SEC. 3. THIRD-TIER EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Section 4002 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by adding at the end the following new subsection:

''(d) THIRD-TIER EMERGENCY UNEMPLOYMENT COMPENSATION.—

''(1) IN GENERAL.—If, at the time that the amount added to an individual's account under subsection (c)(1) (hereinafter 'second-tier emergency unemployment compensation') is exhausted or at any time thereafter, such individual's State is in an extended benefit period (as determined under paragraph (2)), such account shall be further augmented by an amount (hereinafter 'third-tier emergency unemployment compensation') equal to the lesser of—

''(A) 50 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual during the individual's benefit year under the State law; or

''(B) 13 times the individual's average weekly benefit amount (as determined under subsection (b)(2)) for the benefit year.

''(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if—

''(A) such a period would then be in effect for such State under such Act if section 203(d) of such Act—

''(i) were applied by substituting '4' for '5' each place it appears; and

''(ii) did not include the requirement under paragraph (1)(A) thereof; or

''(B) such a period would then be in effect for such State under such Act if—

''(i) section 203(f) of such Act were applied to such State (regardless of whether the State by law had provided for such application); and

''(ii) such section 203(f)—

''(I) were applied by substituting '6.0' for '6.5' in paragraph (1)(A)(i) thereof; and

''(II) did not include the requirement under paragraph (1)(A)(ii) thereof.

''(3) LIMITATION.—The account of an individual may be augmented not more than once under this subsection.''.

(b) CONFORMING AMENDMENT TO NON-AUGMENTATION RULE.—Section 4007(b)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) by striking ''then section 4002(c)'' and inserting ''then subsections (c) and (d) of section 4002''; and

(2) by striking ''paragraph (2) of such section)'' and inserting ''paragraph (2) of such subsection (c) or (d) (as the case may be))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the Supplemental Appropriations Act, 2008, except that no amount shall be payable by virtue of such amendments with respect to any week of unemployment commencing before the date of the enactment of this Act.

SEC. 4. FOURTH-TIER EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Section 4002 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note), as amended by section 3(a), is amended by adding at the end the following new subsection:

''(e) FOURTH-TIER EMERGENCY UNEMPLOYMENT COMPENSATION.—

''(1) IN GENERAL.—If, at the time that the amount added to an individual's account under subsection (d)(1) (third-tier emergency unemployment compensation) is exhausted or at any time thereafter, such individual's State is in an extended benefit period (as determined under paragraph (2)), such account shall be further augmented by an amount (hereinafter 'fourth-tier emergency unemployment compensation') equal to the lesser of—

''(A) 24 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual during the individual's benefit year under the State law; or

''(B) 6 times the individual's average weekly benefit amount (as determined under subsection (b)(2)) for the benefit year.

''(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if—

''(A) such a period would then be in effect for such State under such Act if section 203(d) of such Act—

''(i) were applied by substituting '6' for '5' each place it appears; and

''(ii) did not include the requirement under paragraph (1)(A) thereof; or

''(B) such a period would then be in effect for such State under such Act if—

''(i) section 203(f) of such Act were applied to such State (regardless of whether the State by law had provided for such application); and

''(ii) such section 203(f)—

''(I) were applied by substituting '8.5' for '6.5' in paragraph (1)(A)(i) thereof; and

''(II) did not include the requirement under paragraph (1)(A)(ii) thereof.

''(3) LIMITATION.—The account of an individual may be augmented not more than once under this subsection.''.

(b) CONFORMING AMENDMENT TO NON-AUGMENTATION RULE.—Section 4007(b)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note), as amended by section 3(b), is amended—

(1) by striking ''and (d)'' and inserting '', (d), and (e) of section 4002''; and

(2) by striking ''or (d)'' and inserting '', (d), or (e) (as the case may be))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the Supplemental Appropriations Act, 2008, except that no amount shall be payable by virtue of such amendments with respect to any week of unemployment commencing before the date of the enactment of this Act.

SEC. 5. COORDINATION.

Section 4002 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note), as amended by section 4, is amended by adding at the end the following new subsection:

''(f) COORDINATION RULES.—

''(1) COORDINATION WITH EXTENDED COMPENSATION.—Notwithstanding an election under section 4001(e) by a State to provide for the payment of emergency unemployment compensation prior to extended compensation, such State may pay extended compensation to an otherwise eligible individual prior to any emergency unemployment compensation under subsection (c), (d),

or (e) (by reason of the amendments made by sections 2, 3, and 4 of the Worker, Homeownership, and Business Assistance Act of 2009), if such individual claimed extended compensation for at least 1 week of unemployment after the exhaustion of emergency unemployment compensation under subsection (b) (as such subsection was in effect on the day before the date of the enactment of this subsection).

''(2) COORDINATION WITH TIERS II, III, AND IV.—If a State determines that implementation of the increased entitlement to second-tier emergency unemployment compensation by reason of the amendments made by section 2 of the Worker, Homeownership, and Business Assistance Act of 2009 would unduly delay the prompt payment of emergency unemployment compensation under this title by reason of the amendments made by such Act, such State may elect to pay third-tier emergency unemployment compensation prior to the payment of such increased second-tier emergency unemployment compensation until such time as such State determines that such increased second-tier emergency unemployment compensation may be paid without such undue delay. If a State makes the election under the preceding sentence, then, for purposes of determining whether an account may be augmented for fourth-tier emergency unemployment compensation under subsection (e), such State shall treat the date of exhaustion of such increased second-tier emergency unemployment compensation as the date of exhaustion of third-tier emergency unemployment compensation, if such date is later than the date of exhaustion of the third-tier emergency unemployment compensation.''.

SEC. 6. TRANSFER OF FUNDS.

Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by striking ''Act;'' and inserting ''Act and sections 2, 3, and 4 of the Worker, Homeownership, and Business Assistance Act of 2009;''.

SEC. 7. EXPANSION OF MODERNIZATION GRANTS FOR UNEMPLOYMENT RESULTING FROM COMPELLING FAMILY REASON.

(a) IN GENERAL.—Clause (i) of section 903(f)(3)(B) of the Social Security Act (42 U.S.C. 1103(f)(3)(B)) is amended to read as follows:

''(i) One or both of the following offenses as selected by the State, but in making such selection, the resulting change in the State law shall not supercede any other provision of law relating to unemployment insurance to the extent that such other provision provides broader access to unemployment benefits for victims of such selected offense or offenses:

''(I) Domestic violence, verified by such reasonable and confidential documentation as the State law may require, which causes the individual reasonably to believe that such individual's continued employment would jeopardize the safety of the individual or of any member of the individual's immediate family (as defined by the Secretary of Labor); and

''(II) Sexual assault, verified by such reasonable and confidential documentation as the State law may require, which causes the individual reasonably to believe that such individual's continued employment would jeopardize the safety of the individual or of any member of the individual's immediate family (as defined by the Secretary of Labor).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to State applications submitted on and after January 1, 2010.

SEC. 8. TREATMENT OF ADDITIONAL REGULAR COMPENSATION.

The monthly equivalent of any additional compensation paid by reason of section 2002 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 438) shall be disregarded after the date of the enactment of this Act in considering the amount of income and assets of an individual for purposes of determining such individual's eligibility for, or amount of, benefits under the Supplemental Nutrition Assistance Program (SNAP).

SEC. 9. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) BENEFITS.—Section 2(c)(2)(D) of the Railroad Unemployment Insurance Act, as added by section 2006 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), is amended—

(1) in clause (iii)—

(A) by striking ''June 30, 2009'' and inserting ''June 30, 2010''; and

(B) by striking ''December 31, 2009'' and inserting ''December 31, 2010''; and

(2) by adding at the end of clause (iv) the following: ''In addition to the amount appropriated by the preceding sentence, out of any funds in the Treasury not otherwise appropriated, there are appropriated $175,000,000 to cover the cost of additional extended unemployment benefits provided under this subparagraph, to remain available until expended.''.

(b) ADMINISTRATIVE EXPENSES.—Section 2006 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 445) is amended by adding at the end of subsection (b) the following: ''In addition to funds appropriated by the preceding sentence, out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Railroad Retirement Board $807,000 to cover the administrative expenses associated with the payment of additional extended unemployment benefits under section 2(c)(2)(D) of the Railroad Unemployment Insurance Act, to remain available until expended.''.

SEC. 10. USE OF STIMULUS FUNDS TO OFFSET COSTS OF PROGRAM CHANGES.

Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Pub. Law 111–5), from the amounts appropriated or made available and remaining unobligated under Division A of such Act (other than under title X of such Division A), there is hereby rescinded a total of $9,110,000,000. The Director of the Office of Management and Budget shall determine how to apply the rescission to which accounts and in what amounts. Not later than 30 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

SEC. 11. EXTENSION AND MODIFICATION OF FIRST-TIME HOMEBUYER TAX CREDIT.

(a) EXTENSION OF APPLICATION PERIOD.—

(1) IN GENERAL.—Subsection (h) of section 36 of the Internal Revenue Code of 1986 is amended—

(A) by striking ''December 1, 2009'' and inserting ''May 1, 2010'',

(B) by striking ''SECTION.—This section'' and inserting ''SECTION.—

''(1) IN GENERAL.—This section'', and

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

''(2) EXCEPTION IN CASE OF BINDING CONTRACT.—In the case of any taxpayer who enters into a written binding contract before May 1, 2010, to close on the purchase of a principal residence before July 1, 2010, paragraph (1) shall be applied by substituting 'July 1, 2010' for 'May 1, 2010'.''.

(2) WAIVER OF RECAPTURE.—

(A) IN GENERAL.—Subparagraph (D) of section 36(f)(4) of such Code is amended by striking '', and before December 1, 2009''.

(B) CONFORMING AMENDMENT.—The heading of such subparagraph (D) is amended by inserting ''AND 2010'' after ''2009''.

(3) ELECTION TO TREAT PURCHASE IN PRIOR YEAR.—Subsection (g) of section 36 of such Code is amended to read as follows:

''(g) ELECTION TO TREAT PURCHASE IN PRIOR YEAR.—In the case of a purchase of a principal residence after December 31, 2008, a taxpayer may elect to treat such purchase as made on December 31 of the calendar year preceding such purchase for purposes of this section (other than subsections (c), (f)(4)(D), and (h)).''.

(b) SPECIAL RULE FOR LONG-TIME RESIDENTS OF SAME PRINCIPAL RESIDENCE.—Subsection (c) of section 36 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) EXCEPTION FOR LONG-TIME RESIDENTS OF SAME PRINCIPAL RESIDENCE.—In the case of an individual (and, if married, such individual's spouse) who has owned and used the same residence as such individual's principal residence for any 5-consecutive-year period during the 8-year period ending on the date of the purchase of a subsequent principal residence, such individual shall be treated as a first-time homebuyer for purposes of this section with respect to the purchase of such subsequent residence.''.

(c) MODIFICATION OF DOLLAR AND INCOME LIMITATIONS.—

(1) DOLLAR LIMITATION.—Subsection (b)(1) of section 36 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(D) SPECIAL RULE FOR LONG-TIME RESIDENTS OF SAME PRINCIPAL RESIDENCE.—In the case of a taxpayer to whom a credit under subsection (a) is allowed by reason of subsection (c)(6), subparagraphs (A), (B), and (C) shall be applied by substituting '$6,500' for '$8,000' and '$3,250' for '$4,000'.''.

(2) INCOME LIMITATION.—Subsection (b)(2)(A)(i)(II) of section 36 of such Code is amended by striking ''$75,000 ($150,000'' and inserting ''$125,000 ($225,000''.

(d) LIMITATION ON PURCHASE PRICE OF RESIDENCE.—Subsection (b) of section 36 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) LIMITATION BASED ON PURCHASE PRICE.—No credit shall be allowed under subsection (a) for the purchase of any residence if the purchase price of such residence exceeds $800,000.''.

(e) WAIVER OF RECAPTURE OF FIRST-TIME HOMEBUYER CREDIT FOR INDIVIDUALS ON QUALIFIED OFFICIAL EXTENDED DUTY.—Paragraph (4) of section 36(f) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(E) SPECIAL RULE FOR MEMBERS OF THE ARMED FORCES, ETC.—

''(i) IN GENERAL.—In the case of the disposition of a principal residence by an individual (or a cessation referred to in paragraph (2)) after December 31, 2008, in connection with Government orders received by such individual, or such individual's spouse, for qualified official extended duty service—

''(I) paragraph (2) and subsection (d)(2) shall not apply to such disposition (or cessation), and

''(II) if such residence was acquired before January 1, 2009, paragraph (1) shall not apply to the taxable year in which such disposition (or cessation) occurs or any subsequent taxable year.

''(ii) QUALIFIED OFFICIAL EXTENDED DUTY SERVICE.—For purposes of this section, the

term 'qualified official extended duty service' means service on qualified official extended duty as—

''(I) a member of the uniformed services,

''(II) a member of the Foreign Service of the United States, or

''(III) an employee of the intelligence community.

''(iii) DEFINITIONS.—Any term used in this subparagraph which is also used in paragraph (9) of section 121(d) shall have the same meaning as when used in such paragraph.''.

(f) EXTENSION OF FIRST-TIME HOMEBUYER CREDIT FOR INDIVIDUALS ON QUALIFIED OFFICIAL EXTENDED DUTY OUTSIDE THE UNITED STATES.—

(1) IN GENERAL.—Subsection (h) of section 36 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by adding at the end the following:

''(3) SPECIAL RULE FOR INDIVIDUALS ON QUALIFIED OFFICIAL EXTENDED DUTY OUTSIDE THE UNITED STATES.—In the case of any individual who serves on qualified official extended duty service (as defined in section 121(d)(9)(C)(i)) outside the United States for at least 90 days during the period beginning after December 31, 2008, and ending before May 1, 2010, and, if married, such individual's spouse—

''(A) paragraphs (1) and (2) shall each be applied by substituting 'May 1, 2011' for 'May 1, 2010', and

''(B) paragraph (2) shall be applied by substituting 'July 1, 2011' for 'July 1, 2010'.''.

(g) DEPENDENTS INELIGIBLE FOR CREDIT.—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 '', or'', and by adding at the end the following new paragraph:

''(3) a deduction under section 151 with respect to such taxpayer is allowable to another taxpayer for such taxable year.''.

(h) IRS MATHEMATICAL ERROR AUTHORITY.—Paragraph (2) of section 6213(g) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of subparagraph (M),

(2) by striking the period at the end of subparagraph (N) and inserting '', and'', and

(3) by inserting after subparagraph (N) the following new subparagraph:

''(O) an omission of any increase required under section 36(f) with respect to the recapture of a credit allowed under section 36.''.

(i) COORDINATION WITH FIRST-TIME HOMEBUYER CREDIT FOR DISTRICT OF COLUMBIA.—Paragraph (4) of section 1400C(e) of the Internal Revenue Code of 1986 is amended by striking ''and before December 1, 2009,''.

(j) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (b), (c), (d), and (g) shall apply to residences purchased after the date of the enactment of this Act.

(2) EXTENSIONS.—The amendments made by subsections (a), (f), and (i) shall apply to residences purchased after November 30, 2009.

(3) WAIVER OF RECAPTURE.—The amendment made by subsection (e) shall apply to dispositions and cessations after December 31, 2008.

(4) MATHEMATICAL ERROR AUTHORITY.—The amendments made by subsection (h) shall apply to returns for taxable years ending on or after April 9, 2008.

SEC. 12. PROVISIONS TO ENHANCE THE ADMINISTRATION OF THE FIRST-TIME HOMEBUYER TAX CREDIT.

(a) AGE LIMITATION.—

(1) IN GENERAL.—Subsection (b) of section 36 of the Internal Revenue Code of 1986, as amended by this Act, is amended by adding at the end the following new paragraph:

''(4) 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. 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, as amended by this Act, is amended by inserting ''(b)(4),'' before ''(c)''.

(b) DOCUMENTATION REQUIREMENT.—Subsection (d) of section 36 of the Internal Revenue Code of 1986, as amended by this Act, is amended by striking ''or'' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting '', or'', and by adding at the end the following new paragraph:

''(4) 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.''.

(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) the Internal Revenue Code of 1986, as amended by this Act, is amended by striking ''and'' at the end of subparagraph (N), by striking the period at the end of subparagraph (O) and inserting '', and'', and by inserting after subparagraph (O) the following new subparagraph:

''(P) 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)(4),

''(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 section 36(d)(4).''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to purchases after the date of the enactment of this Act.

(2) DOCUMENTATION REQUIREMENT.—The amendments made by subsection (b) shall apply to returns for taxable years ending after the date of the enactment of this Act.

(3) TREATMENT AS MATHEMATICAL AND CLERICAL ERRORS.—The amendments made by subsection (d) shall apply to returns for taxable years ending on or after April 9, 2008.

SEC. 13. 5-YEAR CARRYBACK OF OPERATING LOSSES.

(a) IN GENERAL.—Subparagraph (H) of section 172(b)(1) of the Internal Revenue Code of 1986 is amended to read as follows:

''(H) CARRYBACK FOR 2008 OR 2009 NET OPERATING LOSSES.—

''(i) IN GENERAL.—In the case of an applicable net operating loss with respect to which the taxpayer has elected the application of this subparagraph—

''(I) subparagraph (A)(i) shall be applied by substituting any whole number elected by the taxpayer which is more than 2 and less than 6 for '2',

''(II) subparagraph (E)(ii) shall be applied by substituting the whole number which is one less than the whole number substituted under subclause (I) for '2', and

''(III) subparagraph (F) shall not apply.

''(ii) APPLICABLE NET OPERATING LOSS.—For purposes of this subparagraph, the term 'applicable net operating loss' means the taxpayer's net operating loss for a taxable year ending after December 31, 2007, and beginning before January 1, 2010.

''(iii) ELECTION.—

''(I) IN GENERAL.—Any election under this subparagraph may be made only with respect to 1 taxable year.

''(II) PROCEDURE.—Any election under this subparagraph shall be made in such manner as may be prescribed by the Secretary, and shall be made by the due date (including extension of time) for filing the return for the taxpayer's last taxable year beginning in 2009. Any such election, once made, shall be irrevocable.

''(iv) LIMITATION ON AMOUNT OF LOSS CARRYBACK TO 5TH PRECEDING TAXABLE YEAR.—

''(I) IN GENERAL.—The amount of any net operating loss which may be carried back to the 5th taxable year preceding the taxable year of such loss under clause (i) shall not exceed 50 percent of the taxpayer's taxable income (computed without regard to the net operating loss for the loss year or any taxable year thereafter) for such preceding taxable year.

''(II) CARRYBACKS AND CARRYOVERS TO OTHER TAXABLE YEARS.—Appropriate adjustments in the application of the second sentence of paragraph (2) shall be made to take into account the limitation of subclause (I).

''(III) EXCEPTION FOR 2008 ELECTIONS BY SMALL BUSINESSES.—Subclause (I) shall not apply to any loss of an eligible small business with respect to any election made under this subparagraph as in effect on the day before the date of the enactment of the Worker, Homeownership, and Business Assistance Act of 2009.

''(v) SPECIAL RULES FOR SMALL BUSINESS.—

''(I) IN GENERAL.—In the case of an eligible small business which made or makes an election under this subparagraph as in effect on the day before the date of the enactment of the Worker, Homeownership, and Business Assistance Act of 2009, clause (iii)(I) shall be applied by substituting '2 taxable years' for '1 taxable year'.

''(II) ELIGIBLE SMALL BUSINESS.—For purposes of this subparagraph, the term 'eligible small business' has the meaning given such term by subparagraph (F)(iii), except that in applying such subparagraph, section 448(c) shall be applied by substituting '$15,000,000' for '$5,000,000' each place it appears.''.

(b) ALTERNATIVE TAX NET OPERATING LOSS DEDUCTION.—Subclause (I) of section 56(d)(1)(A)(ii) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) the amount of such deduction attributable to an applicable net operating loss with respect to which an election is made under section 172(b)(1)(H), or''.

(c) LOSS FROM OPERATIONS OF LIFE INSURANCE COMPANIES.—Subsection (b) of section 810 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(4) CARRYBACK FOR 2008 OR 2009 LOSSES.—

''(A) IN GENERAL.—In the case of an applicable loss from operations with respect to which the taxpayer has elected the application of this paragraph, paragraph (1)(A) shall be applied by substituting any whole number elected by the taxpayer which is more than 3 and less than 6 for '3'.

''(B) APPLICABLE LOSS FROM OPERATIONS.—For purposes of this paragraph, the term 'applicable loss from operations' means the taxpayer's loss from operations for a taxable year ending after December 31, 2007, and beginning before January 1, 2010.

''(C) ELECTION.—

''(i) IN GENERAL.—Any election under this paragraph may be made only with respect to 1 taxable year.

''(ii) PROCEDURE.—Any election under this paragraph shall be made in such manner as may be prescribed by the Secretary, and shall be made by the due date (including extension of time) for filing the return for the taxpayer's last taxable year beginning in 2009. Any such election, once made, shall be irrevocable.

