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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Ms. WATSON).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 16, 2010.

I hereby appoint the Honorable DIANE E. WATSON 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.

RESTORING AMERICANS' NET WORTH

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

Mr. CONNOLLY of Virginia. Madam Speaker, last week I brought the same chart to the House floor to visibly demonstrate how, starting in 2007, the Great Recession destroyed $17.5 trillion of household aggregate wealth in the United States. I noted that it represented a loss of more than $56,000 for every man, woman, and child in America. Trillions of dollars of home equity were lost, retirement savings and college funds lost.

As you can see by the red line here, the worst recession since World War II continually destroyed value from American households for seven straight quarters, from June of 2007 until March of 2009; 21 months of lost net worth. The economy was on the brink of collapse, and the tremendous losses to every American household were directly evident.

But this Congress acted. And as you can see from the blue line, since passage of the Recovery Act, Americans recovered $5 trillion in net worth during the second and third quarters of 2009. Today I have even better news. Last week, data came out for the fourth quarter of 2009, and once again Americans' net worth increased for the third straight quarter. There was an additional $800 billion returned to American households over just the past 3 months.

Let me put this in context. The Recovery Act was an investment in this Nation, in this economy, in the American people, to help bring us out of the Great Recession. It kept hundreds of thousands of teachers from being laid off, including 800 in my own district. That is not just a short-term investment in economic recovery, it is a long-term investment in our communities and in the education of our children.

The Recovery Act also provided for thousands of needed transportation improvements. Again, that is a short-term investment in construction jobs, but a long-term investment in our communities and national infrastructure. The Recovery Act's investments, including more than $200 billion in tax cuts, totaled $787 billion, and it will be spent over 2 years time. Where is the return on that investment, you just have to look at the blue line showing $5 trillion in net worth that has been recovered since we passed that bill for American families in the first 9 months of this year. We can now add another $800 billion to that figure for the last 3 months of 2009, nearly $6 trillion in recovered wealth.

The recovery of America's net worth is vital to the overall recovery of our economy. Consumer spending makes up 70 percent of our GDP. However, so long as consumers' net worth remains depressed, consumer spending will naturally suffer. When consumer spending suffers, businesses pull back and lay off employees. It is a tragic downward spiral, one that unfolded starting in the Bush administration in 2007.

But this chart, this blue line of recovery shows we are back on the right track. Despite historic blizzards that many thought would imperil the recovery, retail sales actually increased 0.3 percent in February, outpacing expectations. Housing prices increased 7 straight months, reversing 22 straight months of decline. New orders for manufactured goods are at their highest level since 2008. The manufacturing index has been growing for 6 straight months, and manufacturing jobs have been growing for 3 months. GDP grew at 5.9 percent, its fastest growth in 6 years, in the fourth quarter of 2009. And today, the stock market is up more than 70 percent since its March of 2009 low.

We are not out of the woods yet, and we have some ground to cover before the value of the economic losses are fully recovered. But we are making steady progress, as we can see from this chart. We must now continue on that path to restore financial stability for our residents and the economy as a whole.

JOB KILLING HEALTH CARE

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

Ms. FOXX. Madam Speaker, this week we are going to be taking up, we

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think, a job killing so-called health care reform bill that the American people do not want but that the Democratic leadership and the President are determined to cram down our throats.

This bill will not help our situation in terms of health care or health insurance. It does not reduce the cost of health insurance which was one of the goals the President said that he wanted. It does not solve any of the problems that we need to solve in health care. In fact, it makes those problems worse.

Yesterday I had a town hall in Statesville, North Carolina, with about 175 people there. They are very upset about this proposed health care reform bill. They understand that a lot of dirty tricks are being played here, and they don't like it. They don't like several aspects of the proposal that is being brought forth this week.

Number one, they don't like the fact that the Democrats are proposing to pass this bill without voting on the bill. They know that goes from passing bills without reading them to passing bills without voting for them. Another thing that they don't like is they don't like to see two bills that have no relationship to each other put together because one of the bills can't pass on its own and so the folks in charge attach it to a bill that they can get the votes for.

And so what the majority people are doing is they are going to latch onto their reconciliation bill a job-killing government takeover of student loans. They are attaching that to their job-killing government takeover of health care which many people have called a monstrosity.

This is not the way the American people want us to be operating in this Congress. We are the greatest country in the world with the best form of government in the world. But what is about to happen this week, if the American people do not speak out even louder than they have spoken out, is you are going to see Democrats vote for this monstrosity and undermine the rule of law that exists in this country. It is a scary proposition.

Republicans know that we need reform in health insurance and in health care, and we have made proposals to do that. We have legislation that will reduce cost in health insurance. The plan that the Democrats have put forward will not reduce cost. Even one of their Senators, DICK DURBIN, said that last week on the floor of the Senate.

The bill also does not allow people to continue the current health insurance that they have which the President has been saying you could do. In his meeting with Republicans at our retreat, he admitted that he had been saying that incorrectly. He is still saying it even though he said it was incorrect because you will not be allowed to keep your insurance if you like it.

Republicans want for Americans to be able to buy their health care across State lines. We want medical liability reform. We want to expand health savings accounts. We want to put Americans in charge of their health care and in charge of their health insurance. We don't want a giant government takeover of health insurance and health care. This can be done to help Americans, but what the Democrats are proposing will not be the right thing to do.

I serve on the Rules Committee. They are planning to bring a rule that will say if you vote for the rule, you voted for the bill. That has never happened in the history of this country. Again, it undermines the rule of law and the American people will not stand for it.

COLON CANCER AWARENESS MONTH

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

Mr. BOREN. Madam Speaker, I rise today to remind Members of this body that the month of March is Colorectal Cancer Awareness Month. During the month of March, colon cancer advocates across the country will organize and participate in a wide range of activities to raise awareness about this horrible disease. This year alone, almost 150,000 Americans will be diagnosed with colon cancer, and approximately 50,000 of them will die from it.

Madam Speaker, it doesn't have to be that way. If detected early, the survival rate for colon cancer is almost 90 percent. Yet less than half of all Americans get the recommended preventive tests by the suggested age of 50.

Colon cancer is an issue that is very personal to me; 12 years ago, I lost my mother Janna to this dreadful disease. And since arriving in Congress, I have made it one of my missions to bring attention to this serious yet preventable cancer. So for the next 3 weeks, I want Members of this body to ask themselves and their constituents two important questions: Have you asked your doctor if you should get a colonoscopy? Do you know that it could save your life?

THE FAIR TAX

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

Mr. MORAN of Kansas. Madam Speaker, this past weekend, like many Americans, my wife and I sat at our kitchen table and worked on getting our taxes figured out so we could file our return. Across our country, millions of Americans are working to finalize their annual tax return. It is clear that our system of income taxes is broken. To restore our Nation's economic health, increase personal liberty, reduce cheating and confusion, and restore fairness, Congress must abandon our current tax code and replace it with something much better.

There is no reason that paying taxes should be so complicated and so confusing. The burden in this process that is placed upon individuals and small businesses must be relieved. The IRS itself has estimated that 7.6 billion hours are spent in tax preparation every year. That 7.6 billion hours equates to 3.8 million people working full time for a full year. Congress can simplify this process and reduce the amount of time and energy spent on paying our taxes.

As a longtime supporter of the FAIR Tax, I see H.R. 25 as a step in the direction of liberty and prosperity. The FAIR Tax seeks to eliminate the payroll, estate, and many other taxes to be replaced by a national sales tax levied on purchased goods. Overhauling the U.S. Tax Code is not an easy task to undertake, but reducing the burden of filing taxes should be a priority in this Congress. Anyone who views our tax collection practices can see the flaws. The question is whether Congress has the courage and determination to change it.

The process of tax reform has major consequences for every American, but it is a process that must be started because the consequences of inaction are too costly. The truth remains that Americans want and need some sort of tax filing relief. The need for commonsense reform becomes more obvious during this tax season.

I have called on the newly installed chairman of the Ways and Means Committee, the gentleman from Michigan (Mr. LEVIN) to schedule a hearing on the FAIR Tax. I encourage my colleagues who are serious about starting an open conversation on tax reform to join me in this request. The American people are ready to have that conversation, and their representatives should be also.

□ 1145

Americans are in need of tax reform and simplification, but instead, all they are getting from this Congress is increased spending and record deficits. By reforming this broken process, Americans will once more be in charge of their lives and their money.

Over the course of the last several years, American taxpayers have become much more attentive to what is and what is not happening in Washington, DC. Tea Party protests and fair tax advocates are making their voices heard. Their message is clear to Congress if Congress will only listen—simplify the tax code. In doing so, we will create an opportunity for economic growth and new prosperity while increasing personal freedom and liberty.

April 15 is now less than 1 month away. No more business as usual. Let's not let another tax year go by without action to replace our convoluted, confusing, and freedom-restricting tax code.

HEALTH CARE

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

Mr. WALZ. Madam Speaker, this week this House has a historic opportunity. For far too long, millions of Americans have not been able to afford basic health care coverage. For far too long, families with insurance are told when they finally need to use that insurance, that they are not covered. For too long, insurance company executives and bureaucrats have dictated what is covered to the doctors.

For far too long, those who are insured have been paying a hidden tax to cover the millions of uninsured. This week the figure is $51 million. For far too long, the United States has spent double the amount of any other industrialized nation, and we are no healthier for it. And for far too long, there have been those who have said we can wait a little longer; we will put health care off and do it at another time.

This button was given to me last weekend by a woman in Fountain, Minnesota. It reads, ''Healthcare for All—the time is now.'' She's been carrying it for 25 years.

Last week, the Mayo Clinic—which is in my district in southern Minnesota—along with the Cleveland Clinic and other leading institutions, put out a statement urging reform in this House. The statement read, ''Reforming health care in America will not become easier with the passage of time,'' and we urge you to move forward.

The time is right for America to fix this inequity. The time is right to move America forward, and as the button says, health care for all, the time is now. That is this week.

FLORIDIANS ARE HARD AT WORK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, yesterday, March 15, was Florida's Day of Action to raise awareness about the sham elections in Sudan which are scheduled for next month. When the Comprehensive Peace Agreement was signed in the year 2005, the dream of a united Sudan, where everyone—regardless of gender, ethnicity, or religion—lived in freedom, it seemed possible. Elections were intended to usher that change.

Unfortunately, the Sudanese Government has since proven that it will do anything to remain in power—including slaughtering civilians and stealing elections. Southern parties have committed abuses, but it is Sudan's tyrant—an indicted war criminal—who remains the greatest obstacle to peace.

The time for wishful thinking is over. These elections are a sham, hijacked to legitimize the rule of a reprehensible, murderous regime. Responsible nations must work to ensure Sudan's butcher answers for his crimes before this process moves forward.

So congratulations to the many Floridians who spearheaded the Day of Action yesterday.

And speaking of Floridians, our State is hurting. Our economy is in serious trouble. Floridians ask what is the best way to put Floridians back to work without increasing our mounting national debt. The latest national unemployment record shows that we're still facing an almost 10-percent unemployment statistic. And totally unacceptable is Florida's numbers. Florida's number, 11.8 percent unemployment rate in my home State of Florida.

How can we fix this problem? Part of it deals with what U.S. Trade Representative Ron Kirk, said, and it was an important and very timely message. He said, Trade supports millions of U.S. jobs and expanding trade must be part of the U.S. economy. Congress needs to support long-delayed trade pacts with Colombia, Panama, and South Korea, which will greatly expand access to oversea markets for Florida businesses.

While these agreements are stalling here in Washington, our competitors are cutting their own deals to open more markets for their exporters. The European Union, for example, has concluded an agreement with South Korea—similar to the one that has been languishing here in Washington, DC.

Hundreds of thousands of people are employed in the trade industry. In my home State of Florida, we exported more than $47 billion in goods last year. South Florida is the gateway to Latin America, and it's a huge hub for trade with Colombia, which has already produced thousands of jobs in key industries, such as the flower-importing industry. Trade is a crucial part of our economic recovery and an ideal opportunity for Democrats and Republicans to work together on an important issue.

It's so important to my home State of Florida, which brings me to another national issue that is crucial to my State of Florida, and that is a complete and accurate census count. We must mobilize everyone to participate in the 2010 census and help increase funding for education, health care, transportation, and other key programs while ensuring that our area will get the programs it deserves.

Having represented a diverse area such as South Florida here in Congress, I know that we need to reach out to residents of low-income and minority neighborhoods, which are especially at risk of being undercounted in the 2010 census. Along with many other metropolitan areas, Miami-Dade County will have a bilingual, English and Spanish, census form, as well as a special census outreach effort to the Colombian, to the Haitian, to the Cuban communities, among many different ethnic groups in our community and in our Nation.

Accurate data reflecting changes in our diverse and ever-changing communities will decide how over $400 billion per year is spent in Federal grants and how it's allocated for programs like new hospitals and schools.

So your assistance, South Florida, with a complete census count will help ensure that essential social service programs like job training, after-school programs, school lunch programs, senior citizen centers, they will receive the funding they deserve. So please help us kick off our efforts to get the most complete census count in history. Floridians, get on board.

And I am so proud of the many Floridians who do amazing things every day.

In my congressional district of South Florida, Madam Speaker, extraordinary groups such as Teens Against Domestic Abuse, otherwise known as T-A-D-A—TADA—are working to raise awareness about domestic abuse. And TADA is a local student activist group run by a caring and passionate young woman, Emily Martinez-Lanza.

So I thank the exemplary work of Floridians. From the Call of Action on Sudan, to the economy, to the census, to combating domestic abuse, Floridians are hard at work.

''PASSED'' NOT ''DEEMED''

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

Mr. PENCE. Madam Speaker, the American people don't want a government takeover of health care. I heard it at town hall meetings, across eastern Indiana this weekend, and at a rally at the Statehouse in Indianapolis yesterday where over a thousand gathered on short notice.

Now, I know many in the Democratic leadership and the administration don't like us to call it a ''government takeover of health care,'' but when you mandate that every American purchase health insurance—whether they want it or need it or not—you mandate what's in that insurance. If you set up a government-run insurance exchange to control what kind of insurance people can buy and set up a massive bureaucracy, even a new health care czar to govern all of it, that sure looks like to me a government takeover of health care. And the American people know it.

Now, clear majorities of this country have rejected this approach. But nevertheless, as we read in the papers, Congress is intent this week on bringing this legislation—seemingly by any means—to the floor of the House of Representatives. And I want to speak about those means today.

The choice that the leadership of the Congress has before them is whether or not to bring the wildly discredited Senate bill to the floor of the House of Representatives. But the truth is, the bill, with its Cornhusker Kickback, with the public funding of abortion, simply couldn't pass the House floor. There's just not the votes for it.

But it seems at this moment what we hear is that the Democratic leadership here in Congress is so desperate to pass this government takeover of health care that they are willing to twist the

rules of the House and the Senate into a pretzel to get it done.

But I am not here to talk about the arcane rules of the Senate and reconciliation that the follow-on bill would be an abuse of. I'm not even here to talk about the rules of the House. I'm really here to talk about the Constitution of the United States of America.

I mean, this so-called Slaughter House Rule that is being proposed, the idea that the Senate bill could be deemed as passed on the House floor without Members of Congress being asked to vote for it, I believe not just tramples on the common sense and insults the intelligence of the American people, but it really tramples on the Constitution of the United States. Let me break it down for you.

I've understood this since the first time I saw ''School House Rock'' about how a bill becomes a law and that little bill danced up the House steps when I was a kid. Let me read it. It's in the Constitution, Article I, section 7, ''Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States.'' There it is.

As we learned as school children, as it says in the Constitution, a bill becomes a law after it has passed the House of Representatives—not after it was deemed to have passed, not after it was buried in a procedural motion that no one really has to say they have supported, but after it has passed on the floor of the House of Representatives.

Now, some will say that, well, Republicans just want to talk about process here; we're trying to do something for health care. Well, wait a minute. The processes that are in the Constitution of the United States exist to protect the liberty of the American people and hold those who govern them responsible. The reason our Founders enshrined in the Constitution of the United States the requirement that bills might not become law unless they pass on the House floor is so that they could hold accountable the decisions that the men and women who would serve in this Chamber throughout our history would make.

Madam Speaker, the very idea that the Senate bill could be adopted by the House without any vote on the floor is anathema to the Constitution of the United States, and I believe it's an insult to the American people.

I would say respectfully, Madam Speaker, if you have the votes, vote the Senate bill on the floor. Let's bring it down here. Let's have a good, long debate about that bill that passed the Senate on Christmas Eve with all of its backroom deals and all of its public funding for abortion and its individual mandates and its tax increases.

But if you don't have the votes, let's scrap the bill. Let's start over. Let's commit ourselves to building health care reform on the principles of limited government and free market economics. Let's pass health care reform that will lower the cost of health insurance rather than growing the size of government.

And for heaven's sake, whatever we do, let's go forward this week in a way that honors those who have gone before, those who have fought for this Constitution. Let us live up to the ideals of our Founders and the expectation of our people. And let's throw this Slaughter House Rule business in the trash heap where it belongs.

RECESS

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

Accordingly (at 10 o'clock and 59 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. JACKSON LEE of Texas) at noon.

PRAYER

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

God Almighty and Father of us all, we praise You, the source of all we have and all we are. Teach us to acknowledge always the many good things Your infinite love has given us. Help us to love You in return with all our heart and all our strength.

Empower us to serve this Nation with such wisdom and compassion that Your own gracious goodness and love of humanity may be evident and give You glory both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SCHAUER led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 53. Concurrent resolution recognizing and congratulating the City of Colorado Springs, Colorado, as the new official site of the National Emergency Medical Services Memorial Service and the National Emergency Medical Services Memorial.

HEALTH CARE REFORM

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

Mr. BACA. Anthem Blue Cross in my home State of California is trying to raise premiums by 39 percent. This is only the beginning if we do nothing. We must give the American people, not the insurance companies, more control. If we do nothing, the American people will continue to pay higher premiums and higher out-of-pocket costs now and in the future.

We cannot, our families cannot, afford to do nothing. Health reform will hold health insurance companies accountable; end discrimination based on preexisting conditions; cut and eventually close the doughnut hole for thousands of seniors, including 5,200 seniors in my district; cut the national deficit; and produce over 4 million new jobs in the coming decade. That is 400,000 new jobs every year.

Health care reform will bring coverage to 219,000 in my district and 31 million nationwide for the very first time in history. This is a historic moment. In 1935, we passed Social Security. In 1965, we passed Medicare. We must pass health reform now.

HEALTH CARE REFORM

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

Mr. BOEHNER. Madam Speaker, the American people are appalled by what they have seen in this health care debate. But the worst is still ahead. The bill has already failed. The American people don't want it, and they are screaming at the top of their lungs, stop. But, yet, Congress continues to proceed.

The American people want jobs. But what does this bill do? It puts the American people out of work. They want lower health care costs, while the health care bill being debated is going to raise the cost of premiums. They want less government, yet this bill is going to create a giant bureaucracy here in Washington. They want to protect life. Yet the bill is going to force taxpayers to fund elective abortions.

If that weren't enough, the majority plans to force the toxic Senate bill through the House under some controversial trick. There is no way to hide from this vote. It will be the biggest vote that most Members ever cast. Now you can run, but you can't hide. Let's defeat this bill.

HEALTH CARE REFORM

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

Mr. SCHAUER. Madam Speaker, health care is an issue of basic economics to middle class families, seniors and businesses. During the health care debate, my constituents have asked me to listen. I'm listening.

The story I heard last week is from a college in my area. It employs 300 people. As in the case with many employers, the lion's share of their costs come from employee costs, 70 percent in this college's case. Their health insurance premiums this year went up 17 percent. Seventeen percent. What does that mean? It means job cuts or tuition increases, or both, both disastrous for middle class families in our economy.

Seventeen percent premium increases. The Nation's five largest private health insurance companies' profits went up $12 billion last year while they dropped 2.7 million people from coverage. Our current health care system may work for the health insurance industry, but it is broken for middle class families and is hurting our economies. It must be fixed now.

HEALTH CARE REFORM

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

Mr. CANTOR. Madam Speaker, Republicans have come to the floor today because we care about Americans' health care. We just don't care for this bill. But still, the majority seems committed to trying to muscle through a trillion-dollar overhaul that will change health care for every man, woman, and child.

Americans have made it very clear. They don't like this bill. They don't want the government in the decision-making of their health care. They want lower costs, and they don't want their government tax dollars going to fund abortion services.

So why can't we start over, Madam Speaker? We ask again. There has been a year and a half nearly of debate over this and still more questions than answers. That's why we are hearing reports that the majority will try to ram this through without a direct vote on the Senate bill, Madam Speaker. We should take an up-or-down vote on the Senate bill.

H.R. 4440, THE COMBAT ACT

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

Mr. McNERNEY. Madam Speaker, I rise today to honor the sacrifices of American men and women serving our country overseas and to urge my colleagues to support legislation I introduced to give them a much-deserved pay increase for facing dangerous situations.

Late last year, I traveled to Afghanistan and was privileged to meet members of our Armed Forces serving our country in a difficult and dangerous environment. Two of those soldiers approached me and said they had not seen a combat pay increase in several years and asked me to do what I could do to make the burden of overseas deployment easier for them and their families.

As a result, when I got back to Washington, I introduced H.R. 4440, the COMBAT Act, which provides several types of combat pay increases, including hostile fire pay, imminent danger pay and family separation allowance. I ask my colleagues to join me in supporting our troops and their families by becoming a cosponsor of this bill.

HEALTH CARE REFORM

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

Mr. PENCE. The Democrat health care bill that is being brought through the Congress this week is nothing more than a government takeover of health care, and the American people know it. I know the administration doesn't like us to use that phrase, but come on. When you mandate that every American purchase health insurance whether they want it or need it or not, you mandate that every business provide it, you create a massive government-run bureaucracy exchange that mandates what is in insurance plans, you wrap that all in about $1 trillion worth of spending, that is a government takeover of health care.

But what is really remarkable about this whole business is that not only have the American people rejected this plan, but Democrats are so desperate to pass it that they are willing to trample on the traditional rules of the House and the Senate and even trample on the Constitution of the United States to get it done. The Constitution provides that a bill becomes a law if it has passed the House of Representatives and the Senate. The Democrats actually don't have the votes to pass the Senate bill, so they have decided they are going to try and pass the bill without a vote.

Well, that would be news to the Founders of this country and a betrayal of the commitment of every Member of this Congress to the American people. I urge the Speaker, if you have the votes for the Senate bill, bring it to the floor. If you don't, let's scrap the bill and start over for the American people.

HEALTH CARE REFORM

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

Ms. WOOLSEY. Madam Speaker, at least 46 million Americans are now uninsured; 7.7 million in California are uninsured, and at least 80,000 are uninsured in the Sixth Congressional District, which is the district I represent. By the end of the day, 14,000 more Americans will lose their coverage, more than 2,000 of them in California.

Without health care reform, the average family premium in California will rise from $13,280 to $22,660 by the year 2019. That's why we must pass the health care reform bill that brings down costs and increases competition. The Senate bill, with the corrections, including better subsidies and insurance market reforms, will be the beginning of this.

We must pass health reform so that our Nation's families have access to affordable, quality health insurance.

HEALTH CARE REFORM

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

Mr. BLUNT. Madam Speaker, The Washington Post today on the front page said: Pelosi may try to pass health bill without a vote. May try to pass health bill without a vote. I didn't even think that was possible, but apparently The Washington Post and the Speaker of the House think it's possible. It's no wonder, Madam Speaker, that the country is outraged not just by the bill, but by the process. This was like the Speaker's statement that said we would have to pass the bill so we could know what's in it.

Madam Speaker, this bill does not reduce costs. It cuts Medicare and increases taxes for 10 years and spends the money in 6 years. Madam Speaker, this bill throws the health care system up in the air and just hopes that the greatest health care system in the world is still there when it lands a few years from now.

Madam Speaker, I hope that we have a vote on this bill, a debate on this bill and we do not pass this bill with a vote.

BORDER VIOLENCE

(Mrs. KIRKPATRICK of Arizona asked and was given permission to address the House for 1 minute.)

Mrs. KIRKPATRICK of Arizona. Madam Speaker, on Saturday, three people connected to the U.S. Consulate in Ciudad Juarez were brutally murdered by drug cartels in front of their young children.

What more must happen to focus our attention on the serious threat along 2,000 miles of our southern border? For the safety of Americans living in border States and traveling or working in Mexico, we must take this danger seriously and crack down on the cartels. U.S. citizens are increasingly at risk of being innocent victims of this brutal violence, but the administration budget would cut resources intended to crack down on cartels and to secure our border.

I call on the White House to provide necessary support for law enforcement, at all levels, to track down these criminals and their networks. This is a fight we cannot lose. It is too close to home. My thoughts and prayers are with the families of those who lost their lives in these attacks.

□ 1215

HEALTH CARE REFORM

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

Mrs. MCMORRIS RODGERS. Madam Speaker, America needs health care reform, but America knows that this is not the right approach. This is the wrong policy and it is the wrong process; yet the majority is willing to do everything possible to pass this bill, even over the objections of the American people.

Just recently, CNN had a poll that showed 73 percent of Americans across the country would like to scrap the bill or start all over; yet now we are being told the Democrat leadership may deem the bill passed without Members of Congress even voting on it. That is un-American. It ignores the democratic process.

Madam Speaker, we need an up-or-down vote. If Congress passes this bill without even a vote on it, the American people will be outraged, and rightfully so. There is a better way. Let's go to work on it.

HEALTH CARE REFORM

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

Ms. EDWARDS of Maryland. Madam Speaker, just when we thought we had heard enough, seen enough, and paid enough, the big insurance companies are at it again. Seniors are paying more for prescriptions, home values plummet, savings and retirement accounts disappear, and millions lose homes, jobs, and their health care. But that didn't stop the big health insurance companies from announcing premium increases of nearly 40 percent.

Look, Madam Speaker, these companies have some impudence. They have to be stopped. Deny, deny, deny. They deny coverage. They deny claims. They deny care. And last week the CEOs came to Washington. It is not enough that we have to dodge their lobbyists in the Halls of Congress, but they came to town, staying at the Ritz on your premium dollars, and now they want to deny the American people quality, affordable, and accessible health care.

They know we are in the home stretch, and they won't stop at anything. They will stop at nothing to keep us from clamping down on their practices. But we are going to stop them. Let's deny them. Let's vote them off the island. I am ready to do it.

HEALTH CARE REFORM

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

Mr. CARTER. Madam Speaker, words that strike fear in the heart of every American are, ''I'm from the Federal Government, and I'm here to help you.''

We have a bill here that people can't read; they are not given the opportunity to understand. We have smoke screens everywhere, backroom deals being made that nobody knows what they are, all from the Federal Government that is here to help you.

We are going to take over your health care, take over about one-sixth of the economy, and ''We're from the Federal Government, and we're here to help you.''

By the way, we are even going to push this through the House of Representatives without a vote, so you don't have to worry about whether your Representative stands up for your rights or not. Is this the kind of democracy we want?

This is a bad bill. Give us a straight vote, be straight with the American people, and let's let the American people know that that man who says ''We're here to help you'' is not going to get in their back pocket.

HEALTH CARE REFORM

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

Mr. TONKO. Madam Speaker, we have been talking about health care reform for nearly a century, and certainly inaction is no longer acceptable. The American people voted for and demand reform. They deserve our support.

Health insurance reform is about cost. These reforms slow the growth of health care spending and make health care insurance more affordable for everyone while reducing our deficit.

Health insurance reform is about coverage. These reforms will cover nearly all Americans, including those with preexisting conditions, and will not drop you if you get sick.

Health insurance reform is about competition. It repeals antitrust exemptions for insurance companies and brings them into a regulated marketplace to bring down prices for families and small businesses.

Health insurance reform is about care. These reforms eliminate copays for yearly checkups and screenings and ensure that our seniors have access to prescription drugs that they can actually afford.

Health insurance reform returns control to mothers, to fathers, to grandparents, and families, where it belongs, not with insurance companies, not with government.

HEALTH CARE REFORM

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

Mr. WALDEN. Madam Speaker, I was a small business owner with my wife for nearly 22 years and I served on a hospital board, and I support reforming the health care system. In fact, I have offered up legislation to do that and supported other bills, but the way that this process is being mismanaged and misrun today is not the way to do health care reform. There isn't the transparency the American people deserve and that is now being denied by those in charge.

We are reading in the press that the Senate bill, with all of its barnacles on it, may pass this House without ever having a stand-up ''yes'' or ''no'' vote. That is outrageous.

And what does that bill do and what do these bills do? They whack Medicare $500 billion. Thirty-eight thousand seniors in my district run the risk of losing the Medicare Advantage policies that they have.

This is not the way to do health care reform. You should scrap the bill and start over on a bipartisan basis.

I had two amendments to deal with rural health care issues adopted unanimously in the Energy and Commerce Committee, both of which, after the committee passed the bill out of the committee itself, were stripped out somewhere between the committee and the House floor, and the Democrats wouldn't even let me offer those amendments on the House floor again.

Stop this process. Let's do it right.

STIMULUS AND ECONOMIC INDICATORS

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

Mr. ALTMIRE. Madam Speaker, I continue to hear my friends on the other side of the aisle refer to the stimulus bill as a failed policy, apparently in the belief that if you say it over and over again it will be true. But it's not true, not by a long shot.

Last year at this time, the stock market was at 6,500 and today it is at 10,600. One year ago, during the first quarter of 2009, GDP came in at a staggering 6 percent decline, but in the last quarter of 2009 it rose almost 6 percent. And monthly job losses, while not where we want them to be, are literally 20 times better than they were a year ago today.

Some may say this would have happened anyway and that the stimulus had nothing to do with it, but I would ask my colleagues, Madam Speaker, to consider that would be quite a coincidence, don't you think, for all those economic indicators to begin such a dramatic turnaround at precisely the time the stimulus passed. Quite a coincidence indeed.

SUNSHINE WEEK

(Mr. DREIER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. DREIER. Madam Speaker, it was an interesting irony. When I woke up this morning, I heard on the radio that this week has been dubbed ''Sunshine Week,'' meaning that there needs to be greater openness and transparency.

We all agree that we need to do everything that we can, as my Democratic colleagues have said, to increase competition and bring the cost of health insurance down. We all agree that that needs to be done. But, Madam Speaker, this measure will not accomplish that at all. We have commonsense solutions that I believe we can utilize and implement in a bipartisan way.

So here we are in the midst of Sunshine Week, and as my colleagues have been saying: What is it that is happening? We are seeing every effort made to try and avoid the kind of transparency, disclosure, and accountability that were promised in that document, ''A New Direction for America,'' that then-Minority Leader PELOSI put forward.

Madam Speaker, I am convinced, I am convinced that we can do better. But we need to make sure that, as we proceed with this process, we have the kind of openness that the American people insist upon.

HEALTH CARE REFORM

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

Mr. BUTTERFIELD. Madam Speaker, every process must end. After dozens of hearings on health care, we have all of the information that we need to create strong legislation to provide much needed health insurance reform. The American people cannot wait. It is time to vote.

Rising health care costs are crushing families and businesses, forcing small business owners to choose between health care and jobs. This isn't about politics or poll numbers. This is about making good on the promise of providing every American access to high quality, affordable health care. This is about having the courage to do what is right.

By voting for health insurance reform now, we are supporting the millions of Americans who quietly struggle every day with a system that works better for the insurance companies than it does for them.

Madam Speaker, I urge my colleagues, Democrat and Republican, to join us in helping the American people by voting for health insurance reform now.

HEALTH CARE REFORM

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

Mr. BACHUS. Madam Speaker, the United States is the largest economy in the world. We are bigger than our four next competitors, and we got there through personal freedom and individual choice. We didn't get there by government management.

Now, countries in Europe, we have heard a lot about the fact that they have government-run health care, but that is not America. We are distinct. We place our faith in the individual. We compete, but we don't compete with the government.

The Federal Government should not be given the power to make health care choices for you or your family or to force you, as a taxpayer, as a citizen, to pay for an abortion when it violates your values.

Let's listen to the majority of Americans. Let's start over. Let's have an American plan. Let's work on solutions that are consistent with our traditions of choice, freedom, and put our faith in the individual, not the government.

HEALTH CARE REFORM

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

Mrs. CAPPS. Madam Speaker, I rise in strong support of finally passing health reform.

This bill is the product of countless hearings, hundreds of amendments, and a full year of national public debate. It is time to vote.

According to the Robert Wood Johnson Foundation, without reform, health care costs for American families will rise by as much as 79 percent in the next 10 years. That is unsustainable for taxpayers, for small businesses, for families.

The bill we will pass this week will take the necessary steps to rein in these costs. It creates incentives to reduce preventable hospital readmission; it eliminates wasteful overpayments to Medicare Advantage plans; and it increases our capabilities to fight fraud, waste, and abuse.

Passing health reform means lower costs for patients, better access to higher quality care, and, at long last, accountability for insurance companies.

I urge all of my colleagues, Democrats and Republicans, let's move our Nation forward by passing health reform this week.

HEALTH CARE REFORM

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

Mr. SMITH of Nebraska. Madam Speaker, the American people are speaking, and I think we should listen even as the House leadership again prepares to force through a partisan government takeover of health care.

The bill includes hundreds of billions of dollars in new taxes and more than $1 trillion in new government spending. Strong-arm tactics and legislative gimmicks should not be used to jam through a bill which will impact the life of every single American.

We need to focus on true reform which lowers health care costs, limits unnecessary lawsuits, and expands access by allowing purchasing across the State lines for health insurance, not simply a takeover which we already know will not control costs.

That is the type of reform Americans want, not this one-size-fits-all approach, putting bureaucrats between doctors and their patients.

HEALTH CARE REFORM

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

Mr. INSLEE. I had a remarkable American in my office this morning, Gary Hall, who won five golds, three silvers, and two bronzes in three Olympic Games in freestyle swimming, a remarkable person. And he told me a story about having insurance for 12 years while he was in the Olympics, but then after he lost the Olympics, he couldn't get insurance. Do you know why? He has diabetes.

Here is a guy who won gold, silver, and bronze medals and couldn't get insurance in America because he had diabetes. And the reason he couldn't get insurance in America is that we haven't passed our health care reform bill yet.

In the next few days, we are going to put up at least 216 votes, I hope, green lights on that board, to pass health care reform so that Gary Hall can get insurance; and even if you haven't won a gold medal, you can get insurance if you have diabetes. And these people who are smoking something, I don't know what, who think we aren't going to take a vote on this, I am going to take a picture of this board to show you the votes, because the green lights are going to be to make sure that people with diabetes can get insurance, and the red lights will be you can't get insurance even if you have won a gold medal. That is not right. It is going to change in this country.

HEALTH CARE REFORM

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

Ms. JENKINS. There are many problems with the Senate's government takeover of health care, problems with cuts to Medicare, problems with the Cornhusker kickback, problems with the massive job-killing taxes, problems with Federal funding of abortion, but the latest problem is that the majority doesn't have the votes to pass it.

Rather than finally listening to the American people's rejection of this misguided bill, the majority is planning to abuse the legislative process to

pass their government takeover without a single up-or-down vote.

As a mom, I would never allow my kids to deem their rooms clean; so it is disgraceful that the majority plans to deem their $2.5 trillion government takeover of health care as passed without a vote as provided for in the Constitution.

I urge my colleagues to do the truly courageous thing and demand a clean vote.

HEALTH CARE REFORM

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

Mr. LEWIS of Georgia. Madam Speaker, the time is always right to do what is right, and that time is now. The spirit of history is upon us. We must pass health care.

There are those who have told us to wait. They have told us to be patient. We cannot wait. We cannot be patient. The American people need health care, and they need it now.

Will we stand with the American people or will we stand with the big insurance companies? We have a moral obligation to make health care a right and not a privilege.

We cannot wait a moment longer. We must pass health care, and we must pass it now.

□ 1230

HEALTH CARE REFORM

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

Mr. LANCE. Madam Speaker, today, The Washington Post bore a headline that should be of grave concern to all Americans: ''House may try to pass Senate health care bill without voting on it.'' The Post article said, ''After laying the groundwork for a decisive vote this week on the Senate's health care bill, House Speaker NANCY PELOSI suggested Monday that she might attempt to pass the measure without having Members vote on it.''

Despite deep reservations of a majority of Americans, congressional leaders plan to ram through their 2,700-page, nearly $1 trillion proposal, by using a parliamentary maneuver that is both politically treacherous and likely unconstitutional. Article I, section 7 of the Constitution clearly states that a bill must pass both the House and Senate to become law.

I call on leaders of Congress to adhere to our Constitution's requirement of democratic accountability and allow a straight up-or-down vote on the majority party's health care proposal that is opposed by the American people.

HEALTH CARE REFORM

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

Mr. MCDERMOTT. Madam Speaker, the great philosopher George Santayana said, Those who fail to learn from history are doomed to repeat it. Now the Republicans say we should scrap the bill and start all over again. In 1994, Newt Gingrich very proudly killed Mrs. Clinton's health care effort. We have waited 16 years. Twelve years we had Republicans in control of this House. We had 6 years with the Republican Senate, a Republican House, and a Republican President—and nothing was offered.

What you're saying today is, Let's kill the Democratic bill, and we'll wait another 16 years to 2026 until we try again. The Americans are going into bankruptcy—two-thirds of them because of health care. We cannot wait any longer. The time has come for a vote, folks. Let's stand up and tell the American people you want to wait until 2026 to try again. That doesn't make sense.

HEALTH CARE REFORM

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

Mr. PAULSEN. Madam Speaker, the health care debate has roused the American public like few other issues ever have. For months, the American people have stood up and said they don't want the government in charge of health care and they don't want the bill that's currently moving through Congress. Now I've received thousands of emails and phone calls and letters from my constituents, and the vast majority of them are opposed to this bill. But how long will it take for Washington to listen to the American public?

Congress should heed the will of the American people and start over on bipartisan reform that will lower health care costs for everyone. But instead, the Speaker and the House leadership are now suggesting they may pass this controversial bill without Members even actually having to vote on it. Using a legislative sleight-of-hand to pass an unpopular bill represents an arrogance in Washington that Americans find so frustrating about politics and business as usual in Congress.