''(D) LIMITATION ON AMOUNT OF LOSS CARRYBACK TO 5TH PRECEDING TAXABLE YEAR.—

''(i) IN GENERAL.—The amount of any loss from operations which may be carried back to the 5th taxable year preceding the taxable year of such loss under subparagraph (A) shall not exceed 50 percent of the taxpayer's taxable income (computed without regard to the loss from operations for the loss year or any taxable year thereafter) for such preceding taxable year.

''(ii) CARRYBACKS AND CARRYOVERS TO OTHER TAXABLE YEARS.—Appropriate adjustments in the application of the second sentence of paragraph (2) shall be made to take into account the limitation of clause (i).''.

(d) ANTI-ABUSE RULES.—The Secretary of the Treasury or the Secretary's designee shall prescribe such rules as are necessary to prevent the abuse of the purposes of the amendments made by this section, including anti-stuffing rules, anti-churning rules (including rules relating to sale-leasebacks), and rules similar to the rules under section 1091 of the Internal Revenue Code of 1986 relating to losses from wash sales.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to net operating losses arising in taxable years ending after December 31, 2007.

(2) ALTERNATIVE TAX NET OPERATING LOSS DEDUCTION.—The amendment made by subsection (b) shall apply to taxable years ending after December 31, 2002.

(3) LOSS FROM OPERATIONS OF LIFE INSURANCE COMPANIES.—The amendment made by subsection (d) shall apply to losses from operations arising in taxable years ending after December 31, 2007.

(4) TRANSITIONAL RULE.—In the case of any net operating loss (or, in the case of a life insurance company, any loss from operations) for a taxable year ending before the date of the enactment of this Act—

(A) any election made under section 172(b)(3) or 810(b)(3) of the Internal Revenue Code of 1986 with respect to such loss may (notwithstanding such section) be revoked before the due date (including extension of time) for filing the return for the taxpayer's last taxable year beginning in 2009, and

(B) any application under section 6411(a) of such Code with respect to such loss shall be treated as timely filed if filed before such due date.

(f) EXCEPTION FOR TARP RECIPIENTS.—The amendments made by this section shall not apply to—

(1) any taxpayer if—

(A) the Federal Government acquired before the date of the enactment of this Act an equity interest in the taxpayer pursuant to the Emergency Economic Stabilization Act of 2008,

(B) the Federal Government acquired before such date of enactment any warrant (or other right) to acquire any equity interest with respect to the taxpayer pursuant to the Emergency Economic Stabilization Act of 2008, or

(C) such taxpayer receives after such date of enactment funds from the Federal Government in exchange for an interest described in subparagraph (A) or (B) pursuant to a program established under title I of division A of the Emergency Economic Stabilization Act of 2008 (unless such taxpayer is a financial institution (as defined in section 3 of such Act) and the funds are received pursuant to a program established by the Secretary of the Treasury for the stated purpose of increasing the availability of credit to small businesses using funding made available under such Act), or

(2) the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, and

(3) any taxpayer which at any time in 2008 or 2009 was or is a member of the same affiliated group (as defined in section 1504 of the Internal Revenue Code of 1986, determined without regard to subsection (b) thereof) as a taxpayer described in paragraph (1) or (2).

SEC. 14. EXCLUSION FROM GROSS INCOME OF QUALIFIED MILITARY BASE REALIGNMENT AND CLOSURE FRINGE.

(a) IN GENERAL.—Subsection (n) of section 132 of the Internal Revenue Code of 1986 is amended—

(1) in subparagraph (1) by striking ''this subsection) to offset the adverse effects on housing values as a result of a military base realignment or closure'' and inserting ''the American Recovery and Reinvestment Tax Act of 2009)'', and

(2) in subparagraph (2) by striking ''clause (1) of''.

(b) EFFECTIVE DATE.—The amendments made by this act shall apply to payments made after February 17, 2009.

SEC. 15. DELAY IN APPLICATION OF WORLDWIDE ALLOCATION OF INTEREST.

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) of the Internal Revenue Code of 1986 are each amended by striking ''December 31, 2010'' and inserting ''December 31, 2017''.

(b) CONFORMING AMENDMENT.—Section 864(f) of the Internal Revenue Code of 1986 is amended by striking paragraph (7).

(c) EFFECTIVE DATES.—The amendments made by this section shall apply to taxable years beginning after December 31, 2010.

SEC. 16. INCREASE IN PENALTY FOR FAILURE TO FILE A PARTNERSHIP OR S CORPORATION RETURN.

(a) IN GENERAL.—Sections 6698(b)(1) and 6699(b)(1) of the Internal Revenue Code of 1986 are each amended by striking ''$89'' and inserting ''$195''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to returns for taxable years beginning after December 31, 2009.

SEC. 17. CERTAIN TAX RETURN PREPARERS REQUIRED TO FILE RETURNS ELECTRONICALLY.

(a) IN GENERAL.—Subsection (e) of section 6011 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR TAX RETURN PREPARERS.—

''(A) IN GENERAL.—The Secretary shall require than any individual income tax return prepared by a tax return preparer be filed on magnetic media if—

''(i) such return is filed by such tax return preparer, and

''(ii) such tax return preparer is a specified tax return preparer for the calendar year during which such return is filed.

''(B) SPECIFIED TAX RETURN PREPARER.—For purposes of this paragraph, the term 'specified tax return preparer' means, with respect to any calendar year, any tax return preparer unless such preparer reasonably expects to file 10 or fewer individual income tax returns during such calendar year.

''(C) INDIVIDUAL INCOME TAX RETURN.—For purposes of this paragraph, the term 'individual income tax return' means any return of the tax imposed by subtitle A on individuals, estates, or trusts.''.

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 6011(e) of the Internal Revenue Code of 1986 is amended by striking ''The Secretary may not'' and inserting ''Except as provided in paragraph (3), the Secretary may not''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns filed after December 31, 2010.

SEC. 18. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

The percentage under paragraph (1) of section 202(b) of the Corporate Estimated Tax Shift Act of 2009 in effect on the date of the enactment of this Act is increased by 33.0 percentage points.

SEC. 19. EMERGENCY DESIGNATION.

For purposes of Senate enforcement, the amount resulting from the provisions of, and amendments made by, this Act is designated as an emergency requirement and necessary to meet emergency needs pursuant to section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SA 2723. Mr. ENZI (for himself and Mrs. HUTCHISON) 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. ___. ENCOURAGEMENT OF INNOVATIVE STATE PROGRAMS TO CONNECT UNEMPLOYMENT INSURANCE RECIPIENTS WITH JOBS AND OPPORTUNITIES TO ACQUIRE NEW SKILLS.

(a) IN GENERAL.—Section 903(f) of the Social Security Act (42 U.S.C. 1103(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking ''Of the'' and inserting ''Subject to subparagraph (D), of the''; and

(B) by adding at the end the following new subparagraph:

''(D) If a State elects this subparagraph to apply rather than subparagraph (C), the maximum incentive payment determined under subparagraph (B) with respect to such State shall be transferred to the account of such State upon a certification under paragraph (4)(B) that the State meets the requirements of paragraph (8).'';

(2) in paragraph (4)—

(A) in subparagraph (A)—

(i) by striking ''(2) or (3)'' the first place it appears and inserting ''(2), (3), or (8)''; and

(ii) by inserting ''or paragraph (8)'' before the period at the end;

(B) in subparagraph (B), by inserting ''or if the Secretary of Labor finds that the State meets the requirements of paragraph (8),'' after ''(2) or (3)''; and

(C) in subparagraph (C)—

(i) in clause (i), by striking ''(2) or (3)'' and inserting ''(2), (3), or (8)''; and

(ii) in clause (iii), by striking ''2011'' and inserting ''2012'';

(3) in paragraph (5)—

(A) in subparagraph (A), by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''; and

(B) by adding at the end the following new subparagraph:

''(C) A State may use any amount transferred to the account of such State under this subsection for the payment of amounts under paragraph (8)(A)(iv).''; and

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

''(8)(A) A State meets the requirements of this paragraph if the State has in place a voluntary job placement program under which an individual—

''(i) is paid weekly unemployment compensation;

''(ii) is placed with an employer who provides training to the individual in order for the individual to acquire new skills;

''(iii) may work up to 24 hours a week for a 6 week period with such employer at no cost to such employer; and

''(iv) may receive payments to cover transportation, child care, dependent care, and needs-related payments, that are necessary to enable an individual to participate in the program.

''(B) An individual participating in job placement program under subparagraph (A) shall not be considered to be an employee engaged in employment for purposes of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).''.

SA 2724. Mr. SCHUMER (for himself and Mr. MENENDEZ) 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:

On page 27, between lines 6 and 7, insert the following:

''(IV) EXCEPTION FOR LOSSES FROM SPECIFIED FRAUDULENT ARRANGEMENTS.—Subclause (I) shall not apply to any qualified loss resulting from a specified fraudulent arrangement (within the meaning of Revenue Procedure 2009–20).

CONGRATULATING THE UNITED STATES MILITARY ACADEMY

Mr. LIEBERMAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 331, submitted earlier today.

The PRESIDING OFFICER (Mrs. SHAHEEN). The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 331) congratulating the United States Military Academy at West Point on being named by Forbes magazine as America's Best College of 2009.

There being no objection, the Senate proceeded to the consideration of the resolution.

Mr. LIEBERMAN. Madam 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 relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 331) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 331

Whereas Forbes magazine has named the United States Military Academy at West Point as America's Best College for 2009;

Whereas the United States has had a military presence at West Point since the Revolutionary War because of its strategic position overlooking the Hudson River;

Whereas General George Washington selected Thaddeus Kosciuszko to design West Point's fortifications in 1778;

Whereas West Point is the oldest continuously occupied military post in the United States;

Whereas President Thomas Jefferson established the United States Military Academy at West Point in 1802;

Whereas West Point has educated many of the United States Army's commissioned officers;

Whereas West Point instructs 4,400 cadets per year in academics, military tactics, physical fitness, and leadership;

Whereas approximately 1,000 cadets graduate each year and are commissioned in the United States Armed Services;

Whereas 2 Presidents of the United States, 74 Congressional Medal of Honor recipients, 88 Rhodes Scholars, 33 Marshall Scholars, and 28 Truman Scholars have graduated from West Point;

Whereas in addition to academics and military training, West Point offers extracurricular activities that include the Eisenhower Hall Theatre and 115 athletic and nonsport clubs; and

Whereas West Point offers a well-rounded, highly regarded education to the next generation of the Nation's leaders: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the United States Military Academy at West Point on being named by Forbes magazine as America's Best College for 2009;

(2) supports West Point's mission ''to educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of Duty, Honor, Country and prepared for a career of professional excellence and service to the Nation as an officer in the United States Army''; and

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Superintendent of West Point.

COMMEMORATING THE 20TH ANNIVERSARY OF THE FALL OF THE BERLIN WALL

Mr. LIEBERMAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 332, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 332) commemorating the 20th anniversary of the fall of the Berlin Wall, the end of the division of Europe, and the beginning of the peaceful and democratic reunification of Germany.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LIEBERMAN. Madam 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 relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 332) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 332

Whereas, between 1945 and 1961, more than 2,500,000 people, or 15 percent of the total population of the German Democratic Republic (referred to in this preamble as ''East Germany''), left the country to pursue economic opportunity and enjoy the benefits of liberty and political freedom in the Federal Republic of Germany (referred to in this preamble as ''West Germany'') and other countries;

Whereas, at midnight on August 13, 1961, East Germany sealed its border with West Berlin and began construction of a 100-mile barrier that would later include bunkers, watchtowers, searchlights, minefields, barbed wire, concrete walls, and armed guards, to prevent the emigration of the people of East Germany to seek freedom and opportunity elsewhere;

Whereas, during the 28 years the Berlin Wall existed, approximately 5,000 people successfully fled East Germany for West Germany and West Berlin, more than 75,000 people were imprisoned for attempting to leave East Germany, and an estimated 1,200 people were killed trying to escape;

Whereas Presidents John F. Kennedy and Ronald Reagan declared their vision of Berlin as a free city, in the heart of a free Germany;

Whereas Chancellor Willi Brandt of West Germany and others demonstrated great foresight in their pursuit of ''Ostpolitik'', a policy of engagement that lowered tensions and ultimately helped undermine the authoritarian rule of the wall-builders;

Whereas more than 22,000,000 Americans served in the Cold War, supporting the efforts to bring military, economic, and diplomatic pressure to bear in the defense of Germany and the West, and ultimately helping more than 400,000,000 people gain their freedom from the bondage of communism in the Soviet Bloc;

Whereas the Solidarity Movement in Poland demonstrated that the will of a people united could not be silenced by winning a surprise landslide victory in elections to the Contract Sejm in June 1989;

Whereas, on August 23, 1989, Hungary officially opened the border between Hungary and Austria, resulting in 13,000 refugees from East Germany fleeing into West Germany through Hungary;

Whereas, on September 4, 1989, after prayers for peace in the Nikolai Church, crowds that would eventually number in the hundreds of thousands gathered in Leipzig, East Germany, to repeatedly and peacefully protest the authoritarian regime of East Germany and to demand basic freedoms;

Whereas, in September 1989, thousands of people in East Germany took refuge in the embassy of West Germany in Prague, Czechoslovakia, in order to emigrate to West Germany and the West;

Whereas, on October 18, 1989, faced with widespread civil unrest and a deteriorating political situation, East German leader Erich Honecker, who had predicted that the Wall ''will stand in fifty or a hundred years,'' resigned;

Whereas, on November 4, 1989, more than 1,000,000 people gathered in Alexanderplatz in East Berlin and 40 other cities and towns in East Germany to demand free elections and basic civil rights, such as freedoms of opinion, movement, press, and assembly;

Whereas, on November 9, 1989, East German politbureau member Günter Schabowki announced that the government would allow ''every citizen of the German Democratic Republic to leave the GDR through any of the

border crossings,'' and East German leader Egon Krenz promised ''free, general, democratic and secret elections'';

Whereas thousands of people in East Berlin immediately flooded the border checkpoints at the Berlin Wall and demanded entry into West Berlin, causing the overwhelmed border guards of East Germany to open the checkpoints to allow people to cross into West Berlin;

Whereas, in the days following the fall of the Berlin Wall, hundreds of thousands of people from East Germany freely crossed the border into West Berlin and West Germany for the first time in more than 28 years;

Whereas the Chancellor of West Germany Helmut Kohl and Foreign Minister Hans Dietrich Genscher managed the political situation and foreign diplomacy with great tact and in close cooperation with Western allies, leading to the peaceful reunification of Germany as a sovereign, democratic state on October 3, 1990;

Whereas, on November 9, 2009, the people of Germany will celebrate on both sides of the Brandenburg Gate the 20th anniversary of the fall of the Berlin Wall with the ''Festival of Freedom'';

Whereas the fall of the Berlin Wall was one of the milestones of the 20th century, brought about by the actions of many ordinary and some extraordinary people; and

Whereas the fall of the Berlin Wall embodied the end of the division of Europe, the opening of the Iron Curtain, and the triumph of democracy over communism: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 20th anniversary of the fall of the Berlin Wall;

(2) celebrates 20 years of an undivided Europe, free from the oppression of authoritarianism, with the people of the former communist countries and Western Europe;

(3) honors the service and sacrifice of the people of Germany, the United States, and other countries who served in the Cold War to bring freedom to Central and Eastern Europe;

(4) expresses its appreciation to the people of Germany for their commitment to preserving the dignity and freedom of others in their leadership on international assistance, peacekeeping, and security efforts, including in Afghanistan, Bosnia and Herzegovina, Georgia, Kosovo, Lebanon, Sudan, and off the coast of the Horn of Africa; and

(5) reaffirms the friendship between the Government and people of the United States and the Government and people of Germany.

AUTHORIZING APPOINTMENT OF COMMITTEE

Mr. LIEBERMAN. Madam President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort Her Excellency Angela Merkel, Chancellor of the Federal Republic of Germany, into the House Chamber for the joint meeting at 10:30 a.m. on Tuesday, November 3, 2009.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. 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. BROWN. Madam President, most of us go home every weekend and talk to our constituents. In places such as Mansfield, OH, and all over our States, most of us are hearing a lot about people's problems with health insurance. I come to the Senate floor most nights or days and read letters from people in my State who have had difficulty because of their health insurance situation, and I hear a couple of things over and over. One I hear is that most people are generally pretty satisfied with their health insurance—not the cost but generally their coverage—until they get really sick and then they find out their health insurance isn't as good as they thought it was.

I get letters from people all over my State—from Youngstown, from Toledo, from Bowling Green, to St. Clairsville—that a year ago they would have said they had very good health insurance, but they end up having a baby with a preexisting condition or their health insurance costs are so expensive because of an illness that their insurance is canceled. In some cases, a woman who has a C-section is considered to have a preexisting condition by insurance companies because the next baby would have to be a C-section, and in some cases, even women who have been victims of domestic violence are considered by their insurance companies to be a risk because that is a preexisting condition. If they were abused by their husband or boyfriend or whomever in the household, then it is likely that person will do it again, so that is a preexisting condition, and sometimes they are closed out of their insurance.

A few weeks ago, the Senate Health, Education, Labor, and Pensions Committee chairman, Senator HARKIN from Iowa—a committee I and about a quarter of the Senate sit on—held a hearing to examine how health insurance companies discriminate against women in the private market. Insurance companies often deny care and charge higher premiums to women. For instance, in the case of a 32-year-old man and a 32-year-old woman with very similar health backgrounds, the insurance premiums for a woman will be significantly more. She will pay higher insurance premiums than the man will pay. We also heard stories about what I just mentioned, that women who have been victims of domestic violence or women who have had C-sections are charged higher rates or sometimes the insurance industry literally rescinds—the industry term is ''rescission''—their insurance coverage. That is only one example of how insurance companies make a profit at the expense of people in need.

One of the reasons this legislation is so important is that these kinds of discrimination practices will be banned by our legislation: No more cutting people off due to a preexisting condition, no more cutting people off because they got sick and went over their annual cap or because they are too expensive to take care of; no more discrimination based on geography, gender, or disability. We are going to ban these practices—no more using preexisting conditions, no more caps, no more discrimination—but even with that, it is important that we have a public option—just an option. A public option will say to the insurance industry: We are not going to let you do that anymore. We are going to change the law, but we are going to help to enforce it with this public option.

I commend Leader REID for responding to the support of the Presiding Officer, Senator SHAHEEN from New Hampshire, and many of us who wrote to Senator REID asking him to include the public option in the health insurance reform bill. He has done that. That is a response from many Members of the Senate, and it is also what most of this country wants. In poll after poll, roughly twice as many Americans want to see a public option as don't. A recent physicians poll by the Robert Wood Johnson Foundation—certainly a group that has no dog in this hunt—found that 70 percent of doctors want to see a public option because they want to protect their patients. They want to make sure their patients aren't victimized by discrimination, by preexisting conditions, and by losing their insurance and all of that.

It is time for our Nation to get more choices, and the public option does give more choices. In Ohio, one insurance company controls 41 percent of the market. One company controls 41 percent of the market. Two companies control 58 percent of the market. In southeast Ohio, two companies control 85 percent of the market. What does that mean? That means little competition, it means lower quality, and it means higher rates. You put the public option out there, and you give people a choice. They do not have to choose the public option. They can choose Aetna or CIGNA or Medical Mutual—a not-for-profit company in Ohio—or they can choose WellPoint. Put that out there with the public option as a competitor, and you bet these companies are going to behave better.

It is not just an Ohio problem. In fact, in some States it is worse. Two health plans control 80 to 100 percent of the market share in 10 States. Two companies control at least 80 percent of the market in one-fifth of the States in this country. In another 11 States, 2 health plans control 70 to 80 percent of the market. So you have 21 States where 2 companies control at least 70 percent of the market. That is not competition; that is an oligopoly, I guess is the term we learned in high school economics class. But whatever

we call it, we know it is simply not working to keep health care costs down, it is not working to keep health insurance prices down, and it is not working to provide the kind of high-quality insurance that is needed.

In the insurance industry, what have we seen happen in the last 7 or 8 years? Insurance premiums have doubled. The reason they have doubled is because they can. There are fewer insurance companies, but they have gotten larger and larger. These insurance companies have a business plan. Their plan is basically twofold. First of all, they hire lots of people to make sure they deny coverage. You can't even buy insurance if you are sick or if you have a preexisting condition. Then they hire lots of people to deny your claim. Something like 30 percent of all claims submitted on the first go-round to private insurance companies are denied. So their business plan is to hire a bunch of bureaucrats—the private, for-profit companies—to keep from buying insurance people who might be costly. Then on the other end they hire a bunch of bureaucrats to make sure they try not to pay out for health care costs people have.

Lots of countries in the world have private health insurance. We are the only country that has private for-profits. This isn't a bunch of countries around the world that have socialized medicine. Many countries have private insurance doing it, but they are not-for-profit private insurance. So they do not add to the private insurance bureaucracy by hiring lots and lots of expensive people to keep you from buying insurance if you are sick or if you have a preexisting condition, and they do not hire a bunch of people on the other end to stop you from collecting on your insurance when you do in fact get sick. That is why the public option is so important. It is going to compete with these private companies. You won't see the kind of gaming of the system the private insurance companies are doing now.

According to the Congressional Budget Office, a strong public option in health reform, such as we provide for in the HELP Committee bill, would save the government $25 billion over 10 years—again, because a public plan wouldn't have to turn a profit.

So what does that mean? It means that in the last 7 or 8 years, private insurance companies have seen a 400-percent increase in their profits. How do they make that profit? Well, by hiring a bunch of bureaucrats to stop people from getting coverage if they might get sick. They hire a bunch of bureaucrats, if they do get sick, to keep them from having to pay for it.

At the same time, profits have gone up because those are good investments. Those bureaucrats who deny coverage are good for the industry if they deny a lot of claims, which, of course, they do. But look at the executive salaries, look at the trips they take, look at their sales meetings in Tahiti and their $20 million-a-year salaries. The CEO of Aetna last year made $24 million. The average salary of the CEOs of the 10 largest insurance companies is $11 million. To make $11 million, you have to cut a lot of people off from getting their insurance, you have to keep a lot of people out, you have to deny a lot of preexisting conditions, and you have to deny a lot of claims. And they are very good at that. Again, that is why the public option is so very important. The private insurance industry has avoided risk at the expense of their enrollees when they should have been bearing risk on behalf of their enrollees.

There is no better way to keep the private insurance industry honest than to make sure they are not the only game in town. When they are the only game in town, when there are only two companies in southwest Ohio, you bet executive salaries are high and profits are high and quality is low, and you bet cost is high for those small businesses and individuals and large businesses, too, that are buying that insurance.

Too often, the private insurance industry has cast out the sick instead of covering them. Too often, the industry has promised financial protection and has delivered disillusionment. No small business is safe from unheard-of premium increases, even if they are paying in more than they got out from their insurance company year after year.

There is a small business in Cincinnati, in southwest Ohio, as I mentioned earlier, that I believe has been in business for a quarter century. He would like to take the money he has made and plow it back into the business and take a lot more of his revenues and plow that back into the business to grow his business, but he is spending more and more of his money—all of his discretionary money—on insurance, to the point now where it looks as if, from what insurance companies say, he may not even be able to cover his employees at all in the years ahead.

Tomorrow, the HELP Committee—the committee that held the hearings on discrimination against women in health insurance—is holding a hearing entitled ''Increasing Health Costs Facing Small Businesses'' to examine how exorbitant premium increases are affecting our small businesses. In the past 2 years, half of small businesses that have offered coverage reported switching to plans with higher out-of-pocket costs in response to rising premiums.

So what is happening all over this country, the small businesses—and large businesses—in order to get coverage are forcing their employees to pay more money out of their own pockets for their insurance. Employees are often not getting raises, in part because of the recession, certainly, but also because the company is spending so much money on health insurance and people are having to dip into their own pockets much more. Small businesses make up 72 percent of Ohio's businesses but only 47 percent offered health benefits in 2006, and that was down 5 percent from half a decade earlier.

So it is important that we have this hearing tomorrow, but what really matters is that our health insurance bill will, in fact, give small businesses several options. It will mean they can go into a larger pool, if they would like, where their costs will be less. We know a small business pays much more than a large business pays per employee. Small businesses will get a tax break. Small businesses that have 24 employees, 22 employees, have been paying too much for health insurance. If one or two of their employees gets really sick, you know what happens: their insurance prices spike up and they may even lose their insurance overall or they may get canceled. But if you take the small business and put it into a pool, you are going to see much more evening. You won't see those price spikes when a handful of people get sick because you could spread that around the whole risk pool. That is why this is so important. It is so important for these small businesses to have a public option because it will, again, keep the insurance companies honest. It will mean more competition. It will mean insurance companies have to compete on price.

The people running the public option in every State are not going to be paying $24 million to their CEO. You can bet they are not going to hire a bunch of people to try to keep people off of their insurance rolls. You can bet they are not going to hire a bunch of bureaucrats to stop the insurance companies—the public option—from having to pay. Medicare doesn't disallow or throw people off for a preexisting condition. The public option won't either. Just by existing, the public option will keep the private insurance industry more honest.

Madam President, let me just close—and I think Senator MERKLEY is going to be joining us in a few minutes—with a couple of letters from people who have been victimized, in some sense, by this insurance system.

This is Sheila from Richland County, the county where I grew up, in north central Ohio—the Mansfield, Shelby, Shilo, Plymouth, Lexington area. Sheila writes:

> I moved to Ohio five years ago to be with my granddaughter. I've worked hard all my life, and now, I'm 60 years old still working and paying my own insurance. The other day I learned my health insurance has doubled. I am alarmed because I'm wondering how long I will be able to pay for my benefits. I've talked to some other people my age and they are feeling the same way. I have always worked, never sat down, or expected handouts. But insurance companies are downright greedy. I do have a problem with Seniors being gouged because of age and health issues.

Sheila brings this to mind. There are a lot of letters we received that are

from people like Sheila. She is 60—they might be 63; they might be 58. They are typically from people who worked hard all their lives, as the great majority of people in my State have worked hard, played by the rules, and it is not always so easy, of course. Sheila suggests, as many do, she knows she is Medicare eligible in 5 years. She is 60 now—4-plus years. A lot of letters I get, in addition to people thinking they had good insurance until they got really sick, a lot of letters are from people in their early sixties. They just want to hang on until they are Medicare eligible because they are paying such high premiums. She said her costs doubled.

She knows Medicare, which looks a lot like the public option, is something that will ultimately protect her and will matter as she lives out the last 10, 20, 30 years of her life. That is why it is so important.

Linda, from Muskingum County, the Zanesville area of the State, east of Columbus, eastern Ohio:

I'm 60 years old and a mother of two grown sons. Since my divorce earlier this year, I've had to start my life all over—after 33 years of working hard and paying off bills and our mortgage.

In May, I selected a standard plan from a private insurer. As expensive as it was, I had to pay the $625 a month they quoted.

As of September, I did not receive a policy or information on my benefit plan, despite asking for a copy of my plan and being charged monthly premiums.

The insurance company finally notified me that they misplaced my form and that I would receive some information in August.

In that time—I didn't see a doctor or use the policy in any way, but I still paid the monthly premiums assuming I was covered. But in just 3 months the insurance company increased my premiums from $625 a month to $1,000 a month. The explanation I got was that the insurer was required to increase the premium in order to maintain enough money to fund the plan I selected. The only thing they did was to take my payments for three months for something I wasn't able to use. I don't think it is fair they can increase the premium that quickly or even within a year.

Linda reflects—she is the same age as Sheila. They are both from sort of small, medium-size towns in Ohio. Some of the same problems—60 years old, onerous, very expensive premiums that they seem to have no control over.

Again, what our health insurance bill will do, as we see more competition from the public option, we will see more spreading of the risk so she doesn't have to buy an individual policy like this so if she gets sick she will be covered.

Robert and Monica from Cuyahoga County, Cleveland area, northeast Ohio, write:

Our son Jon will have no health insurance as of March, 2010. He's 25 years old and working on an associates degree in landscape design at a community college. Our son Jon supports himself as a landscaper, despite being deaf. He makes just enough to buy food, pay rent and pay for some of his courses. While he could file Supplemental Security Income, he has never collected a penny of government assistance.

But in March of next year, Jon will be dropped from our health insurance plan. Please help Jon and millions of Americans who are uninsured.

Jon is 25. In many cases people like Jon are dropped from their insurance plan when they are 22. One of the things our bill says is no longer will someone coming home from the Army or coming home from college, someone who moved back in with their parents, whether they are 22, 23 years old, be dropped from their insurance. Under our bill that passed out of the HELP Committee, anyone can stay on their parents' policy until the age of 26. But even at 26, what will happen is much preferable, obviously, to what is happening to Jon.

What is happening to Jon is—his parents say they are dropping him without much prospect, it sounds like, of getting insurance. What our bill says is that anyone who is uninsured, like Jon will be, at whatever age he would become uninsured, anyone will be able to go into the insurance exchange, and Jon will be able to choose from a whole menu—Aetna, Wellpoint, Medical Mutual—or does he want to choose the public option?

Because Jon sounds like he is pretty low income, Jon will get some assistance from the government, from taxpayers, to buy insurance so he will be in this large insurance pool with, more or less, tens of millions of other Americans, which will keep prices in check because of the expanded universal pool of people. But Jon will be in a much better situation because he will have insurance under this legislation.

Melissa, the last one I will read, from Lake County just east of Cleveland, Willowwick, Wickliffe, Eastlake, Madison, that area of Ohio:

I'm a young, college-educated professional who has always had to purchase my own health insurance because employer plans were not available.

Even as a healthy young woman with no health problems and no pre-existing conditions, my monthly insurance costs are very expensive. I teeter on the brink of dropping coverage.

I would love to participate in a public option, and especially want it to be available to family members and people in my community who desperately need it.

Melissa is in a situation like so many. She works for an employer, could be a small business—whomever she works for—that doesn't provide health insurance. It sounds like she has had decent jobs, but they don't provide her health insurance. She has had to buy it herself. It is incredibly expensive, and it is increasingly expensive to buy insurance on your own, even if you don't have a preexisting condition, even if you have not been sick, the way Melissa is. But she would like the option of going into the insurance exchange and going into the public option that would inject competition. It would keep prices more in check. She would be part of a larger pool, and she would have those protections, the consumer protections that our legislation offers.

She, Melissa, is specifically asking to join the public option. That is her choice once this legislation is passed.

I thank you for the time on the floor. I add, this bill we are going to debate in the next couple of weeks, this legislation, in so many ways, makes sense for this country.

First of all, anyone who is satisfied with their insurance can keep what they have, and we will build in consumer protections around it so people can't lose insurance because their costs were too high or a preexisting condition. They might have had a C-section as a young woman or might have been a victim of domestic violence. Losing their insurance for those things will not be allowed anymore.

This will help small businesses with tax incentives and other ways to spread their costs around so I guess they go into a bigger insurance pool. It will help those who do not have insurance. They will have the option to buy it. If they are low- or middle-income Americans, they will get some assistance to pay for their insurance.

Last, this bill will have a public option which will help to discipline the insurance market, will compete with them, will make them more honest, and help to bring prices down as good, old-fashioned American competition does.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MERKLEY. Madam President, I rise this evening to address the issue of health care in our society, and specifically the public option. Earlier today I had a chance to listen to some of my colleagues defend the status quo system. They wanted to argue that health care reform should not occur now—maybe sometime later. I guess the 100 years we have spent as a country, working to have affordable, accessible health care for every citizen, the 100 years we spent in that debate isn't enough.

There is a novel by a couple of ladies who were turning 100. They titled their novel ''The Second Hundred Years,'' or ''Our Second Hundred Years.'' That was a beautiful glimpse into the possibility of a life well-filled and a life of anticipated fulfillment as they went into their old age post-100.

We are in a different situation with health care. This 100-year debate should not go on for another 100 years; another 100 years for us to consider the possibility, the principle that every single person in America should have affordable, accessible, quality health care.

I heard earlier today a lot of scare words thrown out to defend the current system and encourage citizens to be

afraid of reform. Those scare words are very unnecessary because citizens in America know our health care system is broken. They know it from their personal experience. So opponents of reform, they don't want to have a plan, they simply want to scare citizens into sticking with the broken status quo.

Indeed, sometimes there is a certain concern about change, what change will bring. Well, let's look for a moment at what the status quo is bringing us. Our health care costs are doubling every 6 to 8 years. That means a lot of folks who could afford health care just a few years ago cannot afford it today. A lot of small businesses that could afford health care 6 to 8 years ago cannot afford it today. A lot of big businesses that are competing internationally were more competitive 6 to 8 years ago than they are today.

I would like to be able to tell you that the rate of increase in the cost of health care has declined but, if anything, it has increased. We are looking at another doubling over the years to come, over the next 6 to 8 years.

I do not know about anyone else, but given how high health care costs are today for the American family, do we want a system, a broken system, that is going to double those costs again in the very near future? Is that a good future for America? Is that affordable health care? Is that accessible health care? Is that an ability to acquire quality health care, which I think every American citizen knows in their heart that, indeed, that is not affordable or accessible or quality health care, to have a system that is doubling every 6 to 8 years.

The other thing we know about health care in America is that folks who have insurance still have a lot of challenges. Well, the first is getting insurance in the first place because our current system allows insurance companies, as incredible as this might seem, to say: No, we do not want you. You have a family history of diabetes. You have a preexisting condition. It might simply be a skin rash. It might be anything. People are turned down for health care day and night in our country.

Well, those are a lot of American citizens who do not get to participate in our health care system. What about those folks who do get insurance and they go along paying their premiums year after year, 10 years, 15 years, and then they finally have a health care problem and they get a letter from their health insurance company that says: We are dumping you off your health care plan. Now that you are sick, we do not want to cover you anymore.

What kind of fairness is there in that for the American citizen, that companies can dump you off your plan when you finally need health care, after you have been paying your premiums month after month, year after year, or decade after decade, and finally you have an illness that needs to be covered and, whoosh, your health care coverage is gone. That is not a fair system for those who have health issues in our Nation.

So we need to reform this system. It starts by ending the unfairness for those who have it. It is called insurance reform. No more blocking folks from being accepted into health care—universal guaranteed access. No more dumping of folks off health care insurance once you become ill—an end to dumping, an end to preexisting conditions.

In other words, health care reform for those who have insurance is all about fairness. There were some other words thrown out earlier today, words such as ''deficit,'' ''government takeover,'' ''increases in premiums.'' All those are scare words designed to mislead the citizens from following the logic of their own experience, their own common sense about the broken health care system we have in America.

But let's consider some other words. How about ''competition.'' It may surprise some to find out we do not have much competition at all in health care here in America. Why is that? It is because the health care insurance industry is exempt from competition. They are allowed to work together as an exemption for antitrust. They are allowed to coordinate and to compare. That works to the benefit of the companies, but it does not work to the benefit of the citizens.

In addition, a lot of markets in this country have a single dominant provider, often 80 percent of the market. That does not work toward competition. What do you get here in America in a market where you have no competition or very little competition? What you get are extraordinarily high costs that are doubling every 6 to 8 years. That is not a system that works for citizens.

So how about we introduce competition. That is as American as apple pie. How can we do that? What we can do is have a health care competitor dedicated to healing, not dedicated to corporate profits. That health care entity, that publicly created structure of health care, indeed healing, they are not trying to maximize their profits at the expense of citizens; they are trying to invest in the citizens to maximize wellness.

It is a completely different model. It is a model about prevention. It is a model about disease management. It is a model about healthy choice incentives. That is the competition that a public option or a community health plan will introduce with health care all over our Nation.

I think lower costs and competition are good things. I think giving citizens more choice is a good thing. Here are some brilliant aspects of this. If you do not have competition right now due to the antitrust provisions or due to the dominance of a single payer, then the citizens can look at the possibility and go: Well, they are all about the same. That is not real competition.

But now, if you introduce a player that is not there to maximize profits, is there to maximize wellness, that is real choice. Nobody would be asked to take a public option or community health care plan choice over a private insurance company. That is why they call it choice. That is why they call it an option. You would get to choose.

Let us empower our citizens through choice in the marketplace. Again, this is red, white, and blue American competition to benefit consumers of health care services.

We have had a lot of conversation about health care this year. It has certainly been an intense conversation since January. We have five bills that have come out of committees. Many folks like to stack up all those bills and say: Look how complicated it is. Look how complicated health care reform is. Well, it is a bit complicated because we have multiple health care systems in our country.

We have a Veterans' Administration system. We have a Medicare system. We have a Medicaid system. We have private insurance companies in the system. We have another system for all those folks who cannot qualify for any of the first ones. It is this: Save your money and hope you have enough when you get sick. If you do not, then I am sorry, you are in trouble.

There are some statistics on this: 45,000 Americans a year die because they do not have access to health care, 45,000. That can be compared to just about virtually anything else that happens in this country. That is a pretty big total. That is a lot of suffering. That is not just folks who get sick and suffer, all those folks who get sick and suffer and die.

We had a gentleman in central Oregon who had a tumor growing on his spine. His doctor asked the private insurance company for an MRI, permission to do imaging so they would understand what was happening. The insurance company, the private insurance company, turned him down. So the patient and his doctor found a second expert. The second expert went over the man and said: He needs to have an MRI. They sent a request to the insurance company. The insurance company turned him down, again.

He died from that tumor on his spine. He actually had health insurance, but he had health insurance with a private insurance company coming between him and his doctor. Some of my colleagues like to say under a public plan the government gets involved. Well, not really. It is you and your doctor. Right now we have insurance companies that come between you and your doctor every single day. Why not give the American citizen this choice to have a different system, a system dedicated to healing, a system that will create competition, a system that will hold the private insurance company's feet to the fire.

That is the community health care plan or the public option. I will conclude with this notion, that competition that lowers costs, increases choice, and improves service is a wonderful direction for health care reform to go. We have made many steps in that direction. But we have not gotten that bill to the President's desk. Let's do that. Let's get that bill that increases choice, improves service, and lowers costs, let's get that bill to the President's desk by Christmas.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ORDERS FOR TUESDAY, NOVEMBER 3, 2009

Mr. MERKLEY. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, November 3; 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 recess from 10:15 a.m. until 11:30 a.m. to allow for a joint meeting of Congress; that following the joint meeting, the Senate resume consideration of H.R. 3548, the Unemployment Benefits Extension Act of 2009; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus luncheons; and finally, that the time during any adjournment, recess, or period of morning business count postcloture.

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

PROGRAM

Mr. MERKLEY. Madam President, German Chancellor Angela Merkel will address a joint meeting of Congress tomorrow at 10:30 a.m. Senators are encouraged to gather in the Senate Chamber at 10 a.m. so we may proceed as a body to the Hall of the House of Representatives at 10:15.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MERKLEY. 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 7:04 p.m., adjourned until Tuesday, November 3, 2009, at 10 a.m.

EXTENSIONS OF REMARKS

RECOGNIZING THE LAUNCH BY THE LEGAL AID SOCIETY OF PALM BEACH COUNTY OF ITS ARMED SERVICES ADVOCACY PROJECT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise today to celebrate the launch by the Legal Aid Society of Palm Beach County of its Armed Services Advocacy Project, ASAP, made possible through a grant from the Florida BRAIVE Fund at the Dade Community Foundation. More than 1.7 million veterans call Florida home, one of the largest such populations of any State. Palm Beach County alone is home to 1,200 Iraq and Afghanistan veterans. The need for services for these people is tremendous.

This new project's mission is to provide civil legal assistance to active duty Armed Forces service members and veterans who are serving or have served in Operation Enduring Freedom or Operation Iraqi Freedom and/or their families living in Palm Beach County Specifically, the Armed Services Advocacy Project will provide legal advice, education, counsel, and representation with regard to pre-deployment, deployment and post-deployment issues, free of charge.

Legal services offered to personnel and/or their family members will include access to benefits, benefit denials, disability determinations, discharge matters, housing and financial issues, access to health care and mental health resources, employment rights and much more. Individuals may also receive assistance with specialized military issues including navigating the physical disability evaluation system, appealing involuntary administrative separations, defending inappropriate discharge, discharge characterization, or disability rating and filing claims for Traumatic Injury Insurance Under the Service Members Group Life Insurance, TSGLI.

The ultimate goal of the Armed Service Advocacy Project is to improve the lives of Palm Beach County residents who have served or are serving in Iraq or Afghanistan and their families through legal intervention aimed at providing safer living conditions, meeting medical needs or reducing the time and frustration involved in navigating social services and veterans' assistance systems.

Madam Speaker, I am quite familiar with the problems active duty and retired service members have faced with these issues. I am delighted to know that the Legal Aid Society of Palm Beach County, an old and very trusted agency, has created the Armed Services Advocacy Project, and I wish them great success with their efforts on behalf of one of America's most beloved and respected populations.

PERSONAL EXPLANATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. CONAWAY. Madam Speaker, on rollcall No. 830, H.R. 3854, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. CROWLEY. Madam Speaker, on October 29th, 2009, I was absent for four rollcall votes. If I had been here, I would have voted: "yes" on rollcall vote No. 828; "no" on rollcall vote No. 829; "yes" on rollcall vote No. 830; and "yes" on rollcall vote No. 831.

COMMENDING THE 70TH ANNIVERSARY OF PEOPLE'S UTILITY DISTRICTS IN OREGON

HON. KURT SCHRADER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. SCHRADER. Madam Speaker, I rise today in honor of Public Power Week 2009 in the State of Oregon. The history of public power in Oregon stems from a grassroots campaign of Oregonians in the 1930's who, due to their rural service areas, did not have access to electricity. They spearheaded an initiative and Oregon eventually passed a measure allowing for the development of publically owned and operated energy utilities.

As President Franklin Roosevelt stood at the gates of the Bonneville Dam and inaugurated the Bonneville Power Administration, BPA, these Oregonians finally had a viable option towards implementing their publically owned energy facilities. By the 1940's, four People's Utility Districts were formed across Oregon in Lincoln, Tillamook, Clatskanie, and Wasco Counties. By the early 1980's, two more were created: Emerald and Columbia River People Utility Districts.

Oregon's PUDs are a testament to the cooperation of more than 250,000 Oregonians who publically own and operate their energy company. Oregon's PUDs focus on renewable generation, conservation, and energy efficiency programs has resulted in over 90 percent of their power generated and distributed being green and renewable. This is quite an achievement. Today, Oregon's PUDs are thriving with green technology innovation while still providing low-cost rates and quality service to their consumers.