HEALTH CARE REFORM

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

Ms. NORTON. Madam Speaker, the American people are fed up with the most costly health care system in the world with too little good health to show for it. We are 38th of 195 countries in life expectancy. Pity those who think they can run on the theme: ''Repeal health care reform.'' Democrats opposed Bush's version of prescription drugs for seniors because, unlike our health care bill that's coming to the floor, the Bush plan added billions to the deficit, didn't pay for the bill, and cut seniors off with the doughnut hole. But we never ran on the outrageous theme ''repeal prescription drugs for seniors.'' Instead, we vowed to fix the prescription drug law if Americans would give us control of the Congress. They did—and we are. We are closing the doughnut hole, and we are paying for it. You're entitled to criticize, indeed to change the health care reform Americans have been waiting for for almost a hundred years. But it is simply a fool's errand to oppose it, and madness to try to repeal it.

HEALTH CARE REFORM

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, from The Cincinnati Enquirer to The Washington Post, the editorials today tell the Democrats to stop this health care reform and start again. I agree because I've always based my work on health care on increasing access. This bill fails at increasing overall access. The Senate bill expands Medicaid to cover families earning up to 133 percent of poverty level. The Medicaid rolls will explode under this proposal. But what does that mean? Some 40 percent of family practice physicians currently do not accept Medicaid patients. This is expected to increase to 60 percent. Some 60 percent of specialists currently do not accept Medicaid patients. This is expected to skyrocket to 80 percent.

This bill expands Medicaid beyond its capacity to absorb patients, it cuts Medicare for seniors, and leaves malpractice tort reform untouched and skyrocketing costs in place. This bill has the potential to bankrupt rural hospitals that have a disproportionate share of the problems inherent in the bill. This adds up to less access and lower quality. That is not reform.

REAFFIRM BONDS WITH ISRAEL

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

Mr. QUIGLEY. Madam Speaker, the United States and Israel have long shared an important friendship. That friendship is rooted in close moral and strategic bonds built on common values, common interests, and common concerns. Today, that friendship is being tested, but we must not allow ourselves to be distracted from the concerns and goals that bring us together. The threat of a nuclear Iran is too great and the peace process is too important for us to spend more time engaging in critical rhetoric of our most important ally. It is time to put aside the rhetoric and reaffirm our bonds with Israel.

We must make it clear that we are united in our opposition to a nuclear

Iran. While no one gains by an escalation of tensions, we must make it clear that we value and support our relationship with the State and the people of Israel.

HEALTH CARE REFORM

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

Mr. CALVERT. Madam Speaker, right now, behind closed doors, negotiations are taking place on the $1 trillion bill to provide for the government takeover of health care. I find it baffling that instead of talking about jobs, my friends on the other side of the aisle continue a path toward radically changing 20 percent of our economy. Small businesses continue to struggle, but rather than creating an environment that eases financial burdens on business, the administration and this Congress are creating uncertainty through health care takeovers, cap-and-tax, deficit spending, looming tax increases. A recent analysis of the current health care bill shows that it could cost America 1 million jobs by the end of this decade. That is unacceptable.

I recently polled my constituents. Two-thirds are absolutely opposed to the health care bill. They want Congress to start over and focus on items we agree on. Let's return to the question of how we can make health care more accessible, more efficient, and less expensive. Let's kill this bill and save American freedom and our economy.

HEALTH CARE REFORM

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

Ms. SCHWARTZ. Families across our Nation understand deeply and personally that the status quo in health care is not working. They're calling upon us through millions of supportive calls, emails, and messages to Congress to pass a uniquely American solution to ensure that all Americans have access to meaningful, affordable health coverage. And that is what this Congress is committed to do.

Health care reform means commonsense consumer protections like prohibiting insurers from denying coverage based on preexisting conditions, a provision that was supported by bipartisan, unanimous vote last night in the Budget Committee. It means affordable, private health care options. Choices for individuals and small businesses. It means strengthening Medicare for seniors, which means closing that doughnut hole—the gap in prescription coverage for too many seniors; improving quality and efficiency in health care services; and containing the rising cost of health care, a challenge that faces all of us as taxpayers and as purchasers of health care and health coverage.

Our plan builds on America's public-private system. It is not only paid for, but it reduces the Federal deficit by $100 billion. Passing health care reform benefits all of us. The status quo is unacceptable. Now is the time to act.

HEALTH CARE REFORM

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

Mrs. SCHMIDT. Yesterday, Bloomberg reported what Moody's has been saying all year. Moody's once again reminded the United States that we are moving ''substantially'' closer to losing our AAA credit rating due to the rising cost of our debt service. The U.S. will spend 7 percent of our revenue this year just on servicing our debt. By 2013, Moody's estimates, we will spend 11 percent of our revenue just to pay the interest on our national debt. This would be a higher percentage than every other top-rated country.

Fortunately, we can protect our credit rating by reining in runaway spending and reducing our debt. But what does this President and this Democrat-controlled Congress do? They want to ram down a new huge entitlement program called the health care bill, riddled with awful policy and budget gimmicks that mask its true impact, through the House, maybe even without an official vote. The truth is, this health care bill is going to choke our economy and saddle our children with $500 billion in new taxes and deficits far worse than they are now.

PASS THE HIRE ACT

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

Mr. CARDOZA. Few regions in the Nation are suffering more from the recession than the San Joaquin Valley of California. The three biggest cities in my district—Merced, Stockton, and Modesto—have some of the highest foreclosure and unemployment rates in the country. As I've said before, my district has been economically ravaged at the level equal to the devastation that we have seen oftentimes in the aftermath of hurricanes.

Twelve days ago, the Democratic Congress passed the HIRE Act to help create jobs, strengthen our economy, and to bring help to the communities like mine that need it. It provides tax incentives and credits for businesses to hire unemployed workers and to help small businesses invest and expand. This commonsense legislation will help countless unemployed Americans back onto company payrolls. It's high time for the Senate to finally pass this bill and send it to President Obama. Nowhere is this bill more necessary than in the San Joaquin Valley. We needed help last week, and we needed it a year ago. Economic relief for my constituents remain long overdue. It's time to stop playing political games and start providing it.

HEALTH CARE REFORM

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

Mr. COFFMAN. Madam Speaker, my Democratic colleagues continue to tout claims that this health care bill is ''completely paid for'' and ''will bring down the deficit.'' But those claims are patently false. The accounting assumptions Democrats have given the Congressional Budget Office to score this bill are nothing short of an Enron-style gimmick. Just look at the most glaring example. The bill counts 10 years of tax increases, amounting to nearly half a trillion dollars, and 10 years of Medicare cuts, also a half a trillion dollars, but it only counts for 6 years of spending.

So what is the real cost of this bill? What does it cost when you compare 10 years of spending with 10 years of taxes and Medicare cuts? $2.3 trillion. That's nowhere near budget neutral and will drive the deficit up much higher than it already is. Let us defeat this bill.

□ 1245

HEALTH CARE REFORM

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

Ms. SPEIER. Madam Speaker, it's time for us to stop talking in generalities and gibberish. It's time to start talking about real people and their real experiences. One thing all of us can agree on is that we trust our doctors. I just received a letter from a doctor in my district, Michael Bresler, who is an ER doc. Four years ago, his insurance premium to Anthem Blue Cross for his family of four was $539 a month. This year that same policy will cost him $2,008 a month, a 373 percent increase since 2006. What makes this especially hard to take is that in 2005, Dr. Bresler and his practice were forced by Blue Cross to accept a contract with a 60 percent reduction in payments. Dr. Bresler calls Anthem Blue Cross ''robber barons.'' I assume he uses harsher language when he is not corresponding with Congress.

Madam Speaker, this is not a fight among Democrats and Republicans. This is a fight between robber barons, the insurance industry, and American doctors, families and working people.

HEALTH CARE REFORM

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

Mr. SHUSTER. The next few days will tell the American people whether Congress represents their interests and

their will. The American people do not want this health care bill to become law. In my district, they strongly and vocally oppose this plan, and I hear this every day in phone calls and emails, people coming into my office. But I also hear it when I go to the grocery store or to a restaurant in my district. People come up and tell me, BILL, oppose this bill. Stop this bill. And I fully intend on voting against it.

I have also talked to the small businesses and large businesses across this country. They oppose it also because it's creating great uncertainty for them, and this great uncertainty is causing harm to our economy. They're not hiring new employees because of the uncertainty of the cost this bill will have on them. They're not investing in their businesses because of the uncertainty these mandates will have, will push down onto their businesses. This is exactly the kind of uncertainty that's keeping our unemployment rate at 10 percent, and job creation is stagnant. The Democrats' health care plan is reckless, and I believe it will put America on a path to financial ruin.

THE THIRD CONGRESSIONAL DISTRICT OF NEVADA

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

Ms. TITUS. Madam Speaker, last week I hosted a telephone town hall with more than 3,500 people tuned in from District Three. This was an excellent opportunity to hear directly from my constituents about the issues that are important to their lives. This was the sixth telephone town hall that I participated in. In addition, we've answered some 95,000 letters, held 10 Congress on the Corners, and hosted five housing workshops.

These means of communication have helped me to be a powerful voice for the people of District Three and to provide as much transparency as possible about the proceedings here in Washington. In fact, thanks to these efforts, I've put $1.6 million directly into the pockets of southern Nevadans by fighting for veterans to get their benefits, seniors to get their Social Security benefits, and homeowners to receive loan modifications that keep them in their homes. I've made it a top priority to stay closely connected to my constituents, fighting for them in Washington while serving them in southern Nevada. I encourage them to call on me any time.

HEALTH CARE REFORM

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

Mr. GRIFFITH. Madam Speaker, I rise today to encourage the rejection of this health care bill. The American people have spoken out time after time, and I'm puzzled why Congress is still considering it. Done in secrecy, this bill will cost jobs, raise taxes, and slash Medicare benefits. And as a physician, I know this bill will be bad for patients. It's terrible for our economy, and it's damaging to the very people we are trying to help.

Although the past is no guarantee of the future, it is, however, instructive. This administration has a failed stimulus package, a failed banking system, a failed cap-and-trade, and numerous questionable interventions into General Motors, AIG, Fannie Mae, Freddie Mac and others. This kind of track record gives the American public no reason to trust this administration with its health care. I urge my colleagues to listen to the will of the American people and vote ''no.''

HEALTH CARE REFORM

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

Mr. OLSON. Madam Speaker, the process which the Democratic majority will reportedly use to ram their costly government health care program through this House is truly deplorable and likely unconstitutional. Article I, section 7 of the Constitution clearly states that both Chambers must pass their bills by a vote. Then the bill is sent to the President for his signature before we can reconcile a bill here in Congress.

It's unconscionable to disregard these principles after the American people have clearly said ''no'' to this plan. They've told Congress to go back to the drawing board and find a solution. It's wrong to flaunt the Constitution and the will of the American people by forcing this proposal down their throats.

Madam Speaker, it will be a sad day for this institution and our great Nation if a proposal of this nature comes to the floor of the House under these circumstances.

HEALTH CARE REFORM

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

Mr. PAYNE. Madam Speaker, we have been debating health care reform for over 1 year. Today I am urging my colleagues to step up to the plate with courage and vote for passage of this critical legislation. If we don't move forward, the American people will be faced with grave consequences due to our inaction. Rising health costs are crushing American families, forcing small businesses to choose between health care and jobs.

Madam Speaker, $1 out of every $6 in the U.S. economy is spent on health care today. If we do nothing, in 30 years $1 out of every $3 in our economy will be tied up in health care. If we fail to pass health care reform, families could see their spending on premiums and out-of-pocket insurance costs rise 34 percent in 5 years and 79 percent in 10 years. Without reform, every 4 years 3.5 million American jobs will be lost. More importantly, if we fail to pass reform, insurance companies will be allowed to continue to deny coverage for preexisting conditions. Insurance companies will be allowed to drop coverage when you get sick.

I urge you to pass this bill now.

HEALTH CARE REFORM

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

Mr. WOLF. Madam Speaker, I am deeply concerned by reports that the majority party may try to move the health care reform bill through the House without a vote. To move such sweeping legislation, especially considering the price tag, using a parliamentary gimmick is unconscionable. The majority of the American people do not support the health care reform bill presently before Congress. It spends money we don't have, cuts the Medicare program when we should be coming up with ways to get our financial house in order and make sure the Medicare program is protected. The American people want a bipartisan bill that fixes what is broken and keeps what is working.

Where is the accountability? Where is the transparency? America expects more and deserves more. This morning The Washington Post said that what the Democrats are threatening to do is ''unseemly.'' There needs to be an up-or-down vote on health care reform, not on a procedural sleight of hand.

HEALTH CARE REFORM

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

Mr. GARAMENDI. I often wonder what part of the world our colleagues are living in on the other side of the aisle. I arrived here on November 5. On November 6 there was an up-or-down vote on a major health reform bill in this House. The Senate did it just before Christmas. I think it was Christmas Eve. There has been an up-or-down vote, and now this week we will have an opportunity to take up this bill, pass it on to the President, get it signed, and simultaneously make corrections in the Senate. It sounds to me like that's an open process, and we've been at this now for more than a year here and this Nation for more than a century, trying to provide health care for all.

And let's keep in mind that our economy absolutely demands that we take action now. Seventeen percent of our economy is being used. The more we spend, the more uninsured we have. We solve those problems with this bill. It's

time for action. It's time to stop saying ''no'' and get on with solving a major fundamental problem here in America.

A REPUBLIC OR A MONARCHY?

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

Mr. LATTA. Madam Speaker, 233 years ago this May, a group of American patriots met in Philadelphia to create a Constitution which has been the guiding light to freedom-loving people around the world. Now, as we gather here, the majority is planning a procedural gimmick to get around having to vote for a health care bill that Americans don't want or can't afford. Let's not circumvent the Constitution. Outside Independence Hall when the Constitutional Convention concluded in September of 1787, a Mrs. Powell of Philadelphia is reported to have asked Benjamin Franklin, ''Well, Doctor, what have we got, a republic or a monarchy?'' With no hesitation whatsoever, Franklin responded, ''A Republic, if you can keep it.'' Let's keep this Constitution.

HEALTH CARE REFORM

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

Ms. HIRONO. Your health or your home? Americans should not have to make this choice, but all too often they have to because of the high cost of health care. Lesley Czechowicz of Kihei, Maui, called my office yesterday to tell me about her 20-year-old niece. Last year, her niece collapsed and fell into a seizure. Medics rushed her to the hospital; and, ultimately, she was diagnosed with epilepsy.

Her niece had a part-time retail job that did not offer health insurance to their employees. Because of the emergency care and subsequent follow-up visits to the doctor, her niece was recently forced to sell her house so that she could pay her medical bills. Lesley called me because she wanted to make sure I would support health care reform. She told me that while it's too late for her niece, it's not too late for our country. I couldn't agree more.

Private health insurance companies run a business. Their goal is to make money for their shareholders. They pay their CEOs millions of dollars a year while raising health care costs for the rest of us. Whose side are you on?

SLAUGHTER HOUSE RULE

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

Mr. POE of Texas. Madam Speaker, we're having the vote of the century on the Senate health care bill, but there's a sneaky snake oil gimmick afoot to pass the bill without voting on it. First, we're passing bills without reading them, and now they want us to pass bills without actually voting on the bill. The trick is to deem the Senate bill passed without ever having a straight up-or-down vote. And it's a trick.

When we vote on the rules for debate, they want to make that count as the vote on the health care bill instead of actually voting on the health care bill. Let's have an up-or-down vote on this bill and not hide behind some procedural mumbo jumbo. The Constitution says: ''But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays.'' It doesn't say anything about ''deeming'' in the Constitution.

To obtain votes for government-run health care, backroom secret deals are being made in the caverns of this building, and it's shameful. This is passing the government health care bill by any sneaking means necessary, including slaughtering the House rules.

And that's just the way it is.

□ 1300

HEALTH CARE REFORM

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

Mr. COHEN. Madam Speaker, the gentleman from Texas (Mr. POE) was indeed correct. It's going to be a historic vote of 100 years that started with Teddy Roosevelt, who talked about the need for health care in this country. And that debate was continued by Richard Nixon, and it was also advocated by Howard Baker. It's been bipartisan for 100 years that we need health care reform in this country. And it's never been more critical than now, when it's eating up our Federal budget, our individuals' budgets, and hurting us economically.

But beyond that, we need a compassionate and responsible government, and we have a President who is compassionate, responsible, and trying, like Nelson Mandela, to reach out to his former enemies and have bipartisanship. And he's had none of it, but he continues to try. And we need to support this President, support our country, preserve our economy, and provide health care like every other industrialized nation in this world does, and make America among the leaders and not the followers.

HEALTH CARE REFORM

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

Mr. TIAHRT. Madam Speaker, the Democrat claims that the Obama health care bill will reduce the debt and help balance the budget, but reviewing those calculations shows that they're going to collect higher taxes for 10 years and provide health care for only 6 years. Imagine that.

Isn't that a little misleading? Four years of health care taxes with no health care.

Imagine if you wanted to buy a house and you had to make 4 years of payments before you could move in, and then finally when you moved in, you found out you had rationed use of the property. You couldn't choose where to park your car, like in the garage. You had to drive blocks away down to a public parking lot and then wait in line for a stall.

Ten years of taxes, 6 years of benefits, followed by rationed care. You wouldn't buy a house under those terms, and Congress shouldn't pass a health care bill under those terms either.

We can do better. We can have health care reform that lowers costs by addressing preexisting conditions, by lowering defensive medicine costs, by having commonsense tort reform.

The Republican alternative lowers the price of health care by 10 percent, according to the Congressional Budget Office. That's what this Congress ought to pass.

I deem back the balance of my time.

WE MUST HAVE REFORM

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

Mr. MOORE of Kansas. Madam Speaker, I want to read to you an email I just received from one of my staffers back in Overland Park, Kansas, my Congressional office there. It came at 11:55 a.m.:

''When I leave this job and have to seek new insurance, I will be largely uninsurable due to my preexisting condition, breast cancer, whether I show any remaining signs of the disease at that time or not.

''I was so fortunate last year to have this job and Federal employee insurance. The cancer treatment I received cost over $50,000. My husband and I would have lost every penny we had and then some if we had not had this quality coverage.

''Without a bill like this one, I will likely not have access to that kind of coverage ever again due to my cancer diagnosis at the age of 24. Without quality coverage, and if, God forbid, I should ever have to go through this again, it would undoubtedly break us that time around.

''We must have reform.

''Thank you, Dennis.''

This, folks, is what it's all about, people like this around the country. We've got to do something and reform our health insurance system, our health care system.

LET'S HAVE AN UP-OR-DOWN VOTE

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

Mr. POSEY. Madam Speaker, I think that there's unanimous will on both

sides of this Chamber to take care of the uninsurable people because of preexisting conditions right now, but this side is willing to address that on standalone legislation, or it would have already have been passed, unfortunately. I am surprised they keep pounding on that over and over and over again.

Yesterday, in Ohio, the President said the Democrats needed courage to pass his national health care plan. Sadly, as we speak, leaders across the aisle are meeting behind closed doors to invent a creative way to approve the President's health care plan without requiring Members of the House to take an up-or-down vote on the actual bill. The legitimacy of something as controversial as the health care bill would be further clouded by such clever parliamentary maneuvers.

That's not courage. That's malfeasance. It's an absolute betrayal of the public trust, and it would represent an unprecedented abuse of power that would take this Nation down a dangerous path.

We're a Nation of laws. When these laws are not convenient, you shouldn't simply ignore them. We should follow them, regardless of the outcome; otherwise, everything about our democratic Republic is at risk.

HEALTH CARE REFORM

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

Ms. CLARKE. Madam Speaker, we all know that health care costs are unsustainable. They're still crushing families, small businesses and large companies alike. When people lose their jobs, they lose their health insurance. Even people who do have jobs and want coverage but have preexisting conditions still couldn't get coverage.

We are closer than ever to reforming our Nation's broken health insurance system with a plan that puts America back in control of their health care choices, holds insurance companies accountable, and makes coverage more affordable.

As we move forward through this legislative process, I am confident that our bill will make health insurance affordable for the middle class and small businesses by reducing premiums and out-of-pocket costs, give millions of Americans access to affordable insurance choices through a new, competitive health insurance market, and hold insurance companies accountable to keep premiums down and prevent denials of coverage, including for preexisting conditions. And it will close the disastrous doughnut hole that seniors are having to chose between lifesaving medication and food to eat.

For over 12 years, the once Republican-led Congress has failed to do this. We're going to do it now.

HEALTH CARE AND THE SLAUGHTER RULE

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

Mr. BILIRAKIS. Madam Speaker, Article I, section 7 of the Constitution says that in order for a bill to become law, it shall have passed the House of Representatives and the Senate; yet yesterday, Speaker PELOSI endorsed the so-called Slaughter rule, which would merely deem that the House has passed the Senate health care bill and then send it to President Obama to sign without a direct recorded vote. This scheme is misguided, arrogant, and fundamentally wrong.

The Speaker reportedly added, nobody wants to vote for the Senate bill. Given the facts that, among other things, the $1 trillion bill is marred with special deals, mandates, tax hikes, and Medicare cuts, it is no wonder they don't want to vote for it.

Considering the wide-ranging effects this trillion-dollar effort to change health care will have, the American people deserve a clear, up-or-down vote on this bill.

HEALTH CARE REFORM

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

Mr. ELLISON. Madam Speaker, between the year 2000 and 2006, the Republicans had the House, the Senate, and the White House, and they did nothing of good to help the American people. And now you listen to them and it sounds like they actually are for health care for the American people. But if they were for the American people, they would have done something in those 6 years about people being affected by rescission, by preexisting condition, by carrying young people on the health care policy of their parents until they're 26, about doing something about this doughnut hole. They'd have done something about it. But they didn't do anything other than make the problem worse.

And if you listen to them today, you would think they cared, but the evidence is before the American people, they did nothing at all. And now we are going to do something about it within a little more than 1 year of coming into office.

Who's on your side, America? You'll find out this week.

THE HOUSE HEALTH CARE VOTE AND THE CONSTITUTION

(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. Madam Speaker, yesterday's Wall Street Journal highlights the process by which Democrats are trying to pass this government health care takeover. The process is just as bad as the provisions of the bill.

Professor Michael McConnell, Director of the Constitutional Law Center at Stanford Law School, wrote the article entitled, ''House Health Care Vote and the Constitution.'' Mr. MCCONNELL presents the process called the Slaughter solution, which is nothing more than a procedural trick that deems the Senate bill passed without ever having a straight up-or-down vote.

The article explains, ''The Slaughter solution cannot be squared with Article I, section 7 of the Constitution. Senate rules protect against majoritarian overreach by allowing a determined minority to filibuster most types of legislation.''

Madam Speaker, Americans need jobs, not a law which NFIB claims will kill 1.6 million jobs.

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

HEALTH CARE REFORM

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Madam Speaker, opponents often cite polls saying the American people don't want Congress to pass health care reform, but I've talked to my constituents and I've listened closely to what they expect from the system. They don't think preexisting conditions should stop you from getting coverage. Insurance companies shouldn't just drop you. And nobody, nobody should face one-time 40 percent increases in premiums like what just happened in California.

Madam Speaker, it has been a difficult and a long debate, but we're closer than any time in history to putting into law the health security Americans want. Let's finish the job and put patients first.

HEALTH CARE REFORM

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

Mr. SCALISE. Madam Speaker, the American people continue to say in every opportunity that they can that they don't want a government takeover of health care. And all they get from the tone-deaf liberals that are running Congress is this latest attempt to ram the bill through. And now this latest proposal is the Slaughter solution where they're even going to try to run it through without an actual vote.

Now, maybe some of them have been around so long that they forget what Article I, section 7 of the Constitution says, but it actually takes a vote here in this House for any bill to pass. And I hope their bill doesn't pass, because we need health care reform. We need to lower the cost of health care, which their bill doesn't do. We need to address preexisting conditions. But we

don't want a government takeover of health care.

If you listen to the American people, what they're saying very loudly and clearly is scrap this bill. Let's go back to the table and start over again.

Now, Speaker PELOSI and her liberal lieutenants might run Congress, but the American people run this country, and their voices will be heard.

HEALTH CARE REFORM

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

Mr. YARMUTH. Madam Speaker, every time I hear a Republican talking about health care reform, they say the American people don't want it. They say it so much that I think they're beginning to try to convince themselves that it's true. But there's a national poll that shows what the real story is.

They asked, of all the people who are opposed to health care or say they are, how many are opposed to it because they don't think it goes far enough. Forty percent. Almost 40 percent said that was the reason. They will not be unhappy when we pass health care reform. They will be ecstatic, like the shopkeeper I talked to over Christmas who said she was against what we're doing because she has diabetes and she can't wait 4 years for the help she needs.

No, the American people will applaud us when we pass comprehensive health care reform, and I will consider it the proudest moment of my service.

HEALTH CARE REFORM

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

Mr. AKIN. Madam Speaker, as I walk across back and forth from the Cannon Building to come to this Chamber, there is a wall in the steam tunnel of all of these different pictures that are painted by our high school students, and one continues to arrest my progress.

A beautiful little redheaded girl about 17 years old who looks like my daughter, and has beautiful lighting on her face. And as you look into her face, she has a profound sadness there. And the thought has crossed my mind that that's how my daughters will look if this bill passes with government rationing of health care, with the budget busted, with the destruction of our economy, and unemployment out of control.

We need to fix health care, but we don't need to destroy American health care or the American economy. That would be sad indeed.

HEALTH CARE REFORM

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

Mr. GENE GREEN of Texas. Madam Speaker, Members, we, as Members of Congress, this week have a choice. We have a choice between voting with the people who need health care or voting with the insurance corporations who have fouled this system up for decades.

The bill that we're going to deal with, the consumers select their insurance plan and their company. Consumers select their doctors. Consumers make treatment decisions with their doctors. Consumers will keep coverage they have if they change their jobs.

The insurance companies will have less control. Insurance companies will no longer be able to deny coverage or revoke coverage for preexisting conditions. Insurance companies will no longer be allowed to cap medical costs that people run into all the time for treatment. Insurance companies will no longer be allowed to drop coverage when you get sick. Insurance companies will have to compete for business.

That's why we have a choice. Whose side is your Member of Congress on, with the people who need health care or the ones who want to sell it?

□ 1315

HEALTH CARE REFORM

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

Mrs. LUMMIS. The gentleman from Missouri earlier gave a lovely image, and I would like to use image as well. I would like to use the image of President Obama saying over and over and over to the American people, ''If you like your health insurance, you can keep it.'' And this bill does not fulfill the President's promise.

Yesterday in the House Budget Committee we worked for 8 hours to instruct the Rules Committee on how to make this a better bill. And we asked them to make the President's promise come true, to pass an amendment that says if you like your health insurance you can keep it. And that was killed on a party-line vote, with all of the Republicans voting to help the President fulfill his promise to the American people and the Democrats voting against it. This bill does not fulfill the President's promise that if you like your insurance you can keep it.

I urge that we kill this misguided health care bill.

HEALTH CARE REFORM

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

Mr. POLIS. In listening to this debate back and forth, I can't help but be struck by the fact that many of the arguments from the other side of the aisle are simply not arguments against this health care bill. I have heard people rail against a government takeover of health care. Well, this bill actually helps reduce the number of people that depend on government programs for their health care. This bill will help end reliance on government for health care.

I have heard people say that this is somehow a rush to get to a bill. Well, we have been working on this for well over a year. When we first started over a year ago, I had calls to my office saying, ''Why are you going so quickly? Why don't you slow down and get it right?'' Now I am getting a lot of calls to my office saying, ''Pass health care already. It's all you've been talking about.''

It is time to pass this bill because what is in it is popular with the American people: letting kids and young people stay on their parents' policy until they are 26, ending pricing discrimination based upon preexisting conditions, helping make insurance more affordable for people who are self-employed and in small businesses. That is what is in this bill, and that is what the American people support.

HEALTH CARE REFORM

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

Mr. WHITFIELD. Madam Speaker, since the founding of this great country, representatives of the people have come to this floor, this Chamber, to debate legislation and either vote for it or against it. If you support legislation, stand up and support it. If you are opposed to it, stand up and oppose it.

But today's Washington Post says that House Speaker NANCY PELOSI suggested Monday that she might attempt to pass the health care bill without having Members vote on it. Instead, she would rely on a procedural sleight of hand: The House would vote on a more popular piece of legislation, but under the House rule for that vote, passage would signify that lawmakers ''deem'' the health care bill to be passed. Speaker PELOSI added that she prefers this tactic because it would politically protect lawmakers who are reluctant to publicly support the health care bill. She says, ''It's more insider and process-oriented than most people want to know, but I like it because people don't have to vote on the health care bill.''

HEALTH CARE REFORM

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. My voice is not quite clear, but I hope, Madam Speaker, that you can hear me.

We are hearing so much talk, and you know why? Because we are at a point where we are going to choose consumers over insurance companies. And it is time for that to happen. Insurance companies have held this public hostage for many years, controlling

them. When we talk about rationing, that is who is rationing. They tell the physicians what to do, they tell the hospitals what to do. It is time to take the insurance companies out of control and let the people have their right to pick their health care.

We have always said if you have a health care plan you like, keep it. We are trying to make sure that the people that the insurance companies will not insure or will drop get a chance to have health insurance. This is misplaced anger because these insurance companies are spending a million dollars a day to kill this bill. And their cheering squad is right over here to my left.

We have got to do this for the people. It is time for the people to have a choice in their health care.

HEALTH CARE REFORM

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

Mr. JORDAN of Ohio. Madam Speaker, what part of ''no'' don't the Democrats get? They were going to pass this health care bill last September and the American people said ''no.'' They were going to pass it in October and the American people said ''no.'' They said we're going to get it done by Thanksgiving and the American people said ''no.'' Oh, we're going to get it done by Christmas and the American people said ''no.'' We're going to get it done by the State of the Union and the American people said ''no.'' And now they say, oh, we're going to get it done before Easter, and the American people continue to say ''no.'' What part of ''no'' don't they get?

The American people don't want this big government takeover. They want real reform that will help them, their small businesses, and their families. That is what we should be doing, not taking this over by the government.

HEALTH CARE REFORM

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

Mr. SCOTT of Georgia. Ladies and gentlemen, the question that we have got to ask ourselves this day is whose side are you on? Are you on the insurance companies' side or are you on the American people's side?

Now, ladies and gentlemen, the American people are in pain. There are 13,000 American people who are losing their insurance every day. There are American people who are being denied coverage because of a preexisting condition by insurance companies. Whose side are you on? There are senior citizens who, because of the doughnut hole, cannot have the level of treatment for their prescription drugs that they should have because of the insurance companies. The American people are sick and tired, quite honestly, of being sick and tired of our waiting.

Now, we have had arguments to say why don't we start over. Ladies and gentlemen, the insurance companies aren't starting over. They have already raised the rates in California by 30 percent just 2 weeks ago. The side to be on is the American people's side.

HEALTH CARE REFORM

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

Mr. YOUNG of Alaska. Madam Speaker, we talk about reform—we're for reform and you're for reform. But 2,700 pages of what? 2,700 pages. The Bible only has 1,341 pages in it.

Let me give you an example on page 752 of this bill. Let me read it to you:

''Eligibility for non-traditional individuals with income below 133 percent of the Federal poverty level. (1) In general. Section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396b(a)(10)(A)(i) is amended by striking ''or'' at the end of subclause (VI); by adding ''or'' at the end of subclause (VII); and by adding at the end the following new subclause: (VIII) who are under 65 years of age, who are not described in previous subclauses of this clause, and who are in families whose income (determined using methodologies and procedures specified by the Secretary in consultation with the Health Choices Commissioner) does not exceed 1331 3 percent of the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981).

Now, did anybody understand that?

HEALTH CARE REFORM

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

Ms. PINGREE of Maine. Madam Speaker, I couldn't be more pleased to have spent the last year and a few months working on this issue and to be here this month where we may get the opportunity to vote on this bill.

Because I want to tell you, Madam Speaker, what I hear from my constituents is get this bill done. When are you going to move forward on this? It is not a perfect bill. In fact, 50 percent of the doctors in my State wish we were passing a single-payer health care bill. But this is going to go a long way.

We have heard a lot of talk about process. When are we going to talk about the process of insurance companies? The process that denies my constituents coverage because of a preexisting condition. The times I hear from people who say their health care was cut off. And in my State, where Anthem Blue Cross wants to continually raise rates. You know, last year they asked for a 23 percent increase. When our insurance commissioner said no, you know what they did? They sued the State of Maine.

Well, I am ready to make sure that we are standing for our constituents, passing this health care bill, and doing away with the bad process of the insurance companies.

HEALTH CARE REFORM

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

Mrs. MILLER of Michigan. Madam Speaker, this week March Madness comes to college basketball teams as teams across America meet in the NCAA Tournament. And this week March Madness also comes to this House in the culmination of this health care debate.

The American people have watched as this bill has lumbered forward for the past year, and they have been outraged by both the substance and the process. The American people want jobs, Madam Speaker, but this bill is funded with job-killing tax increases.

Seniors need the protection of Medicare, but this bill cuts $500 billion from that vital program. We all want freedom, of course, but this bill includes an unconstitutional mandate requiring individuals to purchase government-approved health care or face taxes, fines, or even jail.

The American people have been outraged at the vote buying epitomized by the Louisiana Purchase, the Cornhusker Kickback, and Gator Aid. And now the Democratic leadership is preparing to pass this bill without actually voting on it and deeming the bill passed through trickery.

It is time to end Washington's version of March Madness and do what the American people are asking us to do, and that is to start over with a clean sheet of paper and look for real health care reform.

HEALTH CARE REFORM

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

Mr. WILSON of Ohio. Madam Speaker, I am from Ohio's Sixth District, my district is in Appalachian Ohio, and we have a large population of seniors and retirees, so I'm truly interested in how this reform bill strengthens Medicare. If we don't do anything, the Medicare trust fund is projected to be insolvent by 2016. Medicare takes care of our seniors, but it is high time that we take care of Medicare.

The health care reform bill keeps Medicare solvent for 9 more years. We extend that timeline by finally getting tough on the waste in Medicare. So as we make services better for seniors, we also fight fraud and waste.

The inspector general of the Health and Human Services Department has found a number of problems in Medicare with false claims for wheelchairs and orthotics, and overcharging for devices and prescription drugs. We need

to provide the tools to strengthen our enforcement mechanisms and fight these abuses.

I thank leadership for providing a long and thoughtful examination of health care, one of the most pressing issues of our time. I look forward to reading the bill soon.

HEALTH CARE REFORM

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

Mr. BROWN of South Carolina. Madam Speaker, I rise today in opposition to the Democrats' latest health care plan. For the past year, my constituents in South Carolina have done everything they can to make it clear they do not want a government takeover of health care. Yet here we are again today discussing a plan that calls for more taxes, more regulations, more spending, and more Federal control over our current health care system. This legislation is not what the American people want, and it lacks a single ounce of Republican support.

Despite the overwhelming opposition, Democrats continue to push their partisan agenda and have made it clear they will use any means possible to get what they want. This is a bad bill for South Carolina and it's a bad bill for the entire country.

I join my constituents in asking the Democrats to scrap this legislation and start over on bipartisan health care reform.

HEALTH CARE REFORM

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

Mr. LARSON of Connecticut. Madam Speaker, our colleagues on the other side say they want to start over, completely over. They would like to privatize Social Security. They would like to make sure that Medicare, a program that has served our seniors so well over all of these years, is also, well, doesn't just wither on the vine, as Speaker Gingrich wanted it to do, they want to ban it, end it for people under 55 years of age.

The other side would like to frame this issue as a matter of process. It is a matter of process, insurance process and them denying people claims even on their way to the operating table. This is why we are putting forth this bill to reform insurance and create health care for this entire country that they can depend upon and rely on.

It becomes a question of whose side you are on in the final analysis. Are you siding with the insurance industry and the great job that they have done raising rates all across this Nation? Or are you standing with the American people and fighting on their behalf? That is what the people of this great country of ours want to know.

□ 1330

HEALTH CARE REFORM

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

Mr. ALEXANDER. The proponents of this health reform package are misleading the American public into believing that you can raise the baseline and reduce spending at the same time. You cannot expect to expand coverage to millions of individuals and to curb costs.

The Medicaid program already pays doctors and hospitals at levels well below those of Medicare and private insurance. And most of the time, below actual costs. Many doctors, therefore, do not accept Medicaid patients and the cuts may further discourage participation.

The most devastating cuts to the States' Federal Medicaid match have been deferred because of relief from the stimulus package. Those deferments end in December.

The health care bill before us now is a disaster waiting to happen and an expansion of an already broken program.

HEALTH CARE REFORM

(Mrs. HALVORSON asked and was given permission to address the House for 1 minute.)

Mrs. HALVORSON. Throughout this entire health care reform debate, two numbers have concerned me more than others: 130 and 60. These numbers represent the health insurance costs that small businesses are facing and the effects on those who work for small businesses. Small businesses have seen their premiums go up 130 percent over the last decade. And of all of those Americans who are uninsured, 60 percent of them are small business owners, employees, and their families.

Madam Speaker, I believe America is facing a health care crisis, and I believe that we need to act to bring down costs for regular families and hold health care and insurance companies accountable.

Too many Americans are denied care because of preexisting conditions. Too many businesses are being priced out of affordable health care. We need health care reform that addresses these issues.

HEALTH CARE REFORM

(Mr. LEE of New York asked and was given permission to address the House for 1 minute.)

Mr. LEE of New York. Within days, the House is poised to vote on a massive government takeover of health care. This trillion dollar, 2,000-page monstrosity will kill jobs, increase our debt, and raise taxes on working Americans. And it's a ''pay now, buy later'' approach: While the taxes start right away, the benefits don't begin until 2014.

In essence, this new entitlement program requires 10 years of new tax increases and 10 years of cuts to popular programs like Medicare Advantage to pay for just 6 years of this new government expansion over health care. It's a smoke-and-mirrors approach to ram through a new entitlement we surely can't afford to pay.

The American people aren't that easily deceived. The people in my district of western New York want tangible solutions in taking real costs out. We need to start over.