There are two PUDs that serve my district: Central Lincoln PUD and Tillamook PUD. I would like to take a moment and highlight the excellent work they continue to do:

Central Lincoln PUD—Central Lincoln PUD, serving portions of Lincoln, Lane, Douglas and Coos counties, provides affordable electricity to nearly 84,000 Oregonians, supporting thousands of jobs in the tourism, fishing, and forest products industries. Central Lincoln has helped many of its commercial and industrial customers with long-term energy saving projects, including the Oregon Coast Aquarium in Newport and the Georgia-Pacific paper mill in Toledo. Central Lincoln is a platinum sponsor of cutting edge renewable energy and electricity storage research at Oregon State University's Wallace Energy Systems & Renewables Facility at its school of Electrical Engineering and Computer Science. Additionally, Central Lincoln is enhancing its focus on conservation and energy efficiency, including the hiring of an energy services specialist, who will provide technical assistance and information to customers and the general public regarding practical application of a variety of energy technologies. Central Lincoln is also a recent recipient of a $10 million smart-grid grant from the federal government.

Tillamook PUD—Tillamook PUD and Hampton Lumber's Tillamook Lumber Mill have a strong working relationship and have worked together on energy efficiency improvement projects for more than two decades. Tillamook Lumber, one of Tillamook PUD's largest customers, has always valued conservation, and has demonstrated its importance even through this rough economic downturn. During the spring, operations at the mill decreased from a 24 hour operation to one shift, leaving nearly one-third of its employees out of work. With rebates and assistance from Tillamook PUD, Hampton installed new motors and variable frequency drives in several areas of the mill, resulting in annual savings of over $90,000. More than 40 percent of the $486,000 project costs were paid through the Tillamook PUD/BPA rebate program. Tillamook PUD and the Port of Tillamook are also converting a very valuable asset from its famous cows into energy. In 2003, the Port constructed a centralized methane digester to biologically process the manure from 4,000 of the county's 30,000 dairy cows. The digester has the ability to produce and capture methane from the manure and reduces the amount of methane that otherwise would enter the atmosphere. The green power generated is sold to Tillamook PUD, powers approximately over 200 homes, and maintains more than 150 family-wage dairy industry jobs in the community.

Madam Speaker, while more than 70 years has passed since the establishment of public power in the State of Oregon, I am proud to say that they represent a spirit that I believe all Americans share: the spirit of community first. I honor them as they celebrate Public Power Week 2009 and wish them continued success in the coming years.

TRIBUTE TO WILLIAM ''BILL'' CASAMO

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. MORAN of Virginia. Madam Speaker, I rise today to pay tribute to the life of Mr. William ''Bill'' Casamo, community activist, human rights leader, and U.S Veteran. Bill lived the kind of full, robust life we all hope to live, leaving us at the distinguished age of 92 on October 21, 2009, at his beloved home in Alexandria, Virginia.

Mr. Casamo was a proud veteran of the U.S. Marine Corps and a one-man force throughout the modern American labor movement. His deeply held values and experiences truly reflect the best of what the ''Greatest Generation'' had to offer our nation.

Bill was the second child of immigrant parents, Hilda Johanson from Norway and Anthony Casamo from Sicily. In 1921, in an effort to provide a better life for their family outside bustling New York City, they moved to Patterson, NY. Early in his childhood, Mr. Casamo demonstrated the strong work ethic that would carry him throughout his life. During his summers in Patterson he worked at local restaurants, slaughterhouses and meat packing plants to help support his family. In 1943, he enlisted with the U.S. Marine Corps, leaving behind his wife and first child to fight in World War II. Mr. Casamo served honorably in the Pacific Theater until his discharge in February 1946.

After the war ended, Mr. Casamo began what would be a lifelong dedication to the American labor movement. The map of his career truly traces the rise of labor throughout our country. His first union job came at the early age of 20 when he was elected a union representative at a meat packing plant in New York. Over the next half-century he dedicated himself to numerous union organizations, including the United Furniture Workers Union, the American Federation of State, County, and Municipal Employees, AFSCME, the International Industrial Engineers, and the International Brotherhood of Pulp, Sulphite and Papermill Workers, which later became the International Brotherhood of Papermill Workers, IBPW. He retired in 1985 as the Director of the Retiree Affairs Department for IBPW. Mr. Casamo has always been proud of his work, often penning a Labor Day message to express his gratefulness for the courage, fortitude and vision of American workers. The same can be said of a nation's gratefulness for Mr. Casamo.

Bill Casamo will be deeply missed. He set the standard as an exemplary individual who spent his life fighting to make a better life for his family and for his brothers and sisters in the labor movement. He is survived by his loving wife of 43 years, Eileen Casamo, 4 children, 16 grandchildren and 11 great grandchildren. Bill will be missed, but his warmth, kindness and strength of character will be remembered always.

PERSONAL EXPLANATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. CONAWAY. Madam Spaker, on rollcall No. 828—Flake Amendment, had I been present, I would have voted ''yea.''

CHINESE HUMAN RIGHTS ATTORNEYS TESTIFY BEFORE THE TOM LANTOS HUMAN RIGHTS COMMISSION

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. WOLF. Madam Speaker, I would like to draw the attention of my colleagues to the following testimonies of two Chinese human rights attorneys who submitted testimony for a hearing last week of the Tom Lantos Human Rights Commission.

[Written Testimony submitted to the Tom Lantos Human Rights Commission on the rule of law in China, Oct. 29, 2009]

BY CRACKING DOWN ON HERESIES, THE GOVERNMENT REDUCES VENUES FOR RELIGIOUS ACTIVITIES IN RURAL AREAS

(By Mr. Wang Guangze)

From May 2006 to July 2007, I was working as Beijing-based editor and commentator for the magazine Phoenix Weekly, a subsidiary operation of Phoenix Satellite TV. During that period of time, I had tried to make some reports on the status of religious freedom. Phoenix Satellite TV and its subsidiary magazine Phoenix Weekly were registered in Hong Kong, but due to their pro-CPC features, the CPC gave them the special permission to set up a reporter's station in Beijing and recruit employees. The restrictions on its scope of news reporting are rather lax as compared with other media outlets in mainland China. This is also the main reason why this witness was able to report on religious cases, while other media outlets in China had no such right to report on related content during the same period of time.

The religious case of ''Three Grades of Servants'' was published in the eleventh issue of Phoenix Weekly in 2006, in a Chinese article of as many as 11,000 characters. The entire report consisted of three articles: ''An underground church and sixteen cases involving death,'' ''Xu Wenku and his religious kingdom,'' and ''Religious reality in a rural village.'' The entire report was written by two journalists, Deng Fei and Liu Zhiming, after they conducted interviews. They were notified by a witness, who also gave guidance on conducting interviews. In the end, I edited on the articles and published them.

Through investigations and interviews, we found that the mainland Chinese Public Security department and prosecution department accused ''Three Grades of Servants,'' a Christian church under the management of Xu Wenku, of carrying out an order to murder twenty members of another Christian house church that called itself ''the Lightning in the Orient.'' Both police and prosecution agencies believed that the two parties not only had the motive of competing for the recruitment of believers, but that there were also conflicts between their religious creeds. After the case was cracked, mainland Chinese police effectively cracked down upon this type of mutual hate-killings between different religious factions, stopping this kind of hate-killing from spreading. In the meantime, mainland police also destroyed the religious activities of the two house churches. According to estimates, the religious belief of tens of thousands of people's may have been affected.

According to the indictment, Xu Wenku and others swindled people out of 20.5 million RMB in various parts of mainland China by illegally hiring believers and collecting contributions, etc. At the beginning of 2007, Xu Wenku and other core members of ''Three Grades of Servants'' Church were sentenced to death and were immediately executed.

Through investigations and interviews, we believe that the relatively secluded venues for religious activities in rural areas have given rise to religious heresies or have led some people to be engaged in illegal activities in the name of religion. On the other hand, mainland police, while cracking down on heresies, also take the opportunity to destroy venues for religious activities in rural areas, reducing the number of venues for villagers' religious activities. I believe that mainland police have failed to distinguish the normal religious activities from the illegal and criminal behavior in the religious activities that should be cracked down. As a result, the religious environment in the countryside continues to deteriorate and has entered into a sort of vicious cycle: While cracking down on heresies, the venues for religious activities were reduced. After the venues for religious activities were reduced, the religious activities of villagers were forced to be more secret, and secret religious activities often tend to nourish the creation of heresies and varying degrees of illegal religious activities.

For more evidence, please view the following relevant report at: http://www.boxun.com/hero/wanggz/.

[Written Testimony submitted to the Tom Lantos Human Rights Commission on the rule of law in China, Oct. 29, 2009]

EXPECTING THE SECOND TRANSFORMATION OF CHINA'S RELIGIOUS POLICIES

(By Mr. Cao Zhi)

1. FOUR STAGES OF RELIGIOUS POLICIES IN CHINA

1. In the 1950s before the Cultural Revolution, the system of administration of religions was formed. The basic characteristics of the system were that the religious organizations were politicized, were classified under the administration as a 'work unit,' and everything in terms of religious life was simplified. In 1978, after the Cultural Revolution, the political program of the country turned to the ''priority of economic development'' from the ''class struggle.'' In March 1982, ''Basic Viewpoints and Basic Policies of Religious Issues of Our Country During the Period of Socialism'' (i.e. Document No. 19) was promulgated. This was the first transformation of religious policies in China. On the one hand, this document required the restoration of religious activities held by religious organizations at sites designated for religious activities. On the other hand, however, the predominant idea was that ''class struggles still exist within certain areas,'' and it confined the religious activities within the ''normal limits.'' In 1982, Article 36 of the Constitution, essentially the ''Clause on Religious Belief,'' was formulated based on the religious policies defined in Document 19. With its promulgation, the state now must recognize what it considers ''normal religious activities,'' while at the same time, it must prohibit or crack down on religious activities outside its control. The idea of ''the state protects normal religious activities'' must be interpreted in the context of this contradiction.

2. After the third wave of the democratic movement in 1989, referred to as ''Catholic wave'' by Huntington, the ruling party mistakenly believed that the church was against its rule. Therefore, the ideas of ''class struggle'' and ''friends and enemies'' fueled a boost in religious [restrictive] policies. In 1991, the ''Notification from the Central Committee of the Chinese Communist Party and the State Council on Several Questions Concerning Doing a Good Job in Religious Affairs'' (i.e. Document 6) was established. For the first time, this document unequivocally proposed ''administration of religious affairs in accordance with law.'' It further proposed to ''speed up the legislation on religious issues.'' Document 6 demanded that the State Administration of Religious Affairs under the State Council, governments in various provinces, autonomous regions and municipalities remain directly under the jurisdiction of the central government-led regulations in cases concerning religion. Between 1991 and 1999, two administrative regulations were formulated and promulgated at the same time by the State Council on January 31, 1994. In the meantime, the State Administration of Religious Affairs under the State Council also formulated four administrative regulations. In the past 10 years, with the exception of Beijing and Shanxi, 29 provinces, autonomous regions and municipalities directly under the jurisdiction of the central government completed the religious legislation. Among them, the comprehensive laws and regulations from 16 provinces, autonomous regions and municipalities directly under the central government adopted a format with 10 chapters of General Rules, Religious Organizations, Religious Activities, Sites for Religious Activities, Clergymen, Religious Education (or institutions), Religious Properties, Religious Issues Involving Overseas Contacts, Legal Liabilities and Supplementary Articles.

3. After the 1999 Falun Gong Incident, the religious policies became tight. In 2001, the goal of administration of religious affairs of the government was unequivocally defined as to ''protect legal activities; stop illegal activities; fight against infiltration and crack down on crimes.'' In light of this, relevant legislations started. The 1997 version of the amendment to the Criminal Law changed the ''counter-revolutionary crime'' in the 1979 version of the Criminal Law to ''endanger the safety of the state.'' In the meantime, the clause in Article 99 of the latter was incorporated into Chapter 6 from Chapter 1 of the special provisions of the Criminal Law. It was changed to Article 300. The presumptive conditions defined in the Criminal Law, i.e. crimes have three situations: utilizing superstitious sects or secret societies, cult organizations or utilizing superstition in undermining the implementation of the law and administrative regulations of the state; causing death in deception schemes; raping women and obtaining properties through cheating. In comparing Article 300 in the 1997 version of Criminal Law and Article 99 of the 1979 version of the Criminal Law, ''cult organization'' was added to the subjects of crime and in the objects of crime, ''proletarian dictatorship and socialist system'' was changed to ''implementation of state laws and regulations, personal rights and property rights.'' Therefore, the objects of abolishment changed from ''superstitious sects or secret societies'' to religious organizations. The reason for abolishment has also changed from being a ''counter-revolutionary'' to ''endangering public order'' or ''violating one's personal rights or property rights.''

4. In 2005, the ''Regulations on Religious Affairs'' was promulgated. Its content actually can be traced back to the religious policies in Document 19 and Document 6. Its structure is based on the experience gathered in the legislation of religious affairs in other places. The language used in this regulation is vague and for the first time on the level of state administrative regulations, it publicly implements the system of administrative approval on religious organizations, sites for religious activities, religious activities, clergymen, religious publications, religious institutions and religious affairs involving overseas entities. Whatever does not obtain an administrative permit is considered illegal.

What is worth mentioning here is that on the question of religious properties, the ''Regulations on Religious Affairs'' clearly states the responsibilities of agencies in charge of religious affairs and they have the tendency to protect religious activities.

II. FOUR ISSUES.

1. Religious clergymen.

In the process of recognition (agreement)—record filing for religious clergymen, ''record filing'' is the center of the issue. ''Record filing'' is merely the name of it, but the real intention is to control the clergy through the approval system. Two examples of this are the Zhaozhi case in Niuxin Temple of Sichuan in 2005 and Shengguan case in Huacheng Temple in Jiangxi in 2006. These incidents have brought up this situation: that is, the recognition and appointment of religious clergymen is not based on the criteria of belief or knowledge in the doctrines of the specific religion, but on whether they obey the government. The religious organizations and the site for religious activities where these religious clergymen serve are therefore subordinate to the government and we have a situation where the state dictates the church. Therefore, such a process violates the Constitutional principle of the separation of the church and the state and is therefore an inappropriate process. One of the ways to reform the religious system is to abolish such a process and turn control over to the religion itself for the recognition and appointment of religious clergymen. The government must not intervene and should withdraw itself from the administration of affairs on religious clergymen.

2. Religious publications.

Due to ideological domination, ''freedom of religious belief'' in Article 36 of the Constitution can only be interpreted in the narrowest sense of the phrase: i.e. citizens have only the freedom of ''belief' which does not include citizens' freedom of ''establishing a church'' and ''proselytizing.'' As ''proselytizing'' and ''establishing a religion'' are the core [elements] of the freedom of belief, publication is a necessary means for ''proselytizing'' and ''establishing a religion.'' Therefore, if someone intends to limit the expansion of a religion, restricting the publications for the religion is a must. Therefore, the act of printing publications on a large scale and distributing them for free by religious organizations, especially house churches, can be penalized through the ''crime of illegal business operation.'' on Interpretation of Several Questions in the Specific Application of Law Governing the Trial of Criminal Cases of Illegal Publications. It is stipulated in Article 11 of Zui Gao Fa Fa Shi, 1998, No. 30, that if. the circumstance is serious for publication, printing, copying and distribution of publications, and it seriously harms the public order and disrupts the market in violation of the relevant stipulations of the state, the perpetrator shall be convicted of illegal business operation and penalized in accordance of Item 3 of Article 225 of the Criminal Law. Examples of this are the Cal Zhuohua case in 2005, Wang Zaiqing case in 2006, Zhou Heng case of 2007 and Shi Weihan case of 2008.

3. The issue of legality of religious organizations.

The registration system for religious organizations is built upon seven major components based on the regulations on social organizations and religious regulations: the nature of registration process as an administrative permit, the system of double permits, conditions for the legal person, format of rules and regulations, ''simplicity'' clause of social organizations, the clause that prohibits the establishment of regional branches and the measure of abolishment. Its functions aim at ensuring that the religious organizations obey the system of government administration. The logic for the administration through registration is that the agencies in charge of religious administration exercises its power in approving the registration and issuing the administrative permits. It requires the religious organizations to obey the guidance and supervision by agencies in charge of religious administration and departments in charge of civil affairs. Otherwise, their application for registration would not be approved; religious organizations not registered do not have a legal status and they may not establish sites for religious activities or hold religious activities. They would be abolished by agencies in charge of religious administration and cannot exist. To house churches, ''obeying the guidance and supervision by agencies in charge of religious administration and departments of civil affairs'' means that they must be affiliated to the TSPM church system. Examples like this are the Shouwang Church case in 2006 and ''Autumn Rain'' Church case in 2009.

4. The issue of church properties.

It is said in Document 19 of the Central Party Committee that ''reasonable arrangements of sites for religious activities is an important material condition for the implementation of the Party's religious policies and for the normalization of religious activities. At that time, it was required that ''we must take effective measures and make further reasonable arrangements for the sites of religious activities according to different situations.''

In the ''Notice of the Central Party Committee and the State Council on Several Questions of Further Doing a Good Job in Religious Affairs'' (i.e. Document 6) issued in 1991, it is unequivocally proposed that ''In implementing and carrying out the policies of freedom of religious belief, we must resolutely correct the phenomenon of violating the citizens' rights of freedom of religious belief and the legitimate rights of the religious circle. Where there are few sites for religious activities, we must solve the problem of lack of sites people need for their normal religious activities. We must properly resolve the issue of religious real estate properties left from the past so as to contribute to the unity with the vast religious believers and the stability of the state and the society.''

The ''Regulations on Religious Affairs'' explicitly explains the obligations of the agencies in charge of religious affairs on the church properties. It is stated in Article 33 of the Regulation that ''Where the houses or structures of a religious organization or a site for religious activities need to be demolished or relocated because of urban planning or construction of key projects, the demolisher shall consult with the religious organization or the site for religious activities concerned, and solicit the views of the relevant religious affairs department. If, after consultation, all the parties concerned agree to the demolition, the demolisher shall rebuild the houses or structures demolished, or, in accordance with the relevant provisions of

the State, make compensation on the basis of the appraised market price of the houses or structures demolished.'' First, the article requires that the demolisher of the religious properties must consult with the religious organization that owns the religious properties or the organization that owns the site for religious activities, and solicit the opinions from Bureau of Religion which has jurisdiction over the area where the religious properties are located; second, the precondition for the demolition is that both the owner of the religious properties and the Bureau of Religion must agree to the demolition and relocation; third, in the case of demolition and relocation, priority should be given to the rebuilding of the site for religious activities. That article requires that one must solicit the views from the Bureau of Religion in the demolition and the relocation. In fact, it requires the Bureau of Religion to implement its obligation of protecting the legitimate rights of religious organizations or sites for religious activities, and ensure the religious activities be held in a normal manner and maintains the harmony of religious relationships.

At the end of 2007, Hu Jintao made a speech on religion in which he explicitly pointed out that the government should reflect the will of the believers and earnestly safeguard the legitimate rights of the people in the religious circle.

The current problem is that the conflict over religious properties between the growth of religion and the economic development (i.e. the interests of special interest groups) is becoming more and more prominent. For example, in the religious properties case in Tianshui, Gansu province in 2006, the believers had to use the sit-in demonstrations to defend their rights. Because the local government changed its hard-line attitude in a timely manner, held negotiations with the church, united the believers in a maximum manner, and proposed a solution to safeguard the legitimate rights of the people in the religious circle, the incident was resolved in a way both sides were relatively satisfied, and it quickly restored the social stability. In the case involving religious properties in Taian, Shandong province in 2007, the believers defended their rights by guarding the religious properties, demanding that provincial CCC/TSPM intervene, petitioning at the government site and petitioning in higher authorities. The two sides finally reached a compromise. The advantages of the two cases in Gansu and Shandong have these following characteristics in common: The religious properties are protected either with land for land exchange or remained unchanged.

III. MY PROPOSALS

Mr. Wang Zuoan, the new director at State Administration for Religious Affairs, pointed out in a recent speech in welcoming the United Religious Delegation from the U.S., that the characteristics of the relationship in China between the state and the church are: separation of the church and the state, equality among all the religions, administration according to law, and political participation.

Currently, the key issue is that only religious organizations that are affiliated to the government are regarded as legal religious entities. Only by being in such a status can the organizations hold all the religious activities. In other words, the state protects religious activities in this sense. Otherwise, all other activities are illegal ones and should be restricted or cracked down.

Therefore, the Congress should work with the Chinese government and promote change in the following areas:

1. If they implement the separation between the state and the church, they should try to abandon the mentality of regarding religions, especially Christianity, as ''enemies'' or representatives of the West attempting to infiltrate China.

2. If they recognize equality among all the religions, they should recognize the Chinese house churches that have existed for 60 years and that are approved by the TSPM.