HEALTH CARE REFORM

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

Ms. SCHAKOWSKY. The utter hypocrisy of the debate about process is absolutely astonishing. I just learned that Speaker Hastert used the technique of a self-executing rule 113 times. Then we hear the Republicans attack reconciliation—which really means a majority of votes—and yet call for an up-or-down vote in the House.

News flash: People in the real world don't care about self-executing rules or reconciliation and don't even know what it is.

What they do care about process is the process of the insurance companies. Not the process of reconciliation, the process of rescission, which means canceling policies when you get cancer; the process of refusing a child who has asthma; the process of raising prices 39 percent, 50 percent, 60 percent, for your insurance policy.

We each have the opportunity in the next few days to be on the right or wrong side of history. We can either stand with the American people or with the insurance companies. I hope that the vast majority of us stick with the American people.

HEALTH CARE REFORM

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

Mr. PRICE of Georgia. Madam Speaker, how bad is this health bill? Oh, my goodness. Let me count the ways. It's bad on policy, raises taxes $500 billion, decreases quality of care, decreases choices for Americans, slashes Medicare by $500 billion. It's bad on process, with backroom, secret, shady deals made that Americans abhor.

But as a physician, I know that mostly it's bad for patients. They know it will destroy quality care. They know it will dictate to them what doctor they have to see and where they have to see him or her, and they know it will result in more money being paid by them for less care—which is all the more troubling because there are so many more positive solutions like H.R. 3400, which would get Americans covered with insurance they want, not what the government wants for them. It would solve preexisting and portability problems with insurance that they want,

not what the government wants for them, and address the lawsuit abuse that is so badly needed and is not addressed in the Senate bill.

How bad is this health care bill? Madam Speaker, it's bad enough that the American people are saying, ''Just say no.''

HEALTH CARE REFORM

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

Mr. JOHNSON of Georgia. Madam Speaker, it's time to unite behind President Obama's plan. We must deliver affordable health care for the American people. Insurance companies have taken advantage of hardworking Americans for far too long. It's morally wrong to put profits over people, and it must come to an end.

I urge my colleagues to put aside their differences and deliver a victory for the American people. This Congress was elected to accomplish this goal. How can we accomplish this goal of health insurance reform without holding the insurance companies accountable?

I'm for the people of America, and I stand with you. Now is the time for us to, in unity, come together and solve this dilemma for the American people. I urge you to vote ''yes'' for people over process.

HEALTH CARE REFORM

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

Mr. FRELINGHUYSEN. Madam Speaker, this time the process is substance. As the Democratic majority prepares to jam President Obama's health care through Congress despite his lack of support from the American people, our constituents need to know what is going on about the process.

Yesterday in Ohio, President Obama demanded that members of his own party show courage and vote for his vision of health care, yet this morning, the front page headline in The Washington Post reads ''Pelosi may try to pass health bill without vote.''

In the body of this story, the Speaker refers to a procedural scheme to allow the President to sign the Senate-passed health bill without the House actually voting on it or even debating it. She said, ''It's more insider and process-oriented than most people want to know. But I like it because people don't have to vote on the Senate bill.'' Imagine that. Affecting 17 percent of the entire U.S. economy without a public vote in the House.

My colleagues, I ask you, is that courage?

HEALTH CARE REFORM

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

Mr. COURTNEY. Madam Speaker, in the State of Connecticut last weekend, we had an opportunity to see the health care crisis up close. Mission of Mercy, a national organization that holds free dental clinics, was in Middletown, Connecticut, and Connecticut—the wealthiest per capita income State in America—shattered the Mission of Mercy record, serving 2,045 working adults sleeping in their cars, lining up two nights before to get access to dental care. We're not talking about teeth whitening or teeth cleaning; we're talking about people walking in with abcesses that were so pronounced that it threatened the stability of their jaws, extractions, major surgery. This is the state of health care in America today.

There is one group, though, that doesn't have to sleep in their car to get health care: Members of Congress, who participate in a Federal purchasing exchange subsidized by the American taxpayer. Madam Speaker, how do they demonize a plan which they benefit from every single day courtesy of the American taxpayer? I don't know how they do that.

This week they have an opportunity to help those people who were lined up in their cars over the weekend to get the same access to care that those people who work every day pay with their taxes.

Vote for health care reform.

HEALTH CARE REFORM

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

Mr. PITTS. Madam Speaker, we have talked a lot about how this bill is distracting us from the issue that the American people want us to focus on, and that is jobs. But this bill isn't just merely a distraction. It will have a profoundly negative impact on the job market.

You cannot raise taxes by hundreds of billions of dollars on individuals and businesses and expect that it has no impact on employers and employees. Raising taxes per employee by $2,000 would not encourage businesses to hire more workers, and workers receiving health care subsidies would see their new Federal entitlement evaporate when their wages increase by too much. Under this bill, more pay could mean less health care, effectively trapping workers in lower-wage jobs. So not only would this discourage job growth, it would discourage wage growth also.

The bottom line is this bill will destroy jobs at a time when we can least afford it.

HEALTH CARE REFORM

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

Ms. CHU. It's as simple as this: Are you for what the insurance companies are doing, or are you against it? Do you think it's right to cut your mother off her insurance because she's had a catastrophic cancer? I don't. Do you think it's right to deny your sister insurance because she had a cesarean section? Do you think it's right for insurance companies to raise rates 39 percent all at one time, forcing businesses to choose between health care or firing people? I don't.

If you think it's right for the insurance companies to do this to your son, daughter, or mother, join the Republicans in opposing health care reform. I don't think it's right. In fact, I think it's an outrage. That is why I know we must pass health care reform now.

HEALTH CARE REFORM

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

Mr. REHBERG. Today, as million of Americans around the country fill out their brackets, March Madness is in the air. Unfortunately, the madness isn't restricted to the basketball court. As Congress rushes to pass a health care bill that is so bad even the majority party can't stomach it, we've got our own case of March Madness right here in Congress, but ours is worse.

With March Madness, every game is played on TV in full view of the American public; in House Madness, the legislation is written in secret behind closed doors. In March Madness, you play for bragging rights; in the House bill in House Madness, it's matters of life and death, one-sixth of the national economy, and more than $1 trillion in tax dollars.

In March Madness, the team with the most points wins. In House Madness, you rewrite the rules with procedural tricks so that the team with fewer votes can win. It's time to blow the whistle, call a foul, and stop this Madness.

HEALTH CARE REFORM

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

Ms. WATSON. Madam Speaker, I come here to let you know my mother turned 100 on January 4 after she had a broken hip, and 2 days before Christmas another broken hip, and last night she broke her femur. And just a few minutes ago, they called me to say she was in need of a blood transfusion.

I want you to know the only way we kept the mother of four who put all of us through college is because of Medicare and our insurances.

Madam Speaker, let us not let Americans die unnecessarily. This women's sister—my mother's sister—lived to 106, and I will do everything in my power to be sure that other Americans can benefit from the kind of health care reform we're proposing today.

HEALTH CARE REFORM

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

Mr. GUTHRIE. Madam Speaker, everyone wants to make health care more affordable and more accessible, but for the past year, the majority has been working on pieces of a puzzle they call health care reform. And now that their puzzle is complete, the picture doesn't make any sense.

Their final image includes billions of dollars in new taxes, over $1 trillion in new government, increases the premiums of the 85 percent of those who have health insurance, and cuts Medicare by half a trillion dollars. And I continue to hear from Kentuckians from home who remain concerned over the possible passage of this bill and who are frustrated with this process.

We need to start over. We need to piece together better solutions in an open and honest system. Now is the time to work on incremental reforms that will lower the cost of health care without spending trillions and bankrupting future generations.

□ 1345

HEALTH CARE REFORM

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

Ms. DELAURO. Madam Speaker, 2 weeks ago, I went to dinner with my family in New Haven, Connecticut. As we left the restaurant, a young woman stopped me. She said to me, ROSA, can I talk to you for a moment? I've been waiting for you. I said, Why didn't you come over to the table? She said, I didn't want to disturb you or your family. No disturbance.

I looked at this beautiful young woman with tears in her eyes. And she said to me, ROSA, I have lung cancer. I have lung cancer, and I cannot get the kind of help that I need. I can't leave my job because I will not be able to get insurance. Preexisting condition is killing me. Pass health care reform.

You don't know Melissa Marotolli. I do, and Melissa Marotolli's face haunts me every single day. And this is not just one story. It is writ large across this Nation, a people who can't leave their jobs; they can't get the care they need because the insurance companies have run roughshod over them. Yes, they are rationing health care in this country. I know where I stand. I stand with the Melissa Marotollis of this Nation. My Republican colleagues stand with the insurance companies.

HEALTH CARE REFORM

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

Mr. SCHOCK. Madam Speaker, this bill really is not about health insurance reform. If you watched the President's televised health care forum, you heard them say it time and time again: this is about entitlement expansion. And that is really where the real debate comes down this center line. Both sides agree that there needs to be heath care reform. Republicans have put forward a thoughtful bill since last April promoting reform, competition across State lines, covering people with preexisting conditions, on and on and on.

But how can my friends on the other side of the aisle endorse this bill when the Congressional Budget Office, the nonpartisan determiner of how much these bills cost us, has not come out with their cost estimate for this bill? I know from my home State of Illinois, our Governor is talking about a 50 percent tax increase to pay for $9 billion in unpaid Medicaid bills. This bill we do know will cost my State of Illinois $1.89 billion over 5 years just for their match. I don't know how anyone from my State can support this bill.

HEALTH CARE REFORM

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

Ms. TSONGAS. Madam Speaker, some of the most egregious insurance industry practices in our health care system disproportionately harm women, and this needs to change. Under the current system, women pay more and get less and often are denied care. If a woman is of a certain age or is already pregnant, insurers can deny her, of all things, maternity coverage. In eight States, it is still legal for insurance companies to deny a woman coverage if she has been the victim of domestic violence.

These examples illustrate how our current system discriminates against over 50 percent of the population of our country. And that is why I offered a motion on this important issue in last night's Budget Committee hearing. My Republican colleagues joined me in supporting this motion, acknowledging that heath care reform must end these harmful insurance practices. So many of the heath care reforms that are so important to women, families, and our Nation hang in the balance. We must pass these commonsense changes in our health care system.

HEALTH CARE REFORM

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

Mr. HERGER. Madam Speaker, the American people are increasingly rejecting government-run health care. They are saying ''no'' to backroom deals and gimmicks used by the majority party to ram this bill through by any means necessary. The Democrat leadership has greased the skids to ignore the will of the American people and make their vision of socialized medicine the law of the land.

Abusing the rules of when it suits the majority party's purpose is not what the American people want. Madam Speaker, allow us to do the work we were sent here to do. Let this bill stand or fail on its merits. An issue so important to America's future demands transparency and a legitimate up-or-down vote.

HEALTH CARE REFORM

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

Mr. ANDREWS. Madam Speaker, as a direct result of the White House summit a couple of weeks ago, good ideas from both parties are in this plan. But there is a philosophical difference between the two parties that I think came out last night. On weekends I very often go to the supermarket and see these little notices for beef and beer socials for people trying to raise money for a medical emergency in their family. Most of the people trying to do this have insurance. But their daughter has leukemia or their son is on a ventilator and they ran out of health insurance benefits because they run up against what is called a lifetime policy limit.

Last night, we took a vote on whether or not to abolish those lifetime policy limits so no family should have to do that. Our side voted ''yes.'' Their side voted ''no.'' But Members of Congress, in their own health plan, if our families have this problem, there is no limit on what we get.

So we think that the American people should get the same benefit that the men and women who vote in this Chamber every day do. We believe we should stand on the side of the families of this country, not the insurance industry.

HEALTH CARE REFORM

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

Mr. MILLER of Florida. Madam Speaker, the health care reform debate has become a farce, and I am outraged. I am outraged at this proposed law. I am outraged at the process. I am outraged at the majority party's sham of a health care bill. But I'm not the only one. The American people are outraged. Americans have marched, they have protested and they have written letters and they have made phone calls. Americans have spoken, Madam Speaker, and they do not want this health care bill.

But the worst part about it is that we may not even vote on it. The majority party wants to deem the Senate bill passed and then hope that the Senate changes the bill later. Was this the hope and the change that we can all believe in? Madam Speaker, this has become a legislative sleight of hand, a gimmick, a parlor trick.

I urge my colleagues to listen to the American people and kill this bill.

HEALTH CARE REFORM

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

Ms. SHEA-PORTER. Madam Speaker, I am outraged also. I am really outraged at the amount of money that the insurance industry has spent trying to defeat this bill that will help the American people. The companies claim they support health reform, just not this bill. But they have done nothing to reform. They could have taken this time to reform. They still deny coverage for preexisting conditions. They still charge exorbitant rates. They still fight antitrust legislation. They still cancel people's policies when they most need them. And they still limit the payments when people get sick.

They have a secret code word. It's called ''start over.'' What they really mean is defeat it; we don't want it. The question has to be here, whose side are you on? Are you on the side of the insurance companies? Or are you on the side of the American public, the people, the small businesses who have to carry the burden of these fees? Whose side are you really on? I am on the side of middle class Americans, small businesses, and those who are healthy and those who are sick.

HEALTH CARE REFORM

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

Mr. McCOTTER. We live in a very dysfunctional time. We have heard a parade of speakers come to the microphones here in the well of the House and say they stand on the side of the American people. Yet in my 44 years of life, I have never stood on the side of someone who disagrees with me so vehemently.

Overlooking it is a fundamental proposition. The Democratic Party believes that you can take an imperfect health care system and fix it by putting it under the most dysfunctional and broken entity in the United States today. It is called the Federal Government. That proposition is insane. The reality is they do not stand with the American people. They stand for Big Government making decisions in your lives.

We trust the American people, and we will not turn the intimate decisions between you and your doctor over to some Federal bureaucrat. We will leave it in your hands, and we will empower patient-centered wellness and free market reforms if given the chance and a real vote.

HEALTH CARE REFORM

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

Mr. PETRI. Madam Speaker, the American people want health reform. They want affordable, reliable care. But after watching the current majority wrangle for over a year to produce gargantuan bills filled with complicated and punitive policies, tax increases and special deals, the American people are right to say, no, we don't trust the current Congress to do this right. They have seen how the Congress has worked over the past year and have rightfully said that it's crazy to give the government greater control over our health care. They look at aspects of the legislation before us and say, yes, there are provisions here that we like, but at what cost? They have projected trillion-dollar deficits stretching to the horizon. And we are told that this big, new entitlement will truly restrain costs. Is that credible?

I believe the more sensible approach is a simpler approach. I would favor expanding health savings accounts coupled with catastrophic insurance and paid for with subsidies when necessary. It is a simple arrangement that everyone can understand and would help to restrain costs because everyone would have incentives to spend carefully. It's not all I would do, but it's understandable.

Instead, the current majority is pushing ahead with a breathtakingly expensive bureaucratic and regulatory monstrosity. This is no way to restructure one-sixth of our economy.

HEALTH CARE REFORM

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

Ms. LEE of California. Madam Speaker, quality, affordable health care should be a fundamental human right, not a privilege for the few, as my colleagues on the other side of the aisle would have it. Today, 47 million Americans are uninsured, including 9 million kids.

Meanwhile, the CEOs of private insurance and drug companies are raking in huge profits. Take the case of WellPoint. They proposed increasing rates by as much as 39 percent in California, even as they made $4.2 billion in profits last year and paid out million-dollar compensation packages to their top executives. These rate hikes would hit Democratic and Republican districts alike. And the other side would have us do nothing.

We talk about the big banks making a killing off of taxpayers. Well, insurance company executives are literally getting million-dollar compensation packages while our constituents are dying.

Health reform is long overdue. The 31 million people this bill will cover are Democrats, they are Republicans, they are Independents, they are Greens, and they are people with no party affiliation. This should not be a partisan issue. The costs of inaction are much too risky, they are much too costly, and we must act now.

HEALTH CARE REFORM

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

Mr. BONNER. Madam Speaker, if health care reform weren't such a serious subject, something that will affect every person in America, then what the Democrats are trying to do would prove to provide enough fodder for comedians like Letterman, Leno and Jon Stewart that their writers wouldn't have to work on new jokes for the next month.

Last week, the Speaker of the House said, ''We have to pass the bill so we can find out what's in it.'' That would be like buying a house before checking it out to see how many bedrooms were in it or what the colors were or whether we could even afford it in the first place. Most Americans don't buy shoes without trying them on, buy a car without test driving it, much less support a takeover of our health care system that will include life-changing decisions that are being kept from you in the dark.

This morning, the Speaker said we may actually vote on the health care bill without voting on it, something that she calls ''deem and pass.'' What a pesky little thing voting is, you know, where those of us who work for you have to actually cast our votes first so you can find out whether you should vote for us in November.

This is an insult and a sham.

HEALTH CARE REFORM

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

Mr. HASTINGS of Florida. Madam Speaker, following me will probably be as many as 40 or more of my colleagues on the other side. Many of them will use terms like ''ramming,'' and ''the American people.'' I don't know what part of discussing a matter for the greater portion of the last 14 months that people do not understand.

I also get a little tired of hearing my colleagues talk about socialism. And I would ask the American people if socialism, as you understand it, is so bad when government acts than perhaps it is. Some of my colleagues believe we should eliminate Medicare. Let's eliminate Medicaid. Let's eliminate the Social Security safety net. Let's eliminate the Centers for Disease Control. Let's eliminate the National Institutes of Health. All of these are government-run programs.

In the greatest country in the world, it is morally wrong for millions of our fellow Americans to not have affordable, portable health care. We all should be willing to share in order to help the least of us.

□ 1400

HEALTH CARE REFORM

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

Mr. LOBIONDO. Madam Speaker, we are all asking ourselves, What do the American people want to see from us with health care? They want to see health care more affordable, more accessible.

There are ways to do that in a bipartisan manner that we can agree on: buying health care across State lines, eliminating defensive medicine practices, preexisting conditions. Why aren't we doing it? That is the question America is asking. That is why America is upset.

My colleagues are asking us, me, whose side are we on? Unabashedly, on the side of my constituents, on the side of my health care providers, my doctors on Main Street, my hospitals on Main Street, my nurses on Main Street, who are the front line in providing health care, who don't want any part of this monstrosity, for a good reason. They and our constituents understand this is not the right way for America to go.

HEALTH CARE REFORM

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

Mr. ISSA. Madam Speaker, after so many on both sides of the aisle have spoken, it is perhaps hard to find something new to talk about. I will endeavor to do so.

Madam Speaker, President Obama has said the American people deserve the same high quality health care as Members of Congress have. Michelle Obama said the same thing. Speaker PELOSI said the same thing. HARRY REID said the same thing. As a matter of fact, virtually everybody in the Democratic caucus in leadership has said that.

Then why is it H.R. 3438, a simple, seven-page bill that gives every member of America the opportunity to have the same high quality health care that we have as Congress is being ignored? Why is it it doesn't even exist in the Democrats' comprehensive health care bill? Thousands of pages, and yet it doesn't give you exactly what they say they want to give you.

On top of that, who is beholden to the insurance companies? More than 50 percent of American dollars are insured by the Federal Government already. It is Medicare. It is Medicaid that have, in many cases, been driving up the cost of health care, and yet this bill has no real reform for Federal health care.

HEALTH CARE REFORM

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

Mr. CASSIDY. Madam Speaker, I am a physician who has treated the uninsured in a teaching hospital for the last 20 years and, indeed, not just the uninsured, but oftentimes the people who have Medicaid. So I applaud the President and my Democratic colleagues because they want to lower costs and expand access to quality care.

On the other hand, where we greatly differ is, as my colleague just said, he is quite content with giving Medicaid to more and more people.

Now, it ignores the fact that it is bankrupting the States. It ignores the fact that right now I treat patients who have Medicaid in a public hospital because they can't be seen in a private place. And, it ignores an article in The New York Times which points out that, as Medicaid payments shrink, patients and doctors lose. In this case, a woman with cancer has lost because payments are so low for Medicaid that no longer can she find a provider who can afford to treat her.

So we do differ. I do not want to give Medicaid to everybody. I want to strengthen the private insurance market and allow those with preexisting conditions to have the same health care we have, not lose their health care because of a government program.

HEALTH CARE REFORM

(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. Madam Speaker, for more than 1 year, Congress and the administration have failed to make health care reform a reality.

The 2,700-page bill, which can only pass through convoluted, inside-the-Beltway shenanigans, has over $500 billion in tax increases, not to mention the $500 billion in Medicare cuts that come with that increase, which jeopardizes million of seniors' existing health care coverage. And this bill includes millions of dollars in cuts to home health care for the elderly, millions of dollars in cuts for Alzheimer's programs, millions of dollars in cuts for food for seniors programs.

This bill makes no sense for America's families, no sense for America's seniors, and it is a fiscal time bomb for future generations.

I do not want to leave a legacy of debt to my granddaughter, Morgan Elizabeth.

In Congress' scramble to get any kind of bill passed, regardless of its cost or impact, they have taken the wrong approach. We can do better.

HEALTH CARE REFORM

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

Mr. ROE of Tennessee. Madam Speaker, this week Speaker PELOSI and the House Democrats are trying to ram through one of the most ill-conceived pieces of legislation of all time, and they are considering not allowing Members an up-or-down vote on the bill.

One House Democrat recently said, ''I don't need to see my colleagues vote for the Senate bill in the House. We don't like the Senate bill. Why should we be forced to do that?'' Good question.

This attitude perfectly sums up the Democrats' push to have Washington bureaucrats take over our health care system. President Obama and the Democratic leadership don't think the rules apply to them.

First, the House Democrats had to twist arms enough to get Members to vote for their bill despite a 40-vote majority. Then, Senate Democrats had to give a sweetheart deal to Senators from Louisiana, Nebraska, Florida, Vermont, Massachusetts, Connecticut, and so on. Now the House Democrats are preparing to pass this legislation without even having an up-or-down vote.

It is no wonder the American people oppose this bill by such a wide margin. They feel like they are being duped by the Democratic leadership.

It is time to reject this Democratic health care and start over.

EMPOWERMENT

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

Mr. NEUGEBAUER. Madam Speaker, Article I, section 7 of the Constitution states, ''The votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for or against this bill shall be entered on the Journal of each House respectively.''

So why is Speaker NANCY PELOSI trying to prevent Congress from doing the job of voting yea or nay on the most important piece of legislation that will probably face this Congress?

Just yesterday, when she was talking about the Slaughter solution, she said, ''But I like it, because people don't have to vote on the Senate bill.''

Well, Madam Speaker, if this bill is so bad, why are you trying to jam it down the American people's throat? Shame on you, Madam Speaker, that you would use a process to circumvent the very foundation of this Nation, which is the United States Constitution.

I encourage my colleagues to take a gut check here and look across the aisle and look at their citizens across the country. We have young people from all over America here. Look them in the eye and say, ''You know what? We are going to bring the most important piece of legislation to this floor. We are not going to actually make our Members have to take a vote on it, but you will be paying for it for the rest of your life.''

Madam Speaker, that is not the way we should do business, and you should be ashamed.

HEALTH CARE REFORM

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, by now, we all know the many flaws with the health care bill that is going to be rammed through this House, and there certainly are many.

It cuts Medicare by one-half trillion dollars. It raises taxes, jeopardizes patient access to health care, and puts an unelected bureaucrat, or many bureaucrats, in charge of your health care.

I want to tell a brief story about something that happened to me this weekend.

I was in a local drugstore with a friend of mine waiting for a prescription, and a woman came up to me and she said, Are you GINNY BROWN-WAITE? And I said, Yes, ma'am. And she said, I want to talk to you about the health care bill.

She proceeded to tell me, she said, I am about to lose my job, which means I will lose my health care. And I thought I knew what she was next going to say, and she totally shocked me. She pointed to her daughter, who she told me was 9 years old, and she said, But I don't want you to vote for that bill, Congresswoman, because I don't want this child and her children paying for an out-of-control health care system in America.

I believe that she really speaks the way most Americans believe.

HEALTH CARE REFORM

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

Mr. MCKEON. Madam Speaker, I rise today to voice my strong opposition to the majority's attempt to have the Federal Government take over the national health care system. This has been a yearlong debate, and it is clear that the American public does not want this bill. People are justifiably outraged at the contempt the majority has shown to them.

Everything my constituents dislike is still in the majority's health care bill: billions in new taxes on small businesses and families, over $1 trillion in new Federal spending, a health care czar to make health care decisions for families, a Federal mandate to buy health insurance, hundreds of billions in Medicare cuts, expanding access to abortion, and sleazy backroom deals.

If this is the panacea that the majority claims it is, then why is it that they are refusing to allow a straight up-or-down vote? Do you think you can fool them with procedural gimmicks such as deeming a bill passed without actually voting on it? I don't think so, and I think it is shameful to try.

HEALTH CARE REFORM

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

Mr. GERLACH. Madam Speaker, as I stand here today, congressional Democrat leadership has yet to finalize or publish the so-called fix-it bill that will ultimately be the basis to gather the 216 votes necessary to pass health care reform, and they certainly haven't said how much it is going to cost; yet Democrat after Democrat has gotten up here today saying that they are for this legislation.

So think about it. How can you be for a bill that is not yet written, not yet finalized, not yet published, and for which no one knows how much it is going to cost? The answer is simple. It is really not about how much it costs or how many people it will cover; it is about control, government control over who is going to make health care decisions in this country. And that is exactly what the American people are rejecting.

Madam Speaker, the swamp isn't being drained through this process; it apparently is just getting deeper and wider.

HEALTH CARE REFORM

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

Mr. SAM JOHNSON of Texas. Wake up, America. The Speaker is trying to pass the health care bill without letting America see it first. In fact, she said, ''I have to pass the bill so you can find out what is in it.'' She is also shooting for a voteless passage, and that is unconstitutional.

Well, I can tell my Democrat colleagues what is in it. The health care bill is littered full of sweetheart deals, one after another, from the Louisiana purchase to the Cornhusker kickback. What is another term for hustling votes? Buying them.

The American people are fed up with secret backroom deals in smoke-filled rooms. It is no wonder all Americans are clear in their opposition to what they have seen, read, and heard on health care.

Bring the real Senate bill to the floor for an honest up-or-down vote. These sneaky shenanigans defy common sense, and the American people want, need, and deserve better.

HEALTH CARE REFORM

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

Mr. MAFFEI. Madam Speaker, this morning I stood at the American Cancer Society in my district and announced that I will support the President's historic reform effort. I am supporting it because right now skyrocketing health care costs aren't just crippling the U.S. economy; they are emptying pocketbooks in central and western New York.

Regular, middle class people can't afford the health care they need. Insurance companies have denied care. Kids are graduating from college and they can't find care. People with life-threatening conditions need to hold bake sales and bowl-a-thons in order to pay their health care bills. Families are going bankrupt not because they were irresponsible, but because they trusted their health insurance companies.

Now, experts and nonpartisan organizations say that this bill will save money. I believe that the cost-savers in this bill will save money, but I know that doing nothing will bankrupt our country and our families and our small businesses.

I stood this morning with two remarkable women from my district. One had insurance and one did not. They are both battling cancer. For them, this debate isn't about partisan politics; it is about their lives. They strongly support this effort, and so do I.

HEALTH CARE REFORM

(Mr. MARIO DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute.)

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, in 2017, Medicare goes insolvent. It goes broke in 2017. So do the Democrats have a plan to reform and save Medicare? No. The Democrats' plan actually raids one-half trillion dollars from Medicare to create a massive new government-controlled health care program.

So even though the Speaker is writing this bill behind closed doors in secret, Madam Speaker, the American people, particularly senior citizens, are not being fooled. They oppose this massive bill that will nationalize health care and that will raid one-half trillion dollars from Medicare. They oppose it, and so should we.

□ 1415

HEALTH CARE REFORM

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

Mr. GOHMERT. Madam Speaker, this bill is based on so many fictions, it should not be passed. One is that we're going to do a rule and then that is going to be self-perpetuating. And that's going to pass the bill. That's a fiction. It ought to be an up-or-down vote on this bill. And if you read the very basics on this bill from the Senate, it says, Resolved, the bill from the House of Representatives, H.R. 3590, entitled: An act to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces.

We're going to pass this on the backs of the Armed Forces. This should not

be passed by anyone unless they eat it. If they eat it, then I'm in favor of them passing it. Otherwise, don't pass it.

HEALTH CARE REFORM

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

Mr. SULLIVAN. Madam Speaker, higher premiums, higher taxes, and cutting Medicare is not health care reform. Republicans care about health care, but we don't care for this bill. Unfortunately, the White House and congressional Democrats are still insisting on their massive, 2,700-plus page bill that includes higher premiums, $500 billion in higher taxes, and $500 billion in cuts to seniors' Medicare. That is not reform.

There is a reason why Congress has been debating this for a year. The reason the majority is having such trouble securing passage is because Americans have made it abundantly clear that they don't like this bill either. I want to make something clear: killing the Democrat plan for a government health care takeover does not kill the health care debate. It simply allows us to start from scratch and focus on real solutions that will lower the cost of health care for small businesses and families across this Nation. Stop this bill.

HEALTH CARE REFORM

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

Mr. BRADY of Texas. Isn't this troubling? Eight out of ten Americans now believe Congress governs without the consent of the governed. The Democratic Congress and White House simply aren't listening. Americans oppose this $2 trillion takeover of health care, but Democrats are ramming it through over the public's objection. Americans oppose the tax increases, mandates, deficits, Medicare cuts, and government interference in their most intimate health care decisions, but House Democrats arrogantly claim they know what's best for you.

Americans want open, honest government. Democrats are cutting backroom deals, pressing Members of Congress, proclaiming bills passed without a vote of the House—all to circumvent the will of the American people. Americans want Washington to start over immediately; to go back to the basics, to have a step-by-step bipartisan bill that focuses first on lowering health care cost. So, Madam Speaker, why aren't you listening? But know this: A Congress that governs in secrecy and arrogance will not govern long. The American people will see to that.

HEALTH CARE REFORM

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

Mr. PLATTS. Everyone agrees that the status quo in health care is unacceptable, but the proposed health care reform legislation is also unacceptable. Two of the greatest gifts that my parents gave my four brothers and sisters and I was a solid foundation in the ideals of common sense and right versus wrong. This health care bill fails to pass both of these principles. Common sense tells us that a health care bill that increases health care costs by over a trillion dollars is wrong; that raises taxes by over $500 billion is wrong; that cuts Medicare by $500 billion is wrong; that forces millions of Americans off of private insurance into a government-run health care plan is wrong; and a plan that allows taxpayer funds to be used for abortion services is wrong.

A simple application of the ''right versus wrong'' test tells us that seeking to pass such a monumental piece of legislation by deeming it passed without an up-or-down vote is wrong. Basic principles—common sense, right versus wrong. This proposal fails both of those very important principles. My mom and dad got it right. These matter.

HEALTH CARE REFORM

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

Mr. LUCAS. Madam Speaker, Article I, section 5 of the United States Constitution states, ''the yeas and nays of the Members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.'' This is to ensure that important pieces of legislation, like the one before us this week, are given a clear up-or-down vote. Yet here we stand today with the possibility that a massive, trillion-dollar government takeover of our health care system would actually not be voted on in this Chamber. Not only does this violate the spirit of fairness within the rules of the House and the confidence entrusted in us by our constituents, it potentially violates our Constitution. Legislative gymnastics should not be used to pass a bill of this magnitude that will impact the life of every American. Change is needed within our health care system. We can all agree on that. But in an effort to pass a health care bill—any bill—this congressional majority has lost their way.

HEALTH CARE REFORM

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

Mr. HELLER. Another day, another missed opportunity. Nevada's unemployment rate is at 13 percent. So you have to ask the question: Where are the jobs? I do tele-town hall meetings weekly in my district. I survey thousands. The question asked is: What should be the priority of this Congress? Should it be jobs and the economy or should it be health care? Over 80 percent say we should be concentrating on jobs and the economy. Instead, the majority leadership wants me to vote for the Louisiana purchase or the Cornhusker kickback or the Gator-aid. The list goes on and on.

Despite the majority's effort to hide this vote, the American people will not be fooled. The American people know the purpose of this health care bill is to make sure all Americans have the same bad health care. I encourage my colleagues to listen to the American people, create bipartisan health care reform, and get Americans back to work.

HEALTH CARE REFORM

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

Mr. ROONEY. Madam Speaker, I'm astounded by the Democrats' blatant abuse of the House rules established in our Constitution by entertaining the possibility of what is known as the Slaughter rule. If they choose to deem the Senate health care bill law under this self-executing rule, without a traditional up-or-down vote on the actual text, they will strip the American people of their right to checks and balances in a bicameral Congress. If my colleagues on the other side of the aisle truly believe that this health care bill will solve the Nation's health care problems, then why are they afraid to go on the record and put their names on it?

Like most Americans, I am disillusioned with this Congress. We need to go back to the drawing board and focus on reducing health care costs, where constitutional, and not by creating a new entitlement in a backroom deal.

HEALTH CARE REFORM

(Mr. GARRETT of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. GARRETT of New Jersey. Madam Speaker, I come to the floor today to speak out on the Democrats' proposed ''Slaughter solution.'' This is a sleight-of-hand with an unconstitutional move to avoid a true vote. Article I, section 7 of the Constitution reads, Every bill shall have passed the House of Representatives and the Senate before it is presented to the President of the United States.

With the Slaughter solution, leadership is attempting to manipulate the rules to circumvent this fundamental constitutional requirement. In the Senate, they have a bill there with so many special deals—taxes on insurance, coverage for abortion—even they cannot pass it for a second time. And so Democrat leadership here in the House tried to avoid a traditional up-or-down vote. The Supreme Court has even spoken on this and said a bill must contain the exact text before it is approved in one House and then the other—precisely the same text.

Madam Speaker, if we ignore the basic requirements of the Constitution, whether by disregarding procedural restraints or overstepping our congressional authority by dictating people's health insurance, we will descend from the freedom of democracy toward the tyranny of a dictatorship.

HEALTH CARE REFORM

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Madam Speaker, Medicare will be expanded. Medicaid will be expanded to allow more people to be insured. Our children will have more health insurance. It will be a major change for America—a positive change. It is interesting that every time America makes a historic and catastrophic change for the better, there are large voices of opposition—confused voices; voices without the facts. I'm reminded of the history of the 1964 Civil Rights Act and the 1965 Voting Rights Act. They did not pass with large margins. The Dixiecrats raised their voices in opposition. Africans Americans, Negroes, should be second-class citizens forever.

It is time now for the courageous to recognize that Americans cannot be second class and third class in the climate of needing health insurance. That they must be able to go to hospitals and not be kicked out; that they must be able to get insurance without saying you have a preexisting disease; that women cannot be discriminated against.

Where's the courage to stand up as we did in the time when African Americans needed their freedom? It is now time to free others who do not have health insurance. Do you have the courage to make these hard decisions when others are chatting away, saying the wrong thing? It is time to pass health care reform. I want to stand with the courageous on behalf of the American people.

HEALTH CARE REFORM

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

Mr. BISHOP of Utah. Madam Speaker, it is very difficult to criticize a bill that is still being put together behind closed doors. But we do know that it is more about consolidation of power in Washington than about real health reform for the American people. We also know that a poor process always equals poor public policy, and the procedural shenanigans being proposed by the Speaker and Democratic leaders to slip this past the American people make all of Lucy Ricardo's schemes to be a part of Ricky's show look like clear and logical plans of action. This also would be a comedy if it wasn't such a tragedy for the American people.

Madam Speaker, my State has already instituted real health care solutions that deal with our demographics and give people options in the State of Utah. All of our efforts will be destroyed if this one-size-fits-all, trillion-dollar tragedy is actually passed here on the House floor.

HEALTH CARE REFORM

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

Mr. TERRY. There will be no straight up-and-down vote on a health care bill. Instead, the leadership has chosen a procedural trick to insert the Senate bill into a rule deeming the Senate bill passed. So if you vote for the rule, you are voting for the Cornhusker kickback, the Louisiana purchase, and language that allows funds to flow to abortions. What won't be in this bill is the Terry bill or amendment that allows people to join the same health care plans that we have as Members of Congress. Why? Because it's not controlled by the government and its bureaucrats.

Yes, this is about government control, where bureaucrats and Congress will be in control of your health care. And somehow the leadership and authors of these tricks in this bill wonder why the American people don't want this bill.

□ 1430

HEALTH CARE REFORM

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

Mr. FRANKS of Arizona. Madam Speaker, to paraphrase James Agee, ''In every child who is born, under no matter what circumstances, and of no matter what parents, the potentiality of the entire human race is born all over again.'' The Democrats say compassion is the fundamental motivation behind this government takeover bill. But if compassion was the motivation, Madam Speaker, Democrat leadership would not be so doggedly determined to include the increased taxpayer-funded murder of little unborn children in this bill. Nothing so completely destroys the notion that this bill is about compassion than the arrogant disenfranchisement of those who are helpless and have no voice. It is an unspeakable disgrace.

Madam Speaker, it is obvious that Democrats are determined to ram this bill down the throats of the American people using the so-called Slaughter solution, a shameless political gimmick that would avoid even an up-or-down vote on the bill. But if they do, Madam Speaker, the world will know that it was never about compassion, and Democrats will find that they have dangerously underestimated the American people.

HEALTH CARE REFORM

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

Mr. CONAWAY. Madam Speaker, later this week the Speaker is going to ask the House to take the final vote on health care reform, including the Senate health care bill. The Senate bill contains such rarified legislative compromises as the Cornhusker kickback, the Louisiana purchase, and Gator aid, and for the first time ever, it allows for Federal funding for abortions. Nevertheless, the Speaker has asked us to vote on it. I understand my Democratic colleagues are being assured that the Senate will take up the bill of fixes if the House will simply just pass their underlying reform bill.

I offer a word of caution to my friends on the other side of the aisle: once you pass their bill, there is not a guarantee that can be made that will force the Senate Democrats to take up your fixed bill and pass it. The bill that passed out of the Senate satisfies 59 sitting Senators, all of whom voted for it. The compromise that will pass out of this House will please far fewer. Simple logic tells us that the Senate Democrats do not have a real and abiding interest in bailing out House Democrats for having passed the Senate bill. Of course, simple logic has never really been a part of this debate.

Madam Speaker, my Democratic colleagues are playing a game of chicken with the United States Senate. In the end, the President might just go ahead and sign this Senate bill into law, along with the Cornhusker kickback, Louisiana purchase, Gator aid and abortion funding, and every other twisted deal jumbled into this mess.

HEALTH CARE REFORM

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

Mr. FLEMING. Madam Speaker, of this massive almost 3,000-page bill, there is not one thing that lowers cost; not one. A recent Heritage Foundation article focused on the fact that the health care system is fraught with perverse economic incentives that generate artificially high and rapidly increasing spending. This system does nothing to incentivize the doctor, the patient or the insurance company, let alone the Federal Government, to spend the health care dollars efficiently. However, I'm not suggesting that patients have to bear higher out-of-pocket costs. By this, the doctor and the patient must be reengaged, however, with the cost of their care. And how can we do that?

One amendment that we have tried to get into this bill a number of times and has failed is a robust system of health savings accounts for all. This way, we get to have our cake and eat it too. By that I mean that a portion of

the insurance premiums should be put into a special medical spending account for those on all government and private insurance programs who would, in turn, be able to use tax-free funds for discretionary health care purchases. This would be the first step in turning patients into savvy health care consumers. As they save money for themselves, they will save it for the health care system at large, thus bending the cost curve downward.

HEALTH CARE REFORM

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

Ms. FOXX. Madam Speaker, yesterday I held a town hall in Statesville, North Carolina, to hear from my constituents about health care reform. One thing was abundantly clear: they do not want this bill, and they're sick and tired of the backroom deals and provisions that have characterized this process. They wanted health care reform, but they were vehemently opposed to the Senate bill.

My constituents are asking me, If this is such a wonderful bill, why is the majority resorting to tricks and sleight of hand to get it passed? If this bill is so great, why not have a regular vote? The answer is simple: this is not a bill the American people want. Some Members acknowledge that.

Madam Speaker, we should listen to the American people. We should take an incremental approach to health care reform that the American people can support.

HEALTH CARE REFORM

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

Mr. ROSKAM. Madam Speaker, as we are here today on the House floor, at this very moment the Democratic leadership of the House of Representatives is smiling and dialing. They are calling Members of Congress on the other side of the aisle, cajoling them and coaxing them and urging them to do the equivalent of really political bungee jumping, but they don't know how long the cord is. They are saying, You be the first one to jump off. We're going to vote for this Senate bill, and you are going to trust in the Senate to take it up and fix it. Or alternatively, even worse, we're not going to have a final vote on this bill.

Can you imagine a process that is this manipulated that is at this high stakes, literally the Federal Government taking over one-sixth of the economy really in the twinkling of an eye? And it is as if the Democratic leaders are telling the American public, Oh, look, we have got a wonderful plan for your life. You are just going to love it. We are going to vote on it, and then we'll let you read it.

Madam Speaker, we can do better. The American public demands that we do better, to vote ''no'' and start over.

HEALTH CARE REFORM

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

Mr. GOODLATTE. Madam Speaker, I rise today in strong opposition to not only the Democrats' health care proposal but to the outrageous process by which the majority intends to ram this bill through the House while denying Members of Congress an up-or-down vote on the bill. This morning's Cincinnati Enquirer declared what Americans all over this country are saying: ''This disgusting process, which Democrats brazenly wish to bring to conclusion this week, is being done with little regard for the opinions of a clear majority of Americans who, while they may believe health care reform is necessary, think this particular approach will take our Nation down the wrong economic path.''

American families want health care reform that will expand access and choices and decrease costs. The Democrats' health care bill includes tax increases, Medicare cuts, job-killing mandates, and higher premiums. This bill is nothing more than the same government-run insurance mandates and taxes the American people have overwhelmingly rejected. This bill must be killed. We must start over.

HEALTH CARE REFORM

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

Mr. DUNCAN. Madam Speaker, when I was driving into work last Friday, I heard the Governor of Arizona on the news saying that her State already faces its biggest deficit ever, over $3 billion. She said they had calculated that the health care bill would cost an additional $4 billion that they simply do not have.

Because Tennessee already covers more than most States, our Democratic Governor, nonetheless, said it would cost out State from $750 million up to $3 billion more. Most States are in far worse shape than Tennessee or Arizona, yet much of this bill is paid for by forcing millions more onto State and Medicaid rolls. In yesterday's Washington Post, columnist Robert Samuelson said the bill ''evades health care's major problems and would worsen the budget outlook.'' He wrote that ''It's a big new spending program when government hasn't paid for the spending programs it already has.''

Madam Speaker, even if this program were the greatest thing since sliced bread, the fact is that we simply cannot afford it.

HEALTH CARE REFORM

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

Mr. HARPER. Madam Speaker, late last night, the House Budget Committee approved the reconciliation shell bill with two Democratic Members joining all Republicans in opposing this enormous entitlement expansion, and we still do not know what changes the Speaker will bring forward.

The President has asked Congress to hold an up-or-down vote on the Senate's so-called health care reform proposal. Let's have that vote. The President has argued the Democrats need courage to pass this one-size-fits-all government takeover of health care. But where's the courage in hiding behind procedural chaos like the Slaughter solution? No matter what anyone says, a ''yes'' vote on the reconciliation bill is a vote for the Senate's flawed trillion-dollar bill containing kickbacks, like the Cornhusker kickback and the Louisiana purchase, and allows for Federal funding for abortion.

The bottom line is this health care bill is so bad that the Democrats have to resort to trickery. I will not support a bill that will increase families' insurance premiums and force hundreds of millions of dollars in unfunded mandates to my home State of Mississippi. I will not support this abusive use of the reconciliation process, and I will not support the bogus procedures that are being used to hide from the American people. I urge you to oppose this legislation.

HEALTH CARE REFORM

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

Mrs. BLACKBURN. Madam Speaker, this year I replaced town hall meetings in my district with listening sessions. I go to hear what my constituents have to teach me and to teach this body. They want us to know that the process matters to them. Some of my colleagues like to say that it doesn't make any difference, but my constituents know that when legislation is negotiated in the backroom, that America loses. They know that in the back rooms, stimulus bills turn into pork bills, bailout bills turn into just more debt, and energy bills turn into taxes.

Today, hundreds of Americans are walking the halls of this building, asking us to stop this outrageous government takeover of health care and take health reform step by step and structure a system that lets them out of this broken system, not locks them into it permanently. I hear them, Madam Speaker, and I certainly hope that this Chamber hears them.

HEALTH CARE REFORM

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

Mr. WITTMAN. Madam Speaker, I'm hearing loud and clear from people of America's First District in Virginia that this health care bill before us will not reduce costs, will not increase access, and is full of sweetheart, backroom deals that they find highly objectionable and that now we are proposing to put this bill through without having to directly vote on the bill. That also makes them mad.

Let me tell you what they're saying. Jimmy from Yorktown says, ''We are very concerned with the direction congressional leadership is taking health care reform. It is apparent Congress is not listening to the American public. We understand the need to address health care reform. However, Congress must include fiscal responsibility in any reform legislation. Congress needs to listen to the American voter and taxpayer instead of holding our views in contempt.''

There are many other people from the First District that have very similar views. I urge my colleagues to vote ''no.'' Let's listen to the American people, listen to their concerns, and do the right thing.

HEALTH CARE REFORM

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

Mr. GINGREY of Georgia. Madam Speaker, one day after the health care summit at the Blair House, Peggy Noonan wrote in The Wall Street Journal, and I quote: What the meeting made clear is what the Democrats are going to do, not step back and save the moderates of their party, but attempt to bully a bill through the Congress. This is boorish of them, and they will suffer for it.''

Indeed, Madam Speaker, I think the Democrats will get slaughtered for it. But, unfortunately, the collateral damage is to the health of the American people. I ask all my colleagues, join with me and my constituents in the 11th Congressional District of Georgia and vote ''no'' on this rule and this so-called deeming legislation.

HEALTH CARE REFORM

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

Mr. TIERNEY. Madam Speaker, if my previous colleague thought that the Democrats were going to get slaughtered for passing this bill, a few of them would cut out of the herd and help pass it. But that's absolutely not the case. This year-long debate and the bipartisan health care meeting show that Democrats and Republicans do agree in some areas. Both agree that the status quo isn't working for Americans; both agree that waste, fraud and abuse should be removed from the system; both agree that we should invest in prevention and wellness.

The bill has incorporated several Republican ideas into its proposal, but Democrats and Republicans have a profound disagreement on the proper oversight on insurance companies. We believe that insurance companies need to be held accountable with minimum commensurate standards to help keep premiums and industry abuses down. Republicans believe that insurance companies should have a freer hand and should be free to raise rates and reduce, and even eliminate, coverage. We believe that the most effective way to reduce premiums for all Americans and businesses, large and small, and the only way to cover all people with preexisting conditions is to make sure that everyone is in the insurance system. Republicans disagree, and their plan will not outlaw discrimination against people with preexisting conditions. Those are profound differences, Madam Speaker, and that's why we need health care reform.

HEALTH CARE REFORM

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

Mrs. CAPITO. Madam Speaker, I rise today to express my utter disbelief and disappointment at the path the Democrat leadership has chosen for health care reform. Never, ever in my 14 years of legislating have I ever been asked to vote for a bill that will ''be fixed later.'' We don't even know what this bill costs—well, in excess of $1 trillion—or what backroom deals will wind up being in this bill after the vote. It is an absolute affront to the integrity of this Congress that we are being asked to put a signature on the bottom of a blank page.

Now, we've all seen team building exercises where one person stands blindfolded on the edge of a table and is asked to fall back into the arms of their colleagues. Well, that's what the Speaker is asking this Congress to do, to fall backwards from this precipice with the promise that all will be well. My constituents deserve more than a mere promise of trust. We should not be asked to be voting on a bill that will affect one-sixth of our economy and touch every single American's life without knowing what is in the bill.

Well, the Speaker knows what's in the bill, and she doesn't want anybody to vote on it. Americans deserve health reform, but they deserve it the right way.

□ 1445

THE DEFINITION OF COURAGE

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

Mr. LATOURETTE. Madam Speaker, yesterday the President of the United States was in beautiful Strongsville, Ohio, and the biggest applause line he got was when he said, We need courage. We need courage to have an up-or-down vote on the health care bill.

Now, I'm not a big fan of the health care bill, but I thought, My, that's pretty brave. And I looked up ''courage'': mental or moral strength to venture, persevere, withstand danger, fear, or difficulty. So good for the President; he's standing up for his principles.

Well, imagine my surprise when I padded out in my jammies this morning and got The Washington Post, and the headline on the top of the fold is ''Pelosi may try to pass health bill without vote.'' And I said, No, she didn't. But, I thought, perhaps sometimes newspapers are misleading and the headline might not describe the story. But no, sadly, this is the story.

So it's not courage that we're going to have here. So I went a little further in the dictionary. ''Cowardly,'' that fits. ''Craven,'' that fits. You go a little into the Ds; ''deceptive,'' that's appropriate. Go a little bit further, ''gutless,'' into the Gs. Right. ''Spineless,'' under the Ss. And you can go all the way to the Ys, ''yellow-bellied.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. RICHARDSON). The Chair will remind all persons in the gallery, that they are here as guests of the House, and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

HEALTH CARE REFORM

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

Mr. SOUDER. Back when Thomas Jefferson did the first Louisiana Purchase, he got all parts of 13 States for, what's in inflation-adjusted dollars, $150 million today. When the Senate health care bill passed, it cost $300 million to just get and buy one vote. Who knows what this week is going to cost the American taxpayers.

We've also seen the outrage of how they propose to pass this bill. Over in the Senate, rather than the deliberative body going through in what's a takeover of 17 percent of the American economy, they're going to go through and try to jam it with a majority plus the Vice President, or one, whatever they need.

Now we have the Slaughter rule in the House, where they're going to try not to even have an up-or-down vote. They're not even going to try to get 51 percent or 50 percent plus the Speaker. They're going to deem it passed.

Do they really think the American people are going to buy this unconstitutional fraud?

HEALTH CARE REFORM

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

Mr. MCHENRY. Madam Speaker, look, I'm surprised when I go home. My constituents will tell me unequivocally that they're in favor of health care reform, but they're not in favor of this plan. And yet I come to Washington, and they say, if you're in favor of health care reform, you have to buy into this sham of a health care bill. Well, my constituents know what a sham is and, unfortunately, it's this Senate bill that the House is going to be voting on.

Then I read headlines that the Speaker of the House doesn't actually want a vote on the Senate bill, and I recall the basics of parliamentary procedure that require the House to vote on the exact same bill the Senate does before it can be signed by the President to be enacted into law. So the Democrats are just trying to pull a fast one on the American people.

The American people know that this is a bad deal. According to the Congressional Budget Office, run by a Democrat, they're right to be worried, because premiums will go up between 10 and 13 percent under this plan. That means $2,100 more for the average family in America in health care expenses. It's a wrong plan, and we should oppose it.

HEALTH CARE REFORM

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

Mr. COBLE. Madam Speaker, this past weekend I visited with four of my six counties in North Carolina—Moore, Guilford, Davidson, and Rowan counties—hundreds of people, and without exception, no one spoke in favor of this bill. Increased taxes, they said to me, increased costs. The heavy-handed way in which it's been administered, as if to say, By golly, this is the bill you're going to get whether you like it or not.

Madam Speaker, this proposal is a train wreck waiting to occur. We need no train wrecks.

I will admit that some attention needs to be directed to the delivery of health care in this Nation, but this is not the appropriate vehicle to deliver it. We need to scrap this bill and start anew with a sound proposal.

PASSING THE HEALTH CARE BILL WITHOUT A VOTE

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

Mr. STEARNS. Madam Speaker, to protect Members from voting on the Senate health care bill, Democrats are using a self-enacting rule to deem that bill passed by the House.

As Speaker PELOSI said, ''It's more insider and process-oriented than most people want to know. But I like it because people don't have to vote on the Senate bill.''

Huh?

This is the same Speaker who stated, ''We have to pass the bill so you can see what's in it.'' So that you can see what's in it.

Huh?

They are distorting the Rules Committee procedures and the reconciliation process to ram through a health care bill. Where is the transparency that Speaker PELOSI talked about?

Huh?

Last year, the House was passing bills without reading them. This year, they are passing bills without voting on them.

The Democrats desire passage of a health care bill in the darkness of a self-enacting rule. It's an affront to the constitutional powers of Congress and every voter in this country.

DEMOCRAT HEALTH PLAN IS THE WRONG PRESCRIPTION FOR AMERICA

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

Mr. HASTINGS of Washington. Madam Speaker, with millions of phone calls, emails and personal visits, the American people have made it clear to Congress that they want health care reform that lowers costs, not a government takeover of their health care system.

I support reforms that will lower the cost of health care and increase choices for Americans, but the fact is that the bills being pushed through Congress won't achieve these goals. They, instead, lead to higher spending and more government control.

Instead of listening to the American people, Democrats in Congress have made it clear that they will do whatever it takes to have their trillion dollar health care proposal become law. These bills making their way through Congress ignore the clear desire of Americans to scrap the government takeover of health care, and they ignore the clear desire of Americans to start over again.

Congress must, instead, focus on commonsense solutions that reduce costs, increase choices, and help more Americans afford the coverage they deserve.

The bottom line, Madam Speaker, is that Congress needs to start over on a new bill.

HEALTH CARE REFORM

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

Mr. ROYCE. Madam Speaker, when we picked up the headlines of The Washington Post today, it says, ''Pelosi may try to pass health bill without vote.'' And through nothing more than budgetary gimmicks, like counting half a trillion dollars reserved for Medicare twice, the Speaker claims it's going to pencil out.

I think the American people know better. They understand that you cannot create a massive new entitlement program behind closed doors and expect our dire financial situation, our dire fiscal predicament in this country to do anything except compound.

Instead of addressing the actual drivers of rising health care costs, like escalating legal liability cost, and structural flaws in the way insurance is regulated, this bill compounds the problem and shifts the cost curve up, not down.

Faced with trillion-dollar deficits as far as the eye can see, now is the time to take a step back and look for incremental reforms that can increase affordability for millions of Americans without saddling future generations with this unpayable tab.

The American people know that when so-called health care reform includes tax hikes, less freedom and more government control, it's a government takeover of health care.

HEALTH CARE REFORM

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

Mr. FORTENBERRY. Madam Speaker, we are hearing about the problems with this health care bill, from its failure to address the real cost drivers, as well as its subversion of the democratic process. But here's another problem. The Speaker of the House, on Monday, asserted that the bill before us is ''about health care, health insurance reform. It's not about abortion.''

Now for the reality. The bill before us would permit the Federal Government to provide subsidies to insurance plans that cover abortion, oversee State plans that cover elective abortions, and allow Federal officials to mandate that private plans cover abortions. It is replete with abortion.

The American people have spoken, and they do not want their taxpayer dollars entangled in the provision of abortion. Abortion is not health care, and no American should be forced to pay for it.

We should be supporting those in vulnerable circumstances. Abortion is so often the result of abandonment. Women deserve better. But true health care reform must be life-affirming. I will not support this bill.

HEALTH CARE REFORM

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

Mr. ROHRABACHER. Madam Speaker, as the vote on health insurance reform approaches, I've become increasingly troubled at the things that this bill fails to do.

Despite claims to the contrary, the Democrat bill fails to decrease health care costs. We keep hearing about how people are being cost out of the market; they can't afford their health care, but it does not decrease health care costs. In fact, the bill would increase the cost of health care in the form of higher premiums and exorbitant new taxes on families. Furthermore, it will not prevent funds from going to illegal aliens or abortions. So that's what it doesn't do.

What does it do? Well, this legislation will make sure the American people are more addicted to socialism because we will be more dependent on the Federal bureaucracy. What it will do is create a $1 trillion new program, even when we can't afford the current programs.

Well, what we need to do is to make sure that we come up with a list of reforms that is a bipartisan list. The Democrats have actually ignored what Republicans have offered to reform the system in order to transform it. Well, they're transforming it by making backroom deals. That's not what the American people want.

Let's come forward with what we believe in and how to make the system better and work together. But we have to start by voting ''no'' on this legislation.

HEALTH CARE REFORM

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

Mr. LAMBORN. Madam Speaker, I rise today on behalf of my constituents who tell me time and time again that they do not want a government-run health care plan. In spite of all this protest, Democrats are seeking to jam the bill down the taxpayers' throats through a convoluted legislative rule known as the Slaughter solution. This scheme allows a vote on a rule that would deem the Senate version of the health care bill to be passed without bringing the actual bill up for a vote.

Constituents send their Members of Congress to Washington to represent their interests through votes. The Slaughter House rule would violate our constitutional pledge to protect and defend the Constitution.

To pass a bill of this magnitude through a procedural gimmick like the Slaughter House rule would be a cowardly cover-up. What exactly is the majority afraid of? Why are they trying to hide their vote?

The American people deserve an open and honest vote.

HEALTH CARE REFORM

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

Mr. DENT. Madam Speaker, you know, for the better part of a year, we have devoted the lion's share of our attention to health care reform, and this is where we are today. From the Speaker of the House, ''We have to pass the bill so that you can find out what's in it.'' That's simply unbelievable, and it's wrong.

You know, I have worked with my colleagues on both sides of the aisle to develop proposals that will lower costs, expand access, and improve quality. I regret very much where we are today in terms of both the policy and the process.

Policywise, there is a lot we don't know. We haven't seen this reconciliation fix-it bill. We don't have a score from the CBO. We're talking about 1/6 of our American economy, but we haven't seen it yet.

Let's talk about what we do know, the bill that we have seen, the Senate health care bill. This bill will increase taxes by more than a half a trillion dollars. It will slash Medicare by nearly a half a trillion dollars, all to create a $1 trillion entitlement program. Families who purchase coverage in the individual market will see an average increase in their premium of $2,300.

This is not the reform the American people want.

Unbelievably, the process is even worse than the policy. In the coming days, the powerful Rules Committee will meet up there in that room on the third floor and, according to reports, it will use an arrogant manipulation of our legislative process.

I say defeat this bill. The American people deserve better.

□ 1500

HEALTH CARE REFORM

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

Mr. LUJÁN. Madam Speaker, I would like to ask my friends on the other side of the aisle some questions: Why do you want to let health insurance companies deny people because of preexisting conditions? Why do you want people to lose their coverage if they lose their jobs? Why do you want to let insurance companies drop people when they get sick?

There is a simple choice. Either you want to stand up for the American people or you want to stand up for insurance companies. It has been clear over the last year that my friends on the other side of the aisle would rather stand up for health insurance companies. They would rather let insurance companies raise their rates by 25 percent like they did in my State of New Mexico. They would rather let families' premiums double by 2020, increasing from $12,100 to $25,600. They would rather let employer premiums increase by 98 percent by 2020.

This reform bill isn't perfect, but it stops insurance companies from denying people for preexisting conditions, it provides more choice, it lowers costs, it stops insurance companies from dropping people who are sick, it helps small businesses by giving them tax credits, and it helps seniors by making prescription drugs more affordable.

It's time to act. It's time to reform.

HEALTH CARE REFORM

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

Mr. CAMP. Americans do not want a government takeover of health care. They do not want a 2,000-page bill that puts Federal bureaucrats in charge of their personal health care decisions. They do not want a half-a-trillion-dollar cut to Medicare to fund a new entitlement program. And they do not want a half-a-trillion-dollar increase in taxes, or $1 trillion in new Federal spending. They do not want the back room deals that were cut to buy off special interests. And they certainly do not want a health care bill that will increase the cost of their health insurance.

But that is exactly what the Democrat bill does. And that is exactly what the Democrats are trying to cram through Congress this week. If the majority wants to pass this bill, they ought to have the guts to hold an up-or-down vote and not try to hide from the American people what is really being voted on.

Madam Speaker, Americans do not want and can't afford this bill. Let's scrap it and start over.

HEALTH CARE REFORM

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

Mr. HOLT. Madam Speaker, process, process, process. What legislative parliamentary process are we using? It is a distraction. That is what someone talks about when they can't debate the content or they run out of lies or misdirections about the substance of an argument.

I don't think the woman from New Jersey is any more interested in our process today to guarantee that she has reliable coverage than she is concerned about what process the insurance company used to compose the letter saying that because she is sick, her coverage is rescinded. She prefers to have the guaranteed coverage.

Do you think a small businessman in New Jersey cares what process the insurance company used to arrive at a 25 percent increase in premiums? Or the process we use to limit the out-of-pocket expenses a person must spend for coverage?

Enough using procedures to stall and delay. Let's get it done, to provide consumer protections for everyone. Let's

get it done, to have caps on insurance premium increases. Let's get it done, for better health care outcomes.

HEALTH CARE REFORM

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

Mr. HALL of Texas. As we enter into the most important and eventful week of the 30 years since I have been up here, I think of the consequences of the votes we will cast, both Republican and Democrat. When we passed the health bill on this very floor, the Democrats, with a 40-vote advantage on the House floor, passed H.R. 3962 with only a five-vote advantage, which showed that the outrageous health bill had been lessened in severity in the Commerce Committee and was softened up enough for the Senate to kill it.

Then a series of Senators negotiated gifts they were not entitled to, each receiving a different consideration, into being the coveted 60th vote. If we take the floor back, I would consider subpoenaing those who may have made the overtures to compare it to the law of bribery or corrupt deals. I would send the results to the Federal and State prosecutors. The bribery penalty as set out in 18 U.S. Code section 203 is imprisonment for not more than a year and a civil fine of not more than $50,000 for each violation.

I consider offering a bribe, for a personal benefit, as worse than accepting one. Let's clean up the United States Congress and listen to our people whose only request is to take back their country.

HEALTH CARE REFORM

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

Mr. BOOZMAN. Madam Speaker, I rise today to express the concerns of Arkansas's Third District regarding health care reform. I have received an unprecedented amount of mail because the people of Arkansas aren't in favor of the legislative gymnastics and procedural tricks Speaker PELOSI is playing. It's inappropriate to play games to pass a health care reform bill Americans overwhelmingly oppose, a bill that represents 16 percent of our economy.

The administration called for an up-or-down vote with no procedural maneuvering, but Ms. PELOSI and the Rules Committee are currently in the process of bypassing this up-or-down vote. By approving this rule, the Senate bill will be deemed as passed. This is not the way our founders envisioned the government working for the people.

We owe it to Arkansans and all Americans to fight for real health care reform and at least have a real ''yes'' or ''no'' vote. How in the world do you pass a bill without voting on it?

HEALTH CARE REFORM

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

Mr. LUETKEMEYER. Madam Speaker, I would like to read a few examples of some of the emails I have been receiving on the health care proposal.

From Columbia, Missouri:

''Just a note to encourage you to fight hard against this horrible health care bill.''

From St. Charles, Missouri:

''Please vote 'no' on the health care reform now before the House.''

From Hannibal, Missouri:

''Congressman, please vote 'no' on the Senate's health care bill. We need to scrap that plan and start over.''

From Ashland, Missouri:

''Please do not vote for the health care bill.''

From Huntsville, Missouri:

''I sincerely hope you do not vote for the health care bill as it now stands.''

Finally, from Columbia, Missouri:

''Vote what your people want you to do, which is against this health care bill.''

Madam Speaker, my constituents have listened to the debate and rejected the proposed health care bill. No, no, no, no, no. What part of ''no'' does the majority not understand? I am going to listen to my constituents. I am going to be voting against the health care bill.

HEALTH CARE REFORM

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

Mr. ROGERS of Alabama. Madam Speaker, I rise today to respond to what I think that the leadership is going to bring later this week. I understand that they are going to bring a vote to the floor that the President and our Speaker believe is a socialist plan—or I know it is a socialist plan for the government takeover of health care. And the Speaker wants her members to have the courage to pass this what she believes is a prescription for health care reform in America.

What it is is a prescription for disaster in our country, and it is also a prescription for disaster for the majority party. That is what I would like to address the balance of my remarks to. The majority party is being asked to vote for something that their districts and their constituents don't want. The President yesterday in a speech said that what he was hoping the Members would do is show courage for a change.

Well, I agree with the President. I hope that the Democrat Members do show courage later this week. Show courage to not be a lapdog for the leadership and the President, and show the courage to be a bulldog for their districts and their constituents who adamantly oppose this socialist takeover of government health care for our country.

HEALTH CARE REFORM

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

Mr. McCLINTOCK. Madam Speaker, I had two town hall meetings in my district on Saturday, and at both events my constituents raised this issue: How can Congress impose the most sweeping intrusion into personal health care decisions in the history of our country without a direct vote on the bill? You see, my constituents have read the Constitution, including the provision that requires both Houses to vote on a bill before it becomes a law.

If the Democrat majority attempts to impose this law without a direct vote, two things will be obvious to every American. First, that the Democrats are ashamed to cast the very up-or-down vote on the health care takeover that the President promised as recently as yesterday. And far more disturbing, they will know that the Congress has now placed itself above the Constitution.

Madam Speaker, 10 generations of Americans have defended that Constitution. Don't think for a moment that this generation will do any less.

HEALTH CARE REFORM

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

Mr. OBEY. Madam Speaker, there is one difference between my friends over here who are speechifying against health care reform today and 50 million Americans. The difference is that the roughly 15 Americans over here all have health insurance, and it is largely paid for by the taxpayers. Fifty million Americans don't have that good fortune. In fact, that difference is shameful, that difference is immoral, and I hope to God that this House has the courage and the decency to vote to change it this week.

HEALTH CARE REFORM

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

Mr. BARTLETT. Health care costs are increasing at two and three times the rate of inflation. Obviously, if this continues, it will bury us. So any health care reform needs to address health care costs. There are two major cost drivers in health care. This bill is silent on one and makes the other worse.

The one that it is silent on is tort reform. Some people think the defensive medicine associated with the threat of malpractice suits may account for a fourth of all health care costs. This bill does nothing to address that. A second cost driver is administrative costs, which may again represent a fourth of all costs. This bill makes that worse by

proposing to give to poor people a policy and incur all of the health care costs associated with that policy.

We need to give poor people health care. Give the doctor, the clinic, the hospital a tax credit for giving them their health care. Then we avoid all of the administrative costs associated with that. This bill fails on both of those counts.

HEALTH CARE REFORM

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

Mr. WELCH. With all the controversy about the health care bill, the content of it, the argument about what is in it, what is not in it, this really does boil down to a fundamental question that this Congress and this country has eluded and avoided for over 70 years, and, that is, will we have a health care system where every American is covered and where every American helps pay? Will we have a health care system where we have a common desire and need to control costs and to reform the delivery system? That is one side.

The other question is, will we have a health care system that embeds the status quo that for the past 70 years has served the interests of the insurance companies very well, increasing their profits, salaries to $24 million, where it is a fee-for-service, volume-driven system that is absolutely burying our employers and our families under a burden of costs that we can't keep up with? That is basically the question.

Will this health care bill allow Americans to have access to health care or ensure profits again for the insurance company?

HEALTH CARE REFORM

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

Mr. REICHERT. Listen. Can you hear the American voices loud and clear saying, I don't want a government takeover of health care? The Democrats' latest plan is still a government takeover of health care. It includes billions of dollars in new taxes, over a trillion dollars in new government spending, and will also cause millions of employers to cancel the health care of their employees.

We have also heard if you like it you can keep it. Not according to this plan. Not even according to the President of the United States, who recently said, quote, ''I think that some of the provisions that got snuck in might have violated that pledge.''

Madam Speaker, we don't know what is in this bill. The American people don't know what is in this bill. We need to start over.

Let's consider the Seattle Times' editorial this morning: ''Right now the government should be focused on the revival of business and the creation of private sector jobs. This cannot be put off. The responsible vote,'' according to the Seattle Times, ''is 'no'. Take a break, let the economy recover and start over.''

I couldn't agree more.

□ 1515

HEALTH CARE REFORM

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

Mr. HENSARLING. Madam Speaker, after the Cornhusker kickback, the Louisiana purchase, the Gator aid, the labor union bailout, the sweetheart deals for the pharmaceutical companies, now we're told that the Democrats are simply going to deem the Senate bill without voting on it.

Not 1 hour ago, I had Jennifer Neill of Athens, Texas, a middle schooler, in my office, and she said, That's not right. Why is something obvious to a middle schooler such a mystery to the Speaker and the Democrats?

What's not right is to ignore the wishes of the American people. What's not right is to have the government force you to buy health insurance. What's not right is to take health care decisions away from your doctor and give them to Washington bureaucrats and politicians. What's not right is adding $2.7 trillion in new spending as the Democrats triple our national debt and bankrupt Americans.

What is right is to scrap the bill, start over, and let freedom ring in America.

HEALTH CARE REFORM

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

Mr. KING of Iowa. Madam Speaker, we find ourselves in a unique circumstance in this Congress after over two centuries. This is likely the very first time that something is positioned to happen that the Founding Fathers never envisioned: That there would be a bill that couldn't be passed in the Senate, and that wasn't supported by the Senate, that wasn't supported by the House, that could nevertheless become law. The first time in history.

There are only 59 votes over there in the Senate. They would not pass this bill that this House is being asked to pass. Even the Democrats don't support the Senate version of the bill. That's on a promise that it would be on a reconciliation package that we know will not be sustained on the Senate side.

And another unique component of this is that ever since 1973, the people on that side have argued that the Federal Government has no business telling a woman what she can or can't do with her body. Now their position is that the Federal Government has every right to tell everybody in America what they can or can't do with their body. Madam Speaker, this bill funds abortion. It funds illegals. It steals liberty. It's unconstitutional. It kicks off lawsuits. It spends trillions of dollars. It's irresponsible. It's a theft of liberty, and it's wrong.

HEALTH CARE REFORM

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

Mr. TOWNS. Madam Speaker, I have been listening to the speeches that have been made on the floor: Tell them to wait and start over. Well, you know, it's nice to say wait and start over when you have insurance, but think about the 46 million people that are walking the streets of the United States of America with no insurance, but you are telling them to wait. And then of course you talk about people that are locked into jobs and working on those jobs because of the fact that the only reason they stay there is because they are able to get health insurance, and you're telling them to wait?

And then we talk about people that have preexisting conditions that can't get health care, and you're telling them to wait?

You know, I cannot believe that we're sitting here in the United States House of Representatives when we can do something about a problem that has existed for many, many years, and we are still telling people to wait. I don't think that you can afford the luxury of waiting when you do not have insurance.

Think about how many people will die today because of the fact they do not have health insurance.

HEALTH CARE REFORM

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, oftentimes on this floor this document becomes the inconvenient truth. It's called the Constitution of the United States. It tells us what we can and what we cannot do.

Not too many years ago, the House of Representatives and the United States Senate decided they would pass something called the line item veto. Sounded like a great idea. The only problem? It's unconstitutional.

The court at that time said the Constitution makes it very clear. The House has to pass a certain text, the Senate has to pass the exact same text, the President has to review it and then sign the same text.

You can't deem a law to be a law. The dictionary is over here. Deem doesn't mean it is. It means that it's not. It may be close. We'll pretend it is. That's not what the Constitution says.

The court has told us it has to be the exact text. If you change one paragraph, it is unconstitutional. They want us to adopt a rule that includes the bill but a lot of other language. It's not the same text. It's unconstitutional.

The inconvenient truth is we have to follow the law, and this is the supreme law of the land.

HEALTH CARE REFORM

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

Mr. AUSTRIA. Madam Speaker, this week marks a defining moment for this Congress and our Nation. With our national debt over $12 trillion and continuing to grow while government encroaches into every aspect of our lives, the American people have spoken out loudly against any government takeover of their health care. All we have to do is listen to our constituents. Yet this administration and this Democrat leadership continues to force a $1 trillion health care bill of Congress into law.

This bill will increase the health care costs for millions of Americans who are satisfied with their current health care coverage. It will cut Medicare and reduces benefits for seniors, such as Medicare Advantage. It will raise taxes on families and small businesses.

We all agree that our health care system can and should be improved. Unfortunately, Members of Congress are not listening to the American people, and that is that more government is not the answer.

It is time to work together on a commonsense, step-by-step approach that will lower costs and make health care more affordable and accessible while keeping your doctor-patient relationship and choices.

HEALTH CARE REFORM

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

Mr. MARCHANT. Madam Speaker, I rise in strong objection to what occurred yesterday in the Budget Committee. The Budget Committee passed a shell of a reconciliation bill. This shell bill will be replaced with whatever the Rules Committee deems as appropriate health care legislation. No one has seen what the Rules Committee plans to insert.

This is not an open and transparent process. An open and transparent process wouldn't be resorting to using shell bills. An open and transparent process wouldn't have had backroom negotiations that are far and away from the C–SPAN cameras. What happened in the Budget Committee and what's happening in the Rules Committee is not what the American people want.

I strongly oppose the majority's use of the parliamentary gimmicks to pass big government takeover of health care.

HEALTH CARE REFORM

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

Mr. WESTMORELAND. Madam Speaker, looks like we may have a mystery worthy of an investigation by Scooby Doo and his gang here. This week, the House may pass a bill to overhaul one-sixth of our economy. But here we are Tuesday, and Scooby and Shaggy are scratching their heads trying to figure out, one, what's in the bill; two, what special backroom deals have been cut, and three, how can Democrats impose on the American people a bill they don't even have the courage to vote on.

Here are our clues. Speaker PELOSI says we're not allowed to see what's in the bill until it passes, and she says ''no one'' wants to vote for the bill that she's forcing through. We know there are special payoffs for States like Nebraska. We know there are political payoffs. We know there are tax hikes and Medicare cuts, and it's not a mystery why the Democrats are going to try to invent a ghostly scheme to pass this terrible bill.

And when the Scooby gang unmasks the ghost, we'll hear the Speaker say, I would have gotten away with it, too, if it weren't for those meddling Americans. Ruh-roh.

HEALTH CARE REFORM

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

Mr. CAO. Madam Speaker, the basic tenets of a democracy are those that protect life, liberty, and the pursuit of happiness. Accessible, affordable health care that protects life is one of those tenets. This is why I applaud President Obama for his strength and determination in pushing for health care reform in the face of great adversity.

I support H.R. 3962, the Health Care Reform Bill, that passed the U.S. House on November 7, 2009, because it tries to provide affordable health care while protecting life. And I stand ready to support health care reform again so long as the reconciliation bill seeks the same goals.

As of now, the Senate health care bill falls short and even contradicts the most basic principle of civilization: Thou shalt not kill. The Senate bill willfully excludes the language of the Hyde Amendment and seeks to expand funding and the role of the Federal Government in the despicable killing of the unborn. It also fails to incorporate provisions to protect the conscience of medical providers regarding abortion, as found in the Hyde-Weldon Amendment. These flaws are so devastating in their effects that they override any good the Senate health care bill seeks to promote.

Until this House fixes the abortion language and incorporates a conscience protection clause, I stand firmly in opposition.

HEALTH CARE REFORM

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

Mr. TURNER. Madam Speaker, I am just a bill, and I am sitting here on Capitol Hill waiting for a vote, apparently, unless you're in NANCY PELOSI's House. Unlike in ''School House Rock,'' NANCY PELOSI says that this little guy doesn't need to wait around for a vote. He can be deemed to be passed.

Now, this is a new one for my daughter Jessica's high school government class. They can't understand how Speaker PELOSI can deem a bill passed without a vote. There is no deeming a bill passed in ''School House Rock'' or in the expectations of the American people.

In today's Washington Post, Speaker PELOSI tells us why she wants to deem the health care bill passed without a vote. She suggests that it politically protects lawmakers who are reluctantly supporting the measure. However, the American people are smart. They know that for this bill to become law, it takes a vote.

Madam Speaker, let's stop the parliamentary tricks. Let's bring this bill to a vote, and I will be voting ''no.''

HEALTH CARE REFORM

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

Mrs. BIGGERT. Madam Speaker, the American people have made it very clear that they do not like or want this bill. How arrogant is it for the other side of the aisle to say to them, We know what's best for you, and we're going to pass it anyway. And then how arrogant is it for the other side of the aisle to say, We don't have to take a vote on this bill. We'll just deem it law.

In both cases the other side of the aisle is grossly underestimating the intelligence of the American people. The American people know that deeming is a vote on a bill that they don't like. Let's just have an up-or-down vote if we have to have a vote on this, and I vote ''no.''