3. If they want to have administration on religions in accordance with law, they should require that the state law and regulations meet with the relevant international conventions, such as revising the registration system for religious organizations and change it to the system of record filing from the current system of review and approval; they should let the parents decide first of all or mainly the issue of the religious belief of their minor children, instead of using state control by force on this issue; they should respect and protect religious properties and prevent special interest groups from infringing upon the legitimate interests of the people in religious circles.

4. The religious case widely regarded as a litmus test on the freedom of religion in China is the religious case in Linfen, Shanxi that just happened last month and is still worsening.

Jindengtang Church of Linfen is a house church. It has a history of 30 years and it currently has a membership of 50,000 people. After its religious properties at the church in Fushan County were demolished, they were cracked down during their negotiations with the government. At this time, over 30 of its church branches are forbidden to gather. The pastor, his wife and core-co-workers have been arrested. The US Congress may communicate with the Chinese government on this case through appropriate manners.

NATIONAL FIREFIGHTERS MEMORIAL DAY

SPEECH OF

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mrs. MILLER of Michigan. Mr. Speaker, I rise today in strong support of H. Res. 729, to designate a National Firefighters Memorial Day to honor the courage, bravery, service and sacrifice of the Firefighters of the United States.

Firefighters are the backbone of our communities. Of the 1,000,000 firefighters in America, 71 percent are volunteer firefighters. They 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. These great men and women respond to nearly 2 million calls each year without hesitation. They have an unwavering dedication to protecting those that are in distress.

First responders are often under-appreciated and taken for granted until crisis strikes and the public reaches out for help and rescue. Against all common sense and natural instinct, firefighters rush to the scene of an emergency and into harm's way without the slightest hesitation. While our natural instinct is to run away from the fire—our fire fighters are running in.

Without the promise of any fame, fortune, or so much as a simple ''thank-you'', firefighters remain constantly vigilant and ready to serve. On that horrendous September day in 2001, we lost 343 firefighters in the line of duty.

In responding to approximately 1.6 million fires set each year, we see our firefighters rushing to the scene saving countless lives and sometimes giving theirs in return.

I know sometimes younger people idolize professional athletes and cheer for their favorite sports teams. And the same could be said for some adults too. But if you really want to see true teamwork search no further than your local fire station. It is here where men and women work together and count on each other to protect lives. Their service demonstrates courage, camaraderie, and bravery.

It is time that we honor those men and women who have given their lives and those that were disabled in the line of duty. I urge the President to designate a day as National Firefighters Memorial Day and I urge my colleagues to support this very important legislation.

PERSONAL EXPLANATION

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. NUNES. Madam Speaker, on the legislative day of Thursday, October 29, 2009, I was unavoidably detained and was unable to cast a vote on a number of rollcall votes. Had I been present, I would have voted: rollcall 823—''nay''; rollcall 824—''nay''; rollcall 825—''yea''; rollcall 826—''nay''; rollcall 827—''yea''; rollcall 828—''aye''; rollcall 829—''aye''; rollcall 830—''yea''; rollcall 831—''yea.''

18TH ANNIVERSARY OF THE ENTHRONEMENT OF ECUMENICAL PATRIARCH BARTHOLOMEW

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. SARBANES. Madam Speaker, today, November the 2nd, marks the 18th anniversary of the enthronement of Ecumenical Patriarch Bartholomew, who as the first among equals, presides over a spiritual communion of self-governing churches that represent 300 million Orthodox Christians from around the world. Throughout the eighteen years of his ecumenical ministry, Ecumenical Patriarch Bartholomew has asked all of us to act with sensitivity and understanding towards our brethren and towards our natural environment.

When the Iron Curtain came down, His All Holiness provided spiritual and moral support to those traditionally Orthodox countries that suffered religious persecution under the yoke of communism. And after years of historical tension, Ecumenical Patriarch Bartholomew and Pope John Paul II earnestly pursued upon the reconciliation of the Roman Catholic and Orthodox Christian Churches.

In 1997, recognizing Ecumenical Patriarch Bartholomew's robust activity and positive influences upon the world, this House awarded him with the Congressional Gold Medal. And when our country was attacked in New York and in Washington, His All Holiness assembled a group of international religious leaders

to produce the first joint statement with Muslim leaders that condemned the 9/11 attacks as ''anti-religious.''

Although His All Holiness speaks English, French, German, Greek, Italian, Latin and Turkish, he is more widely known for his efforts at promoting interfaith dialogue. As a Christian leader of global significance who is domiciled in a country with a population that is 99 percent Muslim, Ecumenical Patriarch Bartholomew's everyday life experience gives him a unique, mature and realistic perspective for engaging in this interfaith dialogue. And it is from these everyday life experiences that the moral timber of His All Holiness shines brightest, where even in the face of Turkish government sanctioned discrimination, oppression and outright physically threatening provocations, he steadfastly remains committed to interfaith conciliation, and supports peacemakers of all religions and stands firm upon his conviction that war in the name of religion is war against religion.

Beyond urging humanity to seek peace in fraternal harmony, Ecumenical Patriarch Bartholomew has more than any other religious leader promoted the spiritual dimension of environmentalism. In 2008, Time Magazine named Ecumenical Patriarch Bartholomew to its list of the world's 100 most influential people, where the Archbishop of Canterbury Rowan Williams acknowledged that ''This brave and visionary pastor has given a completely new sense to the ancient honorific [Ecumenical Patriarch]; his work puts squarely on our agenda the question of how we express spiritual responsibility for the world we live in.''

For his unparalleled spiritual commitment to the natural environment, His All Holiness has been dubbed the ''Green Patriarch.'' The Green Patriarch has challenged people of faith to acknowledge that ecological questions are spiritual matters of concern for all humanity and that ''a world in which God the Creator uses the material stuff of the universe to communicate who he is and what he wants is one that demands reverence from human beings.''

Just last week, His All Holiness presided over the Religion, Science and the Environment Symposium entitled Restoring Balance: The Great Mississippi River, and just last night, His All Holiness arrived at Andrews Air Force Base for a weeklong visit to our Capitol city. I offer my congratulations to His All Holiness for his good deeds in the pursuit of interfaith peace and reconciliation, for his concern with our natural environment and for his activism that has brought him to the shores of America to help draw attention to the need to restore our environment, such as the need to restore to health the great Mississippi River.

It is a wonderful honor that His All Holiness is here in America upon the day of the 18th anniversary of his enthronement as Ecumenical Patriarch during his visit to our country.

PERSONAL EXPLANATION

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Ms. ROS-LEHTINEN. Madam Speaker, on rollcall No. 831, on a Motion to Suspend the Rules and Agree to ''Expressing support for designation of a 'National Firefighters Memorial Day' to honor and celebrate the firefighters of the United States.'' Had I been present, I would have voted ''aye.''

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

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2009

Mr. VAN HOLLEN. Madam Speaker, I rise in support of this FY 10 Interior-Environment Conference Report and the key investments it makes to clean up our water, improve our national parks, combat climate change and promote the arts.

In order to remedy the previous administration's underinvestment in our Nation's water infrastructure, this legislation provides $2.1 billion for the Clean Water State Revolving Fund and $1.38 billion for the Drinking Water State Revolving Fund. These investments will go a long way toward modernizing our aging wastewater systems and delivering safe drinking water to all of our citizens.

Additionally, I am pleased that today's conference report contains $2.7 billion for our national parks. In addition to sustaining ongoing park operations, this funding will help the National Park Service continue to upgrade our parks ahead of the Service's 2016 centennial celebration.

As Congress works to finalize comprehensive clean energy and climate change legislation, this bill invests $385 million in climate change research and abatement, including $17 million to continue development of a Greenhouse Gas Registry and $51 million for EPA's Energy Star program.

Finally, this FY 10 Interior-Environment Conference report includes $167.5 million for the National Endowment for the Arts and $167.5 million for the National Endowment of the Humanities to foster excellence and greater access to our Nation's cultural heritage.

Madam Speaker, in addition to these national priorities, I am particularly gratified that this legislation includes $50 million in core funding for the Environmental Protection Agency's Chesapeake Bay program, and $750,000 for the city of Rockville to rehabilitate its sanitary sewer system. This is important, fiscally responsible legislation, and I urge my colleagues' support.

EARMARK DECLARATION

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. LATHAM. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information.

Bill Number: H.R. 3183—Energy and Water Development and Related Agencies Appropriations Act, 2010.

Project Name: Winnebago River, Mason City, Ia.

Amount Provided: Not Stipulated

Account: U.S. Army Corps of Engineers—Section 205

Recipient: Rock Island Illinois Corps Office/Mason City, Iowa

Recipient's Street Address: Clock Tower Bldg., Rodman Ave, Rock Island, IL 61201

Description: Continuation of authorized activities.

This project is related to mitigating recurring flood problems in Iowa, and provides for continuation of flood control strategies being undertaken by the Corps.

RECOGNIZING LIBERTY ISD STAFF FOR EXCEPTIONAL SERVICE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. POE of Texas. Madam Speaker, those who educate our children today, shape the leaders of tomorrow. I rise today to recognize six outstanding staff members of the Liberty Independent School District for their outstanding commitment to education.

Dottie Barrier—Business Secretary, Robby Fontenot—Social Studies Teacher and Coach, Margaret Lee—Chief Financial Officer for LISD, Mike Tabors—Custodian, Abbey Turner—Math Teacher, and Melissa Zalesak—Math Computer Lab Teacher were awarded the district's 212-degree medal in honor of their service and dedication to Liberty schools.

The philosophy of the 212-degree medal was best explained by Principal Bruce Lacefield, ''At 211 degrees, water is very hot. At 212 degrees, water begins to boil. By applying that one extra degree so much more can be accomplished. Never give up. Just try a little harder.''

These six 212-degree medal recipients work tirelessly to improve the lives of their students and fellow faculty. Their willingness to going the extra mile makes them outstanding examples and I commend them for their efforts and congratulate them on their achievement.

EARMARK DECLARATION

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. FORBES. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3183, the Energy and Water Development and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman J. RANDY FORBES

Bill Number: H.R. 3183

Account: Army Corps of Engineers, Investigations

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: 803 Front Street, Norfolk, VA 23510

Description of Request: Provides $70,000 to conduct a feasibility study to address flooding concerns and environmental restoration. The

Dismal Swamp is maintained as a swamp by fixed weirs across the drainage ditches to restrict the flow of water out of the swamp and inward to Lake Drummond in the middle of the Dismal Swamp. The water exiting Lake Drummond through a feeder ditch is used to maintain the level of water in the Dismal Swamp Canal, a portion of the Atlantic Intracoastal Waterway. When Lake Drummond spilled from its banks due to heavy rains, it inundated areas of the city. The public perceives that the Corps may have prevented or minimized the flooding by diverting the floodwaters from Lake Drummond through the navigation locks at Deep Creek, Virginia, and at South Mills, North Carolina.

PERSONAL EXPLANATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. CONAWAY. Madam Speaker, on rollcall No. 829—Motion to recommit H.R. 3854, had I been present, I would have voted "yea."

NATIONAL METASTATIC BREAST CANCER AWARENESS DAY

SPEECH OF

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in support of House Resolution 787 designating October 13th as National Metastatic Breast Cancer Awareness Day.

At a health care public forum I held in my district on October 25th, I had the great pleasure of meeting a woman of true inspiration.

Kristen Martinez of Colebrook, at the age of 31, was diagnosed with Stage 4 metastatic breast cancer. She had no idea the severe back pains and chronic fatigue were clear symptoms of cancer, but they were signs the cancer spread to her bones. As she stated, she was forced to face her own mortality as diagnosis touched her life during a time when she "was on top of the world."

Kristen, like many women living with metastatic breast cancer, has faced a constant cycle of switching from different treatment methods. In her own words, Kristen said "living with metastatic breast cancer has been a journey filled with every emotion one could imagine." But as a testament to her own personal strength, she has faced the illness head-on.

She has become an advocate on behalf of young woman across our nation living with breast cancer. As an active member of the Metastatic Breast Cancer Network, Young Survival Coalition, a graduate of the National Breast Cancer Coalition's Project Lead and a volunteer patient advocate for breast cancer survivors, Kristen has provided motivation and encouragement for fellow women facing this debilitating disease.

In her own right, she has emerged from this battle as a stronger woman, devoted to giving back to her community and the young women of our nation. I am proud to co-sponsor this resolution with my good friend Representative ROSA DELAURO, on behalf of Kristen Martinez and over 155,000 women and men who are presently living with metastatic breast cancer.

CELEBRATION OF MRS. MAGGIE KATIE BROWN KIDD'S 105TH BIRTHDAY

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. SCOTT of Georgia. Madam Speaker, as the Proverb states, "Who can find a virtuous woman? For her price is far above rubies." I rise today to recognize a truly virtuous woman whose life is not only far above rubies, but one of great milestones and accomplishments that is worthy of celebration. On November 27th of this year, Mrs. Maggie Katie Brown Kidd will turn 105 years old and I am honored to serve as a spokesman for Mrs. Kidd's family members and friends who will recognize her birthday with a party in her honor.

Born during President Theodore Roosevelt's second term in office, Mrs. Kidd has been blessed to see 17 Presidents in her lifetime. The eleventh and youngest child of William and Lucy Brown, Mrs. Kidd learned the importance of hard work and faith in God at an early age. Baptized at the Mount Zion Baptist Church by the Reverend Henry Gresham, she served under the leadership of the Reverend W.M. Combs until she moved to her current home in Atlanta Ga. However, her faith is her Lord and her dedication to the church never left her and she instilled the traditions of faith and her work in her own family. She married the late Willie Kidd, III on November 30, 1940, and together they raised their two children, John and Rosalyn. She is also the proud grandmother to four and the great-grandmother to three and serves as the matriarch of her loving family.

Mrs. Kidd's family describes her as a loving and selfless member of her community, offering her time and whatever she has to those in need. She is also an avid quilter and participates in family gatherings and activities outside of Georgia. Her most favorite moments, however, are the ones on a quiet afternoon stitching in her favorite chair.

Madam Speaker, I am so honored to serve as Mrs. Kidd's representative. Her life is a living history of the times and events that have shaped our great land and is a monument to how far we've come as a nation. Moreover, her life serves as a testament to individuals and families everywhere that a strong unbinding faith in the Lord, coupled with hard work and a dedication to family will carry you far in life. As the Proverb states, "favour is deceitful, and beauty is vain: but a woman that feareth the LORD, she shall be praised". Mrs. Maggie Katie Brown Kidd truly embodies the example of a virtuous woman and I ask my colleagues to join me in recognizing her life by wishing her a very happy 105th birthday.

TRIBUTE TO DR. GAINES PARTRIDGE

HON. PARKER GRIFFITH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. GRIFFITH. Madam Speaker, I rise today to honor the life of Dr. Gaines Roland Partridge. Dr. Partridge had a rewarding career in education that spanned over five decades. The scope of his accomplishments and contributions transcended every level of academia in various capacities, as he served our community as a teacher, principal, Dean, Professor, Department Chair and, in retirement, a student liaison.

Dr. Partridge's rich legacy was as impressive as it varied. His relationship with and influence on students continues. Few individuals can measure the impact of their accomplishments in such significant numbers. As a result of his passionate advocacy on behalf of minority applicants to Loma Linda University, nearly 800 African American students have become alumni of the institution during his tenure.

Affectionately referred to as "Doc," Dr. Partridge was steadfast to the cause of self-determination in the Seventh-Day Adventist Church. He provided leadership in the fight to determine the pace, direction, and outcome of their efforts to establish and implement ministry priorities.

Madam Speaker, I wish to recognize Dr. Gaines Partridge on a phenomenal life as educator. His legacy will continue to empower students for years to come.

SMALL BUSINESS FINANCING AND INVESTMENT ACT OF 2009

SPEECH OF

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 29, 2009

The House in Committee of the Whole House on the State of the Union had under consideration 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:

Mr. WU. Mr. Chair, I rise today in support of H.R. 3854, the Small Business Financing and Investment Act.

I.also want to thank my colleague from Oregon, Congressman KURT SCHRADER, for bringing this important bill to the floor.

H.R. 3854 will create incentives for small business lending, reduce bureaucracy, and increase the size of SBA loans in order to help loosen credit and get capital flowing again to small businesses.

Furthermore, H.R. 3854 addresses an important issue tied to health care reform, the cost of health information technology for small practice providers. These provisions were part of Congresswoman DAHLKEMPER's Small Business Health Information Technology Financing Act.

This bill will streamline loan processing for health information technology by reducing paperwork for both the lender and applicant, and require a 72-hour response time by SBA on

decisions to guaranty loans. Under the bill, health information technology loans will be guaranteed 90 percent by the SBA, a factor that will encourage robust lender participation in the program.

Health IT has the potential to reduce costs and medical errors, while encouraging greater efficiency. It will be an essential component of our efforts to reform health care.

However, to use health IT most effectively, we must first address three barriers to its widespread adoption: technical standards and interoperability, workforce training, and the realignment of financial incentives.

This bill can help to address a part of the third, which involves the cost of implementation.

I.have long believed that we should continue to look at ways that we can create more incentives for small practice doctors to adopt health information technology. It's important to note that 80 percent of all outpatient visits take place in practices with 10 or fewer doctors. It is essential that these practices receive the assistance they need in order to be able to implement health IT.

The larger barrier to health IT adoption is that its associated costs and benefits are not realized equally between health care providers and payors. The financial benefit of health IT accrues to the payor—the insurer—while providers are the parties most likely to bear the cost.

The challenges of implementing health IT vary greatly from large health systems to smaller medical practices. Small medical practices, which may have to incur initial costs of up to $200,000—around $40,000 per physician—for a system, may see little, if any, financial benefit from its applications. It's no wonder health IT has a deployment rate of less than 20 percent in these offices.

I.have been working with the Education and Labor Committee and leadership to address this issue in health care reform moving forward.

H.R. 3854 will provide financial assistance to these small practices, and I wholeheartedly support this legislation.

SUPPORTING THE GOALS AND IDEAS OF THE THIRD ANNUAL BLOOD MANAGEMENT AWARENESS WEEK

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. ROTHMAN of New Jersey. Madam Speaker, I rise today to mark the beginning of the third annual Blood Management Awareness Week. November 2nd through November 6th has been designated as Blood Management Awareness Week by the Society for the Advancement of Blood Management. This event is dedicated to educating patients and healthcare workers about blood management and blood issues.

Blood management is the appropriate provision and use of blood and its components and derivatives, and strategies to reduce or avoid the need for a blood transfusion. Optimal patient blood management employs technology and techniques to decrease blood loss and to enhance blood cell production. It reduces risks and costs associated with blood transfusion through transfusion-free medical and surgical techniques.

I would also like to recognize the important work of Englewood Hospital and Medical Center, which is located in my congressional district, to further the goals and ideals of this important event. The Hospital's Institute for Patient Blood Management and Bloodless Medicine and Surgery is a world-renowned leader in patient blood management. I commend the physicians of the Institute for their commitment to improving patient outcomes and educating the medical community about best practices in blood management.

RECOGNIZING FAYE SCHNEIDEWIND FOR 50 YEARS OF SERVICE TO JERRY'S DRIVE-IN

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Ms. Faye Schneidewind upon the occasion of her 50th year of loyal service to Jerry's Drive-In, a Pensacola, Florida, landmark. Miss Faye is an intimate part of the fabric of our northwest Florida community, and I am proud to recognize her on this achievement.

Faye Schneidewind grew up in Pensacola and still lives only a few blocks from Jerry's. The 80-year-old great-grandmother started working as a waitress at the diner when she was just 21. After a few years away, Miss Faye returned to Jerry's on November 5, 1959, her sister's birthday. She has been serving the customers at Jerry's ever since. Miss Faye knows just about everyone who walks through the doors at Jerry's, and always provides a warm smile, a hot meal, and good conversation. She is as much a part of the history of Jerry's as memorabilia stretching across its walls.

Jerry's Drive-In is a truly family restaurant. Originally named Jerry's Barbeque, Jerry's Drive-In was opened by Jerry Glass in 1939. Raymond ''Grandpa'' Wessel purchased the restaurant in the early 1950's with his son Bill. The Wessels lived in an apartment above the restaurant. Even after the restaurant was sold, Mr. Wessel continued to maintain his residence above Jerry's. Robert, Jimmy, and Pam Halstead bought Jerry's in 1997 and have continued its tradition of great food and great service.

Madam Speaker, on behalf of the United States Congress, I am honored to recognize Faye Schneidewind on 50 years of dedicated service to Jerry's Drive-In. She is and always will be an invaluable part of our Pensacola heritage. My wife Vicki and I wish Miss Faye, her daughter, her two granddaughters, her nine grandchildren, and her entire extended family at Jerry's all the best for continued success.

RECOGNIZING HISPANIC HERITAGE MONTH

SPEECH OF

HON. BETTY SUTTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Ms. SUTTON. Mr. Speaker, I rise today in strong support of H. Res. 783 to recognize Hispanic Heritage Month. This resolution celebrates the vast contributions that Hispanic-Americans have made to the history, values and culture of our great nation.

Since the arrival of the earliest Spanish settlers more than 400 years ago, millions of Hispanic men and women have come to the U.S. from Europe, Central and South America, Puerto Rico and Cuba in search of freedom, peace and opportunity.