HEALTH CARE REFORM

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

Mr. THORNBERRY. Madam Speaker, the Founding Fathers established this Congress so that individuals would be elected from all over the country, come here with different points of view, discuss those views, yes, but ultimately

take a vote on the issues of the day. And then the people who sent them here—the voters—could hold them accountable for the votes they cast here in this Chamber and in the other body across the way.

It would be inconceivable to them that this House would deem a bill passed without taking a direct vote up-or-down on the substance of the matter so that the voters back home could hold them accountable, and yet that is exactly the direction that this leadership tries to take the House today.

The American people already do not trust this institution. They do not believe that we are in touch with them and listening to them. The intentions of the leadership of this House will only carry those suspicions further and further betray the trust that American people should have in their elected representatives.

We should start over and do it again.

HEALTH CARE REFORM

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

Mr. BROUN of Georgia. Madam Speaker, I don't think the American people can be any clearer. They do not want this government-run health care bill that the President and leaders in this Congress are trying to ram down their throats. The leadership in this House have declared that socialized health care will become law without taking a vote on the actual bill. They are forcing this reconciliation ruse.

It's a simple answer. This bill contains billions of new taxes, kills jobs, provides for taxpayer-funded abortions, and places an enormous debt on the shoulders of our children and grandchildren. The fact is, many Democrats in Congress do not like this bill any more than the American people. They will be forced to vote for it with a promise that it will be fixed later, but we all know that this is an empty promise. It is a reconciliation to nowhere.

The Democrats may control Washington, but the American people still control this country. I urge all of my colleagues to stand up for your constituents and vote ''no'' on this scam.

□ 1530

HEALTH CARE REFORM

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

Mr. CAMPBELL. Madam Speaker, analysts tell us that the Medicare system in this country will be bankrupt in 7 years and that Social Security and Medicaid are not far behind. What that means is we can't pay for the entitlements we've got.

So what does this health care bill do? It adds more entitlements. It's like learning that you can't pay the mortgage on your house and buying a second one and five more cars. Americans wouldn't do that, but President Obama and the Democrats in this House are going to. We can't pay for the entitlements we've got. Let's pay for them first before we add new ones.

Unfortunately, because of the actions of this House, America is going bankrupt, and this health bill will hasten that bankruptcy. Vote ''no'' and kill this bill.

HEALTH CARE REFORM

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

Mr. BARTON of Texas. Madam Speaker, we have all seen the television program ''Deal or No Deal'' where you look at this case and you decide whether you want that case or you don't want the case and take the deal or not take the deal. Well, that's what we have, except this time, the Speaker of the House is saying that there may not even be a case, we don't want you to know what's in the case, we just want you to vote for this self-executing rule so that whatever happens happens.

Well, that self-executing rule, Madam Speaker, is well named, because the people that vote for it are probably going to be victims of their own execution at the next congressional election.

Let's have an up-or-down vote, just as the President has suggested, on a real bill, and make people accountable in their congressional districts whether they are for this massive health care bill, a government takeover of health care, or whether they want to keep the current system of private markets, private initiative and the market-based health care system.

Do not make us vote on the self-executing rule.

HEALTH CARE REFORM

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. TIM MURPHY of Pennsylvania. I have sent or received nearly 750,000 letters and emails from my office and have held 225 constituent town hall meetings. I have a pretty good idea why my constituents are upset about this health care bill. They were promised that it wouldn't tax health care, but it does. They were promised that it wouldn't mandate health care, but it does. They were promised it wouldn't raise taxes on people with incomes less than $250,000, but it does. You can only pay for this by doing some manipulation of taking $52 billion from Social Security and $72 billion from long-term health care. And it doesn't pay doctors to the tune of $371 billion. It doesn't allow doctors to volunteer at community health centers. It doesn't reduce infection rates at hospitals. And it doesn't deal with the $700 billion of waste in health care that we've got to address.

You don't reform health care by demonizing insurance companies, drug companies and doctors. And Americans are saying we've got to reform health care, not just continue to pass bills that are facades to real health reform.

And that's why they're mad as hell.

HEALTH CARE REFORM

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

Mr. MICA. Madam Speaker, my colleagues, the American people, and I think myself would like to see health care reform. There is a lot of room for improvement. There are a lot of people that don't have coverage or access to affordable health care.

Most of the people I talk to want their premiums down if they do have insurance. If you talk to Americans, what do they want now? They want jobs, and they want the economy expanded so people can even get their own health care. What they also want is a bipartisan effort on behalf of Congress to get these things done.

Instead, what they've got in all of the proposals before us is a proposal to cut Medicare and to dramatically increase taxes. What they wanted was some transparency in this process and openness. Instead, they are getting a closed-door deal and a back-door deal that is not transparent, not open to bipartisanship, imposes taxes on all Americans and, in fact, cuts Medicare for our poorest and oldest citizens. They just don't get it.

HEALTH CARE REFORM

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

Mr. CRENSHAW. Madam Speaker, I think most of you all know that the movie ''Alice in Wonderland'' opened in a theater near you just this last week. It's in three dimensions. And it obviously has inspired our Democratic friends in an effort to explain what is going on in this make-believe world they have created up here. There is an exchange in that ''Through the Looking Glass'' where Humpty Dumpty is talking to Alice. And Humpty Dumpty says, When I use a word, it means exactly what I choose it to mean, neither more nor less. But Alice asks the insightful question, Well, can you really make words mean so many different things?

And I think that is the question the American people are asking. Alice figured out that Humpty Dumpty was just making words mean what he wanted them to mean. And I think the American people are figuring out that the Democrats are just making up words like ''vote'' and then giving it a different meaning. People are smarter

than that. And I think there's a better way.

HEALTH CARE REFORM

(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. I really get a kick out of the Speaker. She thinks the American people don't get what's going on, but they do. The overwhelming majority of Americans don't want this, and they know that she's playing around with the rules here in the House.

And so I just want to make one little statement to the Speaker if she is paying attention. Abraham Lincoln, who was a Member of this body a long time ago, said, You can fool all of the people some of the time, and some of the people all of the time, but you can't fool all of the people all of the time.

And if those people on that side of the aisle vote for this turkey, they're going to pay in November.

HEALTH CARE REFORM

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

Mr. FLAKE. Madam Speaker, one of my favorite things to do is go to a local high school and talk to government classes. For the past 10 years that I've been doing this, I have always told them, there are certain things that are done in the House that are there to protect the minority. One is during appropriation bills: any Member can bring any amendment to the floor on anything they want to that is germane to the bill, and the leadership can't stop them, even their own party or the other party.

This past year, I wasn't able to say that anymore because for the first time in the history of this institution, every appropriation bill that came to the floor was brought under a closed rule so only the amendments that the majority wanted to be offered could be offered.

Something similar is happening here. All of us have told classes that we have taught that your history books are right, if a bill passes the House and a different bill passes the Senate, the House will have to vote on it again. But here we're being told, no, you don't have to do that anymore. You can deem it passed. It just magically appears back in the Senate without having a vote here in the House.

Our institution, this institution, the people's institution, deserves better than that.

HEALTH CARE REFORM

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

Mr. GRAVES. Madam Speaker, I rise today to voice my opposition to this piece of legislation. This is a government takeover of health care. Over the last few months, the American people have voiced their opposition to this bill loud and clear. They know that this bill is being pushed with false promises and backroom deals, and they have had enough. This bill will put the American Government between patients and their doctors. It's going to raise taxes and increase regulations. It will hurt small business owners, the very people who create 7 out of every 10 jobs in this country, by hitting them with impossible mandates.

Make no mistake: this bill will destroy jobs in this country and freeze our economic recovery.

Madam Speaker, Americans know that the answer to the problems in our health care system is not bigger government and more bureaucrats. The answer is more competition and better choices. My colleagues and I have introduced several commonsense reform pieces, but they have been ignored by the majority. It's not too late to start over on legislation that will increase access for all Americans and help control costs. However, this bill is not the answer. I urge my colleagues to vote against it.

HEALTH CARE REFORM

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

Mr. MCCARTHY of California. Madam Speaker, just last week I was listening to the Speaker talk about health care. She said—and I had to actually look it up in the transcripts because I couldn't believe what I heard—Madam Speaker, Speaker PELOSI said, ''We have to pass it so you can see what's in it.'' Well, she was wrong then, and she is wrong now. The Democratic majority in this people's House is not listening to the people. Americans do not want this bill.

How do we know this? Well, because in my own town halls last summer, which I had in Bakersfield, California, and Paso Robles, more than 5,000 constituents turned out just to say that. And it is not just because they don't know what's in the bill. They get it. They don't like it. They don't like the political payoffs, the job-killing tax hikes, the huge cuts in Medicare; and most of all, they don't like Washington running their health care.

Maybe that's why this House Democratic majority is poised to use the parliamentary procedure to pass this bill without an actual vote. By doing this, the House majority will prove, once again, they are not listening. It's time for a new direction. Scrap the bill and start over.

HEALTH CARE REFORM

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

Mr. SMITH of Texas. Madam Speaker, here are 10 reasons why the administration's health bill makes no sense according to Investor's Business Daily. Number one, the people don't want it. In fact, the majority of Americans are opposed to it. Two, doctors don't want it. Three, people are happy with the health care they have. Four, it doesn't cover the people they set out to cover. Five, costs will go up, not down. Six, real cost controls are nowhere to be found. Seven, insurance premiums will rise, not fall. Eight, Medicare is already bankrupting us. Nine, medical care will also deteriorate. And, ten, rationing of care is inevitable.

Madam Speaker, the conclusion is clear: Congress should start over and get it right.

HEALTH CARE REFORM

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

Mr. KINGSTON. Madam Speaker, if the Democrats are so proud of the health care bill, why the subterfuge? Speaker PELOSI said, If we can't cross the fence, we will pole vault over it. We will tunnel under it, we will break through it. In other words, they are going to subvert the legislative process.

If they are so proud of the health care bill, why the Cornhusker kickback? Why the Louisiana purchase? Why the Gator aid? Why the hospital for the folks in Connecticut? Why all the other special interest bills? And if they are so proud, why not post it on the Web page? But, in fact, here is what the Speaker said. These are NANCY PELOSI's words: ''We have to pass the bill so that you can find out what's in it.'' In other words, the height of D.C. arrogance and Beltway we-know-best.

I call on fair-minded Democrats to join me in denouncing this process and standing up for transparent, fair, and open government. Let's have a bill that comes to the floor in which amendments are allowed and one that has come through the committee process.

HEALTH CARE REFORM

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

Mr. MCCAUL. Madam Speaker, the American people have spoken loud and clear on this issue as recently as the Massachusetts election. They want health care reform, but they reject this bill. This administration and the Democrat majority have been tone deaf to this message. Speaker PELOSI just said, ''We need to pass this bill to see what's in it.''

I don't quite understand what that really means. But I will tell you what's in this bill: there's over $500 billion in tax increases, a cut to Medicare by $500 billion, a new form of government-run

health care insurance by the Office of Personnel Management, a cut to Social Security by $4.2 billion, and sweetheart deals, basically legalized bribery, to buy off votes of the Senate by the Louisiana purchase, the Cornhusker kickback and the Gator aid.

To those Blue Dog Democrats, 40 sitting in conservative districts, do the right thing. Don't walk the plank on this bill. This is still the United States of America, and we're going to take this country back.

□ 1545

UNACCEPTABLE GROWTH OF GOVERNMENT

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

Mr. KLINE of Minnesota. Madam Speaker, we have been talking all day about this bill that is that 2,700-page Senate bill, this bill that increases bureaucracies and bureaucrats and gives more government power and more government control. We know the American people don't like it, and we are speaking against it.

But that is not bad enough. At the same time, using this convoluted parliamentary procedure, our Democratic colleagues want to have the government take over the student lending business, build up bigger bureaucracy, wipe out 30,000 private sector jobs, make the Department of Education one of the largest banks in the country lending $100 billion a year of money that we don't have, money that we have to borrow from China before we can lend it to students.

So whether it is health care or it is student lending, we are watching a massive growth of government power, size, and spending, and I deem that unacceptable.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. FLAKE. Madam Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intent to offer a resolution raising a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, the Committee on Standards of Official Conduct initiated an investigation into allegations related to earmarks and campaign contributions in the Spring of 2009.

Whereas, on December 2, 2009, reports and findings in seven separate matters involving the alleged connection between earmarks and campaign contributions were forwarded by the Office of Congressional Ethics to the Standards Committee.

Whereas, on February 26, 2010, the Standards Committee made public its report on the matter wherein the Committee found, though a widespread perception exists among corporations and lobbyists that campaign contributions provide a greater chance of obtaining earmarks, there was no evidence that Members or their staff considered contributions when requesting earmarks.

Whereas, the Committee indicated that, with respect to the matters forwarded by the Office of Congressional Ethics, neither the evidence cited in the OCE's findings nor the evidence in the record before the Standards Committee provided a substantial reason to believe that violations of applicable standards of conduct occurred.

Whereas, the Office of Congressional Ethics is prohibited from reviewing activities taking place prior to March of 2008 and lacks the authority to subpoena witnesses and documents.

Whereas, for example, the Office of Congressional Ethics noted that in some instances documents were redacted or specific information was not provided and that, in at least one instance, they had reason to believe a witness withheld information requested and did not identify what was being withheld.

Whereas, the Office of Congressional Ethics also noted that they were able to interview only six former employees of the PMA Group, with many former employees refusing to consent to interviews and the OCE unable to obtain evidence within PMA's possession.

Whereas, Roll Call noted that ''the committee report was five pages long and included no documentation of any evidence collected or any interviews conducted by the committee, beyond a statement that the investigation 'included extensive document reviews and interviews with numerous witnesses.' '' (Roll Call, March 8, 2010)

Whereas, it is unclear whether the Standards Committee included in their investigation any activities that occurred prior to 2008.

Whereas, it is unclear whether the Standards Committee interviewed any Members in the course of their investigation.

Whereas, it is unclear whether the Standards Committee, in the course of their investigation, initiated their own subpoenas or followed the Office of Congressional Ethics recommendations to issue subpoenas. Therefore, be it

Resolved, That not later than seven days after the adoption of this resolution, the Committee on Standards of Official Conduct shall report to the House of Representatives, with respect to the activities addressed in its report of February 26, 2010, (1) how many witnesses were interviewed, (2) how many, if any, subpoenas were issued in the course of their investigation, and (3) what documents were reviewed and their availability for public review.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Arizona will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

SUPPORTING GOALS AND IDEALS OF RED CROSS MONTH

Ms. WATSON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 311) expressing the support of the House of Representatives for the goals and ideals of Red Cross Month.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 311

Whereas the American National Red Cross, one of the most well-known humanitarian organizations in the world, was founded by Clara Barton in Washington, DC, on May 21, 1881;

Whereas the American National Red Cross received a congressional charter in 1905 setting forth the purposes of the organization, which include giving relief to and serving as a medium of communication between members of the Armed Forces of the United States and their families, and providing national and international disaster relief and mitigation;

Whereas the American National Red Cross depends on the support of the people of the United States to accomplish the mission of the organization;

Whereas the American National Red Cross has been at the forefront of helping individuals and families prevent, prepare for, and respond to disasters for more than 127 years, including more than 70,000 disasters annually, ranging from apartment and single-family home fires, the most common type of disaster, to hurricanes, floods, earthquakes, wildfires, tornadoes, hazardous materials spills, transportation accidents, explosions, and other natural and human-caused disasters;

Whereas, when a disaster strikes or is imminent, communities throughout the United States depend on the American National Red Cross to help meet the basic and urgent needs of affected individuals, including shelter, food, healthcare, and mental health services;

Whereas the ''Be Red Cross Ready'' safety program encourages the people of the United States to take the 3 actions that will help them ''Be Red Cross Ready'' for a disaster: ''Get a Kit, Make a Plan, Be Informed'';

Whereas the ''Be Red Cross Ready'' safety program represents a major effort by the American National Red Cross to encourage the people of the United States to be more prepared for a disaster or other emergency;

Whereas, since 1943, every President of the United States has proclaimed March to be ''Red Cross Month''; and

Whereas the American National Red Cross uses Red Cross Month as an opportunity to promote the services and programs the organization provides to the people of the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of Red Cross Month;

(2) recognizes the contributions of American National Red Cross volunteers in times

of natural and human-caused disasters, and in times of armed conflict; and

(3) encourages the people of the United States to ''Get a Kit, Make a Plan, and Be Informed''.

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I am grateful for the opportunity to speak today and to vote on H. Res. 311, a bill I introduced to honor one of the most well-known humanitarian organizations in the world, the American National Red Cross. This bill expresses the support of the House of Representatives for the work of this important institution by honoring March as Red Cross Month.

Since the American National Red Cross was founded by Clara Barton on May 21, 1881, the organization has been at the forefront of providing relief to individuals around the world during times of great crisis. The American National Red Cross provides relief for more than 70,000 disasters annually, ranging from small home fires to hurricanes, floods, tornados, conflicts, and earthquakes, such as those that recently struck in Haiti and Chile. And I understand there was a 4.4 earthquake today in the Los Angeles area.

The American National Red Cross has had a presence in Haiti since 2004, supporting local disaster preparedness, HIV education, malaria prevention, and measles immunization programs.

In the 2 months since the devastating earthquake struck on January 12, the American National Red Cross has allocated $106.4 million for Haitian relief and development and efforts to provide both short-term and long-term assistance to the survivors. In just 2 months, the global Red Cross network has provided relief items for 400,000 people, including 99,000 tarps, tents, shelter tool kits, and meals for more than 1 million people, 40 million liters of clean drinking water, built more than 1,100 latrines, helped vaccinate more than 125 people, treated more than 55,000 people at Red Cross hospitals or mobile clinics, and assisted more than 25,000 people who arrived in the United States following the earthquake.

With an estimated 1.3 million Haitians left homeless by the earthquake, the difficult and noble work the American National Red Cross has undertaken in Haiti is an effort that each and every American can be proud of. However, the relief they bring to Haiti is only one example in over 129 years of exemplary humanitarian service.

This institution represents the best aspect of the American spirit to people all around the world. When a disaster strikes, the sign of the Red Cross is a source of comfort and hope, and a reminder of the generosity and the caring nature of the United States and its citizens.

Since 1943, every President of the United States has proclaimed March as Red Cross Month, and I urge my colleagues to continue this tradition and support H. Res. 311.

Madam Speaker, I reserve the balance of my time.

□ 1600

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

I rise in strong support of House Resolution 311, introduced by my good friend from California, Ambassador Watson. For the past 129 years, the American Red Cross has been providing material and emotional support to victims of disasters and to our military families. Many of us know the story of the founding of the national organization by Clara Barton in the aftermath of her service during the Civil War. But, my colleagues may be less familiar with the fact that 93 years ago this week, Miami philanthropist Harriet Parsons James convened a group of local residents to begin the southeastern Florida chapter of the American Red Cross. A month later, Mrs. Florence Spottswood of Key West gathered a group of local leaders in the Keys to start what soon became the Key West chapter of the American Red Cross. Madam Speaker, the Spottswood family name is still associated with philanthropy and altruistic good works in the Florida Keys.

After several years of humanitarian service, those organizations merged in May of 1987, and today the South Florida Region American Red Cross continues to be an indispensable neighbor to the people of my congressional district. In the past year, it has responded to 556 local emergencies, delivered nearly 1,000 emergency messages to and from military families, and trained more than 19,000 people in lifesaving skills in our community. Whether it is in response to hurricanes, in response to house fires, the volunteers and supporters of the South Florida Region continue to provide critical aid, for which we are deeply grateful.

Mr. Speaker, in the aftermath of the earthquake in Haiti, the American Red Cross in Miami-Dade, Broward, Monroe, and Palm Beach counties assisted more than 13,000 U.S. citizens who were flown to south Florida by the U.S. Government. They served nearly 10,000 meals. They provided mental health support to nearly 2,000 people. Nationwide, the American Red Cross has raised over $350 million for earthquake relief and development efforts. It has already used more than $100 million to provide food, water, relief supplies, shelter, and health services to the people of Haiti.

I am proud to join my colleagues in supporting the ideals of Red Cross Month. Whether it is providing disaster relief, safe blood, or communications between our military members and their families, the American Red Cross is one of the most enduring and successful examples of the volunteer spirit at the heart of our Nation.

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

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

Ms. ROS-LEHTINEN. Mr. Speaker, if I could inform Ambassador Watson that I have some more remarks to make, I yield myself such time as I may consume.

I want to take a moment to highlight an unfortunate absurdity that we are confronted with today, Mr. Speaker. I'm proud to support the resolution before us, but all of us recognize that dedicated people of the American Red Cross will continue to do their good work regardless of whether they are congratulated by this body. Yet the Democratic leadership has taken care to ensure that this symbolic resolution will receive a vote today—something that they may deny to the trillion-dollar Senate health care bill.

To recap, we're able to debate and vote on this nonbinding resolution. That is well and good. Yet we are denied the chance to vote on this huge, expensive Senate health care bill. The procedure being discussed in the press attempts to get around the basic requirements of the Constitution—that both Houses of Congress must pass the same bill text before it is presented to the President and signed into law.

As the director of the Constitutional Law Center at Stanford Law School, former Federal Circuit Court Judge Michael McConnell wrote in yesterday's Wall Street Journal: ''Under Article I, section 7, passage of one bill cannot be deemed to be enactment of another.'' I'm sorry if the Democratic leadership feels that the burdens of representative government outlined by our Constitution are too great a burden for their agenda to bear. But that momentous bill deserves at least as much consideration as we are giving to the wide range of nonbinding resolutions that we are considering this week.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H. Res. 311 to recognize the American National Red Cross and to express my support for the Goals and Ideals of Red Cross Month.

The Red Cross is one of the most effective and important disaster relief organizations in the world, and since its founding in 1881, the Red Cross has worked diligently to prevent and relieve suffering. As a non-practicing Registered Nurse, I am still moved by the lifesaving work that the Red Cross does in some

of the most difficult places on the planet, and I am proud to recognize this organization and all of their efforts. Additionally, every President of the United States since 1943 has proclaimed March to be Red Cross Month and because of this, I am happy to join people across the county in supporting this remarkable organization.

Mr. Speaker, the American National Red Cross is one of our country's greatest treasures, and the work that they do is unmatched across the globe. I encourage my fellow colleagues to join me today in supporting this resolution to recognize this organization and support the goals and ideals of Red Cross Month.

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

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

The SPEAKER pro tempore (Mr. GUTIERREZ). The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 311.

The question was taken.

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

Ms. WATSON. 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 PERSECUTION OF FALUN GONG

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 605) recognizing the continued persecution of Falun Gong practitioners in China on the 10th anniversary of the Chinese Communist Party campaign to suppress the Falun Gong spiritual movement and calling for an immediate end to the campaign to persecute, intimidate, imprison, and torture Falun Gong practitioners, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 605

Whereas Falun Gong is a traditional Chinese spiritual discipline founded by Li Hongzhi in 1992, which consists of spiritual, religious, and moral teachings for daily life, meditation, and exercise, based upon the principles of truthfulness, compassion, and tolerance;

Whereas according to the 2008 Annual Report of the Congressional-Executive Commission on China, ''tens of millions of Chinese citizens practiced Falun Gong in the 1990s and adherents to the spiritual movement inside of China are estimated to still number in the hundreds of thousands despite the government's ongoing crackdown,'' and other estimates published in Western press place the number of Falun Gong adherents currently in China at the tens of millions;

Whereas in 1996, Falun Gong books were banned in China and state media began a campaign criticizing Falun Gong;

Whereas in 1999, Chinese police began disrupting Falun Gong morning exercises in public parks and began searching the homes of Falun Gong practitioners;

Whereas on April 25, 1999, over 10,000 Falun Gong practitioners gathered outside the State Council Office of Petitions in Beijing, next to the Communist Party leadership compound, to request that arrested Falun Gong practitioners be released, the ban on publication of Falun Gong books be lifted, and that Falun Gong practitioners be allowed to resume their activities without government interference;

Whereas on the same day, immediately after then-Premier Zhu Rongji met with Falun Gong representatives in his office and agreed to the release of arrested practitioners, Communist Party Chairman Jiang Zemin criticized Zhu's actions and ordered a crackdown on Falun Gong;

Whereas in June 1999, Jiang Zemin ordered the creation of the 6-10 office, an extrajudicial security apparatus, given the mandate to ''eradicate'' Falun Gong;

Whereas in July 1999, Chinese police began arresting leading Falun Gong practitioners;

Whereas on July 22, 1999, Chinese state media began a major propaganda campaign to ban Falun Gong for ''disturbing social order'' and warning Chinese citizens that the practice of Falun Gong was forbidden;

Whereas in October 1999, Party Chairman Jiang Zemin, according to western press articles, ''ordered that Falun Gong be branded as a 'cult', and then demanded that a law be passed banning cults'';

Whereas Chinese authorities have devoted extensive time and resources over the past decade worldwide to distributing false propaganda claiming that Falun Gong is a suicidal and militant ''evil cult'' rather than a spiritual movement which draws upon traditional Chinese concepts of meditation and exercise;

Whereas on October 10, 2004, the House of Representatives adopted by voice vote House Concurrent Resolution 304, which had 75 bipartisan co-sponsors, titled ''Expressing the sense of Congress regarding oppression by the Government of the People's Republic of China of Falun Gong in the United States and in China,'' and that the text of this resolution noted that ''the Chinese Government has also attempted to silence the Falun Gong movement and Chinese prodemocracy groups inside the United States'';

Whereas, on October 18, 2005, highly respected human rights attorney Gao Zhisheng wrote a letter to Chinese Communist Party Chairman Hu Jintao and Premier Wen Jiabao calling for an end to the persecution of Falun Gong and Chinese authorities, in response, closed his law office and took away his law license, with Chinese security forces suspected of being directly involved in Mr. Gao's disappearance on February 4, 2009;

Whereas Gao Zhisheng's family has subsequently been granted political asylum in the United States;

Whereas the United Nations Committee Against Torture in its fourth periodic report of China, issued on December 12, 2008, stated that ''The State party should immediately conduct or commission an independent investigation of the claims that some Falun Gong practitioners have been subjected to torture and used for organ transplants and take measures, as appropriate, to ensure that those responsible for such abuses are prosecuted and punished.'';

Whereas the Amnesty International 2008 annual report states that ''Falun Gong practitioners were at particularly high risk of torture and other ill-treatment in detention . . . during the year 2007 over 100 Falun Gong practitioners were reported to have died in detention or shortly after release as a result of torture, denial of food or medical treatment, and other forms of ill-treatment.'';

Whereas according to the 2008 Department of State's Human Rights Report on China, ''Some foreign observers estimated that Falun Gong adherents constituted at least half of the 250,000 officially recorded inmates in re-education through labor (RTL) camps, while Falun Gong sources overseas placed the number even higher.'';

Whereas according to the 2008 Annual Report of the Congressional-Executive Commission on China, ''The (Chinese) central government intensified its nine-year campaign of persecution against Falun Gong practitioners in the months leading up to the 2008 Beijing Summer Olympic Games.'';

Whereas Falun Gong-related websites remain among the most systematically and hermetically blocked by China's Internet firewall; and

Whereas, according to an April 2009 New York Times report, ''In the past year, as many as 8,000 (Falun Gong) practitioners have been detained, according to experts on human rights, and at least 100 have died in custody'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses sympathy to Falun Gong practitioners and their family members who have suffered persecution, intimidation, imprisonment, torture, and even death for the past decade solely because of adherence to their personal beliefs;

(2) calls upon the Government of the People's Republic of China to immediately cease and desist from its campaign to persecute, intimidate, imprison, and torture Falun Gong practitioners, to immediately abolish the 6-10 office, an extrajudicial security apparatus given the mandate to ''eradicate'' Falun Gong, and to immediately release Falun Gong practitioners, detained solely for their beliefs, from prisons and re-education through labor (RTL) camps, including those practitioners who are the relatives of United States citizens and permanent residents; and

(3) calls upon the President and Members of Congress to mark the 11th anniversary of Chinese official repression of the Falun Gong spiritual movement appropriately and effectively by publicly expressing solidarity with those practitioners in China persecuted solely because of their personal beliefs, and by meeting with Falun Gong practitioners whenever and wherever possible to indicate that support for freedom of conscience remains a fundamental principle of the United States Government.

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

This resolution recognizes the continued persecution of Falun Gong practitioners in China on the 11th anniversary of the government crackdown on the spiritual movement. I would like to thank my friend, the gentlewoman from Florida (Ms. ROS-LEHTINEN), the ranking member of the House Committee on Foreign Affairs, for introducing this legislation and for her dedication to this issue.

Since 1999, the Chinese government has undertaken a harsh campaign of suppression against the Falun Gong movement, banning its presence in China and banning it as an ''illegal cult.'' According to the 2009 annual report of the Congressional-Executive Commission on China, Chinese authorities ''conducted propaganda campaigns that deride Falun Gong, carried out strict surveillance of practitioners, detained and imprisoned large numbers of practitioners, and subjected some who refused to disavow Falun Gong to torture and other abuses in reeducation through labor facilities.'' According to the State Department's latest human rights report on China, the Falun Gong's core leadership was ''singled out for particularly harsh treatment,'' and simply believing in the discipline—without publicly practicing any of its tenets—was enough for practitioners to be punished or imprisoned.

Falun Gong is a spiritual movement combining meditation and breathing exercises, with a doctrine loosely rooted in Buddhist and Daoist teachings. The Chinese government banned the group's existence and its practices in 1999, after thousands of practitioners gathered in Beijing to protest the government's restrictions on the group's activities. Chinese authorities are obsessed with eradicating the group because they believe it could pose a challenge to one-party rule and has the potential to generate social unrest and instability.

This resolution calls upon the Chinese government to immediately end its decade-long campaign to prosecute, intimidate, and imprison Falun Gong practitioners solely because of their personal beliefs. It also calls on China to release those practitioners being held in prisons and labor camps throughout the country. Finally, this resolution expresses sympathy to Falun Gong followers and their family members for the suffering that has been inflicted on them at the hands of the Chinese government.

I strongly support this resolution, and urge my colleagues to do the same.

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

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

It is a delight to work with my wonderful colleague from California, Ambassador WATSON. We greatly regret that she will be retiring from the halls of Congress, but we look forward to working with her in another capacity.

I am proud to rise, Mr. Speaker, as the author of this resolution, which addresses one of the most flagrant examples of systematic persecution against a particular group currently taking place. The Chinese Communist regime's obsessive and relentless hunting down of Falun Gong practitioners, which is a spiritual discipline based on truthfulness, compassion, and tolerance, says a great deal about the insecurity and the paranoia of the current rulers in Beijing.

While this resolution gives a detailed accounting from authoritative international sources of the last 11 years of Beijing's bloody crackdown on Falun Gong, there are two particular areas, Mr. Speaker, which I would like to address in greater detail. First is the issue of the penetration of agents of an alien Communist regime right here inside the United States to wage a campaign of repression against U.S. citizens. And, second, is the issue of coercive organ transplants involving a ''bloody harvest'' from Falun Gong practitioners inside China.

How could one believe that diplomats of a foreign regime would collude with secret agents and thugs to suppress the constitutional right of our fellow citizens right here in America? Well, Mr. Speaker, clear evidence indicates that that is exactly what is happening with Chinese agents persecuting American Falun Gong practitioners in our own country.

Just ask Bill Fang, who was assaulted on the streets of Chicago back in 2001, as he was peacefully demonstrating in front of the Chinese consulate. That assault led to a criminal conviction in the Circuit Court of Cook County. Or, just ask Judy Chen, the proud mother of two United States Marines then serving in Iraq, who was manhandled in May of 2008 by thugs with reported Chinese regime ties while she was handing out Falun Gong literature in front of a public library in Flushing, New York.

□ 1615

It is high time for our State Department to get tough and to let the Chinese regime know that any of its staff members who engage in activities in the U.S. incompatible with their diplomatic status, including encouraging such illegal acts, are persona non grata in the United States.

On the issue of organ transplants, Mr. Speaker, it should be noted that this resolution cites the recommendation of the U.N. Committee on Torture, calling for an independent investigation ''into the claims that some Falun Gong practitioners have been subjected to torture and used for organ transplants.''

I would like to further point out that expert testimony given before a subcommittee on the Foreign Affairs Committee appears to corroborate the charges of coercive organ transplants in China. A hearing was held before the Subcommittee on Oversight and Investigations on September 29, 2006, entitled ''Falun Gong: Organ Harvesting and China's Ongoing War on Human Rights.'' Committee witness Kirk Allison, Ph.D. of the University of Minnesota testified: ''In my meeting with practitioners in June 2006, evidence included transcripts of queries to identified hospitals and physicians on organ availability. Falun Gong sources were characterized as being of high quality and often available in as short a time as a week, and in some cases with a guarantee of a backup organ should the first fail.''

The systematic killing of Falun Gong practitioners for their organs is almost too ghoulish to imagine. It seems incomprehensible that in the 21st century such barbaric acts could occur, a cruelty comparable to imperial Romans throwing Christian martyrs to be eaten by lions. The stark reality which this resolution addresses gives new meaning to the phrase ''butchers of Beijing.'' The Beijing regime of today engages in the barbaric repression of some of its own people simply because they seek to practice a peaceful spiritual discipline. Several hundred have reportedly died, and hundreds of thousands remain in detention in reeducation through labor camps. How can anyone seriously call these the actions of a responsible stakeholder? I strongly and enthusiastically urge my colleagues to support this resolution.

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

Ms. WATSON. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from California, Representative LYNN WOOLSEY, chairwoman of the Education and Labor Subcommittee on Workforce Protections and a member of the Foreign Affairs Committee.

Ms. WOOLSEY. First of all, I would like to thank the two women who are here bringing this resolution to the House floor. It's so very important. I rise today in support of H. Res. 605, a resolution recognizing the continuing persecution of Falun Gong practitioners in China.

In 2002, Mr. Speaker, I authored a resolution expressing the sense of the Congress regarding the Chinese Government's oppression of Falun Gong in the United States and in the People's Republic of China. Sadly, 8 years later, the persecution continues. People are being sent to jail, to work camps and are assaulted for their practice of Falun Gong. China has claimed that the Falun Gong practitioners are ''disturbing social order'' and have labeled the practice an evil cult.

International media reports have found that over 100 Falun Gong followers have died in the custody of the Chinese Government. All people, even those in China, have the internationally recognized freedoms of association and religion. The Chinese Government must put a stop to this inhumane persecution. I urge my colleagues, stand up for human rights and vote ''yes'' on this resolution, H. Res. 605.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of H. Res. 605, defending the human rights of Falun Gong practitioners, savagely persecuted by the Chinese government, and thank my good friend Ms. ROS-LEHTINEN for introducing this resolution.

On the tenth anniversary of the Falun Gong's inspiring silent protest at Zhongnanhai many people still do not understand the savagery of the Mao-style campaign which the Communist Party unleashed in 1999.

The story of a typical Falun Gong arrest is horrific: first the government beats them, later it tortures them, molesting and sometimes raping women, sends them to forced labor camps and then brainwashing classes, all the while a high-profile publicity campaign defames and humiliates them. And it has been documented that it has killed at least 3,000 of the Falun Gong.

Members of Falun Gong will not pretend to accept Marxism-Leninism, and so the government brands them an ''evil cult.'' They practice non-violence, and the government assaults them with cattle prods. Their hearts are remarkably serene, and so the government engages in psychiatric torture.

The Falun Gong are one of a wide array of religious faiths and spiritual groups in China, yet members of Falun Gong are the majority of all reported cases of torture and half of China's labor camp population—well over one hundred thousand of them.

Many of the Falun Gong have fled to America, and the government has followed them here, cyber-attacking their American Web sites, installing agents in their midst, and raising crowds to harass and beat them, as happened last year in New York.

Mr. Speaker, one of the invaluable things about this resolution is that it officially documents this Chinese-government sponsored violence on American soil, exercised against American citizens.

We need to learn more about whether our government is doing everything it can to protect the Falun Gong here in America.

I was in China last July, trying to visit human rights activists in the run-up to the Olympics. I remember going into an Internet cafe and trying to look up Falun Gong. You know the story: nothing. Search engines had been doctored. I wonder, if I were not a U.S. Congressman, would that search have gotten me identified, tracked, and tortured? After all, even foreign journalists who ask about Falun Gong have been arrested, and some have been beaten.

And would U.S. companies have been involved in identifying me? Sadly, we know it for a well-documented fact, from a six-hour hearing I held in 2006, that some leading U.S. IT companies are involved in censoring the Chinese Internet and turn over personally identifying information to the Chinese Internet police, making it possible to track and imprison dissidents.

I mention this because many members of Falun Gong are great heroes of Internet freedom. Several members have come to my office and demonstrated how they help millions of Chinese men and women break the so-called ''Great Firewall of China'' with which the Chinese government tries to cut its citizens off from the global Internet.

Mr. Speaker, Falun Gong practitioners have been great witnesses of courage and peace. Again I thank Ms. ROS-LEHTINEN for introducing this resolution.

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of H. Res. 605, which condemns the Chinese government's targeted, persistent and egregious persecution of Falun Gong practitioners. This resolution was introduced last year to commemorate the tenth anniversary of the Chinese Communist Party's campaign to suppress the Falun Gong spiritual movement. Sadly, the persecution of Falun Gong practitioners and anyone associated with them, including lawyers who try to defend their human rights, continues today.

Since 1999, 6,000 Falun Gong practitioners have been sentenced to prison, over 100,000 were sentenced to re-education through labor camps, and at least 3,000 died while in police custody. They have been sent to special high security psychiatric hospitals for the ''criminally insane'' against their will where torture has been widely reported. Lawyers trying to defend their rights have been harassed, beaten and attacked by police officers in order to intimidate them. One of China's most prominent human rights advocates, Gao Zhiseng, who has defended the rights of many individuals attacked for their religious beliefs, was detained by police in February 2009 and his whereabouts are still unknown. The government continues to deny any involvement in his case.

The Government of China censors all media in China and actively opposes any information exposing its brutality and injustice. But the truth is clear to us today. This resolution is a testament to the millions of victims of the Chinese Communist Party that the Chinese government cannot hide the truth, and its victims will not be forgotten.

This resolution also stands as a statement of the U.S. Congress's continued support for the inalienable right to freedom of religion and expression recognized in the Universal Declaration of Human Rights that applies to all people everywhere. To be taken seriously as a participant in the twenty-first century global economy, China must take the rights of their citizens seriously. Egregious injustices, such as those suffered by the Falun Gong practitioners and others targeted by the Chinese Communist Party, are unacceptable in a civilized world and must end today.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 605, 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.

Ms. WATSON. 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.

THANKING VANCOUVER FOR 2010 WINTER OLYMPICS

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1128) thanking Vancouver for hosting the world during the 2010 Winter Olympics and honoring the athletes from Team USA, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1128

Whereas the people of Canada opened their hearts and their home to the athletes of the world;

Whereas the Olympics foster healthy competition and interaction among nations;

Whereas these games were not without moments of tribulation and tragedy, but the courage and resolve of the athletes to continue was inspirational;

Whereas the United States won a record 37 medals, 9 gold, 15 silver, and 13 bronze;

Whereas the United States won the overall medal count for the first time since 1932, the highest medal total by any one nation in the history of the Winter Olympics;

Whereas the United States men's and women's silver medal hockey teams excited and inspired the games with their world class play;

Whereas Apolo Anton Ohno won his seventh and eighth medals to become the most decorated United States Winter Olympian of all time;

Whereas the United States earned medals in Nordic Combined events for the first time in history, took the gold in men's figure skating, and won a gold medal in bobsledding for the first time since 1948;

Whereas United States teams and individual athletes should be honored for their contributions to these monumental achievements;

Whereas some athletes must overcome great personal adversity to realize their Olympic dreams;

Whereas the strong performances by United States Olympic athletes inspire children across the Nation to engage in physical fitness, work hard, and set high personal goals;

Whereas the dedication and sacrifice of the families, coaches, and communities associated with Olympic athletes should also be recognized; and

Whereas the Olympic torch has been extinguished in Vancouver, but the flame of camaraderie burns on in the hearts and minds of the world community: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the City of Vancouver, Team USA, and the athletes of the world for an outstanding and inspiring 2010 Winter Olympics; and

(2) wishes participants in the 2010 Paralympic Winter Games success in their athletic endeavors.

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include

extraneous material on the resolution under consideration.

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

There was no objection.

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

Last month, over 2,600 athletes from 82 nations came together in the beautiful city of Vancouver, Canada, to compete in the 21st Winter Olympic Games. All of us were proud to watch as Team USA not only won more medals than any other country, the first time they had done that since 1932, but the most medals ever won by a single nation in any Winter Games.

Apollo Anton Ohno won his seventh and eighth Olympic medals in short track speed skating, making him the most decorated American Winter Olympian of all time. Americans Lindsey Vonn and Bode Miller both won multiple medals in the thrilling alpine skiing events. American athletes won Olympic medals in the sport of Nordic combined for the first time ever and the first gold in bobsled since 1948. And Evan Lysecek won the gold in the men's figure skating, the first time an American has done that since 1988.

As we celebrate the incredible achievements of Team USA, it is also important to recognize the accomplishments of other nations and athletes. Host nation Canada won 14 gold medals, more than any other country. Some nations won their first Olympic gold medals, others competed for the first time ever.

We will never forget the performance of Canadian Joannie Rochette who had the courage to compete just days after her mother died and ended up winning the silver medal in women's figure skating. And we mourn the loss of an athlete from the country of Georgia who was killed in a luge training run just before the opening ceremony.

Simply getting to the Olympics required an enormous sacrifice from each and every one of the participating athletes. The vast majority of them did not win medals, but all of them tried their best and all had the unique experience of being Olympians. Their determination in the face of adversity helps us all recognize our common values and foster the mutual respect that brings nations closer together.

Olympic athletes inspire young people around the world to set their highest and most ambitious goals, to pursue those goals and to believe that they can achieve their dreams. We salute the athletes of Team USA for serving as role models and for their important contributions to the Olympic ideal.

Finally, we send our thanks to the Canadian people for being such gracious hosts and commend the Vancouver organizing committee for all their efforts to ensure that the games were a great success. And I thank my good friend and colleague from California, Susan Davis, for taking the initiative to introduce this important resolution. I urge all my colleagues to join me in supporting it.

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

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

I rise today in support of House Resolution 1128 and join my colleagues in congratulating Team USA and Vancouver, Canada, for an outstanding 2010 Winter Olympics. Though this year's events were initially marked by tragedy, there were also many historic achievements. This year, the United States won the overall medal count for the first time since 1932. In fact, it was the highest medal total by any one nation in the history of the Winter Olympics. I would like to applaud and congratulate our Olympians for this amazing accomplishment.

The determination, the sacrifice, the commitment required of the athletes, their coaches and their families to qualify for the Olympics, let alone medal in the Olympics, is tremendous.

I would like to especially recognize Jennifer Rodriguez, a four-time participant of the Winter Olympic Games and a proud native of my home district of Miami, Florida. Considered to be one of the best long distance skaters in the United States, Jen also carries the unique distinction of being the first Cuban American to win an Olympic medal after taking the bronze in the 1,000 meters and 1,500 meters in 2002.

Again, I would like to congratulate all of the Olympians who competed in the 2010 Winter Games and thank our friends in Canada for hosting us.

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

Ms. WATSON. Mr. Speaker, I yield 5 minutes to the gentlewoman from California, Representative SUSAN A. DAVIS, a member of the Committee on House Administration.

Mrs. DAVIS of California. I thank my colleague from California for yielding.

Mr. Speaker, the Olympics entertain us, inspire us, and humble us. The athletes who participate are committed to a dream, a dream that we, as spectators, are all privileged to witness.

I introduced House Resolution 1128 to honor the athletes who represented the United States in the 2010 Winter Olympic Games and to thank Vancouver, Canada, for showing hospitality to athletes from around the world. American athletes won 37 medals for the United States, the most medals ever won by any nation at a single Olympic Winter Games.

The Olympics fosters good-natured competition between nations and builds a sense of camaraderie in cities and communities around the world. In the United States, we don't identify our Olympians as Californians or Coloradans. We honor and respect them as Americans. With the help of families, coaches and their own inner strength, these athletes continue to break records and set new standards of athletic performance. We celebrate their victories as national achievements and respect them for their hard work and their dedication in getting there.

□ 1630

The athleticism and dedication of our athletes should be an example to all Americans. Adults and children alike can aspire to be dedicated to a healthy exercise regimen. We can't all be Olympic athletes, but we can all try to keep our bodies fit and healthy.

Mr. Speaker, you may wonder why a San Diegan is honoring Winter Olympians. It's true we don't get quite as much snow as they do in other parts of the country, but we have a strong connection to this Winter Games. Rachel Flatt, the graceful figure skater, and the two Shauns, Shaun Palmer and Shaun White, both accomplished snowboarders, all have ties to San Diego. And also, the U.S. Olympic Training Center south of San Diego is an important training ground for winter athletes.

Athletes benefit from the temperate climate and natural resources of San Diego. They are able to train with Navy SEALs and participate in wind tunnel assessments. This Olympic Training Center helps athletes train for alpine skiing, for freestyle skiing, for bobsled and skeleton, speed skating, luge and snowboard events.

The unsung heroes of the Olympics are the organizers and support staff who create a safe and enjoyable experience for the athletes and spectators. And I want to join all of my colleagues again in thanking Vancouver, Canada for opening its doors to the world and completing the behind-the-scenes work involved in a public event of this nature.

The first-class resources used for the 2010 Winter Olympic Games are now being used for the 2010 Paralympic Games, which began on March 12, and I certainly wish all the participating paralympic athletes an exhilarating and safe competition.

May the flame of the Olympic torch burn bright, and may the dedication and perseverance it represents inspire us for years to come.

Ms. WATSON. Mr. Speaker, I would yield 4 minutes to the gentleman from Colorado, Representative JOHN T. SALAZAR, member of the Committee on Veterans' Affairs.

Mr. SALAZAR. Mr. Speaker, I rise today in support of House Resolution 1128, honoring the 2010 American Winter Olympic team. This resolution recognizes the incredible accomplishments of the most decorated group of Winter Olympians in history and graciously thanks the people and the Government of Vancouver, British Columbia, and Canada for hosting Team USA.

I want to draw, however, special attention to the exceptional Vancouver Olympians from the Third Congressional District of Colorado. Trained on

the slopes of Aspen, Steamboat Springs, and Durango, there were 12 Olympians from the Third District competing in the 2010 Olympic Games, one of the highest from any congressional district in the country.

It is no secret that Colorado is a wonderful place to ski, snowboard, ice skate, and the exceptional athletes that competed in Vancouver are an inspiration to the young winter sports enthusiasts across the country. All of us in the Third District are proud, not only of what they have accomplished, but also the way that they have represented themselves, their families, and the State of Colorado and our Nation.

I would like to especially congratulate Johnny Spillane for his three silver medals in individual and team nordic combined, and his teammate Todd Lodwick for his silver in team nordic combined, both of Steamboat Springs, Colorado.

I'm so proud of Team USA, and I will continue to support their efforts. On behalf of the entire Third District of Colorado, congratulations on your success.

Ms. WATSON. Mr. Speaker, I yield 3 minutes to Representative JIM MCDERMOTT from Washington. He's the chairman of the Subcommittee on Income Security and Family Support.

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

Mr. MCDERMOTT. Mr. Speaker, I want to begin by congratulating Canada and Vancouver, specifically, for putting on a great Olympics this winter. They are our neighbor in Seattle, and we welcome and were pleased with having our neighbor have such a good party.

To compete in the Olympics is an enormous accomplishment, and I want to commend each and every one of the Olympians who participated. It's not a national team that goes; it's individuals. The spirit of the Olympics is that an individual strives to have his best or her best performance in whatever event he or she is involved in.

And I want to take this time to recognize at least one athlete from my district, in particular, whose career I've followed since he was a young man in Seattle. Apolo Ohno exemplifies what it means to be an Olympian. He trained not in Seattle, but he went up to Canada, to Vancouver, and trained every week. And after winning his eighth medal in this Vancouver Olympics, he is now the most decorated American athlete to compete in the Winter Games. He has now appeared in three Winter Olympics and has both won and lost races, but he has always returned to compete against younger and sometimes even faster opponents.

I also want to congratulate his father, Yuki Ohno, who has raised Apolo by himself, and helped him realize the dream of competing in the Olympics.

When I think about Apolo's achievements and all he has overcome, I recall a quote from Teddy Roosevelt, who said, ''The credit belongs to the man or the woman who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly, who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds, who knows the great enthusiasms, the great devotions, who spends himself in a worthy cause, who, at the best, knows in the end the triumph of high achievement, and who, at the worst, if he fails, at least fails while daring greatly, so that his or her place shall never be with those cold and timid souls who know neither victory nor defeat.''

To all the athletes, and to Apolo Ohno especially, I commend you for your performance in this Winter Games.

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

I'd like to take a moment to highlight the fact that shortly before our friends in Canada were kind enough to host the Olympics in Vancouver, my home district of Miami, Florida, was hosting Canadian Premier Danny Williams as he underwent cardiac surgery at Mount Sinai Medical Center, located in my congressional district of Miami Beach.

Responding to criticisms of his decision to receive medical treatment in the U.S., Premier Williams said, and I quote, ''This was my heart, my choice, and my health. I did not sign away my right to get the best possible health care for myself when I entered politics.''

And that is exactly, Mr. Speaker, what the Republican response to health care reform is all about, making the necessary changes to strengthen our health care system so that the American people may receive the best possible health care in the world. By instituting commonsense, responsible solutions, we can lower health care cost. We can expand access to quality care without a government takeover of our Nation's health care system.

Instead, the majority leadership is hoping to force a health care system on the American people. This would kill jobs, will raise taxes. It will cut Medicare for our Nation's seniors. We have seen time and time again what happens when health care is not patient-centered. Why would we wish that on the American people? Especially when the American people have made it abundantly clear that this is not what they want.

It is time that cool heads prevail so that responsible decisions can be made. We must listen to the American people and not force this health care bill through.

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

Ms. WATSON. Mr. Speaker, again, I want to thank my colleague, Ms. ROS-LEHTINEN. I'd like to thank the House for the opportunity to honor the achievement of all Olympic athletes who participated in the 2010 Winter Games and the nation of Canada for their successful execution of this event.

The lighting of the Olympic torch every 2 years for both the Summer and the Winter Games initiates the beginning of a great global coming together. All around the world, people are uniquely unified by the thrill of competition and a spirit of sportsmanship.

I recall my own relative back in 1964 who ran in the Japanese Olympics and won the 100-yard dash, and she became quite interested in where this ability came from because her mother played tennis at UCLA. And so she traced us way back and found out that we came from Nancy, France, through Quebec, and then down to and through New Orleans, through the Louisiana Purchase.

But I say all this to say that being an American and having a good health care system is essential. And she would say to me now, We need to reform health care. We need to provide every American with the best health care that money can provide. And so, we are proposing to this House that we do the right thing.

I want more Olympians in my family. My brother has eight children, and I want to see that they all have an opportunity to be their best, like our young people were, and we won the most medals.

I was so happy. And I used to ski when I was teaching school in France, and I am so happy that we are preparing our youth to be winners. And we can only do that if we have a health care system that provides for every American, and that's what we are attempting to put in place.

So I am so proud. And I want to thank our ranking member for bringing health care reform to the attention, and all this morning, from 12 to just a few minutes ago, all their people came, and they weren't too happy with what we were trying to do.

But we're going to clarify the misstatements and we're going to let America know that we cannot wait. We cannot delay health care because we want champions. We want winners in this country. And America has been known for being a Nation of winners, and other countries need to look up to us again. And that is what we are preparing to do.

So I urge my colleagues to support the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1128, 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.

Ms. WATSON. 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.

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. 4628, by the yeas and nays;

H. Res. 311, by the yeas and nays;

H. Res. 605, by the yeas and nays;

H. Res. 1128, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

SERGEANT CHRISTOPHER R. HRBEK POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 4628, 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 Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 4628.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 14, as follows:

[Roll No. 116]

YEAS—416

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—14

Barrett (SC)
Broun (GA)
Davis (IL)
Deal (GA)
Hall (NY)
Hoekstra
Kaptur
Miller, George
Olson
Putnam
Scott (GA)
Stark
Wamp
Young (FL)

□ 1713

Mr. LYNCH changed his vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING GOALS AND IDEALS OF RED CROSS MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 311, 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 gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 311.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 13, as follows:

[Roll No. 117]

YEAS—417

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)

Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Grijalva
Guthrie
Gutierrez
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
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 (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—13

Barrett (SC)
Butterfield
Deal (GA)
Griffith
Hall (NY)
Putnam
Rush
Schrader
Stark
Teague
Tsongas
Wamp
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1722

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.

RECOGNIZING PERSECUTION OF FALUN GONG

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 605, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 605, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 1, not voting 17, as follows:

[Roll No. 118]

YEAS—412

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Guthrie
Gutierrez
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—1

Paul

NOT VOTING—17

Barrett (SC)
Buyer
Chandler
Chu
Deal (GA)
Gohmert
Graves
Griffith
Hall (NY)
Himes
Marchant
McIntyre
Putnam
Schrader
Stark
Wamp
Young (FL)

□ 1730

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

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: ''Recognizing the continued persecution of Falun Gong practitioners in China on the 11th anniversary of the Chinese Communist Party campaign to suppress the Falun Gong spiritual movement and calling for an immediate end to the campaign to persecute, intimidate, imprison, and torture Falun Gong practitioners.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. MARCHANT. Mr. Speaker, on rollcall No. 118, I was off the floor with a constituent. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GRIFFITH. Mr. Speaker, on rollcall Nos. 117 and 118, I was unavoidably detained. Had I been present, I would have voted "yes."

THANKING VANCOUVER FOR 2010 WINTER OLYMPICS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1128, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1128, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 10, as follows:

[Roll No. 119]

YEAS—420

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—10

Barrett (SC)
Deal (GA)
Gohmert
Hall (NY)
Hastings (WA)
Putnam
Schrader
Stark
Wamp
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are less than 2 minutes remaining on this vote.

□ 1737

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 4302 AND H.R. 3457

Mrs. LOWEY. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 4302 and H.R. 3457, bills originally introduced by Representative Abercrombie of Hawaii, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 2536

Mr. POLIS. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 2536, a bill originally introduced by Representative Wexler of Florida, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings

today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

RECOGNIZING 150TH ANNIVERSARY OF AUGUSTANA COLLEGE

Ms. SHEA-PORTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1089) recognizing the 150th anniversary of Augustana College, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1089

Whereas Augustana College in Rock Island, Illinois, was founded as Augustana Seminary under the auspices of the Augustana Synod on September 1, 1860;

Whereas the name Augustana comes from Confessio Augustana, the Latin rendering of the seminal statement of the Reformation, the Augsburg Confession;

Whereas Augustana College was initially founded to train Lutheran pastors, teachers, and musicians for the growing settlements of Swedish immigrants in the United States;

Whereas Augustana College began classes in Chicago, moved to Paxton in 1863, and then finally moved to its present location in Rock Island in 1875;

Whereas Augustana College has grown from serving 90 students in 1875 to serving over 2,500 students today;

Whereas Augustana College's mission is to offer a challenging education that develops qualities of mind, spirit, and body necessary for a rewarding life of leadership and service in a diverse and changing world;

Whereas Augustana College offers undergraduate students an education rooted in the liberal arts and sciences through 75 fields of study;

Whereas Augustana College has produced 131 Academic All-America athletes, the sixth highest number of honorees among all schools in the Nation, regardless of size;

Whereas alumni of Augustana College have gone on to achieve success in diverse fields, including business, education, government and public service, religion, arts and entertainment, and science, and include a Nobel Prize winner, CEOs, and Members of Congress; and

Whereas 2010 marks the 150th anniversary of the establishment of Augustana College: Now, therefore, be it

Resolved, That the House of Representatives—

(1) acknowledges and congratulates Augustana College in Rock Island, Illinois, on the momentous occasion of its 150th anniversary and expresses its best wishes for continued success;

(2) commends Augustana College for its excellence in academics, athletics, and quality of life for students; and

(3) directs the Clerk of the House of Representatives to provide Augustana College with enrolled copies of this resolution for appropriate display.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and the gentleman from Kentucky (Mr. GUTHRIE) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

GENERAL LEAVE

Ms. SHEA-PORTER. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1089 into the RECORD.

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

There was no objection.

Ms. SHEA-PORTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. HARE).

Mr. HARE. I thank my colleague from New Hampshire (Ms. SHEA-PORTER) for yielding me time to speak.

Mr. Speaker, I rise in strong support of House Resolution 1089, recognizing the 150th anniversary of Augustana College. Mr. Speaker, this year marks the 150th year of Augustana College, and I proudly introduce this resolution to highlight Augustana's long tradition of academic excellence and distinction.

Founded in 1860, Augustana College, in Rock Island, Illinois, has grown from a small school educating Swedish immigrants into one of our Nation's premier colleges of the liberal arts and sciences. Today, with over 75 fields of discipline, Augustana, popularly known as Augie, provides a rich liberal arts environment for a diverse student body of over 2,500 students.

Mr. Speaker, at Augustana, students enter to learn and leave to serve. Throughout its 150 years, Augustana College has remained committed to educating its students for a rewarding life of leadership and service in a diverse and changing world. Augie alumni have gone on to achieve success in diverse fields, and graduates include a Nobel Peace Prize winner, CEOs of Fortune 500 companies, and Members of Congress, most notably my predecessor and my good friend, Representative Lane Evans.

Beyond the classroom, Augustana has established itself as a top athletic program with 37 NCAA Division III national titles in six sports and has produced 131 academic All-American athletes, the sixth highest number of honorees among all schools in our Nation.

Mr. Speaker, in addition, Augie has partnered with the community to promote economic development in the Quad Cities region, and Augustana has an estimated impact of $75 million on our local economy.

Mr. Speaker, the ongoing success of Augustana can be directly attributed to the quality of the leadership of the college. Under the direction of President Steve Bahls, Augustana has positioned itself to be a flagship college in my district and in the State of Illinois. Also, President Bahls has led efforts to respond to students' immediate needs during the economic downturn. He has made a commitment to help any student at risk of dropping out because of financial difficulties through the creation of the Immediate Scholarship Support Fund, substantial investments in financial aid, and tuition cost control.

Mr. Speaker, in closing, I congratulate Augustana College on the historic occasion of its 150th anniversary, and I wish the college, its students, and the faculty continued success.

I would like to thank the entire Illinois delegation for joining me to celebrate Augustana College's 150th year, and I urge my colleagues to support House Resolution 1089.

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

I appreciate my friend from Illinois bringing this resolution forward, and I rise today in support of this House Resolution 1089, recognizing the 150th anniversary of Augustana College.

Augustana College was founded by Swedish Lutheran settlers in Chicago, Illinois, and moved to Rock Island, Illinois, in 1875. Augustana College has grown from a small school educating Swedish immigrants to a highly selective college of liberal arts and sciences. Today, Augustana College serves 2,500 students from various geographic, social, ethnic, and religious backgrounds.

Students at Augustana receive a personalized liberal arts and science education with a 11-to-1 student-to-faculty ratio. Most of Augustana's students are actively involved in a large variety of groups and activities, including performing arts, debate, publications, social and service organizations.

Augustana has been recognized nationwide for its excellent academics. The Carnegie Foundation has classified the college as an Arts and Science plus Professions institution. Students accepted to Augustana are typically from the top quarter of their high school class and have notable academic histories.

The Augustana Vikings compete in the NCAA Division III athletics in 20 intercollegiate sports and also participate in numerous club and intramural sports. The Vikings have won four team NCAA national championships and 21 individual NCAA national championships.

Augustana College students have excelled in academics, athletics, and all areas of collegiate life. I congratulate Augustana College and the students, faculty, staff, and alumni for 150 years of excellence in education.

I congratulate my colleague on this resolution, and I urge my colleagues to support House Resolution 1089.

□ 1745

I yield back the balance of my time.

Ms. SHEA-PORTER. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER) that the House suspend the rules and agree to the resolution, H. Res. 1089, 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.

Ms. SHEA-PORTER. 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.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1255

Mr. SARBANES. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1255.

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

There was no objection.

SUPPORTING SOCIAL WORK MONTH AND WORLD SOCIAL WORK DAY

Ms. SHEA-PORTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1167) expressing the support of the House of Representatives for the goals and ideals of Professional Social Work Month and World Social Work Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1167

Whereas social work is a profession of hope, grounded in practical problem-solving expertise;

Whereas social workers inspire community action, and are dedicated to the successful functioning of American society;

Whereas social workers have education and experience to guide individuals, families, and communities through complex issues and choices;

Whereas social workers stand up for others to make sure everyone has access to the same basic rights, protections, and opportunities, and have been an important force behind important social movements in the United States;

Whereas social workers work through private practices, agencies and organizations, hospitals, the military, government, and educational institutions to provide resources and guidance that support social functioning;

Whereas social workers are on the frontlines, responding to such human needs as homelessness, poverty, family break-up, mental illness, physical and mental disability, substance abuse, domestic violence, and many other issues;

Whereas Professional Social Work Month and World Social Work Day, which is March 16, 2010, will build awareness of the role of professional social workers and their wide range of social contributions throughout their careers; and

Whereas the 2010 Social Work Month theme—''Social Workers Inspire Community Action''—showcases the expertise and dedication of professional social workers in helping to improve community life: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of Professional Social Work Month and World Social Work Day;

(2) acknowledges the diligent efforts of individuals and groups who promote the importance of social work and who are observing Professional Social Work Month and World Social Work Day;

(3) encourages the American people to engage in appropriate ceremonies and activities to further promote awareness of the life-changing role of social workers; and

(4) recognizes with gratitude the contributions of the millions of caring individuals who have chosen to serve their communities through social work.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and the gentleman from Kentucky (Mr. GUTHRIE) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

GENERAL LEAVE

Ms. SHEA-PORTER. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 1167 into the RECORD.

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

There was no objection.

Ms. SHEA-PORTER. I yield myself such time as I may consume.

Mr. Speaker, I rise today to support the goals and ideals of Professional Social Work Month and World Social Work Day. There are more than 600,000 people in the United States who devote their lives to social work and to the improvement of the society in which we live by obtaining social work degrees. Social workers dedicate their time, energy, and career to assisting individuals, families, and communities through complicated social issues and complex choices. As many of you know, social workers have been instrumental in instigating important social movements in the United States and abroad.

Francis Perkins, who championed the minimum wage laws and reduced the work week for women to 48 hours, and Harry Hopkins, who relocated to New Orleans in order to work for the American Red Cross as director of civilian relief, are two examples of social workers who saw a need to change conditions for a community and set out to work in the community to help meet that need.

Social workers use their tools and skills in schools, courtrooms, clinics, nursing homes, and the military, just to name a few. However, the need for social work is expected to grow twice as fast as other occupations, especially within the health care sector as our aging demographics require more services. Professional Social Work Month and World Social Work Day, which is March 16, 2010, build awareness of professional social workers and their commitment to people. I urge my colleagues to support this resolution honoring those who choose social work as a profession to better society.

I reserve the balance of my time.

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

I rise today in support of House Resolution 1167, expressing support for the goals and ideals of Professional Social Work Month and World Social Work Day. Social workers are an important part of communities throughout the Nation and they inspire community action to improve lives. Social workers know the full range of challenges facing families of every description, and they help people reach their full potential.

Social workers make a wide range of social contributions throughout their careers. Many social workers work to resolve systemic issues that negatively affect a community. Some work in education or research, and others serve as heads of nonprofit organizations to create positive sustainable changes in communities. Most social workers serve individuals and families. Working through private practice, agencies, and organizations, they provide resources and guidance that support social functioning. Many people who become social workers believe there are no limits to human potential, and use their talents to help others.

Social work is a profession of hope, grounded in practical problem-solving expertise. Social workers are employed in schools, courtrooms, drug treatment clinics, hospitals, senior centers, shelters, nursing homes, the military, disaster relief, prisons, and corporations. They are on the front lines, developing social programs that are responsive to such needs as homelessness, poverty, mental illness, physical and mental disability, substance abuse, domestic violence, and many other issues.

This year's Social Work Month theme, ''Social Workers Inspire Community Action,'' showcases the expertise of these dedicated professionals and the impact they have on the improvement of community life. Today, we recognize the contributions of millions of caring individuals who have chosen to serve their communities through social work.

I ask that my colleagues support this resolution.

I yield back the balance of my time.

Ms. SHEA-PORTER. I urge my colleagues to support this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER) that the House suspend the rules and agree to the resolution, H. Res. 1167.

The question was taken.

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

Ms. SHEA-PORTER. 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.

CONGRATULATING UNIVERSITY OF MARYLAND MEN'S BASKETBALL TEAM

Ms. SHEA-PORTER. Mr. Speaker, I move to suspend the rules and agree to

the resolution (H. Res. 1184) congratulating the 2009–2010 University of Maryland Men's Basketball Team, Greivis Vasquez, and Coach Gary Williams on an outstanding season.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1184

Whereas the University of Maryland Terrapins completed the 2009-2010 regular season with 23 wins and 7 losses;

Whereas the Terrapins completed the 2009-2010 Atlantic Coast Conference (ACC) season with 13 wins and 3 losses, sharing first place with Duke University;

Whereas on June 15, 2009, Greivis Vasquez elected to forego the National Basketball Association draft and play his senior year with the Terrapins;

Whereas on February 27, 2010, Greivis Vasquez scored a career-high 41 points;

Whereas during the 2009-2010 season, Greivis Vasquez averaged 19.6 points per game;

Whereas during the 2009-2010 season, Greivis Vasquez became the only player in ACC history to record 2,000 points, 700 assists, and 600 rebounds;

Whereas during the 2009-2010 season, Greivis Vasquez received ACC Player of the Week honors four times;

Whereas for the 2009-2010 season, Greivis Vasquez was unanimously selected first team All-ACC by the Atlantic Coast Sports Media Association;

Whereas on March 9, 2010, Greivis Vasquez was named ACC Player of the Year;

Whereas Greivis Vasquez is a finalist for the Bob Cousy Award, which honors the Nation's top collegiate point guard;

Whereas Coach Gary Williams played for the Terrapins and served as team captain in 1967;

Whereas Coach Williams graduated from the University of Maryland in 1968 and returned to coach the men's basketball team of his alma mater in 1989;

Whereas on November 13, 2009, Coach Williams began coaching his 21st season with the University of Maryland;

Whereas in 2002, Coach Williams led the Terrapins to win the national title;

Whereas with 441 wins, Coach Williams is the Terrapins' all-time winningest head basketball coach, having surpassed Charles ''Lefty'' Driesell who accrued 348 victories in 18 seasons with the University of Maryland;

Whereas in 2005, Coach Williams was inducted into the University of Maryland Alumni Hall of Fame; and

Whereas on March 9, 2010, for the second time in his career, Coach Williams was named ACC Coach of the Year: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the University of Maryland Men's Basketball Team is congratulated on an outstanding season;

(2) Greivis Vasquez is congratulated on being named the 2009-2010 Atlantic Coast Conference Player of the Year; and

(3) Coach Gary Williams is congratulated on being named the 2009-2010 Atlantic Coast Conference Coach of the Year.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and the gentleman from Kentucky (Mr. GUTHRIE) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

GENERAL LEAVE

Ms. SHEA-PORTER. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 1184 into the RECORD.

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

There was no objection.

Ms. SHEA-PORTER. I now yield such time as she may consume to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today to support this resolution congratulating Greivis Vasquez and Coach Gary Williams on an outstanding season for the University of Maryland Men's Basketball Team. Their home is in Prince Georges County—my home county—and I congratulate the Terrapins men's basketball team on a season that came to a close just last week, ending the season with monumental victories, including a double overtime game win against the Virginia Tech Hokies. The season-ending victory over the University of Virginia placed the Terrapins as the number two seed going into the Atlantic Coast Conference Quarter-Finals.

The Terrapins completed their regular 2009–2010 Atlantic Coast Conference season with an impressive 13 wins and 3 losses, earning first place honors, along with the top-ranked Duke University Blue Devils. I'd like to point out as a point of personal privilege and note that one of the three losses that Maryland faced this year was to the Demon Deacons of Wake Forest University, my alma mater, but I stand here nonetheless in support of our hometown Maryland Terrapins.

The season got off to a promising start with star player Greivis Vasquez electing to forgo the National Basketball Association draft and play his senior year with the Terrapins. It proved to be a wise decision for him because Greivis went on to average 19.6 points per game during the season. He even scored a career-high 41 points in a single game. That was a rare feat for any basketball star. I know I was a fan. Throughout the season, Vasquez received the Atlantic Coast Conference Player of the Week honor four times and was unanimously selected first team All-ACC by the Atlantic Coast Sports Media Association. He led his team into the quarter-finals of the ACC tournament as the honored Atlantic Coast Conference Player of the Year, which he was named on March 9, 2010.

In 1967, while attending the University of Maryland, Coach Gary Williams played for the Terrapins—he wasn't coach then—and served as team captain. He returned to the University in 1989 to coach for the same team he once played for. It's been an honor to watch him, as Coach Williams has led his alma mater from a period of troubled times to an era of national prominence. He helped bring 13 NCAA tournament berths in the last 16 seasons, seven Sweet Sixteen appearances, and in 2002, led the Terrapins to win the national title in the National Collegiate Athletic Association Championship. I know I, along with other Maryland Terrapin fans, followed that season and all the others, watching Gary Williams and sitting through the nail-biters in the stands. The opening of the 2009–2010 college basketball season marked the 21st season as head coach with the University of Maryland for Gary Williams. As a member of the University of Maryland's Alumni Hall of Fame, Coach Williams was named Atlantic Coast Conference Coach of the Year for the second time in his career, on March 9, 2010.

I wish to heartily congratulate Greivis Vasquez on being named the 2010 ACC Player of the Year; Coach Gary Williams on being named the 2010 ACC Coach of the Year; and the entire University of Maryland men's basketball team on a truly outstanding season. I wish them and my other favorite team, Wake Forest University, great success in the 2010 NCAA Tournament—the University of Maryland facing the University of Houston, and another Texas team, Texas, facing Wake Forest University. We all look forward to that, and we'll be cheering them on their way.

Again, congratulations to Coach Gary Williams and to Player of the Year Greivis Vasquez. Go Terps!

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

I rise today in support of House Resolution 1184, congratulating the 2009–2010 University of Maryland Men's Basketball Team, Greivis Vasquez, and Coach Gary Williams on an outstanding season. The University of Maryland Terrapins have had an outstanding season. The Terrapins completed the regular season with a 23–7 record and completed the Atlantic Coast Conference season with a 13–3 record. This year will mark its 24th tournament appearance, and I extend my congratulations to the University of Maryland; Head Coach Gary Williams and his staff; the hardworking players, especially Greivis Vasquez; and the fans. I wish them all well and wish them continued success, except there are several Kentucky teams that will be playing, so I obviously have to support my team.

I reserve the balance of my time.

Ms. SHEA-PORTER. I yield 1 minute to the House majority leader, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentlewoman for yielding. Go Terps! And they did. I'm a graduate of the University of Maryland. Like so many others, I am very proud of my alma mater. I went there many, many years ago. I have owned a number of homes throughout my life, but one of them was three doors from Gary Williams. I've known Gary Williams for all the time he's been at the University of Maryland, which is now over 20 years. Gary Williams is an extraordinary individual, an extraordinary coach, and has

had great success at every school he's coached at throughout this country. He's been at Maryland for, as I said, over two decades. He's the most winning coach in Maryland history. Lefty Driesell was his predecessor—not immediate predecessor, but in terms of holding that record. Lefty did a great job at the University of Maryland.

□ 1800

Maryland was picked very low in the ACC standings at the beginning of this season. The expectations were not high. The University of Maryland team had a freshman strong forward. So it was perceived that inside, they wouldn't have the kind of game they needed to compete in a conference like the Atlantic Coast Conference, which we, of course, in the ACC believe is the best conference in the United States, although I want to observe, it may not have been the best conference this year in the United States; but over the years, it certainly has been. But there were some very strong conferences. Not to forget to mention the Big East, it is pretty strong itself. But in any event, we weren't picked very high.

The reason Gary Williams has been chosen appropriately for the honor of being Coach of the Year in the ACC, which has some extraordinary coaches, like Coach Krzyzewski, Coach Roy Williams at the University of North Carolina, and other great coaches, is because he took a team that did not have high expectations from the public and took it to a tie with Duke, one of the great teams in this country, to lead the ACC. They both finished 13–3, I believe, in the ACC.

Wake Forest, a great team as well. I want to thank the gentlelady from Maryland, DONNA EDWARDS, who shares Prince George's County in which University of Maryland College Park is located, for her gracious congratulations. She gives me a hard time. Wake beat us this year, and I don't know whether we'll meet again this year, probably not. But notwithstanding that, I appreciate her gracious support of this resolution.

I want to tell you that we have a young player. He is a senior. His name is Greivis Vasquez. Greivis Vasquez is a real personality on the court. Greivis Vasquez was the high scorer, picked as Player of the Year in the ACC, and was an extraordinary leader of our team on the floor. He was the spark plug of our team.

And when our team was down and needed to get up, needed to be inspired, it was Greivis Vasquez who, along with some other extraordinary players—and we had nine or 10 players who could have started at some other teams, frankly, wonderful players. Some, Jordan Williams, our new freshman who is going to be an extraordinary sophomore, and hopefully we may even keep him until his junior year.

But that is why we prevailed in the ACC. That's why we're going to prevail in the NCAA. We play Houston, as you've heard. I'm sure I will talk to the Representatives from the Houston area about this game, coming up Friday at 9:50 p.m. We will focus on that game, and we'll talk to you a little bit about what you think and what we think. But it's going to be an excellent year.

But notwithstanding that, I was in Atlanta when the University of Maryland won the national championship. We played Indiana that year. I want to personally congratulate my friend Gary Williams on the great coaching job he did this year. I want to congratulate the entire team for the great job they did, and I want to wish them the very best of luck in the NCAA tournament.

I thank the gentlelady, and I thank the gentleman for bringing this resolution to the floor to appropriately recognize a great year for a great team, a great coach and a great ACC player of the year.

Mr. GUTHRIE. Mr. Speaker, I yield as much time as he may consume to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. I thank the gentleman from Kentucky for yielding.

Mr. Speaker, I stand in opposition to this resolution. I don't mean to cast any aspersions on the gentleman's alma mater, nor on any Terp fans or anything like that. But we're having a discussion this week, a lot about health care. And there's a lot of discussion on the government-run health care bill about fairness and equity in the process.

I would like to point out a little bit about the fairness and equity of the process of this resolution. Back last October, I authored a similar resolution—we all often do these things—for a university in my district, the University of California at Irvine, also known as UCI, whose men's volleyball team won the championship. They didn't just make the playoffs. They won the national championship. And the majority leader, whose bill this is, pulled that resolution from the floor. So he did not allow that resolution last October to be heard. Therefore, those kids who won that national championship were not able to get the same recognition that apparently today these players for Maryland, who are just in the playoffs, are going to receive.

Second of all, Mr. Speaker, in the past, we have done these for teams that win national championships. This is for a team that's making the playoffs, one of 65. Now, there are a lot of people out there, Mr. Speaker, who believe that we're wasting the taxpayers' money and the taxpayers' time by doing these sorts of resolutions. There's an argument for that. There is also an argument to be made that it's a great thing for the kids who win these to have these additional resolutions to put in their trophy case.

But the one thing I do believe is that we shouldn't descend into doing everyone that wins that gets into a playoff. That would be 65 teams just here in men's basketball. And think of all the men's and women's sports that are out there and how many teams that would include if we begin to do that as well.

Finally, Mr. Speaker, I have here the sports section from today's Washington Post. I will read from the front page where it says that according to a study, Maryland had the lowest graduation rate, 8 percent, among the 65 NCAA tournament teams. Given that this is being put forth in the Education and Labor Committee, if we were going to look at all the 65 teams in the NCAA championships, should we be considering the academics of the teams that are in or not in?