Their commitment to these American principles has contributed immensely to the prosperity and cultural development of our nation.

With a population totaling 47.5 million, Hispanics represent the fastest-growing ethnic group in America.

According to a 2000 U.S. Census Bureau report, three of the top 10 counties with the highest Hispanic population in the country lie at least partly within Ohio's 13th District.

More than 24,000 Hispanics and Latinos reside in my district, representing nearly 4 percent of the population. In the city of Lorain, Hispanics make up 20 percent of the population.

And, like all Americans today, Latinos remain focused on the economy and its recovery.

Hispanic-Americans in my district are supported by community centered organizations, such as El Centro de Servicios Sociales.

Located in the City of Lorain, El Centro is a Hispanic-Latino non-profit advocacy organization. It works to provide social, educational, cultural and development services that are essential to members of our communities.

Our country's success rests on the longstanding ideal that anyone—regardless of ethnicity, gender, race or religion—can achieve the American dream.

With Hispanic culture rooted deeply in my district, I am proud to celebrate the contributions and heritage of our country's Hispanic community. And, it is my honor to serve Hispanic Americans as a member of Congress.

RECOGNIZING ARTE MORENO, RECIPIENT OF THE 2009 GUIDING LIGHT PHILANTHROPY AWARD

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. MITCHELL. Madam Speaker, I rise today to recognize Arte Moreno, who has been honored by the Tempe Community Council with this year's Guiding Light Philanthropy Award. The Tempe Community Council seeks to recognize individuals who have a direct impact on the success of Tempe programs and services through generous financial support, and Arte's contributions to the community have been outstanding.

As a lifelong resident and former mayor of Tempe, I am incredibly proud of Arte's incredibly generous gift to the Tempe Community

Foundation, which will create positive and dramatic impacts now and for generations to come. Arte is also the founder of the Moreno Family Foundation, which is dedicated to supporting non-profit organizations in the area. Through the foundation, Arte has made significant contributions to many notable organizations, such as the American Heart Association, the Heard Museum, the Society of St. Vincent De Paul to name only a few. In addition to Arte's inspiring philanthropic efforts, he has become a towering figure in the world of sports as the owner of the Los Angeles Angels of Anaheim baseball team, which conducts its spring training in Tempe, and which has won the American League Western Division championship in 2004, 2005, 2007, 2008, and 2009.

Through the kind gifts of Arte Moreno, Tempe is a more prosperous and successful city to benefit all of its residents.

Madam Speaker, I hope you will join me in recognizing Arte's remarkable benevolence and goodwill towards his community.

MERRILLVILLE ROTARY CLUB

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. VISCLOSKY. Madam Speaker, Wednesday, November 11, 2009, marks the observance of Veterans Day, a day in which we, as a grateful nation, honor our veterans, who have pledged allegiance to their country through their service in the United States military. This day is set aside to recognize the boldness and bravery of those who have fought to uphold the standards of democracy and to defend the United States of America.

On Veterans Day, in cities and towns across America, proud citizens will pay tribute to our esteemed veterans with ceremonies, presentations, and programs to show their gratitude to those who have sacrificed so much. I would like to take this time to recognize one such event hosted by the Merrillville, Indiana, Rotary Club. On Veterans Day, the Merrillville branch of Rotary International will host an event at the Radisson Hotel at Star Plaza in Merrillville, celebrating the patriotism and pride of all veterans, while paying special tribute to 11 members of their club who served their country in the United States military and continue to serve their community as loyal Rotarians.

Founded in Chicago in 1905 as the Rotary Club of Chicago, Rotary International is the world's first service club. A global organization, Rotary now boasts more than 33,000 clubs in over 200 countries, with a membership of more than 1.2 million. At the core of Rotary International is a commitment to "providing humanitarian service, encouraging high ethical standards in all vocations, and helping to build goodwill and peace in the world." The Merrillville Rotary Club, through its commitment to improving educational opportunities for students, as well as the active role its members have taken in creating youth-oriented programs, is a true source of pride in Northwest Indiana, so it is with great pride that I join them in honoring eleven members who have selflessly served their country to preserve our freedom.

Please join me in recognizing: Dean Sangalis—Major General, United States Marine Corps, Robert Andree—Lieutenant Colonel, United States Army, Al Kuchar—Major, United States Army, Tony Fileff—First Lieutenant, United States Marine Corps, Juan Arroyo—Sergeant, United States Air Force, Ray Bryant—Sergeant, United States Army, Jerry Bernstein—Sergeant, United States Army, James Keough—First Lieutenant, United States Army Corps of Engineers, Gary Maxwell—Petty Officer First Class, United States Navy, Ray Snemis—Petty Officer Second Class, United States Navy, and Ed Dernule—Petty Officer Third Class, United States Navy Reserve.

The great sacrifice made by these men and all those who have served our country has resulted in the freedom and prosperity of our country and of countries around the world. I commend these men and all veterans who have served this country for their bravery, courage, and undying commitment to patriotism and democracy. We will forever be indebted to our veterans and their families for the sacrifices they made so that we can enjoy our freedom.

Madam Speaker, I ask that you and my other colleagues join me in thanking the Merrillville Rotary Club for taking this opportunity to honor their veterans and in saluting these 11 men, and all veterans, who have fought for our great country.

HONORING THE 56TH BRIGADE (STRYKER) AND 2–112TH INFANTRY BATTALION (STRYKER)

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. SHUSTER. Madam Speaker, I rise today to honor the troops of the Second of the 112th Infantry Battalion (Stryker), 56th Stryker Brigade, 28th Infantry Division, Pennsylvania Army National Guard that was deployed and participated in Operation Iraqi Freedom.

The 56th Brigade (Stryker) and 2–112th Infantry Battalion (Stryker) is the only reserve component selected to be a Stryker unit. Headquartered out of Lewistown, Pennsylvania, and based at Camp Liberty in Iraq, the brave soldiers of this Stryker unit went into the hostile Abu Ghraib sector of Iraq with approximately 800 soldiers. Company A hails from the Huntingdon-Everett area, Company B is comprised of soldiers from Altoona, and the Tyrone-Bellefonte area makes up Company C. These brave American heroes were a part of the particularly successful Stryker Task Force Paxton that conducted lethal terrorist operations against Al Qaeda and the insurgent forces. The 2–112th Infantry Battalion (Stryker) accomplished the most active and successful time sensitive enemy targeting in the highly contested Baghdad region of Iraq while suppressing the instability.

Not only have these brave men and women put their lives on the line for the peace and prosperity of our nation, but they also contributed to the betterment of another. The 2–112th Infantry Battalion (Stryker) participated in operations which improved the human and physical infrastructure of Iraq to include its economic capacity and schools. Madam Speaker I would like to extend to these brave soldiers my most sincere personal thanks for their honorable service to our nation. They have helped maintain our security through some of our country's most trying times, as we adapt to unconventional threats. I know that my words reflect the feelings of all citizens of our Nation when I say that these men and women are true American heroes.

NATIONAL FIREFIGHTERS MEMORIAL DAY

SPEECH OF

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. QUIGLEY. Mr. Speaker, I rise today to speak in support of designating a National Firefighters Memorial Day. The dedicated men and women who have lost their lives in the line of duty will never be forgotten and I express my deepest gratitude for the brave work they did protecting their communities.

Firefighters are the ones running into a burning building when everyone else is running out. The sacrifices they and their families make on a daily basis are as incredible as they are honorable. These men and women embody the spirit, commitment and sacrifice that define America.

The images of firefighters on September 11, 2001 left an indelible mark on all Americans. We saw firefighters entering flaming buildings, putting others' lives ahead of their own, and standing tall when they were needed most. Their courage continues to both haunt and inspire us.

But we must remember that everyday firefighters across the country are still performing heroic acts and saving lives. Since 2006, 313 firefighters have died on the job. And every year, another 40,000 are injured. Firefighters are constantly called on to put themselves in harm's way and those that are no longer with us deserve to be recognized and celebrated.

I want to thank Representative POE for bringing House Resolution 729 to the Floor and urge the rest of my colleagues to join me in designating a National Firefighters Memorial Day to commemorate the lives of our fallen firefighters.

RECOGNIZING THE WORK OF LARRY METZGER

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. TIBERI. Madam Speaker, with great pleasure I rise to recognize the distinguished career of the CEO of the Columbus Board of Realtors, Larry Metzger.

Since World War II, homeownership has been at the root of America's vitality and growth. Where homeownership flourishes neighborhoods prosper, as residents are more civic-minded, schools stronger and streets safer. The spread of ownership and opportunity helps give us a vital stake in the future of America and the chance to realize the great

promise of our country. At the core of this promise is the industry which helps make this dream a possibility. Realtors serve a vital role in the healthy propagation of homeownership; therefore, those who contribute to the furtherance of this profession are deserving of our thanks and recognition.

For over two decades, Larry Metzger has led the Columbus Board of Realtors with distinction as its chief executive officer. Dedicating his career to his fellow realtors, Larry has built a tremendous reputation as a tireless advocate of his profession. His unparalleled leadership and passion for the benefits of homeownership helped maintain the realtor profession's role in the tremendous growth of central Ohio, playing an irreplaceable part in the furtherance of the American Dream for thousands.

Through commendable love of his community and fidelity to his craft, Larry stands as a pillar in the central Ohio region. Therefore, I am very pleased to thank him for all he has done for Ohio.

As a former realtor, I am especially pleased to recognize Larry Metzger for his service to central Ohio and the realty community.

PERSONAL EXPLANATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. CONAWAY. Madam Speaker, on rollcall No. 831, H. Res. 729, had I been present, I would have voted "yea."

CELEBRATING NATIONAL BIBLE WEEK NOVEMBER 22ND TO 29TH, 2009

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. SHULER. Madam Speaker, I rise today to celebrate National Bible Week and encourage my colleagues to join me in commemorating this important week. I am honored to serve as a Congressional Co-Chair for National Bible Week, taking place from November 22nd to 29th this year. As we gather with family and friends to enjoy the Thanksgiving Holiday, we should also take time to celebrate the Holy Book which guides the lives of so many and has fundamentally shaped our great nation's history. We read in Proverbs 3:6 "think about Him in all your ways and He will guide you on the right paths."

From the earliest American settlers onward, the Bible has played a pivotal role in the shaping of our nation. Throughout our history, many of our great leaders have turned to the Bible for direction and consolation. We are blessed to live in the United States where we may worship as we please, with the freedom to rejoice in the teachings of the Holy Bible without fear of persecution.

The Bible provides important guidance and comfort in our daily lives, and it teaches the moral code that many of us live by. Our nation's ideological foundations of justice, equality, and service reflect the guiding principles of the Bible. The teachings of the Holy Bible continue to guide many of us as we govern.

Madam Speaker, as we celebrate National Bible Week, we remember the importance of our faith, in both our public and private lives. The National Bible Association is to be commended for their work inspiring interest in the teachings of the Holy Bible and God's Word. I encourage everyone to read and seek comfort in the Bible, during this week, and thereafter.

HONORING EDWARD F. NEWMAN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. FARR. Madam Speaker, I rise today to honor and pay tribute to my friend Edward F. Newman, who recently died at age 85, for an inspiring life that promoted peace and social justice. He was a well-known and much loved Santa Cruzan.

Following high school he attended the School of Engineering at the University of California Berkeley before joining the Navy to serve in World War II. As a young enlisted man, he organized a brave challenge to the status quo, resulting in dismissal of a corrupt procurement officer. This experience taught him, at an early age, that even one person can make a difference in this world. He earned a law degree from U.C. Berkeley in 1951, and used his skills as an accomplished writer, speaker, and advocate, to stand up for justice and common people.

Ed actively promoted the causes of peace and social justice throughout his life. He vigorously opposed the Vietnam war and the invasion of Iraq. He served as president of the Castro Valley Democratic Club, and later founded and served as president of the People's Democratic Club of Santa Cruz County. He campaigned to protect the environment, abolish the death penalty, protect civil rights, women's rights, gay rights, and all human rights. As a veteran, he became active in the Santa Cruz County Chapter of the Veterans of Foreign Wars, leading the chapter to advocate for peace, and to oppose expansion of the military-industrial complex. With intelligence and humor, he exposed political hypocrisy, writing countless letters to the editor, and contributing columns to newspapers.

As an attorney, Ed Newman championed causes of the underdog, handling numerous pro bono matters to protect fundamental rights. He defended ordinary citizens in proceedings by the House Un-American Activities Committee, and took cases for the American Civil Liberties Union. In the 1980s, he took a pro bono case to challenge gender discrimination, resulting in the court decision which transformed the Santa Cruz Boys Club into the Santa Cruz Boys and Girls Club. He was president of the Santa Cruz County Bar Association in 1985. He was also a leader in the Starr King Unitarian Church, and he served as committee chair and president of the Unitarian Universalist Fellowship of Santa Cruz County.

As a civic leader and activist, Ed Newman inspired his community with his eloquence, intelligence, and tireless advocacy for justice. To his family and friends, Ed was known for his kindness, his wisdom, his outstanding cooking, and his wonderful sense of humor. With his wife Carol, he raised five children, all of whom graduated from U.C. Santa Cruz before obtaining advanced degrees in Library Science, Particle Physics, Medicine, Literature, and Law. He is survived by his wife Carol, with whom he recently celebrated their 60th wedding anniversary, as well as his sister, five children, and ten grandchildren.

Madam Speaker, on behalf of the United States Congress, I would like to express the gratitude of the whole House to Edward Newman for his legacy of courage, honesty, and love, inspiring us all to work for a better world. He will be sorely missed.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Ms. LEE of California. Madam Speaker, on Thursday, October 29, I missed rollcall vote No. 831 on H. Res. 729, expressing support for designation of a "National Firefighters Memorial Day" to honor and celebrate the firefighters of the United States. Had I been present, I would have voted "aye" on this rollcall vote.

NATIONAL PRINCIPALS MONTH

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Ms. McCOLLUM. Madam Speaker, I rise in strong support of this resolution designating October 2009 as "National Principals Month."

School leadership is important in ensuring that every child has access to a high-quality education. I want to take this time to thank elementary, middle, and secondary school principals for their dedication and hard work in helping to make the schools in Minnesota's Fourth District a wonderful place to learn and grow.

Principals do more than just manage the budget, discipline students, and improve student achievement. They serve as role models and are instrumental in their students' social development and ability to solve family problems. I am reminded of Ann Cassidy, my principal at Central Grade School in South Saint Paul. She was the first woman I encountered in a position of authority. As busy as Principal Cassidy was running a successful school, she always had time for her students. To this day, I remember her kind words and reassuring presence.

Madam Speaker, I missed the vote on this resolution because I was negotiating a solution to address inequities in Medicare reimbursement that negatively impacts Minnesota. If I were still in grade school, Principal Cassidy would have sat me down and told me, "Betty, it is good that you were taking care of your constituents but you must slow down and pay attention to what you are doing." Now this is always good advice whether you are a Member of Congress or an elementary school student.

TESTIMONY ON THE BOEING COMPANY'S 787 DREAMLINER ASSEMBLY LINE COMING TO CHARLESTON

HON. HENRY E. BROWN, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. BROWN of South Carolina. Madam Speaker, I rise today to proudly announce that the Boeing Company has chosen North Charleston, South Carolina, as the site of a second assembly line for their 787 Dreamliner.

This is historic and exciting news for the Lowcountry and I, along with the rest of the State, warmly welcome Boeing's expanded presence in our community and the bright future of employment and prosperity that they bring with them.

I was proud to be a part of this process and I sincerely congratulate the South Carolina delegation, our State legislators, State officials and all the other parties involved for their hard work and efforts in getting Boeing to North Charleston.

Finally, I would like to highlight the outstanding leadership of Boeing's CEO, Mr. James McNerney, Jr., an accomplished businessman and high caliber individual.

I thoroughly enjoyed working with him and I am honored to welcome Mr. McNerney and his wonderful company to the Palmetto State.

THE NEED FOR THE GREAT LAKES RESTORATION INITIATIVE

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. OBEY. Madam Speaker, I commend to my colleagues the enclosed article from the Milwaukee Journal Sentinel about the threat to the Great lakes from invasive species and the need for the Great Lakes Restoration Initiative passed by the house last week.

[From the Milwaukee Journal Sentinel, Nov. 2, 2009]

15,000 REASONS TO WORRY ABOUT STATE'S LAKES

(By Dan Egan)

CRANDON.—A day at the beach in Wisconsin's North Woods didn't used to go like this.

Candy Dailey spent a Fourth of July holiday splashing with grandkids on the sandy shore of Lake Metonga when she felt a nasty sting on her foot.

She didn't need to look down to know the culprit was a zebra mussel—cuts from the razor-sharp shells have become as unremarkable as bee stings since the mussels invaded Dailey's lake eight years ago.

The natives of the Caspian Sea region first turned up in North America in the summer of 1988, thanks to overseas freighters' longstanding—and ongoing—practice of dumping their contaminated ballast water in the Great Lakes, which are now home to more than 185 non-native species.

None has wreaked more damage than the mussels, which feast on Great Lakes plankton and have cost the region billions of dollars in starved fish populations, beach-trashing algae blooms and plugged industrial and municipal water intake pipes.

Now, this ecological mess is spreading inland.

''The Great Lakes are just a beachhead for invasions that are going to play out in lakes across the country in the next century,'' says University of Wisconsin ecologist Jake Vander Zanden. ''It's just the start.''

Dailey is painfully aware of this.

''I'm a nurse, so I knew to make it bleed and wash it out,'' she says of the cut suffered from the molar-sized mussels. ''I dried it off and taped it.''

Trouble came in the middle of the night when she woke with a throbbing, swollen foot. By morning a tell-tale red streak was creeping up her leg. By sunset she was taking a broad-spectrum antibiotic.

Dailey recovered from the bacterial infection, but her holiday was over.

It's not the kind of story that makes a headline. It's just one infection from one cut. It's just one person swimming in one inland lake.

The problem is Wisconsin has more than 15,000 inland lakes.

REAL TROUBLE FOR REAL ESTATE

Politicians have tried for years to force overseas freighters to treat their ballast water—used to steady the ships—before discharging it at a Great Lakes port in exchange for cargo.

The shipping industry acknowledges the trouble it has pumped into the world's largest freshwater system, and its leaders profess a desire to do something about it.

Yet at the same time they have consistently fought regulations proposed by Great Lakes states to require freighters to install onboard ballast treatment systems, claiming they are impossibly stringent, expensive or inconsistent from state to state.

Members of Congress, meanwhile, have repeatedly vowed—and repeatedly failed—to craft an overarching national ballast law that is palatable to both the shipping industry and environmentalists.

The result is the door remains open to invasions, the most recent being the ''bloody red shrimp'' discovered in Lake Michigan in late 2006. There could well be others that have arrived since then; it can take years for populations to grow big enough to be noticed.

Biologists say the damage being done to the world's largest freshwater system cannot be overstated, but the problem has become bigger than the Great Lakes themselves. It's now clear the failure to slam the door on new Great Lakes invasions has consequences for everyday folks with cottages on inland lakes, places working-class people across the state like to claim as their favorite on earth.

''Where is the fun in playing on the shoreline anymore if our lakes are wall-to-wall zebra mussels?'' asks Dailey. ''Look at the money that we all pay in property taxes to live on a lake that is now not the lake that it used to be.''

The potential economic impacts of this second-wave invasion could prove staggering.

Property on Forest County's Lake Metonga sells for an average of about $1,200 a shoreline foot, and the lake has roughly 7 miles worth of it. That means a crude estimate of just this lake's shorefront value—not including any of the homes built on it—lands somewhere above $44 million.

At the same time, one estimate of the annual savings associated with using overseas ships to haul cargo into the Great Lakes instead of transporting it via truck, train or barge is only $55 million.

That's basically the real estate value of just one inland lake.

GLOBAL TROUBLE KNOCKS

People flock to places like the forested shores of Lake Metonga to get away from the rest of world.

It is an illusion.

Standing in front of about 400 shorefront property owners at the annual Wisconsin Lakes Convention in downtown Green Bay, University of Notre Dame professor David Lodge dimmed the lights and gave a pointed presentation last spring about the biological perils for a globe that has been stitched so tightly together by increasingly efficient transportation networks.

Lodge pulled up a slide showing the Great Lakes are directly connected to 12% of the world's ports. That means a mussel, fish or even virus picked up at a bustling global port in a place like Antwerp, Belgium, can arrive in a matter of days at the Green Bay docks just outside the doors of the conference center at which Lodge spoke.

Then Lodge showed a slide that revealed 99% of the world's ports are just two stops or fewer away from the Port of Green Bay, or any other commercial dock in the Great Lakes. This is not a theoretical problem; freighters are blamed for the arrival of nearly 60 new species since the St. Lawrence Seaway opened the Great Lakes to oceangoing vessels 50 years ago.

And spreading that misery inland like so many viruses are the fishing boats, Jet Skis and other pleasure craft rolling on trailers down the state highways that provide a 65 mph link between the Great Lakes and inland waters.

Wisconsin now has 120 inland waterways confirmed as infested with zebra mussels, though there is not a comprehensive annual survey of each lake so the actual number could be much higher.