Mr. Speaker, and to the majority leader, I don't like doing this. I can see the banter going on. These things are usually fun. They're usually easy. But it seems like in this House recently, we have lost a sense of equity and fairness in the process. It seems like if a school is represented by someone from the minority party, they don't get a recognition, whereas, perhaps if they're from the majority, they do. It seems like there are different thresholds, different standards, different ways that things happen in this House rather than a simple equity and fairness.

So for that reason, Mr. Speaker, I oppose this resolution, and I would encourage my colleagues to oppose it, again, not to cast any aspersions on the University of Maryland but to send a message that process matters and that the way fairness and equity matters, and little things like this aren't nearly as important as big things like the government-run health care bill that we're doing this week. But the fact is that this little bit is endemic of what is going on in the bigger bills in this House in the way it operates and the way it has, unfortunately, in this Congress.

Mr. GUTHRIE. I yield back the balance of my time.

Ms. SHEA-PORTER. I will keep myself totally neutral as a graduate of the University of New Hampshire.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER) that the House suspend the rules and agree to the resolution, H. Res. 1184.

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. CAMPBELL. 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.

HIGHER EDUCATION AND HEALTH CARE

(Mr. HINOJOSA asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. HINOJOSA. Mr. Speaker, I rise to say that millions of Americans are waiting desperately for Congress to act on health care reform and higher education reconciliation legislation. As Chair of the Higher Education, Lifelong Learning, and Competitiveness Subcommittee, I call on my colleagues in the House to put the uninsured and our students and families first. The Student Aid and Fiscal Responsibility Act, known as SAFRA, H.R. 3221, which we passed in the House last September, must be included as part of the final health care reconciliation legislation. SAFRA makes the single largest investment in college financial aid in history. It's bigger than the GI Bill. It expands accessibility and affordability in higher education by investing tens of billions of dollars in Pell grants, building a world-class community college system, strengthening early educational programs, and making landmark investments of $2.55 billion in Historically Black Colleges and Universities, Hispanic-Serving Institutions, tribally controlled colleges and universities and other minority-serving institutions.

I am proud to stand with my colleagues in the Tri-Caucus in urging the House and Senate leadership to maintain the investments for Minority-Serving Institutions in the final reconciliation bill. This legislation is an investment in the "future of our country!"

Through the government's Direct Loan program, SAFRA will make college loans more affordable for students and families.

I urge my colleagues to make the right choice for millions of students, families, and uninsured residents who need our help to improve their lives. Vote for Health Care and Higher Education Reconciliation Legislation.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. OWENS). 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.

RIGHT OF PRIVACY WILL BE STOLEN

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

Mr. POE of Texas. Mr. Speaker, we are told that we must immediately pass this government takeover of health care or there will be health care panic in the streets. Now, we know the real reason this bill is being rushed to passage, even though no one has had time to read it. According to the Speaker, as quoted, "We have to pass this bill so that you can find out what is in it." Let me repeat what the Speaker said: "We have to pass the bill so that you can find out what is in it."

After all, it's 2,700 pages long, and it's just too long to find out what's in it before we vote on it. So now we know, it has to be voted on so it can be read. I guess if Members read the whole bill before they voted, they might actually vote it down.

But there's one thing that we do know that's in this bill, and it is that it steals the right of privacy for all Americans. It will invade people's legal right to medical privacy. The government gets control over everybody's health care information, and it's another reason why we should oppose the bill. The government has no business sticking its nose into people's medical records. It's none of the government's business. The bill creates a health care integrity data bank where the Feds have access to everybody's medical records. Health care information is supposed to be between the patient and the doctor, not the patient and some yet unnamed, anonymous, unaccountable Federal bureaucrat hiding somewhere in this building.

When the government has everybody's medical records, they are at risk for misuse. Giving government bureaucrats' access to people's most private and intimate health information means their health records become public property. People's most intimate private health care information, warts and all, becomes the property of the U.S. Government. The Federal Government grab of health care will eliminate any masquerade of medical privacy.

The 111 new Federal agencies in this bill, that we have yet to read, will be snooping through your records. Talk to your doctor, and the government will know what you said. You've got some type of illness or disease, well, the government's going to know about it. Feeling a bit depressed after a family death and need some medication? Well, the government will even know your mental health issues. Now, is this the kind of information that should be in the hands of Federal bureaucrats, a bunch of busybody bureaucrats bestowed with the task to go forth and do good to the people?

The famous author C.S. Lewis once said, "Of all the tyrannies, a tyranny exercised for the good of its victims may be the most oppressive. It may be better to live under robber barons than under omnipotent moral busybodies. The robber barons' cruelty may sometimes sleep, but those who torment us for our own good will torment us without end."

□ 1815

See, don't worry, the bureaucrats will boast. It's for your own good that we know this information. It won't hurt too much.

Once medical records are available to the Feds, every government agency will want to get their hands on those private medical records. That's just the way those bureaucrats work. And every American will be required to be a part of the Big Brother health care database.

People won't talk to their doctor anymore about their problems. They'll know somewhere in the deep, dark, dank dungeons of Washington, D.C., a Federal bureaucrat will be reading and perusing their medical records.

This is an invasion of privacy, and it violates the U.S. Constitution. The whole scheme denies individual liberty when the government takes over health care.

Thomas Jefferson even talked about universal health care once. He said: If the people let government decide what foods they eat and what medicines they take, their bodies will soon be in as sorry a state as are the souls of those who live under tyranny.

When government takes over health care, it will equalize poor health for everybody. The government takeover of health care is not about health and it's sure not about care. It's about government control of our personal lives. And this legislation violates our U.S. Constitution because it steals the right of privacy right from underneath us, all in the name of taking care of us.

And that's just the way it is.

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

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

THE SENATE MUST PASS THE JOBS BILL

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

Mr. ETHERIDGE. Mr. Speaker, I rise today to call on the United States Senate to follow the House's lead and pass the jobs bill. The House passed the HIRE Act last week, and now the Senate needs to send it to the President for his signature. Americans need jobs and we need them now.

My constituents tell me they want Congress to quit the bickering and the partisan posturing and get to work and fix the economy. Wall Street may be doing well enough for the bankers to reward themselves with big bonuses, but folks on Main Street are still hurting.

North Carolina's unemployment rate has been above 11 percent for too long, and some counties in my congressional district are experiencing unemployment as high as 14.6 percent. More than half a million North Carolina workers are unemployed according to the new figures released by the Employment Security Commission.

I've said before and I'll say it again, my top priorities of what we need to be doing are jobs, jobs, jobs. The jobs bill will provide the incentive companies need to put people to work today, giving employers a tax credit for every new worker they hire.

I recently visited with local business leaders at the Erwin Chamber of Commerce as well as the Benson Chamber of Commerce, and they told me that this is the kind of Federal assistance that they need to help jump-start hiring in their communities. I think that's true not only in North Carolina, but across the country, and Congress needs to take action on jobs now.

The centerpiece of the jobs bill that the House passed last week is a hiring tax credit, similar to the one I proposed in my HIRING Act of H.R. 4437. The bill would encourage business to invest by putting labor on sale for a limited time, helping small businesses expand and grow.

The bill provides a payroll tax holiday to businesses that hire unemployed workers that is estimated to support roughly 300,000 jobs and encourage employers to keep those workers longer term so they will receive a tax credit of $1,000 if they retain them.

The jobs bill we passed last week also included another proposal of mine—to support local school construction building by providing a tax credit for Qualified School Construction Bonds that were included in the American Recovery and Reinvestment Act last year. It will allow the issuers of Qualified School Construction Bonds to receive a direct payment from the Federal Government equal to the amount of the Federal tax credit.

This modification will help North Carolina schools access nearly $500 million in school construction bonds to address our students' needs and support more than 15,000 jobs just in North Carolina. You can imagine what it would do for the rest of the country.

Last week I visited a school in Franklin County that was being built in my district from the first piece of these School Construction Bonds, and it's amazing to see what it does for a community and how it gives them an uplift.

This provision will create jobs now, building the schools of the future. It's a win-win that makes sense, and I urge the Senate to pass the HIRE Act now. It'll be like CPR for our economy, and I hope the Senate will join the House in getting it done.

CORPORAL DUSTIN LEE MEMORIAL ACT

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

Mr. JONES. Mr. Speaker, recently I introduced H.R. 4639, the Corporal Dustin Lee Memorial Act. What this bill would do is allow the adoption of military working dogs by the family of a deceased or seriously wounded member of the Armed Forces who was the dog's handler.

And, Mr. Speaker, beside me I have the poster of a family from Mississippi whose son was killed for this country, Dustin Lee. He was a dog handler in Iraq. He was killed by a rocket-propelled grenade, and his dog, Lex, was wounded.

The Marine Corps very kindly, at the funeral of Dustin Lee, carried Lex to be there with his master, and the family, Jerome, the daddy, and the mom, Rachel, asked the Marine Corps to please let the dog stay with them. The dog had two more years of service.

This was brought to my attention. I called a very dear friend of mine, General Mike Regner, who's now in Afghanistan, told him the situation and said, Mike, is there anything we can do to help the Lee family adopt this dog, Lex?

And so, long story short, Mr. Speaker, the Marine Corps contacted the Air Force, and the adoption took place 2 years ago in Albany, Georgia.

I have beside me a photograph taken by the family. Lex, the dog, is looking at the headstone that's got an engraving of Dustin Lee and Lex, and it says, ''In loving memory of Corporal Dustin Jerome Lee.''

Mr. Speaker, what happened was as soon as they got the dog home, Lex, the German Shepherd, they allowed Lex to sniff the boots of their son, Dustin, who had been killed, and then they took Lex to the cemetery. I've seen photographs of the cemetery. It's a rather large cemetery. And they took the dog, Lex, away from the area, then they let him out and said, Find Dustin; find Dustin. And the dog ran up to the headstone and laid down.

I hope that my colleagues will join me in this effort to allow a family of a deceased soldier, marine, airman, whomever, that maybe was a dog handler who was killed for this country, or the seriously wounded soldier, marine or airman or seaman who was wounded be able to adopt the dog without going through a long process.

So, Mr. Speaker, I again will ask my colleagues to please join us in H.R. 4639.

And before I close, as I always do on the floor of the House, I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God, in his loving arms, to hold the families who have given a child dying for freedom in Afghanistan and Iraq.

And, Mr. Speaker, I will ask God to please bless the House and Senate, that we will do what is right in the eyes of God for this country. And I will ask God to give wisdom, strength, and courage to President Obama, that he will do what is right for the people of this country.

And three times I will say, God please, God please, God please continue to bless America.

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.)

HEALTH CARE REFORM IS NOT AN INVASION OF PRIVACY

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

Mr. GARAMENDI. Mr. Speaker, a few moments ago, we heard one of the most outrageous charges I've seen in many, many days and heard in many days around here concerning the health care bill. The notion that somehow the health care bill overrides the HIPAA law that's more than a decade over is foolish nonsense.

The privacy remains for every individual in America under the HIPAA law, and in no way does the health reform bill invade or change in any way the HIPAA law, which provides privacy on all medical records, whether they are with your local doctor, the clinic, the hospital, the Federal Government. Whether you are on Medicare, Medicaid, or whatever program you are in, your privacy is assured by a decade-old law. And what will be before us in the days ahead is a change not in the HIPAA law, but in other sections of the laws pertaining to health care in America.

There is absolutely no truth whatsoever that the privacy of individuals are in any way changed by the bills that we will be taking up in the days ahead.

IRAN'S NUCLEAR PROGRAM

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

Mr. MORAN of Kansas. Mr. Speaker, Iran's nuclear program is progressing at a rapid pace, and absent swift action, Iran could soon build a nuclear bomb, putting the United States, Israel, and the entire Middle East at risk. The need for Congress to pass strong and comprehensive sanctions against Iran is urgent.

Iran currently possesses enough low-enriched uranium to produce two nuclear weapons upon further enrichment. Last month, Iran began enriching the stockpile of low-enriched uranium to a level of 20 percent under the guise of needing more highly enriched uranium for medical purposes; yet the truth is that Iran lacks the technical know-how to turn 20 percent enriched uranium into fuel rods needed to produce medical isotopes.

Rather than meeting its medical needs, this step only puts Iran that much closer to having weapons-grade fuel that could be turned into a nuclear weapon. In fact, nuclear experts say this level of enrichment represents 85 to 90 percent of the work needed to produce weapons-grade fuel. Allowed to continue on this course, Iran could potentially complete the enrichment process in a few months at a small facility, according to former IAEA action team member and physicist David Albright.

The IAEA has also recently raised new concerns about the military nature of Iran's nuclear program. In February, the U.N. nuclear watchdog agency issued a report that said Iran may be working to develop a nuclear-armed missile, adding further evidence that Iran's nuclear work is not for peaceful purposes.

If Iran is successful in building a nuclear weapon and fitting it into a missile, the entire region will be at risk. Iran already has missiles with a range of more than 1,200 miles, which puts Israel, Iraq, Turkey, Afghanistan, Pakistan, Egypt, and the Ukraine and many other countries within striking distance.

Advancements in Iranian technology threaten nations further away from Iran as well. Iran has launched a satellite into space, demonstrating that it has the technical capability that may allow it to build ballistic missiles capable of hitting American cities.

While nuclear proliferation is dangerous in any context, there is greater reason to be gravely concerned about a nuclear-armed Iran. For years, Iran has fought American presence in the Middle East and has supported terrorist groups that have targeted and killed American troops. For example, American officials believe Iran supported the group behind the 1996 terrorist attack on a U.S. military residence in Saudi Arabia that killed 19 of our servicemen. A nuclear-armed Iran would surely put American troops serving in the Middle East today at even greater risk.

In addition, Iran's leaders frequently speak of a world without Israel. The Iranian President has called for Israel to be ''wiped off the map.'' If Iran gets a nuclear weapon, its leader will have the capability to do these hateful, destructive things that they speak of.

Americans and Israelis around the world would also be at likely greater risk of a terrorist attack if Iran obtains the bomb. Iran is already the leading state sponsor of terrorism, funneling money, weapons, and training to terrorist groups, including Hezbollah, Hamas, and other terrorist organizations. These groups have goals and ideologies inconsistent with our American values. Emboldened by a nuclear-armed Iran, they may launch even more frequent and deadly attacks on innocent civilians.

□ 1830

Clearly, the consequences of a nuclear-armed Iran are intolerable. To stop Iran's drive to a nuclear weapon, we must act now and we must act decisively. The House of Representatives and the Senate have both passed legislation to impose strong and comprehensive sanctions on Iran. The Iran Refined Petroleum Sanctions Act and the Comprehensive Iran Sanctions, Accountability, and Divestment Act target Iran's reliance on foreign suppliers to meet its fuel needs. Although Iran sits on top of a wealth of oil and natural gas, it lacks the ability to turn much of that oil into gasoline. Consequently, Iran imports 40 percent of its gasoline needs.

The Iran Refined Petroleum Sanctions Act and the Comprehensive Iran Sanctions, Accountability, and Divestment Act offer the best prospect of compelling Iran to give up its pursuit of nuclear weapons. Congressional leaders must quickly resolve the differences between the House and Senate versions of these bills while keeping the teeth of the sanctions intact so the President can sign a final bill into law.

At the same time, the administration and like-minded allies should impose multilateral sanctions now while also pressing reluctant nations to agree to strong and comprehensive sanctions at the United Nations. The administration must also enforce current law and levy sanctions against companies that violate our laws.

Time is not on our side. The sooner strong and comprehensive sanctions are applied on Iran the greater chance we have of preventing a nuclear-armed Iran, saving the lives of many, and enhancing the security of our own and that of our allies in the region.

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

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

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CREATING AMERICAN JOBS THROUGH TRADE

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

Mr. BOUSTANY. Mr. Speaker, tomorrow Ambassador Kirk will meet behind closed doors with the House Ways and Means Committee. While I appreciate the meeting, why do congressional Democrats refuse to talk in the open about creating jobs through international trade? I am encouraged by the administration's newfound openness to promoting American goods and services overseas, but the current situation is bleak. Nearly one in 10 Americans who want work cannot find a job.

The recent economic downturn erased the certainty many families came to rely on, and now they turn to Washington for solutions. Unfortunately, a health care overhaul with new mandates, energy taxes that will drive up input costs, and a massive Tax Code full of quirks and loopholes add to their doubts. To truly grow American jobs, entrepreneurs and businesses need new markets where they can compete to sell their products. We must restore American competitiveness to create new jobs and a prosperous future.

With 95 percent of the world's consumers living outside the United States, our ability to compete fairly and successfully in these markets is vital to our long-term economic growth and security. As the President said last week, ''We need to compete for those customers because other nations are competing for them.''

Today almost one in five U.S. jobs is supported by international trade. I welcome President Obama's lofty goal of doubling U.S. exports in the next 5 years through his National Export Initiative, and I look forward to discussing his plans with Ambassador Kirk.

As our economy continues to struggle, it is evident Americans will not be able to consume their way out of this recession, so we must focus on getting our products and services to emerging markets around the world. American ingenuity, creativity, and innovation can spur new jobs and new factories all right here at home.

According to the Obama administration, increasing trade by merely 1 percent would create 250,000 jobs, a significant start to helping Americans find work. Passing the Colombia, Panama, and South Korea Free Trade Agreements would accomplish just that, increasing our trade exports by 1 percent and creating an estimated 250,000 Americans jobs. These free trade agreements put American workers on a fair footing with workers in those countries instead of alienating our global trading partners through narrow-minded policies such as Buy American.

Now American-produced goods face substantial tariffs in Colombia, Panama, and South Korea, while many goods produced in those countries have no tariff at all when sold to the U.S. The President's goal is ambitious, so passing these three free trade agreements is an important first step to restoring American competitiveness in global markets.

The last time the U.S. doubled its exports, it took nearly 10 years: final implementation of the North American Free Trade Agreement, nine bilateral free trade agreements, and the successful conclusion of the Uruguay Round. Since 1994, Louisiana has increased its exports to NAFTA countries by 271 percent. As a result, thousands of Louisiana workers have job stability, but we can do much more.

Trade creates good-paying jobs for millions of Americans, and leveling the playing field abroad increases our opportunities. Truly supporting American workers and creating new jobs will not be accomplished by closing our doors to the rest of the world while they continue to strike new deals and expand their exports. Now is the time to reach and to work with our allies

and major trading partners. American leadership is in jeopardy, not because of a rising power but because of a shrinking level of American engagement. The world will not wait for us to wake up and realize the opportunities out there. That is why we need to act on expanding these trade agreements.

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.)

ISRAEL

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

Mr. SOUDER. Mr. Speaker, actually my main subject I want to cover tonight is Israel, but I didn't want today to pass again without making comments about the health care bill, because clearly that is the number one subject on the minds of the people in Indiana as well as the rest of the country.

One of the things that has happened here, without getting into what I believe are the demerits of the bill, the 17 percent of the American economy, and many companies in my district are threatened and their choices threatened, but I think one of the frustrations here is the arrogance of the process.

Initially, we were promised that it was going to be live on C–SPAN and we would see all the negotiations. We are all familiar with how that was abandoned. Then many Members refused to do town halls. They wouldn't answer phone calls. They still won't answer their phone calls or mail. Then we saw deals made in the Senate bill unprecedented in American history.

As I pointed out earlier today, Thomas Jefferson got all of 13 States as part of the first Louisiana Purchase in inflation-adjusted dollars of $150 million. Buying one vote from Louisiana in the other body cost $300 million.

Then when 17 percent of the American economy is at stake, not some annual budget process but 17 percent of the American economy, the Founding Fathers had set up a process in the Senate that is being abused to go down to where it is 50 plus the Vice President can pass the bill. Now we are going to apparently pass this in the House, if they have the votes, and it is going to be deemed passed. We are not even going to vote. No wonder so many American people are losing confidence in government. It wasn't that we were high before, but we have hit new lows. And it is going to be difficult to establish confidence with the American people if we continue at this pace.

But another part of the arrogance of this government is happening in Israel. I would like to insert this article from the Jerusalem Post into the RECORD. It is an article that makes some nuanced points.

But first let me start and say Israel has an historic importance to the world and to ourselves not just because of its history before the Diaspora and the tremendous history of the Jewish people and the Nation of Israel, but also it was a returning homeland for those after the Holocaust from around the world where they could gather again to the land from which they had been evicted.

Then it is important because it is a democratic bastion in the Middle East, where there are not democratic bastions. We are trying to see if Iraq can form a democracy, and Turkey is kind of a democracy as well. But Israel has been from its founding such a democracy, since its refounding in 1948. Not only that, but they are our best and really only consistent ally in the Middle East. But it is also because Israel is going to be of importance in future world history as well in many ways. In fact, not only should all Americans be concerned about what is happening in Israel, but many people have special concerns about the future of Israel and how the United States responds to Israel.

Therefore, it is extremely disturbing to watch the arrogance of this administration to bully our best ally. This article in the Jerusalem Post says this is the worst that the United States has treated Israel since 1975. The American leadership is mistakenly painting Israel into a corner is the thrust of this article. In one of the more sophisticated statements in it by Mr. Avner, who has written on the '75 crisis, he said, ''If the United States wishes to advance a peace process, it must never paint Israel into a corner.'' And he points out that what is needed is constructive ambiguity.

Now, that is an interesting term because most of us like to be very forthright. And I would say that most people in Israel would like to be forthright most of the time. But when dealing with historic conflicts that have gone back to how the divisions first occurred in what I believe when God gave Israel its land, and divisions that have occurred since then, straightforwardness does not bring peace. Constructive ambiguity brings peace.

So when the United States takes sides in calling Ramat Shlomo a settlement, they chose words that were from the other side. That sends a message that becomes then very difficult for Israel. The question is, have we switched our positions or are we not as fully behind Israel?

Now, anybody who has ever visited there, reads about it, follows Israel, realizes that its enemies on all sides at least claim they want to destroy it. And from time to time they have had wars with which to attempt to destroy it. You don't have to be kind of really informed on international issues to realize that Iran is trying to develop a nuclear bomb. Why are they trying to develop a nuclear bomb? They want to destroy Israel from the face of the earth. It is their stated goal.

Now, the people in Israel may be divided on a lot of things and they have a lot of opinions in their country, but they are a tad worried about Iran. And they believe that the United States and the rest of the world don't seem to be taking it as seriously as they do. Maybe because, for example, you can get a bomber over Jerusalem from Amman, Jordan, in a minute and a half. So they tend to be a little uncertain when there is some doubt. And so they have a deep concern. In this case they have a concern that we are all going to talk, talk, talk while they are going to be in danger because of a nuclear weapon. If we are going to address this, we need to stop giving the signals that we do not stand behind Israel, and we need to stand directly behind Israel and let the world know that is what our U.S. position is and do a little bit of constructive ambiguity.

OBAMA REPEATING 1975 MISTAKES

(By Gil Hoffman)

EX-RABIN ADVISER SAYS US GOVERNMENT'S STANCE RECALLS US-ISRAEL SINAI CRISIS.

The American leadership is mistakenly ''painting Israel into a corner,'' as it did during a 1975 confrontation between the two countries, Yehuda Avner, who was an adviser to then-prime minister Yitzhak Rabin at the time of the crisis, said Monday.

Ambassador to the US Michael Oren was quoted as telling Israeli consuls general on a conference call Saturday night that the current crisis with the US was the worst since the 1975 confrontation between then US Secretary of State Henry Kissinger and Rabin over an American demand for a partial withdrawal from the Sinai Peninsula.

Avner said he did not have enough inside information about the current crisis to compare the two. But he compared the language of Kissinger 35 years ago to that of current US Secretary of State Hillary Clinton, who he said spoke in a manner that was more emotional than diplomatic.

''The US must never create a situation in which Israel sees itself as being abandoned, because it encourages belligerence on the other side and inflexibility on the Israeli side,'' Avner said. ''If the US wishes to advance a peace process, it must never paint Israel into a corner as it did by calling Ramat Shlomo a settlement. What's needed now on all sides is constructive ambiguity.''

Avner, who worked under four Israeli prime ministers, recalled the details of the 1975 crisis, which he recounts in his new book The Prime Ministers.

He said the March 1975 incident erupted when Kissinger demanded that Israel give up the Jidda and Mitla passes in the Sinai, and Rabin refused. Because of his refusal, Kissinger left a meeting with Rabin in anger and accused Israel of ''shattering the cause of peace.''

At the height of the confrontation between the two men, Kissinger told Rabin: ''You will be responsible for the destruction of the third Jewish commonwealth,'' and Rabin replied, ''You will be judged not by American history but by Jewish history.'' Avner said he hoped the current crisis would be resolved as successfully.

Then American president Gerald Ford wrote Rabin a fiercely worded letter that

Avner said was among ''the most brutal'' Israel had received from the US.

''I wish to express my profound disappointment of Israel's attitude over the course of the negotiations,'' Ford wrote. ''You know the importance I have attached to the US efforts to reach an agreement. Kissinger's mission, encouraged by your government, expresses vital US interests in the region. Failure of the negotiations will have a far-reaching impact on the region and our relation. I have therefore instructed that a reassessment be made of US policy in the region, including our relations with Israel with the aim of reassuring that our overall American interests are protected.''

Within six months, Kissinger succeeded in brokering an interim accord between Rabin and Egyptian president Anwar Sadat whereby Israel agreed to pull back its forces out of the Jidda and Mitla passes but retained the heights above them while American forces were stationed in the passes.

Avner said that since that compromise was reached, no Israeli has been killed on the Israel-Egypt border.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

(Mr. LINCOLN DIAZ-BALART of Florida 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 West Virginia (Mrs. CAPITO) is recognized for 5 minutes.

(Mrs. CAPITO 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 New Jersey (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DEMOCRATIC SMALL BUSINESS AGENDA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Pennsylvania (Mrs. DAHLKEMPER) is recognized for 60 minutes as the designee of the majority leader.

Mrs. DAHLKEMPER. Mr. Speaker, I look forward tonight in this next hour to discuss the Democratic small business agenda, one that I believe will really help to bring our country further out of the recession that we are now climbing out of. I am glad that some of my colleagues are able to join me tonight as we talk about this agenda going forward.

As our country struggles to overcome the effects of the financial crisis and economic recession, we must look for innovative ways to help create new jobs and foster private sector growth. We must act aggressively to counter the job losses of the past 2 years. And those job losses have been great. More than 8 million jobs have been lost since the recession began in late 2007. Our Nation's unemployment rate is near 10 percent, and in many areas well above 10 percent. Job losses are on the decline, which is good news amidst so many months of recession, but we still have a very long way to go.

The number of long-term unemployed individuals in the United States is extremely high, totaling 6.1 million people as of last month. That is 6.1 million people who have been out of work for 27 weeks or longer. That is nearly 7 months of unemployment. And approximately 2.5 million people are considered marginally attached to the labor force, meaning they want work, but because the job market is so uninviting they have not looked for work in the last 4 weeks.

One of our Nation's greatest historical strengths has always been our optimism. But when faced with a long-term, gradual recovery, as we are today, it is understandable that patience wanes and it becomes difficult to retain the optimism that has served us so well in the past. That is why we must act aggressively and decisively to help our private sector grow and create jobs.

I believe the best place to start is the area of our economy that has the greatest record of success in creating jobs, and that is our small business sector. As a former small business owner—my husband is still running the business—I have seen firsthand the power of small businesses in our communities. A grocery store can transform an urban landscape, improve the health and lower crime in neighborhoods that others may have thought was a lost cause. A retail store or restaurant can energize a community by drawing patrons to lesser traveled areas. A small business can turn an empty street into a destination for customers and tourists. Manufacturers and producers can create hubs of commerce and employment when the jobs they create directly beget indirect jobs.

□ 1845

Manufacturers need supplies and equipment to create their products, and their workers need a place to eat lunch and to shop.

When small businesses grow and prosper, their communities reap the benefits. Small businesses are the engine of economic growth and job creation in the United States, and they've been for years. Over the last 15 years, small businesses have created over 65 percent of the Nation's new jobs, approximately 14.5 million jobs. Small businesses represent 99.7 percent of all employer firms. That means less than 1 percent of our employers are big corporations.

Small businesses are the starting point for economic success. The small businesses of today are the success stories of tomorrow. It's small businesses that create the technologies that profoundly affect our lives and our culture—medical devices that regulate heartbeats, software that allows us to connect with people across the globe, products that rid our ground water of arsenic. These are just a few of the examples of innovations of small businesses.

The American entrepreneurial spirit will help drive our economy out of recession, creating jobs in innovation along the way. That is why we must do all we can to help businesses, small businesses, grow and prosper.

I would now like to yield to my good friend, Mr. TONKO from New York.

Mr. TONKO. Thank you for bringing us together this evening for this discussion on the small business agenda here in Washington.

Obviously, as has been stated so many times during this session of Congress, the number one priority is jobs, jobs, jobs, and jobs. We cannot overemphasize the impact that job creation, job retention bears on the discussions that we have here in restoring this Nation's economy.

And you make a very valid point in assessing the very deep loss of jobs that we experienced at the beginning of this administration. It was somewhere in the neighborhood of 700,000 to 750,000 jobs lost per month in the last 3 or 4 months before the Obama administration began its work here in Washington. That was a tremendous loss to this Nation's economy. Millions upon millions, 7 to 8 million jobs lost during this recession. A very painful blow to the American economy and certainly to the American households across this Nation.

And as we look forward to progress to inspire us, it is good to note that while it's not good enough, some 200,000 to 300,000 jobs lost in the last few months is a vastly improved outcome, a long way to go, but moving in the right direction. The American Recovery and Reinvestment Act enabled us to place down payments in small business production and creation and retention. Certainly those efforts are coming in cutting-edge fashion where we're now addressing job growth in a way that speaks to research and development, allowing us to spark an innovation economy that enables us to respond in very valid terms by embracing our intellectual capacity as a Nation.

These are the source of efforts that require our investment. And I am so impressed that we can move forward now with many issues that were backburnered.

When we look at the need to produce here locally in this country, to produce nationally for our energy needs, nothing could be smarter than to move forward with a clean energy economy, to be able to draw down that gluttonous dependency on fossil-based fuels that has fed this system, that has enabled us in a way to continue to add to that carbon footprint. And we're putting hundreds of billions of dollars per year

into the treasuries of unfriendly nations to the United States and our allies across the globe. That is not smart government. That is enabling us to continue along the course of status quo where we don't exercise the options available to us.

I look within my district. I look within the region that I represent and beyond in upstate New York, and there are such great things happening in nanoscience, in semiconductors, in superconductivity cable, in renewables, that we are now cultivating this climate that enables us to respond to a clean energy economy. It's growing our energy independence. It's growing our energy security, and therefore, favorably addressing our national security, because as we conduct these sorts of experiments and grow opportunities in the energy world, we are giving birth to wonderful startups, to entrepreneurs, and that is the spirit that is uniquely American, as you suggested.

So I'm very, very enthused about where we're heading. I believe that as we have stopped the bleeding of this recession, we now go forward with the toolkit that will enable our small business community to respond in fullest fashion where we embrace the intellect of this Nation and allow us again to taste that sense of pioneerism that is really, I think, the flame that really sparks America's comeback.

Mrs. DAHLKEMPER. I think the gentleman makes a great point.

As you talk about the American Recovery and Reinvestment Act, I think the part of that bill that we maybe fail to get the message out there about is the reinvestment side. In the beginning, we were trying to help those who were hurting most, those who needed extension of unemployment or needed help with COBRA. But now we see many of our small businesses are actually involved in the reinvestment side as we're actually reinvesting in our economy.

One of the exciting things I got to see was a new biomass heating unit for three different businesses. One is a school district-owned business, one is a recreation center, and one is a career center in one of my communities. And I asked them about the project, $3.2 million project, $500,000 of that coming from the Reinvestment Act. And I asked them how important that money was to them, and they said that was what they needed to get over the hump. This is going to create new jobs in our region on the construction side, and then jobs beyond that.

But our small businesses will be involved in putting this whole new system in, and it's going to actually save a lot of money for these three organizations in the long run and take us, as you say, to a cleaner economy as we go forward.

So there certainly are some very exciting things. Our agenda really started with the American Recovery and Reinvestment Act. And it is what has taken us out of the recession. And one of the things we need to talk about is the aggressive agenda that we have, as Democrats, for small businesses, to give them the support they need to create jobs and speed the recovery.

And one of those is access to capital. I'm sure we all travel around our districts and hear from our small businesses that they can't get the capital they need. They want to grow their business. They see positive signs, and we need to be there. And our agenda, I think, is going to take them there. For every small business, they need capital to grow, and this is really the first piece of the puzzle. But the tight credit has limited their capacity. So we need to provide alternate means for small businesses to access capital to grow, and that's why we have a couple of different pieces of legislation.

One I have introduced, which is the Express Loans Improvement Act, H.R. 4598, to increase the availability and the utility of SBA express loans, a vital source of working capital for small businesses. And so I would certainly like to thank people who've come on that bill. And I want to thank particularly Congresswoman BEAN because she helped to introduce that legislation with me.

There are a number of other loans programs through the SBA that we're working to improve for our small businesses that will help them access the capital that will help them to grow.

Right now, I would like to yield to one of our newest Members from California, certainly a very welcome addition to our Democratic caucus and to Congress as a whole.

Mr. GARAMENDI. Thank you. I want to thank the gentlelady from Pennsylvania and the gentleman from New York for the opportunity to discuss this critical issue of small business and jobs.

We know the statistics are very bad. But the discussion you two were having a moment ago used the word ''investment.'' And we talked about the American Reinvestment Act. It's now 13 months old. And it's absolutely critical that we always ponder investment because the investments that we can make at the government level will lead to short-term job growth as well as to long-term job growth and stability.

Years ago, we looked in California about how do you grow the California economy. I did a report on it. This was more than 25 years ago. And we noted that the history of California's great economic growth was centered on five things. The first and foremost of them was the enormous investment that was made in education, both in K–12 and community colleges and in the research institutions. It was that investment that gave the foundation. And here we are today with enormous disinvestment, backing away from that critical investment in education.

Now, the legislation that we talked about, the American Reinvestment Act, moved billions of dollars into the education sector so that we can continue to educate our kids at the universities and K–12 and the community colleges so that people who had lost their jobs could come back and learn the new skills, as you were saying, Mr. TONKO, the new skills in the green technology. Extraordinarily important investment in knowledge, investment in the ability of people to compete internationally.

Our friends on the Republican side say, No, we shouldn't have done that. So what are these people to do? They have lost their job. They don't have the opportunity to get new knowledge and new skills.

The second thing that we learned that was one that you also just talked about, the two of you a moment ago, about the necessity for research. It is in the research that the new jobs are created. Why? Because those are new products. Those are things that people demand and want and need for the growing economy. And in that is the high profit margin. And, again, for the first time, the Democratic Congress and the President—without the help of the Republicans—passed the greatest increase in research money in the last 20 years, putting money into research that will again lead to jobs sooner and later as the economy grows.

There are many other pieces of this. One that's before us is the health care legislation. I know a young couple in their mid-thirties that want to start their own business but they cannot leave the job that they have today because they know that as small business people, they will not be able to get health care insurance. They have two kids.

So these are things that we're bringing to the American public—last year, with the American Recovery Act and now this year, as we look at how we're going to deal with health care. These are the critical investments that we need to make. And I thank you so very much for bringing this to our attention, to the attention of the American public.

Mrs. DAHLKEMPER. I thank my friend from California.

Now I would like to yield to my friend from Michigan (Mr. PETERS).

Mr. PETERS. Thank you for yielding the time. Thank you, Mrs. DAHLKEMPER, for putting together and assembling this Special Order. And I would also like to thank Chairman LARSON, as well as Representatives SUTTON and HASTINGS, for chairing the House Jobs Task Force, of which I'm a member, and I think others are members of here tonight as well, which is doing very important work to make sure we are creating jobs in this country.

We all know that small businesses employ half of all private-sector employees, and are responsible for creating 60 to 80 percent of all new jobs over the last decade. They create more than half of our Nation's nonfarm GDP. Small businesses employ 40 percent of high-tech workers, and small businesses create 13 times more patents per

employee than large patenting firms. And improving access to credit is a key aspect of helping these small businesses grow and create jobs and ensure that America remains a global economic powerhouse.

I am pleased that the American Recovery and Reinvestment Act provided $30 billion in tax relief for small businesses and increased the percentage a business can write off in capital expenditures by 50 percent. Additionally, the total amount a business can write out has been doubled to $250,000, allowing for a substantial investment in equipment and resources for small businesses.

But much more, as we know, much more needs to be done to help our small businesses in this country.

Last year, I had the opportunity to host a field hearing in Oakland County, Michigan, where I gave borrowers and lenders an opportunity to discuss the challenges that we're facing in Michigan. Bank regulators attended the hearing as well so that we could hear firsthand their policies and how those policies are making it very difficult for banks to make the loans to very worthy businesses in my State. And I know it's not just a problem in Michigan, but in States all across the country now.

One of the biggest problems that borrowers and lenders outlined was that as their value of commercial real estate, manufacturing equipment, and other sources of collateral has dropped, it has made it very difficult to obtain a line of credit. Even for a company that has purchase orders in hand, it is difficult for them to get that money. That's why I'm working with Congressman LEVIN and Congressman DINGELL on legislation that will provide States with funding that they can use to create a collateral support program to make sure that these businesses get the vital lending that is so important for them.

That's why I have also proposed a small business lending plan that will redirect unspent Wall Street bailout funding to instead help small businesses in our communities so they can get the credit that they need to grow and to create jobs.

□ 1900

Efforts to help small businesses are especially crucial in areas of high unemployment. I was happy to author legislation through the Small Business Committee which I know, Representative DAHLKEMPER, you are a leader in, to provide zero-interest loans worth up to $75,000 to small businesses in high unemployment areas, with payment on these loans deferred for 18 months. It also makes high unemployment areas eligible for the New Market Venture Capital program, providing strong financial incentive for investment in new and emerging industries in areas where the workforce is necessary to build the new economy and is ready and enthusiastic and just needs that additional help.