Beyond slicing swimmers' feet, zebra mussels have been linked to inland lake outbreaks of blue-green algae that produce toxins that can kill an animal and can cause liver damage in humans.

This algae was a problem in state waters during the 1960s and '70s, but it faded with a ban on laundry detergents that contained the phosphorous that fed its blooms.

Now blue-green algae outbreaks are making a comeback, and scientists are pointing to zebra mussel infestations as a big reason.

The mussels encourage the blooms because they eat virtually every type of algae except for the blue-green algae. That gives the toxic algae a competitive advantage over its nutrient-rich cousins that have historically nourished the base of a lake's food chain.

Zebra mussels may also further promote these toxic blooms because their excrement fertilizes them.

Still, not every lake in Wisconsin is destined to become home to zebra mussels. Many, for example, don't contain enough mussel shell-building calcium. Biologist Vander Zanden's lab analyzed 923 lakes in northern Wisconsin's Vilas County and found 91 of them to be suitable habitat for zebra mussels. It's a completely different story in southeastern Wisconsin, where all but one of 334 analyzed can likely sustain zebra mussels.

But property owners on inland lakes have to worry about a lot more than just zebra mussels.

''If you want to know what's coming next, look at the species that are already in the Great Lakes,'' Lodge says.

And the problem doesn't stop at the state line; boat ramps around the country are launching more than just boats. Zebra mussels are widespread in the Mississippi River basin, and quagga mussels are now plugging pipes all the way out in California.

INVADERS ON THE WAY

The list of Great Lakes invaders that threaten inland waterways includes VHS, a viral disease spreading through the Great Lakes that can be lethal to dozens of fish species.

It also includes the quagga mussel, a slightly larger and hardier cousin to the zebra mussel that has exploded across the bottom of Lake Michigan in the past few years. Scientists say they are swallowing the base of the food chain and that jeopardizes everything above it, including the prized salmon that drive much of the Great Lakes' billion-dollar recreational fishery.

Overseas freighters also brought to the Great Lakes the round goby, a bug-eyed fish that thrives on native species' fish eggs. Lake Michigan has lost more than 90% of its prey fish population since the arrival of invasive mussels, but the round goby is thriving, now accounting for about a fifth of the lake's prey fish.

Gobies were first found in the Great Lakes in 1990 and in recent years began gobbling their way up Great Lakes tributaries, in some cases as far as 30 miles inland. The fish have been found in more than one-third of the Lake Michigan tributaries sampled.

''They are marching inland, and there is a lot of habitat for them,'' says Vander Zanden.

Ballast water has also brought to the Great Lakes the spiny and fish hook water fleas, which are both hard for native fish to eat because of their namesake tails, and a rival when it comes to feasting on the microscopic critters at the bottom of the food chain.

Wisconsin's Department of Natural Resources has distributed more than $10 million to communities to fight aquatic invasive species since 2003. Regardless, the list of new invaders is likely to grow.

The only protection the Great Lakes has at the moment from contaminated ballast water is a requirement that overseas ships bound for the Great Lakes flush their ballast tanks with mid-ocean saltwater to expel or kill any unwanted hitchhikers. It is a practice scientists say goes a long way—but not all the way—to reducing the risk of future invasions.

In January, the Environmental Protection Agency released a report that spotlighted 30 organisms that have yet to invade the Great Lakes but are medium to high-risk candidates to do so.

Twenty-five years ago, few in the Great Lakes region had even heard of a zebra mussel. The question now: What next is headed up the St. Lawrence Seaway?

''Until we control the ships, there will be lots of species nobody has ever heard of arriving on their doorsteps,'' says Anthony Ricciardi, an invasive species expert at Montreal's McGill University.

FRUSTRATIONS MOUNT

In 2008, organizers of the Pewaukee Triathlon had to cancel the swim portion of the event, which drew some 2,000 racers, because of plumes of blue-green algae. Nutrients flushed into the lake by heavy rains were a likely factor, but it didn't help that Pewaukee has also been infested with zebra mussels.

On a busy Sunday over Labor Day weekend, Pewaukee Lake bait shop owner John Laimon estimated there were about 200 trailered boats on the lake ''coming from who knows where.''

It's not lost on him that Lake Michigan boat ramps are just a half-hour away. He is flabbergasted that two decades after zebra mussels were discovered in Lake Michigan, the government has failed to turn off the invasive species spigot.

''We're the ones paying for the mistakes at the federal level, and there is nothing in the wind that is going to stop that,'' he says.

With little progress in Congress, the state of Wisconsin earlier this year tried to take matters into its own hands. It followed the leads of other Great Lakes states such as Michigan, Minnesota and New York and proposed its own ballast regulations that would require ships to install onboard treatment systems.

Shipping industry advocates were not happy, particularly because Wisconsin's proposed standards, which mirror New York's, are much stricter than those of neighboring Minnesota.

They urged the Wisconsin Department of Natural Resources to back off or adopt weaker regulations more in harmony with those of Minnesota, with which Wisconsin shares Duluth-Superior harbor. What's the point in stringently protecting just one side of a harbor, they asked.

Conservationists agreed. But they urged Minnesota to get as tough as Wisconsin was considering.

The shipping industry turned out in force at a public hearing on Wisconsin's proposal last spring, easily outnumbering those in favor of greater protections.

''In a time of national recession and a record state budget deficit, the last thing Wisconsin should do is impose a (ballast) permit that will: A) destroy jobs, B) reduce tax revenues and C) not result in any environmental benefits,'' said Andy Lisak, executive director of the Development Association that promotes business interests in Douglas County and the port city of Superior.

The DNR has been sitting on its proposal ever since.

And this has left bar-and-boat-launch owner Andy Cuppan ''terrified'' about what might be headed next down the interstate off-ramp and into his mussel-infested lake.

He and his business partner recently bought the Boathouse Bar and Grill on the shore of Upper Nemahbin Lake, which is literally just feet from the rumbling westbound lanes of I–94.

Cuppan mentions that earlier this summer he dared to take a shoeless swim and suffered several stinging mussel cuts.

More painful for him is the idea that not enough is being done to protect him from the big lake 30 miles to the east and from what's stewing in the water at ports across the globe.

''We can't do anything about what's here, but let's not let anything else in,'' he said. ''Our livelihoods are at stake.''

Of course this is just one guy, on one lake.

The problem is Wisconsin has more than 15,000 of them.

HONORING COACH HARVEY JESSUP

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to commemorate the posthumous induction of Harvey Jessup into the Athletic Hall of Fame of Western Connecticut State University. I never had the honor of knowing Mr. Jessup, but I do have the pleasure of having his daughter Debbie Jessup, a nurse midwife, working in my office as my health care policy advisor. Debbie recently shared news with us that her father was being honored for his work at the then-named Danbury State Teacher's College. It is a testament to Mr. Jessup that 50 years after their graduation, the Class of 1959 at Danbury State chose to nominate him for induction into the school's Athletic Hall of Fame. I was touched when Debbie recounted stories of her father's athletic accomplishments, and more importantly, how he impacted the lives of his students and athletes. I am submitting to the CONGRESSIONAL RECORD the remarks Debbie made when she accepted the award on her father's behalf to share with my colleagues the story of Coach Jessup, and all his good works which prompted the Class of '59 to bestow this honor on him.

HALL OF FAME ACCEPTANCE

Thank you all for honoring my father—and our family—with this award. That my father would be remembered as a great coach and teacher almost a half century after leaving Danbury State Teacher's College is a remarkable tribute and very touching for those of us who loved him. But this award is particularly meaningful for me because it paints a picture of a man that I had been too young to know, and it gives some insight into the life and career that followed his years in Connecticut.

When I remember my father, it is always during the Tulane years when he was a Professor, Department Chair, and Assistant Athletic Director. Our family's lives were structured around the university calendar, campus activities, and my dad's teaching, recruiting and administrative responsibilities. Our home was always a haven for students and athletes who needed comforting, mentoring, or just a good home cooked meal.

During those years my dad was my greatest hero, and to me he always seemed larger than life. I lived in awe of his athleticism and his intelligence, of his ability to command a room with his words, and his gift for bringing out the talent in the least promising of students. He pushed me and everyone in his life to their greatest levels of achievement, but at the same time he always had amazing compassion and patience for anyone who was vulnerable. Although it has been 21 years since he left us, hardly a week goes by that I do not remember something that he taught me with his words or modeled with his life.

When I remember those years with my father at work I always recall a flock of female students vying for his attention, or an athlete needing his guidance, or a young teacher seeking his advice. Every homecoming I met alumni who told me of the impact he had had in their lives, and I have proud memories of honors and awards he received over the years. So truthfully his selection for an Athletic Hall of Fame award would not have been particularly surprising to me—If it had come from his Tulane years.

Instead this Hall of Fame award comes from a time that I hardly remember. And the nomination comes from a class of students and athletes who knew my father 50 years ago. I am honestly overwhelmed that the class of 1959 would remember my father's impact on their lives five decades after they graduated. It is extraordinary just in the amount of time that has passed, but even more so when you know something about the four years during which the Class of 1959 was taught and coached by my father. It is a story that I think is worth sharing, because I believe it is what makes this nomination and this award truly remarkable. I also believe that it presents an opportunity for one last lesson from your Coach and Teacher.

When this 50 year reunion class entered Danbury State Teachers College in the fall of 1955 my father was a young teacher and coach at the beginning of his career. Three years earlier he had married the love of his life, they had a two year old daughter (me) and a three month old baby girl. With a little home overlooking Candlewood Lake, he was living the American Dream.

During the four years that my father taught and coached this class of 1959, his entire world was shattered. His infant daughter (Doreen) was diagnosed with uncontrolled seizures and irreversible brain damage—his third child (Dolores) was born with Down syndrome—and we buried Doreen six months before her fourth birthday. My parents spoke very little of that time in their lives, and so it really wasn't until I had children of my own that I began to understand the magnitude of their struggles and their suffering.

Even in the best of circumstances, parenting three children under the age of five is exhausting and all-consuming. I've been there—and I am sure that many of you have also—and you know how much work and attention it takes. Most people in that situation who are faced with even one of the tragedies that my parents lived through would be lucky to simply survive emotionally. But somehow my father managed to remain the strength and the sunshine for his family during these four difficult years, while coaching three teams, teaching his classes, and mentoring a group of students who still remember his influence on their lives fifty years later.

Several years after coming to Tulane my father gave a commencement speech in which he described the core element of a great teacher or leader. ''Moral courage,'' he said, ''is standing still and saying—this is what I believe, that I will do and that I will not do, this is my code of behavior and that is outside it.'' I believe that the man I loved and admired my entire life found his moral courage during those four years with the Class of 1959. Perhaps that is the reason you still remember him fifty years later. Hopefully it was the core lesson that you took with you when you graduated.

My father's years of teaching and coaching were guided by the belief that the true mark of greatness for any coach or teacher is not found in his record of games won, or his list of publications—but rather is measured in the accomplishments of his students, or the athletes he coached. For that reason, I am certain that his greatest pleasure in this evening's award ceremony would be hearing the life stories of his former students. Your lives and your accomplishments are truly his Hall of Fame.

I know that my dad would have been particularly thrilled that he is being honored along side his student and athlete and lifetime friend, Teddy Smigala. I extend my congratulations to Teddy and to all the other awardees here tonight. And I thank all of you—not only for this honor that you have given my father, but especially for the insights and memories you have shared with our family.

EARMARK DECLARATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. YOUNG of Alaska. Madam Speaker, in adherence to the Republican Earmark Standards for the Coast Guard Authorization, H.R. 3619, I submit the following:

Requesting Member: Congressman DON YOUNG

Bill Number: H.R. 3619

Provision: Section 1307

Legal Name of Requesting Entity: USCG Cutter Storis Museum & Maritime Education Center, LLC

Address of Requesting Entity: 229 4th Street, Juneau, Alaska 99801

Description of Request: The Storis Museum is organized and established for the purpose of obtaining the USCG Cutter Storis from the government of the United States of America and establishing a non-profit museum in Alaska that will maintain the Storis in Alaska when the vessel is declared surplus. It is the intent of the Storis Museum to make the USCG Cutter Storis available to the public as a museum and to work cooperatively with other museums to provide education and memorialize the maritime heritage of the Storis and other maritime activities in Alaska, the Pacific Northwest, the Arctic Ocean and adjacent oceans and seas and such other lawful affairs allowed in Alaska.

Requesting Member: Congressman DON YOUNG

Bill Number: H.R. 3619

Provision: Section 1302

Legal Name of Requesting Entity: Stabbert Maritime

Address of Requesting Entity: 2629 NW 54th Street, #W–201, Seattle, WA 98107

Description of Request: This provision would restore the coastwise privileges to the U.S.-built research ship, the Ocean Veritas, that was sold foreign in 1997 but now is in the process of being reflagged to the U.S. flag. The ship was built in 1974 by Halter Marine Fabricators, Gulfport, MS, which is also its homeport. However, unless this provision is enacted the vessel would be without coastwise privileges as a result of that prior sale to a foreign owner.

Requesting Member: Congressman DON YOUNG

Bill Number: H.R. 3619

Provision: 1302

Legal Name of Requesting Entity: Alaska Industrial Develop. and Export Authority

Address of Requesting Entity: 813 West Northern Lights Blvd., Anchorage, AK 99503

Description of Request: This provision would restore the coastwise privileges to AK Ship and Drydock #2.

RECOGNIZING SANDRA BECKLEY

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. BUCHANAN. Madam Speaker, I rise today to recognize a dedicated public servant, Sarasota National Cemetery Director Sandra Beckley, who will retire from 37 years of public service at the end of this year.

Ms. Beckley began her career with the U.S. Veterans' Administration in 1972 and has served as the Director of national cemeteries in Sarasota, Florida; Atlanta, Georgia; Pensacola, Florida; Mobile, Alabama; and Florence, South Carolina.

The veterans of Florida's Sun Coast, and their families, were fortunate that the VA appointed Sandra as Director of Sarasota National Cemetery on October 14, 2007. Since then, she has done an outstanding job overseeing the timely construction, dignified burial, and maintenance operations of this first-class facility.

She has worked extremely well with my office, the local veterans' community, and other stakeholders to ensure that veterans in the Sarasota-Bradenton area are memorialized with the honor and respect that they deserve, close to home.

Madam Speaker, I have very much enjoyed having had the opportunity to work with Sandra and will miss her strong, candid, and caring leadership. While we will miss her in Sarasota-Bradenton, we wish her all of the very best in her retirement, which she has richly earned.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Ms. WOOLSEY. Madam Speaker, on October 29, 2009, I was unavoidably detained and was unable to record my vote for rollcall No. 831. Had I been present I would have voted: Rollcall No. 831: ''yea''—Expressing support for designation of a ''National Firefighters Memorial Day'' to honor and celebrate the firefighters of the United States.

VARIABLE RATE MORTGAGE INSURANCE PREMIUMS: ARE THEY HOLDING BACK POTENTIAL HOMEOWNERS?

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. BURTON of Indiana. Madam Speaker, although unemployment, now at 9.8 percent, is expected to keep rising, and consumer confidence is down, the latest Federal Reserve report on economic activity shows some small signs that the recession may finally be starting to bottom out.

In particular, I am encouraged that we are starting to see indications that a rebound in the housing sector may be developing. A few weeks ago, for example, the Commerce Department said new-home building rose for the third time in four months during September, and, the National Association of Realtors announced that demand for previously-owned homes surged in September.

In late October, the Case-Shiller home-price indexes showed that U.S. home prices logged their third monthly increase in August. The indexes showed prices in 10 major metropolitan areas rose 1.3 percent from July. In 20 major metropolitan areas, home prices were up 1.2 percent from the previous month.

However, if a housing rebound is starting, it is still very fragile. For example, applications for home building permits—a key gauge of future construction—fell in September by the largest amount in five months. And, according to figures recently released by the Commerce Department, sales of new homes dropped unexpectedly in September; the first such decline since March.

The foreclosure crisis all but erased the gains we have made in increasing homeownership rates in the last 20 years. The financial gains families thought they had achieved through increases in home equity also disappeared, as now roughly 20 percent of homeowners owe more on their homes than they are worth.

Nevertheless, homeownership remains the single most important wealth-building tool available to families in this country. In fact, housing experts are saying that now is the time to buy. A sustained rebound in housing is therefore absolutely vital to Federal, State and local efforts to spark a broader economic recovery.

Regrettably, I have spoken to a number of mortgage brokers in Indiana and they tell me that many first-time homebuyers, who could otherwise buy a home, are finding themselves locked out of the housing market by the very rules and regulations we put into place to protect consumers from the so-called predatory lending practices that created the sub-prime mortgage mess in the first place.

I am not suggesting that we should return to the unchecked lending of the last decade, where someone could put no money down, show no proof of income or employment and walk away with a million dollar mortgage. But I am suggesting that we need to be vigilant for circumstances where—either through legislative or regulatory action—the Federal government may have inadvertently swung the pendulum too far in the direction of restricting access to the mortgage market in the name of consumer protection.

There are two letters I received from mortgage brokers in Indiana that point to one potential example. The issue relates to variable rate pricing of mortgage insurance for Federal mortgage loans.

These letters show these two mortgage agents both believe that the Federal Housing Administration's shift in policy from charging a flat-rate for mortgage insurance to charging a variable rate based on a person's credit score, has unfairly excluded some qualified buyers from the dream of home ownership.

I am not a mortgage expert; Madam Speaker, so I will defer to the experts as to whether the shift from flat-rate pricing to variable rate pricing is truly preventing would be homeowners from buying a home; but I would like to cite for the record a 2007 report done by the nonpartisan General Accountability Office regarding the proposed changes to the Federal Housing Administration's lending standards, including the shift to variable rate pricing of mortgage insurance premiums. The report reads, in part:

". . . our analysis of data for FHA's home purchase borrowers in 2005 showed that, under FHA's risk-based pricing proposal, about 43 percent of those borrowers would have paid the same or less than they actually paid, 37 percent would have paid more, and 20 percent would not have qualified for FHA insurance."

In other words, GAO's analysis, based on my understanding of the report, seems to suggest that variable rate premiums, based on perceived risk, send little extra money into the mortgage insurance trust fund to protect the funds from increased defaults but deny 20 percent of applicants FHA mortgage insurance—and by extension a mortgage.

If GAO's analysis is correct, and I have no reason to doubt GAO's findings, it would seem to support the arguments offered by the mortgage brokers from Indiana I cited earlier. In that case, Madam Speaker, I would ask my colleagues on the Finance Committee to give all due consideration to investigating the policy of variable rate pricing, in order to ensure that truly qualified borrowers are not being unfairly pushed out of the housing market.

ALL STAR MORTGAGE COMPANY,
August 19, 2009.

Congressman DAN BURTON,
Rayburn H.O.B.,
Washington, DC.

DEAR CONGRESSMAN BURTON: I am writing this letter as a follow up in regards to our meeting last week. The American consumer that desires to purchase a new home or refinance their existing home is at a distinct disadvantage considering Fannie Mae and Freddie Mac's unfair increased risk based pricing and mandatory delivery fees. These excessive fees and higher down payments are stifling the real estate market. They are overly burdensome to consumers, even those with perfect payment histories. This is not only stalling the housing recovery, but also inhibiting the overall economy, as many industries are housing related. This unfair practice is excluding many well-qualified borrowers from the dream of home ownership. It would be my hope that Congress would call for Fannie Mae and Freddie Mac to revisit their current policy of charging higher fees and requiring larger down payments to certain qualified borrowers, than they would charge an equally qualified borrower based solely upon credit score without regard to the borrower's actual credit repayment history.

Sincerely,

GREG EVANS,
President.

1ST MORTGAGE OF INDIANA, INC.,
Indianapolis, IN, August 19, 2009.

Congressman DAN BURTON,
Rayburn H.O.B.,
Washington, DC.

DEAR CONGRESSMAN BURTON:Many American consumers that desire to purchase a new home, or refinance their existing home, are being discriminated against based solely upon their Fico credit scores. We believe that Fannie Mae and Freddie Mac's increased risk based pricing, and mandatory delivery fees are unfair and excessive. These fees are overly burdensome to consumers, including many consumers with perfect payment histories. This is stalling the housing recovery and also inhibiting the overall economic rebound, as many industries are housing related. This unfair practice is excluding many well-qualified borrowers from the dream of home ownership. Please allow me to cite one real life example. We recently attempted to assist a 1st time home buyer who had a long credit history. Her re-payment history was perfect! She never had a single late payment! She had sacrificed and saved for years to come up with a 20% down payment. However, due to the type of credit she had established and had utilized (mostly revolving accounts vs. installment loans), her Fico score was 679. Based on Fannie Mae and Freddie Mac's risk based pricing, an additional fee of 2.5% of the loan amount would have been due and payable directly to Fannie or Freddie. With her loan amount of $250,000, that equated to $6250 in additional fees. This unfair additional fee caused her family to delay their dream of homeownership, and also prevented the would-be seller from selling their home and purchasing another. Sadly, this scenario is being repeated over and over nationally. Please call on FNMA and FHLMC to stop charging these excessive fees!

Sincerely,

J. MICHAEL STRAWN,
VP.
CATHERINE J. STRAWN,
President.

IN RECOGNITION OF THE LIFE OF JAMES W. ANDERSON

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House's attention today to pay recognition to the memory of James Anderson of Salem, Alabama.

Mr. Anderson was born on December 12, 1969, and grew up in Smiths Station, Alabama. Mr. Anderson was married to Corinna and blessed with two children, Kristopher and Kelli, and a grandson, Jason James. Mr. Anderson loved Alabama football and Columbus Cottonmouth hockey.

Mr. Anderson served our community as a deputy for the Lee County Sheriff's Office. On September 24, 2009, Mr. Anderson was intentionally and tragically struck by an automobile during a traffic stop. He was transported to Columbus Medical Center where he, despite best efforts, later passed away.

He will be sorely missed, but remembered as a man who gave selflessly for his fellow Alabamians. Let us continue to pray for his loved ones at this difficult time.

CONFERENCE REPORT ON FISCAL YEAR 2010 DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT (H.R. 2892)

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 2, 2009

Ms. MCCOLLUM. Madam Speaker, I rise in support of the Conference Report on the Fiscal Year 2010 Department of Homeland Security Appropriations Act. Chairman OBEY and Chairman PRICE deserve recognition for their leadership in crafting a fiscally responsible bill that provides vital aid for our first responders and also makes key investments to improve the security of our borders, ports, and aviation and transit systems.

With this bill, Congress takes important steps to close the Guantanamo Bay Detention Facility while also ensuring the security of the United States. H.R. 2892 prohibits the transfer of Guantanamo detainees to the United States, except for the purpose of criminal prosecution. The President must report to Congress any detainee transferred to the U.S. or any other country. This bill mandates the inclusion of all Guantanamo detainees on the TSA "No Fly List."

Madam Speaker, I also oppose the Republican Motion to Recommit on H.R. 2892, which would prevent detainees held at Guantanamo Bay to be brought into the United States for prosecution or incarceration. This motion is unnecessary due to the safeguards contained in this conference report. The Guantanamo Bay Detention Facility is a disturbing and unfortunate chapter in our Nation's history. Under the leadership of President Obama, the United States will close the detention center and restore our commitment to human rights and justice.

I urge a "no" vote on the Republican Motion to Recommit and urge my colleagues to support final passage.

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 Tuesday, November 3, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 4

10 a.m.

Finance

To hold hearings to examine the nominations of Michael W. Punke, of Montana, to be a Deputy United States Trade Representative, with the rank of Ambassador, Department of State, Islam A. Siddiqui, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador, and Michael F. Mundaca, of New York, to be Assistant Secretary of the Treasury.

SD–215

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 national ocean policy.

SR–253

2 p.m.

Judiciary

To hold hearings to examine the nominations of Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Christina Reiss, to be United States District Judge for the District of Vermont, Louis B. Butler, Jr., to be United States District Judge for the Western District of Wisconsin, Abdul K. Kallon, to be United States District Judge for the Northern District of Alabama, and Victoria Angelica Espinel, of the District of Columbia, to be Intellectual Property Enforcement Coordinator, Executive Office of the President.

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, Frederick D. Barton, of Maine, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador, and Carmen Lomellin, of Virginia, to be Permanent Representative to the Organization of American States, with the rank of Ambassador, all of the Department of State, Gustavo Arnavat, of New York, to be United States Executive Director of the Inter-American Development Bank, and Daniel W. Yohannes, of Colorado, to be Chief Executive Officer, Millennium Challenge Corporation.

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 and H.R. 1121, bills 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.

Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Steven L. Jacques, of Kansas, to be Assistant Secretary of Housing and Urban Development for Public Affairs, and Eric L. Hirschhorn, of Maryland, to be Under Secretary of Commerce for Export Administration.

SD–538

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

Judiciary

Business meeting to consider S. 448 and H.R. 985, bills to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, S. 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, S. 1147, to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and the nominations of Ketanji Brown Jackson, of Maryland, to be a Member of the United States Sentencing Commission, Jane Branstetter Stranch, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, Benjamin B. Tucker, of New York, to be Deputy Director for State, Local, and Tribal Affairs, Office of National Drug Control Policy, and Kenyen Ray Brown, to be United States Attorney for the Southern District of Alabama, Stephanie M. Rose, to be United States Attorney for the Northern District of Iowa, and Nicholas A. Klinefeldt, to be United States Attorney for the Southern District of Iowa, all of the Department of Justice.

SD–226

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.

Foreign Relations

To hold hearings to examine the nominations of Jeffrey L. Bleich, of California, to be Ambassador to Australia, David Huebner, of California, to be Ambassador to New Zealand, and to serve concurrently and without additional compensation as Ambassador to Samoa, and Robert R. King, of Virginia, to be Special Envoy on North Korean Human Rights Issues, with the rank of Ambassador, all of the Department of State.

SD–419

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

3 p.m.

Intelligence

To hold closed hearings to consider certain intelligence matters.

S–407, Capitol

NOVEMBER 6

9:30 a.m.

Joint Economic Committee

To hold hearings to examine the employment situation for October 2009.

SD–106

NOVEMBER 10

9 a.m.

Foreign Relations

To hold hearings to examine protocol Amending the Convention between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris on August 21, 1994, as Amended by the Protocol signed on December 8, 2004, signed January 13, 2009, at Paris, together with a related Memorandum of Understanding, signed January 13, 2009 (Treaty Doc. 111–04), protocol Amending the Convention between the United States of America and New Zealand for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, signed on December 1, 2008, at Washington (Treaty Doc. 111–03), convention Between the Government of the United States of America and the Government of Malta for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on August 8, 2008, at Valletta (Treaty Doc. 111–01), treaty between the Government of the United States of America and the Government of the Republic of Rwanda Concerning the Encouragement and Reciprocal Protection of Investment, signed at Kigali on February 19, 2008 (Treaty Doc. 110–23), and international Treaty on Plant Genetic Resources for Food and Agriculture, adopted by the Food and Agriculture Organization of the United Nations on November 3, 2001, and signed by the United States on November 1, 2002 (the ''Treaty'') (Treaty Doc. 110–19).

SD–419

10 a.m.

Energy and Natural Resources

To hold hearings to examine policy options for reducing greenhouse gas emissions.

SD–366

Homeland Security and Governmental Affairs

To hold hearings to examine the nominations of Erroll G. Southers, of California, to be Assistant Secretary of Homeland Security, and Daniel I. Gordon, of the District of Columbia, to be Administrator for Federal Procurement Policy.

SD–342

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 17

2:30 p.m.

Foreign Relations

To hold hearings to examine the United States and the G–20, focusing on remaking the international economic architecture.

SD–419

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

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S10963–S11005

Measures Introduced: One hundred and fourteen bills and three resolutions were introduced, as follows: S. 2608–2721, and S. Res. 330–332. **Pages S10989–91**

Measures Reported:

S. 30, to amend the Communications Act of 1934 to prohibit manipulation of caller identification information. (S. Rept. No. 111–96) **Page S10989**

Measures Passed:

Congratulating the United States Military Academy at West Point: Senate agreed to S. Res. 331, congratulating the United States Military Academy at West Point on being named by Forbes magazine as America's Best College for 2009. **Page S11000**

Commemorating the 20th Anniversary of the Fall of the Berlin Wall: Senate agreed to S. Res. 332, commemorating the 20th anniversary of the fall of the Berlin Wall, the end of the division of Europe, and the beginning of the peaceful and democratic reunification of Germany. **Pages S11000–01**

Measures Considered:

Unemployment Compensation Extension Act—Agreement: Senate resumed consideration of H.R. 3548, to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, taking action on the following amendments proposed thereto: **Page S10979**

Pending:

Reid (for Baucus/Reid) Amendment No. 2712, in the nature of a substitute. **Page S10979**

Reid Amendment No. 2713 (to Amendment No. 2712), to change the enactment date. **Page S10979**

Reid Amendment No. 2714 (to Amendment No. 2713), of a perfecting nature. **Page S10979**

Reid Amendment No. 2715 (to the language proposed to be stricken by Amendment No. 2712), to change the enactment date. **Page S10979**

Reid Amendment No. 2716 (to Amendment No. 2715), of a perfecting nature. **Page S10979**

During consideration of this measure today, Senate also took the following action:

By 85 yeas to 2 nays (Vote No. 332), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on Reid (for Baucus/Reid) Amendment No. 2712, in the nature of a substitute. **Pages S10984–85**

Reid Motion to commit the bill to the Committee on Finance, with instructions to report back forthwith, with Reid Amendment No. 2717, to change the enactment date, fell when cloture was invoked on Reid (for Baucus/Reid) Amendment No. 2712 (listed above). **Pages S10979, S10985**

Reid Amendment No. 2718 (to the instructions (Amendment No. 2717) of the motion to commit), of a perfecting nature, fell when Reid Amendment No. 2717 (listed above) fell. **Page S10979**

Reid Amendment No. 2719 (to Amendment No. 2718), of a perfecting nature, fell when Reid Amendment No. 2718 (to the instructions (Amendment No. 2717) of the motion to commit) (listed above) fell. **Page S10979**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 11:30 a.m., on Tuesday, November 3, 2009, and that the time during any adjournment, recess, or period of morning business count post-cloture. **Page S11005**

Joint Meeting Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort Her Excellency Angela

Merkel, Chancellor of the Federal Republic of Germany, into the House Chamber for the joint meeting at 10:30 a.m., on Tuesday, November 3, 2009. **Page S11001**

Messages from the House: **Pages S10988–89**

Measures Referred: **Page S10989**

Measures Placed on the Calendar: **Page S10989**

Additional Cosponsors: **Pages S10991–92**

Statements on Introduced Bills/Resolutions: **Pages S10992–94**

Additional Statements: **Pages S10987–88**

Amendments Submitted: **Pages S10994–S11000**

Record Votes: One record vote was taken today. (Total—332) **Pages S10984–85**

Adjournment: Senate convened at 2 p.m. and adjourned at 7:04 p.m., until 10 a.m. on Tuesday, November 3, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11005.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 3978–3985; and 1 resolution, H. Res. 883 were introduced. **Page H12197**

Additional Cosponsors: **Pages H12197–98**

Reports Filed: Reports were filed today as follows:

H.R. 1110, to amend title 18, United States Code, to prevent caller ID spoofing, with an amendment (H. Rept. 111–321);

H.R. 3596, 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, with an amendment (H. Rept. 111–322);

H.R. 1168, to amend chapter 42 of title 38, United States Code, to provide certain veterans with employment training assistance, with an amendment (H. Rept. 111–323);

H.R. 3949, 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 (H. Rept. 111–324); and

H.R. 3237, to enact certain laws relating to national and commercial space programs as title 51, United States Code, "National and Commercial Space Programs" (H. Rept. 111–325). **Page H12197**

Speaker: Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker Pro Tempore for today. **Page H12143**

Recess: The House recessed at 12:44 p.m. and reconvened at 2 p.m. **Page H12144**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Military Spouses Residency Relief Act: S. 475, to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency; **Pages H12145–47**

Expressing the sense of the House of Representatives with respect to the United States Submarine Force: H. Res. 773, to express the sense of the House of Representatives with respect to the United States Submarine Force; **Pages H12148–49**

Veterans Retraining Act of 2009: H.R. 1168, as amended, to amend chapter 42 of title 38, United States Code, to provide certain veterans with employment training assistance, by a ⅔ yea-and-nay vote of 356 yeas with none voting "nay", Roll No. 832; **Pages H12149–51 H12177–78**

Recognizing October 24, 2009, the 20th chartered flight of World War II veterans through Louisiana HonorAir, as "Louisiana HonorAir Day," and honoring the invaluable service and dedication of the World War II veterans to our Nation: H. Res. 828, to recognize October 24, 2009, the 20th chartered flight of World War II veterans through Louisiana HonorAir, as "Louisiana HonorAir Day," and to honor the invaluable service and dedication of the World War II veterans to our Nation; **Pages H12151–52**

Recognizing the crucial role of assistance dogs in helping wounded veterans live more independent lives, expressing gratitude to The Tower of Hope, and supporting the goals and ideals of creating a Tower of Hope Day: H. Res. 291, to recognize the

crucial role of assistance dogs in helping wounded veterans live more independent lives, to express gratitude to The Tower of Hope, and to support the goals and ideals of creating a Tower of Hope Day, by a ⅔ yea-and-nay vote of 351 yeas with none voting "nay", Roll No. 833; **Pages H12162–63, H12178–79**

Honoring Sentinels of Freedom and commending the dedication, commitment, and extraordinary work of the organization: H. Res. 461, to honor Sentinels of Freedom and to commend the dedication, commitment, and extraordinary work of the organization; **Pages H12164–65**

Authorizing a major medical facility project at the Department of Veterans Affairs Medical Center, Walla Walla, Washington: S. 509, to authorize a major medical facility project at the Department of Veterans Affairs Medical Center, Walla Walla, Washington, by a ⅔ yea-and-nay vote of 352 yeas with none voting "nay", Roll No. 834; **Pages H12165–67, H12179**

Directing the Secretary of Veterans Affairs to establish a national cemetery for veterans in the southern Colorado region: H.R. 174, to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the southern Colorado region; **Pages H12168–70**

Supporting and encouraging greater support for Veterans Day each year: H. Res. 89, to support and encourage greater support for Veterans Day each year; **Pages H12170–72**

Recognizing the celebration of Filipino American History Month in October: H. Res. 780, to recognize the celebration of Filipino American History Month in October; and **Pages H12172–74**

Honoring the New Hampshire State Senate for becoming the 1st statewide legislative body with a majority of women in the United States: H. Res. 159, amended, to honor the New Hampshire State Senate for becoming the 1st statewide legislative body with a majority of women in the United States. **Pages H12174–75**

Recess: The House recessed at 4:58 p.m. and reconvened at 6:30 p.m. **Page H12177**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Veterans' Small Business Assistance and Servicemembers Protection Act of 2009: H.R. 3949, amended, 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; **Pages H12152–60**

Recognizing the 60th anniversary of the Berlin Airlift's success: H. Res. 398, to recognize the 60th anniversary of the Berlin Airlift's success; **Pages H12160–62**

Expressing support for designation of a National Veterans History Project Week: H. Res. 866, to express support for designation of a National Veterans History Project Week to encourage public participation in a nationwide project that collects and preserves the stories of the men and women who served our nation in times of war and conflict; **Pages H12163–64**

Max J. Beilke Department of Veterans Affairs Outpatient Clinic Designation Act: H.R. 3157, to name the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the "Max J. Beilke Department of Veterans Affairs Outpatient Clinic"; and **Pages H12167–68**

Honoring President Lincoln's Gettysburg Address on "Dedication Day", November 19, 2009: H. Res. 736, to honor President Lincoln's Gettysburg Address on "Dedication Day", November 19, 2009. **Pages H12175–77**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H12145.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H21277–78, H12178–79 and H12179. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:46 p.m.

Committee Meetings

No committee meetings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1261)*

H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010. Signed on October 30, 2009. (Public Law 111–88)

S. 1929, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958. Signed on October 30, 2009. (Public Law 111–89)

COMMITTEE MEETINGS FOR TUESDAY, NOVEMBER 3, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Environment and Public Works: business meeting to consider S. 1733, to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy, 9 a.m., SD–406.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine increasing health costs facing small businesses, 2:30 p.m., SD–106.

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 Energy and Commerce, Subcommittee on Commerce, Trade and Consumer Protection, hearing entitled ''The NFL StarCaps Case: Are Sports' Anti-Doping Programs At A Legal Crossroads?'' 11:30 a.m., 2123 Rayburn.

Subcommittee on Energy and Environment, to mark up H.R. 515, Radioactive Import Deterrence Act, 9:15 a.m., 2123 Rayburn.

Committee on Financial Services, to continue consideration of the October 1, 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); and to consider the following: an Amendment in the nature of a substitute October 16, 2009, to H.R. 2609, Federal Insurance Office Act of 2009; a Committee Print (October 29, 2009) of the Financial Stability Improvement Act of 2009; and H.R. 3904, Overdraft Protection Act, 9:30 a.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Communications, Preparedness and Response, to mark up the following measures: H.R. 3837, Strengthening and Updating Resources and Equipment Act or SURE Act; the Identifying Redundancies and Developing Performance Metrics Act; and the First Responder Anti-Terrorism Resources Act, 1 p.m., 331 Cannon.

Committee on Oversight and Government Reform, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing entitled ''Managing the Thrift Savings Plan to Thrive,'' 2 p.m., 2154 Rayburn.

Committee on Rules, to consider the following bills: H.R. 2868, Chemical Facility Anti-Terrorism Act of 2009; and H.R. 3639, Expedited CARD Reform for Consumers Act of 2009, 3 p.m., H–313 Capitol.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine life in a Russian newsroom, 11 a.m., 1539, Longworth Building.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED ELEVENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

EXECUTIVE DATA ON LEGISLATIVE ACTIVITY

January 6 through October 31, 2009

	Senate	*House*	*Total*
Days in session	153	136	..
Time in session	1,107 hrs., 10′	1,048 hrs., 5′	..
Congressional Record:			
Pages of proceedings	10,962	12,142	..
Extensions of Remarks	..	2,674	..
Public bills enacted into law	24	62	..
Private bills enacted into law	..	..	..
Bills in conference	3	3	..
Measures passed, total	397	800	1,197
Senate bills	59	24	..
House bills	68	314	..
Senate joint resolutions	5	4	..
House joint resolutions	5	7	..
Senate concurrent resolutions	22	11	..
House concurrent resolutions	26	53	..
Simple resolutions	212	387	..
Measures reported, total	*147	*302	449
Senate bills	88	1	..
House bills	26	188	..
Senate joint resolutions	1	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	4	..	..
House concurrent resolutions	..	8	..
Simple resolutions	28	105	..
Special reports	21	8	..
Conference reports	..	10	..
Measures pending on calendar	117	46	..
Measures introduced, total	2,992	5,118	8,110
Bills	2,597	3,969	..
Joint resolutions	20	61	..
Concurrent resolutions	46	206	..
Simple resolutions	329	882	..
Quorum calls	3	2	..
Yea-and-nay votes	331	446	..
Recorded votes	..	383	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

DISPOSITION OF EXECUTIVE NOMINATIONS

January 6 through October 31, 2009

Civilian nominations, totaling 573, disposed of as follows:	
Confirmed	375
Unconfirmed	185
Withdrawn	13
Other Civilian nominations, totaling 2,121, disposed of as follows:	
Confirmed	1,643
Unconfirmed	478
Air Force nominations, totaling 7,110, disposed of as follows:	
Confirmed	5,872
Unconfirmed	1,238
Army nominations, totaling 6,582, disposed of as follows:	
Confirmed	6,505
Unconfirmed	77
Navy nominations, totaling 4,387, disposed of as follows:	
Confirmed	4,376
Unconfirmed	11
Marine Corps nominations, totaling 1,482, disposed of as follows:	
Confirmed	1,480
Unconfirmed	2

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	22,255
Total confirmed	20,251
Total unconfirmed	1,991
Total withdrawn	13
Total returned to the White House	0

Next Meeting of the SENATE

10 a.m., Tuesday, November 3

Senate Chamber

Program for Tuesday: Senate will continue consideration of H.R. 3548, Unemployment Compensation Extension Act.

(Senate will recess from 10:15 a.m. until 11:30 a.m. for a Joint Meeting of Congress to receive an address from German Chancellor Angela Merkel in the House Chamber at 10:30 a.m. Senators will meet in the Senate Chamber at 10:00 a.m. to proceed as a body to the House of Representatives at 10:15 a.m.)

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

8 a.m., Tuesday, November 3

House Chamber

Program for Tuesday: Joint Meeting with the Senate to receive Her Excellency Angela Merkel, Chancellor of the Federal Republic of Germany. Consideration of the following suspensions: (1) H. Res. 868—Honoring and recognizing the service and achievements of current and former female members of the Armed Forces; (2) H. Con. Res. 139—Congratulating the first graduating class of the United States Air Force Academy on their 50th graduation anniversary and recognizing their contributions to the Nation; (3) H. Res. 856—Recognizing the Commissioning of the USS New York LPD 21; (4) H. Res. 880—Recognizing the efforts of career and technical colleges; (5) H.R. 2136—Stephanie Tubbs Jones College Fire Prevention Act; (6) H. Res. 752—Recognizing the tragic loss of life that occurred at the Cherry Mine in Cherry, Illinois; (7) H. Res. 878—Expressing support for the goals and ideals of National Family Literacy Day; (8) H.R. 3276—American Medical Isotopes Production Act; (9) H. Res. 858—Congratulating the Inter-American Foundation; (10) H. Res. 839—Condemning the illegal extraction of Madagascar's natural resources; (11) H. Res. 711—Calling on the United States Government and the international community to address the human rights and humanitarian needs of Sri Lanka's Tamil internally displaced persons; (12) H. Res. 641—Recognizing the 60th anniversary of the founding of Radio Free Europe/Radio Liberty; (13) H. Res. 863—Recognizing November 2 as World Pneumonia Day; and (14) H. Res. 867—Calling on the President and the Secretary of State to oppose unequivocally any endorsement or further consideration of the ''Report of the United Nations Fact Finding Mission on the Gaza Conflict'' in multilateral fora.

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