In addition to helping businesses access capital, we must make sure that they also have access to key partnership programs that are proven to spur job creation. For example, the Manufacturing Extension Partnership, the MEP, is a crucial national program that provides technical services and assistance to increase productivity and efficiency of small and medium-sized businesses. The Manufacturing Extension Partnership is a model of an efficient and effective program, credited with creating and retaining over 55,000 jobs per year and $10.5 billion in increased or retained sales.

MEP support is vital to the long-term success and competitiveness of small and medium-sized American businesses, and preserving and strengthening the program should be a priority as Congress continues to work on reviving this economy and getting that growth going.

Currently, the costs of the MEP's services are shared between the Federal Government, State government and industry with Federal Government contributing one-third, and States and industries contributing the remaining two-thirds. However, State budgets have threatened the MEP's existence, and at least 23 State MEP centers now report a decrease or elimination of State MEP funding in 2009 alone, and some centers have been operating without State assistance for years. When a State eliminates this vital funding, it is left to small businesses to cover the gap, and they risk losing Federal dollars in those States that are being hurt the worst. That is why I have introduced legislation with Representative EHLERS that would reduce the matching requirements for small businesses to ensure that they can continue to participate in this MEP program.

And, finally, I would like to also announce that this afternoon I introduced, along with Chairman LARSON and Congressmen REICHERT and TIBERI, a bill entitled the ''American Job Creation Investment Act'' to provide business tax relief projected to create hundreds of thousands of new jobs. I would like to thank my colleagues for working with me on this bill and support from those of you here in the Special Order here tonight as well.

This bill in a sense will allow companies to use the alternative minimum tax credits that they now hold but that otherwise they must save for future years to be used this year for job creation, job retention, and capital investments. The bill is estimated to directly create over 65,000 new jobs and help businesses retain 170,000 jobs in the next 2 years, plus spur $40 billion in additional job-creating investment. A wide array of industry associations currently endorse the bill, including the U.S. Chamber of Commerce, the National Association of Manufacturers, the Motor and Equipment Manufacturers Association, Associated Builders and Contractors Association, and the Association for Manufacturing Technology.

This is an incredibly efficient and commonsense way for us to spur job creation. Companies are sitting on these tax credits, but under current tax law cannot use them until future years. This bill will allow them to use the tax credits they have already accrued to create jobs now, when we need them the most. And I would like to encourage my colleagues to cosponsor this very important bill.

While I'm proud of the work that we have done in Congress to turn around our economy and help families and small businesses, I think we all agree that there is no question that there is more work to be done. Small businesses will be the key to my State's, and the entire Nation's, economic recovery. And I believe, as I know all of you believe, that helping businesses have access to capital that they need to grow, invest and create jobs is the key to helping our economy move and put Americans back to work. I look forward to continuing to work with all of you and applaud your efforts here tonight to bring this important issue to the American people as we continue to work to create jobs in this great country.

Mrs. DAHLKEMPER. I thank my friend from Michigan who I know is just out there every day fighting for jobs in Michigan and fighting for this country to make sure that we have a robust and strategic plan going forward. And many of your pieces of legislation that you have brought forward will do that. I'm really glad you brought up MEP, the Manufacturing Extension Partnership, which I'm also a big fan of. I think that we need to make sure it is funded and funded in a way that our communities don't lose the funding if their States don't have the money. So I'm glad that you're working on that, and I appreciate your work in that area.

I'm also glad you brought up the Recovery Act tax relief. Again, there are so many parts about the Recovery Act that we don't talk about enough, and it gets stuck as ''stimulus bill.'' I really like the ''Recovery Act'' name better. We need to talk about that recovery and reinvestment side, the tax relief that came to individuals, but the tax relief that came to small businesses to allow them to reinvest into their businesses continues on. And I think that is important not to forget those pieces.

I'm going to yield again to my friend from New York.

Mr. TONKO. Thank you, Representative DAHLKEMPER. And it is a pleasure to hear both Congressmen from Michigan and California and you as a Representative from Pennsylvania all speaking the voice of the freshman class. I'm so enthused to work with all of us as freshman Members of this Congress. We have brought, I believe, a lot of thought, a lot of energy, a lot of vision; and we are attaching it to the leadership of this House, which is broken from some of the failed attempts from the prior administration.

The entire focus on manufacturing through the MEP program was denied. There wasn't a respect shown, I believe, strong enough toward the manufacturing sector. And the American manufacturing sector is alive. It will be competitive on the global scene because it can do it smarter, and the investment of that intellectual capacity of this Nation gives us great promise with the manufacturing sector.

So to hear of all these ideas, from tax benefits that will go toward creating small business opportunities, to dealing with the credit crunch, making certain that we raise the loan opportunities to allow for the working capital needs to be met for our small business community, those are important aspects. Those are great factors.

H.R. 4598, which you are sponsoring, Congresswoman, is tremendous benefit to the opportunities to invest in small business, and they are the backbone of this American economy.

To the gentleman from California, when he spoke of health care, I talked to a number of small businesses that might have five, 10, 15 employees. And when they are insuring their employees for health care purposes, they are looking over a rather small base. And the bill that we are looking at before the House allows for an exchange to be developed where there is a large pool of employees, where there is going to be a regulatory environment to hold down those costs. And beyond that, if you have one employee of five or 10 impacted with catastrophic illness, you're probably going to see rate increases in your insurance rise exponentially. When you put them into a larger sea of employees, by operating through these exchanges, that's the kind of reform that is responding to the needs of small business.

We talked about it today in my office. People understand that concept. You put people's situations into a large audience, and it neutralizes the outcome in a way that spreads the pain and allows small business to continue to provide for their employees, which they want to do. We have decided in this country we are going to stay with an employer-based health care system. So let's provide the reforms that allow small business to have the benefit in that outcome. If we profess small business to be the vision of the future, to be the job growth market, certainly we have seen it in the last decade or two, 75 to 85 percent of all the new jobs created are coming through small business.

So let's be there in a user-friendly way that allows them to provide for their employees so that they have a healthy and strong workforce so that we can put together both the physical health care, mental health care concepts that will enable them to prosper, put together the funding opportunities dealing with that credit crunch. We saw what happened. The banks were not regulated. We saw the institutions out there collapse. It killed the American economy and the global economy. And the credit lines were dried up. They were exhausted for households and businesses. That is not good.

So now it is our challenge as Democrats to respond; and, I think, in many dimensions we are responding. We are going to open those credit lines. We are going to provide for that capital need to be met for the business community. We are responding. And people need to know that it's a full agenda from a jobs package to health care reform to energy reform, which is growing a clean energy economy, an innovation economy. These are the concepts that are going to provide the change that was long overdue and utilize the American know-how, the great pioneer spirit.

I represent a host of communities, a necklace as I like to refer to it, of mill towns. They were the epicenters of invention and innovation. That spirit still prevails in this country today. And we need to foster that kind of growth. We need to grow out of this recession, now that we have stopped the bleeding, and build this economy the way we envision it to be the most powerful, with small business at the front and center of that.

Mrs. DAHLKEMPER. I'm sure as the gentleman goes around his district, as my other colleagues do, and visits our small businesses, we see the innovation. It is exciting to go visit those small businesses in our region who are really doing some very amazing and innovative work.

Again, we have a robust and strategic agenda, the Democrats. And we have got to continue to work on this as we want to continue to help our small businesses. I think we have got a lot of good pieces in place and, as Mr. PETERS brought up, even more things that we are bringing forward.

I would like to yield again to the gentleman from California.

Mr. GARAMENDI. Mr. TONKO, thank you so very much for weaving together all the pieces of the puzzle that the Democratic Party and this Congress are putting together. It is the education piece, the health care piece, and also there is another piece, and I'm going to use an example here of what is taking place in one of the counties I represent. It's Contra Costa County and the Contra Costa Council, which is made up of businesspeople who have said, let's use the purchasing power of government to incentivize and to help the small businesses.

Now, it happens that in this particular area, there are major research institutions. The University of California, the Lawrence Berkeley Lab, Lawrence Livermore Lab and the Sandia Lab are all in the area. And out of that comes enormous numbers of new ideas. But those ideas are often left without a real market because they are new and they haven't been able to grow and to develop their market. So the local government said, why don't we get together and become the purchaser and jump-start, use the purchasing power of government, particularly in the area of energy conservation.

For example, street lights, there is a new company that is in the LED lighting system, and it's possible for that company, in their own neighborhood, to create a huge market, replacing the existing street lights. They use an enormous amount of energy with the new LED lights. But one example, in order to do that, that is the wise use of government. At the Federal level, billions upon billions of dollars are spent every year, often going to the large companies to what are known as the ''Beltway Bandits,'' the companies that hover around Washington. We in the Democratic Party are doing this today, the Democratic Congress is pushing the President, pushing the administration to push those jobs back to the local community by contracting with small businesses.

The small business community needs access to the Federal contracts just as they would like to have access to the local government. That has been the policy of the Democratic Congress and is the policy of the Democratic President to make sure that small businesses have access to the Federal contracts. It doesn't come easy. I was the Deputy Secretary of the Department of the Interior in the 1990s, and we had to literally force the bureaucracies to contract with small business. It is like putting in reporting requirements. We are continuing that today.

So once again, there is a web of opportunities, education, health care, the tax laws, all of these things, including contracting and access to the Federal and local government purchasing power that creates opportunities for small businesses. That is our agenda, and it's a good agenda for America. It's a good agenda for business.

Mrs. DAHLKEMPER. Another piece of the legislation that we have passed through the House and the Senate, I believe, is taking it up tomorrow, is the HIRE Act, or the Hiring Incentives to Restore Employment Act, which includes tax cuts, again, for small businesses to invest, expand and hire more workers. It also takes on unemployment directly creating a payroll tax holiday for businesses that hire unemployed workers to create, we hope, some 300,000 jobs in our country and an income tax credit of $100,000 for businesses that retain those employees. These tax cuts and credits are going to help our small businesses grow and push our unemployment rate down.

As I said, the Senate is considering this, I believe, tomorrow. So we will look forward to the Senate's passing that legislation and again getting that out to help our small businesses throughout this community.

As a consequence of our recession, small businesses are hesitant to invest in expansion in the current economic climate. So to encourage those investments, we must continue to offer those tax incentives to give our small businesses the comfort they need to have

to move forward and to grow their businesses, and, again, going back to making sure access to capital is there, the tax incentives, the MEP programs, even as our colleague from California talked about, the education facilities and making sure that there is a connection between our small businesses and our education institutes.

□ 1915

So that is an important piece that we can't forget about. There needs to be that good connection. I think many of our pieces of legislation are working to make sure that connection is there that wasn't always there. Sometimes there is a disconnect between what happens in the university setting and research and what happens in our manufacturing facilities. And I think we have worked really hard in some of our legislation, and we will again in our America Competes legislation that we are bringing now through the Science and Tech Committee that many of us sit on, we will be working to make sure that that connection is there. So it is another important piece.

Mr. GARAMENDI. Let me give you a very brief example of that connection.

The community colleges across this Nation are one of the very best places for people to get specific job training. When the community college is connected to the business communities, the business community can directly affect the educational program that that community college is providing, making the education pertinent to the employer so that when that employee finishes or when that worker finishes the community college program, they are specifically ready.

I was listening this last weekend when I was back in California to a local radio station talking about the way in which the community college and the employers are working together to educate unemployed construction workers, preparing them for the solar industry so that they knew how to install solar photovoltaic, so that they could be the salespersons, so that they can do the audits that are necessary, and those people would be immediately prepared. Now, the problem is the community colleges across this Nation are running out of money.

Now, Mr. MILLER, the chairman of the Education and Labor Committee, has proposed a new piece of legislation called the Local Government Jobs Act, and it has $23 billion to directly go to the educational system so that they can hire the teachers, so that they can do the training in the community colleges to prepare workers for the new economy that is coming our direction. This is the kind of really important and useful legislation that is needed. Some 250,000 teachers would continue to be employed.

And I was noticing in the Washington Post today, the headlines, the right-hand column, ''Thousands face furloughs; schools may lose millions.'' That is repeated. That same headline was found in the Sacramento Bee and the Los Angeles Times in the last week.

So we need to support the educational system so that unemployed workers have the opportunity to become better prepared to take the jobs that will be there as these tax incentives, the new economy kicks in, as we move to the green technologies and the green energy systems. There is a totality here. There is a holistic approach.

That is what the Democratic agenda provides: tax incentives, health care, education, purchasing power of the government made available to small businesses, bringing the new businesses on line. All of these things create a totality that will restart our economy and keep us moving and take these workers that are now tax-takers on unemployment insurance, some on welfare, using the COBRA money that we provided through the American Recovery Act, and let them become taxpayers, building our economy once again. That is our agenda.

Thank you so very, very much for bringing this small business agenda to the American public so that they understand that this party, the Democratic Party, is the party that is concerned and is willing to use the power of government to restart our economy and to give small businesses an opportunity to prosper and grow.

Mrs. DAHLKEMPER. I thank the gentleman from California, who I know is very passionate about these issues. And we really appreciate your joining us tonight and being part of this discussion.

I have said for years that a strong economy really begins with a strong education system. We have got to have our students ready. STEM education, all the different aspects of education need to be there to make a strong student base that will then go on and be our next innovators and our next scientists and our next artists, because we need all those different aspects of our culture.

We have been joined by another member of our freshman class, from Florida. So representing the southern part of our country, I would like to now yield to the gentlewoman from Florida (Ms. KOSMAS).

Ms. KOSMAS. Thank you very much. I thank you for yielding and for hosting this important forum on small business.

I appreciate the picture that has been painted here on the large issues nationally and how they are affecting our economy, but I come to speak from a personal perspective as a person who has been a small business owner, self-employed my entire adult life. And that means that in my community, most of my friends and colleagues are also small business owners small- to medium-sized business owners, and I recognize the things that are important to them. We recognize them, of course, as the engines of our economy.

And what we know for sure is that, over the last decade, 70 percent of new jobs created in this country have been created through small businesses. That is why they are so critically important to us during this economic time. We want to ensure that they are able to survive and thrive, and I think we all are working together in order to make that happen. We recognize that the Recovery Act has been important to these small businesses and that measures have been introduced to help them have access to loans and to capital, but I know that in my district and in others, businesses are still struggling in order to access the capital that they need in order to grow and add jobs.

Just last week, I visited VaxDesign, which is a truly innovative biotech company, in my district, that wants to expand; but in order to do so, they are going to need to attract resources. And so what we really need to do is to take additional steps to open up the flow of capital to small businesses, and that is why I have introduced a bill that will eliminate the capital gains tax on long-term investments in small business stock. We have done that so that innovative companies can attract the long-term investors that they need and grow new jobs. We all recognize that that is a very important part of what we are trying to do during this particular economic downturn.

As was previously stated by Representative DAHLKEMPER, the House has recently passed legislation that plays an important role in providing a payroll tax break for businesses and also a $1,000 credit for keeping new hirees on, and these are very important incentives.

I have also introduced several other measures that I think are extremely important based on my experience in small business and my recognition of the issues that are important to them in my district. Some of these include incentives to encourage private sector investment in areas of high unemployment, which is a serious problem in many districts but about 12 percent in parts of my district. And while we have had these incentives in place in the past for low-income areas, we are now wanting to apply those incentives to high-unemployment areas.

I have long suggested that we should allow sole proprietors of small businesses to be able to deduct the cost of their health care, which they are not currently able to do. This has the benefit, of course, of providing them with a tax incentive but also encouraging them to have health care for themselves and their families.

We have introduced legislation that increases the new business startup deduction from $5,000 to $20,000, and also a Shop Act which we introduced that allows small businesses to pool together to purchase insurance.

Some of these, of course, will be taken care of in other ways and through other pieces of legislation, but they are important initiatives that I have personally taken on as part of my own agenda for my district.

We also passed an amendment to support the photonics industry through the Small Business Innovation and Research Act, and this is very key to central Florida, an area where that area is growing rapidly.

These are some examples of what I call common sense, and they are bipartisan solutions that I believe will help our small businesses spur investments and create jobs. And it would be my intention to continue to work with my colleagues and to try to continue to find new ways to increase opportunities for small businesses to grow and to hire more folks in central Florida and across the country.

I certainly am proud to be here this evening and concur with, as I say, the big picture that you have painted as to how small business is connected to the educational system, and the opportunity for innovation that grows out of small business is a very important component of how we see improving our educational system at all levels.

So I thank you again for bringing this issue before us and for the opportunity to speak tonight.

Mrs. DAHLKEMPER. I thank my friend from Florida for joining us. And one of the, I think, encouraging things that I have seen, we are all new Members here, but many of the new Members who came in in 2009 and also that came in in 2007 were small business owners at one point in their life and understand the issues that small businesses have to deal with. That actually gives great comfort to my small business owners back home when I tell them that we have actually started this Small Business Owners Caucus to talk about the issues from the small business owner perspective as we deal with legislation. And I think it is just important for people to understand the issues are different for small businesses than large businesses, and our agenda, the things that we have been talking about tonight, I think, bring forward the fact that we realize that and we are taking many steps here within our Democratic agenda to address those small business issues.

Mr. TONKO. Representative DAHLKEMPER, you know, you and our colleague from Florida sparked a thought as you were both talking about innovation and small business creation.

To the credit of the leadership in the House—and I have to credit Speaker PELOSI for really advancing the innovation economy. She believes in that investment. She understands that jobs are the greatest issue that are out there challenging this country in terms of providing the support that is required.

This Monday before I traveled here to the Nation's capital, while still in my district, I was invited to attend the 10th anniversary celebration of SuperPower, which is now producing all sorts of demonstrations in the high-temperature superconductive cable market.

As we talk about this energy system in our country, as we talk about creating our own American-produced supplies of power, we also need to remember there is a delivery system that needs our investment. The transmission and distribution system, the arteries and veins of the network, if you will, has been designed for monopoly settings. And as we have deregged in this industry, we now find that this country is not only wielding electrons from region to region but across State borders, across country borders as we look at importing power supplies from Canada.

So all that being said, the August 2003 failure that impacted the northeast of the United States, the eastern seacoast, States along the eastern seaboard, southeast Canada, millions, tens of millions of people in a blackout situation for days, if that didn't expose a gaping vulnerability of a weakness in this Nation, I don't know what would. So we need to invest in that delivery system. That is critical.

SuperPower, celebrating its 10th anniversary, is there producing high-temperature superconductive cable far more efficient than conventional cable where multiple times more electrons can be transmitted along the line.

As we look at the agenda in this country, there is no room for waste. I talked earlier about the gluttonous dependency on fossil-based fuels. If we can improve efficiencywise, we are going to be all the sounder as a Nation. So these great researchers and scientists are developing this cable.

They had in their display, at the Schenectady Museum for their 10th anniversary celebration, a piece of the cable that was used as a demonstration project in the city of Albany, New York, which proved successful. Now the work is to further develop so that we can commercialize this discovery and that we can drive down the cost so that it is truly an economic benefit. That is where R&D comes into play. It is all of that investment.

I truly believe that we, as a country, when investing in these efforts, create jobs from the trades on over to the Ph.D.'s. And when I looked at that, I realized that, here we have been investing. I was there at the front end of investment when we put down a bit of investment for capital purchases, for equipment for this startup. Now, 10 years later, they are doing great work. They are breaking their own records and are being recognized nationally and internationally.

So that has inspired me, along with conversations with small business innovators, entrepreneurs that are doing the same sort of signs and discovery that will change our response and responsiveness to a number of challenges out there.

I have introduced a bill that deals with the small business innovators. They are oftentimes in situations, scenarios that are high risk but high reward. And the angel network and the venture capital community even in this tough economy, especially in this tough economy, is somewhat skittish about going out there, lending to them on their own.

□ 1930

So government has a role here to soften that blow in those high-risk but high-reward situations. My bill would take the 2007–2008 success stories with the Department of Energy, where phase one and phase two investments have been made. Investments in prototyping. You develop an idea, you bring an idea to the table, you convince DOE it's a good project, and you develop that prototype. And then you test it. And there are many success stories where they have built the prototype and it met the test. But then we don't do the next and final stage, the third stage, which is invest to deploy it to commercialization. My measure would take those 2007–2008 success stories and—standing as inspiration is SuperPower. Ten years into it, they're breaking their own records. They're getting into demonstrations that have now been proven successful. We need to continue to invest. Now is not the time to walk away from that system. We need to invest in it. Certainly, we have potential that is limitless, and we need to go forward, and it responds to those present-day and future needs of this Nation and does it in magnanimous measure that produces jobs in every element, every sector of the workforce.

So these are the great investments. Just like we're investing in community colleges—where we'll have before us in the near future measures to invest in community colleges. One of my local community colleges is investing in clean room science technology. So that as we develop these ''clean'' rooms with the nanoscience industry with chips that are manufactured, they can then be coupled with everything from agriculture as an industry to the pharmaceutical industry to health care to energy. There's great potential there. And these are partnerships that need to be fostered by the government. This is a role where the government can produce jobs, because they're removing some of the risk, and they're there because all society benefits from these opportunities. They're great bits of discovery.

And to SuperPower, I publicly want to thank them for 10 years of a success story. And I know they're going to go on to even greater things where we can apply this into high-efficiency situations. Think of it. As we begin to grow our renewables out there with solar arrays, with solar farms, with wind farms, we are then able to take direct current cable, where there's a hundred percent efficiency, no line loss. So as you're taking that generated energy, American-produced energy, you're now making certain there's no loss of that product in its delivery mode. And we're all prospering from that.

These are the opportunities we're talking about. They were put on the

back burner. MEP was told, You don't need to be funded any more. Manufacturing doesn't need our attention. Nothing could be further from the truth. We need to invest in these industries. And we can do it because we have the know-how. We invest through higher education, we invest through apprenticeships with our trade unions. We do all of this investing, but then we need to provide the hope. And the hope comes in a job—in a business that's produced that translates into jobs.

Let's do it. Let's do it in a progressive, visionary way that enables all of us to prosper. And I'm so impressed that the Democrats are putting together a strategic plan that ranges from health care reform to job creation to incentives and tax relief and credit line opening, dealing with that credit crunch and putting together the workforce training. These are the elements. These are the tools in the toolkit that will take us to a new era of job creation—some jobs not yet on the radar screen. That's the remarkable bit of visioning here, of public policy development and resources that are put together in the budget.

So I can't thank you enough for the small business passion that you bring to this House, Representative DAHLKEMPER. Your track record as a small business person is that inspiration for you to then influence us in putting together packages that allow us to provide that opportunity from coast-to-coast for this great country.

Mrs. DAHLKEMPER. Well, Representative TONKO, I want to thank you because you have a lot of passion for small businesses and for job creation. You have been a great leader in our class and in this Congress. I'm excited about some of the new pieces of legislation I've heard about just here tonight—pieces of legislation that are coming out of the Democrats, coming out of particularly the freshman class of the Democrats, who I think have come to Washington with great ideas and with great solutions with how we can move forward.

You know, it was said that the Iroquois Indians, when they would make decisions, looked seven generations out. I'm not sure we're quite seven generations out, but we're looking out beyond next year, beyond the next election. We're looking out to the future and what is the best future for our country and how do we get there. We have to make sure we continue to make things in this country, as I know you and I both believe very strongly. We have to be innovators. We have to be the first in finding the new solutions to these issues that are huge but are so very important as we move our country forward.

Mr. TONKO. Representative DAHLKEMPER, I know that you've brought students to town. They've come from Pennsylvania from your district to visit. Today, I greeted students from Brown School in Schenectady, and as luck would have it, they came across the Speaker. The Speaker had seen them in Statuary Hall, where all of these great figures remind us of leaders of this great country in our formative years, in our beginning years, where they spoke to a vision for the future. They are now those heroes that developed a strong sense of our past.

As she shared her thoughts with the students, she said to these eighth-graders, These are the giants that led us to today, but you're talking to Representatives here that are going to do the same thing. They're going to take us into the future. And the students understood. They understood that what we're doing here today is developing opportunity for them in a career path, in an education curve that will take them to higher ground and in job creation that will be there for them.

That is the challenge to each and every one of us as legislators—not to walk away from the crisis. A crisis is a terrible thing to waste. We have an opportunity here to take an economy that crumbled because of the lack of regulatory aspects, the lack of stewardship, the lack of watchdogs that could have kept it into working order. As that collapsed, this President offered a Recovery Act, and it stopped the bleeding. Now the awesome task is to build the economy we believe is strongest, that will be most responsive to the needs of this Nation. And when we look at it the investment in technology from health care, with all sorts of record-keeping done with technology, to education, wiring—hardwiring our communities with broadband and communications, creating opportunities, and energy generation and energy transmission, smart grids, smart metering—all of these opportunities that were denied are now front and center.

And so it's been a pleasure to join with you this evening to talk about not only growing out of this recession with soundness, but developing small business. Jobs, jobs, and hope for America's people. Thank you so much for your leadership. It's a great freshman class and I'm proud to be a part of it.

Mrs. DAHLKEMPER. It is a great freshman class. We have leaders in the great freshman class who will take us to that future and to the future that those students are looking forward to. I want to thank you all and all of my freshman colleagues who have joined me.

I do want to share just a few examples of some successful small businesses from my district, the Third District of Pennsylvania. Ibis Tek is a veteran-owned small business located in Saxonburg, specializing in products and accessories critical to the defense industry. Ibis Tek designs, manufactures, and tests important equipment such as transparent armor solutions for tactical and security vehicles; radio and video communication for unmanned ground vehicles; and emergency rescue devices for quick vehicle access and rescue. It's one of the many companies in my district that are providing quality equipment to keep our troops safe. And for having been both in Iraq an Afghanistan over this past year, we certainly want to do everything we can to keep our troops safe. I'm just very proud that a company in my district is working on the latest innovation that's going to help do that.

Combined Systems is located in Jamestown. It's an engineering, manufacturing, and supply company of tactical munitions and crowd control devices globally that is given to law enforcement, corrections, and homeland security agencies. It is not only in defense that small businesses in western Pennsylvania are excelling. CCL Container in Hermitage is a leading manufacturer of recyclable aluminum products. They produce recyclable aerosol cans, aluminum bottles, barrier systems, and other specialty aluminum packaging. Since 1991, CCL Containers has been creating innovative solutions for product packaging that can be found in just about every home, from your beverages, cleaning products, hair products, and any number of goods that come in packages, using recycled aluminum, which is really great as we look to our future.

Just last December, a new small business came to Erie, Pennsylvania—Donjon Shipbuilding and Repair. Donjon Marine Company chose our region to expand their business because of the strong manufacturing base and expertise that I know you have in your region in New York State also. They're a welcome addition to Erie's business community and to a revitalization of using the lake that we have in front of us.

Finally, I'd like to highlight a small business in my district that's been serving our community since 1876, Hodge Foundry. You're going to be excited about that because they're actually working in the wind industry producing the castings for those very large poles that go up to the windmills. With 130 years of expertise, they produce some of the world's largest engineered iron castings right in my home district in Mercer County.

Mr. Speaker, it's small businesses like these that build the products and create jobs that change people's lives and move our economy forward. We must act swiftly here in Congress to enact legislation that will help our existing small businesses grow and hire new workers. We must create pathways for startups and entrepreneurs to turn their ideas into those successful businesses that I just mentioned and my colleagues have mentioned tonight. Small businesses are our investment in our communities and our entire Nation. I urge my colleagues to support the robust and strategic Democratic small business agenda that will help our businesses gain access to capital, create jobs, and develop the technologies and innovations that will move America forward.

It's very exciting to be here at this point in our history. I think our freshman class is a big part of the forward movement in this great agenda that we have. So I thank my colleagues, and I yield the rest of my time.

HEALTH CARE REFORM

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

Mr. BURGESS. I thank the Speaker for the recognition. Well, here we are, Tuesday night, Washington, D.C., 20 minutes until eight o'clock in the evening. What a day we have had here in the Capitol. Mr. Speaker, many of your constituents and my constituents probably tried to call our offices today to register how they felt about this health care bill. I know I have been encouraging people, whether they agree with me or not, whether they think I'm spot on or all wet, I have been encouraging people to call and let Congress know what you think about this massive government takeover of one-seventh of our Nation's economy. And people have responded. They have been calling.

But today they were met with either busy signals or interminable rings, because apparently the House switchboard was overwhelmed with the calls that were coming in. I will tell you I was concerned because I called my number for my office and got a busy signal, and yet walking around in the office, certainly not all of the phones were in use. So apparently this problem that Americans have encountered all afternoon has been one that has at its root and its cause in the antiquated House switchboard. I do hope the Speaker, I hope the Architect of the Capitol, and the Capitol business manager, will take that into account, because clearly, clearly we need to be able to hear from our constituents when we have such important legislation coming up to the floor.

So where are we as we work through this? Are we in the last throes? Are we still in for a long, hard slog? We have heard terms like the final push, the final stretch, the 5-yard line. President Obama, Speaker PELOSI, and Majority Leader REID have ignored calls by certainly every Republican, by many Democrats, many independent Americans, and just the American people in general, to really put the breaks on this current bill and to look at some of those things that people really want to see done, and do those.

We don't have a lot of credibility right now in the United States Congress. Recent polls I think today put it around 17 percent. No one trusts us with a 1,000-page bill that we passed out of committee last July 31. They darn sure didn't trust us with a 2,000-page bill that the Speaker's office came up with in October and that we passed in this House in early November. They darn sure didn't trust the 2,700-page bill that passed in the Senate on Christmas Eve. And they sure don't trust what they see as a very difficult, tortured process that is now working its way through the House. And the reason they're having to resort to such legislative hijinks is because fundamentally this is a flawed bill. This is a bad bill. And it didn't have to be this way.

Look, most of us went home during August. We did our summer town halls, as we always do. We were all, I think, somewhat astonished at the outpouring of the American people just showing up on a hot Saturday morning in Texas to stand in a parking lot and listen to their Representative and question their Representative about what they saw happening up on Capitol Hill. To be sure, cap-and-trade was in the news those days; to be sure, the stimulus bill was in the news those days. But they were most concerned about this massive takeover of health care. Most of the questions dealt with that. And it wasn't like they didn't want to see anything done. But they didn't trust us to overhaul the entire system with one massive bill.

□ 1945

Sure, they want some help with preexisting conditions. Yeah, they'd like to see people be able to buy across State lines and bring some cost down. Maybe some liability reform would be nice. Boy, wouldn't it be great if COBRA was a little more flexible. These were the things we heard. When we came back in September, I thought, okay, rewind, pause, slow this thing down, and let's look at it. Maybe let's work together. Maybe Republicans and Democrats can kind of come to some common ground because every Democrat was hearing the same stuff I was hearing. And I know that because I saw it on the evening news. I saw the YouTube clips. Their town halls in Florida, their town halls in Arkansas, their town halls in Michigan were exactly the same as the town halls that were going on in north Texas. There was no difference.

But instead in September, we come to a joint session of the House and the Senate. The President came and addressed us, and it was nothing of the sort that we're going to rework this process. We weren't going to check the weather. We're going to fly anyway, full speed ahead. Let's get this thing done. I think I heard it said again tonight in the discussion that just preceded us, A crisis is a terrible thing to waste; so let's take this economic crisis that we're in and force this health care bill on the American people. They don't know what's good for them, but we do; and this is what they're going to get.

It is a terrible bill. It's a flawed bill. It's a very tortured process. I'm going to do everything in my power to stop it, but it may become law. And if it does, we need to know what's in it, and we need to know then what our next steps are to deal with those bad provisions that are contained within the bill.

I've been joined tonight on the floor by a gentleman that I've come to admire during my time in Congress. He has been a leader on this issue and on the committee in which we jointly serve, Energy and Commerce, and here on the House floor. JOHN, did you have some thoughts you wanted to share with us tonight?

Mr. SHADEGG. I do. I want to thank the gentleman for conducting this special hour, and I want to talk about a number of issues that you have already referenced. Number one, health care reform: I certainly think we need health care reform. I know you do. I know that we believe that while the current system provides very high-quality health care, it often denies people access. But I want to talk a little bit about what's in the bill as well. The gentleman talked about this massive takeover.

One of the things that stuns me more than anything else—and I know that you find this confusing—is that the proponents of this bill say that Republicans are defending the health insurance companies in America. Really? Really? This bill says that we're going to enact a mandate, an individual mandate compelling every American to buy health insurance from the health insurance companies that are selling them health insurance now. Huh? I'm sorry, I find that a little confusing.

There is an individual mandate that says if this bill passes and becomes law, as the Speaker would like to do this week, you—every single American, every American listening tonight—must go out and buy health insurance from the very health insurance companies that are ripping us off right now. Why? Why in God's name would we want to force Americans to buy health insurance from the same health insurance companies that are ripping us off right now?

This is a massive subsidy to those health insurance companies. It's a law. It will be the law of the land that says, you must, whether you want to or not, buy a government-approved health insurance plan from one of the companies selling health insurance right now. If they were doing a great job of selling health insurance right now, wouldn't the cost be affordable? Wouldn't they be holding down cost? Wouldn't they be giving us good service? Wouldn't they not be cheating us? I've got to tell you, I don't know any Republican who thinks that it's a great idea to compel people to buy health insurance from the same insurance companies that are selling us health insurance now. And yet that's what the individual mandate in this bill does.

I guess they like it because it has been applied in Massachusetts. In Massachusetts they passed a mandate like this. They said that every single person

in Massachusetts, by gosh, we're going to force you to buy a health insurance plan from some health insurance plan offered from a health insurance company in Massachusetts, and that will fix the problem. Did it fix the problem, DOC?

Mr. BURGESS. Not entirely. And what they found was, since you have to buy the insurance, the cost may have gone up a little bit.

Mr. SHADEGG. Oh, the cost went up. Wait, the cost went up? They have forced everybody in Massachusetts, like this bill would do, to buy a health insurance plan on the premise that the cost would go down. But in Massachusetts where they did it, the cost went up.

Mr. BURGESS. Up. Because you've got to buy it, or you get a fine.

Mr. SHADEGG. Ah, so it's Republicans who oppose this bill that are the pals of the health insurance industry? I don't think so. And you're telling me that in the one State where we've already tried this, a mandate that you must buy health insurance, costs did not go down, but costs went up. The cost of health insurance for the people in Massachusetts from before they enacted the mandate to after they enacted the mandate went up?

Mr. BURGESS. That's my understanding from the reports that have been done by Heritage and other groups. But interestingly, if Massachusetts wants to enact a mandate, they are a State. And if their residents say, Okay, we are happy with you, Governor. We are happy with you, State legislator or State senator, for enacting this mandate and they reelect them to office, that's all well and good. But here we're talking about the 50 States and various territories, a mandate applied across the board. This has never been done in this country before because there's a document called the Constitution that says we shouldn't be doing this.

Mr. SHADEGG. Wait, the gentleman's telling me that never before in Federal law have we ordered people to buy a particular product, that we don't do that in Federal law as a routine matter?

Mr. BURGESS. Just as a coincident fact for being born and living in the United States, no.

Mr. SHADEGG. No, we don't force people to do that. I guess we do say that if you want to drive in some places, you have to buy auto insurance to insure against damage to somebody else. Right?

Mr. BURGESS. Correct. And still, that is a State mandate.

Mr. SHADEGG. That's not a Federal mandate?

Mr. BURGESS. Correct. And there are some States who don't have the mandate.

Mr. SHADEGG. So this would be the first Federal mandate saying you must buy a product because the Federal Government tells you you must buy a product?

Mr. BURGESS. That's my understanding. It is such a good idea, as you correctly pointed out in your very graphic demonstration. The strong arm of enforcement here is the already existing Federal agency that collects our income taxes every year.

Mr. SHADEGG. You are referring to the sign I have next to me.

Mr. BURGESS. Yes.

Mr. SHADEGG. That's the IRS. The IRS is going to force you and me to buy health insurance from an approved health insurance company, federally approved health insurance. Maybe you can answer the question that is posited on this graphic: Why does the Democrats' bill subsidize health insurance companies? I don't quite get that. Why is it that Democrats are so adamant that we subsidize America's health insurance companies, those companies that are already ripping us off, overcharging us, undercompensating, don't pay our claims when we submit them, make the doctors turn in 46 copies of every form, then kick it back, then kick it back again? Can you tell me why the Democrats want to subsidize America's health insurance plans by ordering every American to buy one of those plans? Because I don't get it.

Mr. BURGESS. If the gentleman will recall in May and June of this year, six groups met down at the White House. It was a great photo-op. My AMA was there. The Hospital Association was there; PhRMA showed up; AdvaMed, the people who make medical devices; AHIP, America's Health Insurance Plans; and the Service Employees International Union all gathered at the White House. The President came out after this meeting and said that these groups have offered up $2 trillion in savings to the American people in order to get this health care bill done. So I don't know. I wasn't there. I can't get information on these meetings.

Mr. SHADEGG. Wait, wait, wait. Are you telling me this is a deal? You're telling me these health insurance companies went into the White House and struck a deal, and the deal says, If you'll pass a bill forcing everyone in America to buy our product, we, the health insurance industry, will support your bill. That's a pretty good deal. Can I take, like, maybe some other company, a lumber company or an auto company, into the White House and say, Hey, if you'll strike a deal, we'll support some bill you want. You just have to force every American to buy our product. Right? Because, what the heck, let's strike a deal.

It seems to me the health insurance companies must have very good lobbyists closed tight, very closely to the Democrat Party. Because if I remember correctly, the health insurance industry wanted two things. They wanted a mandate. They wanted you and me to be forced to buy government-approved health insurance from these health insurance companies and to have the IRS enforce it. They wanted it. They got it. They did not want a so-called public plan to compete with those health insurance companies. The health plans said, No, no, no. Competition, no, no, no. We health insurance plans don't want to have to compete. So we don't want to compete with a public plan. We don't want to have to compete across State lines. We don't want to have to compete for the business of individuals. We don't like that thing about competition.

As I understand it, those health insurance plans get out of this bill a mandate that you and I have to buy their plan, and there is no public plan to compete with them. That's good lobbying, I guess. If the Democrats will carry your water and say, We're going to enact a law that says that every American must buy health insurance from these health insurance plans and, oh, by the way, those health insurance plans don't have to face any competition.

They don't have to compete with a public plan. They don't have to compete across State lines. They don't have to even compete for your business and my business because right now, the Tax Code says that if we get it from our employer, it's tax free; but if you and I want to go out and buy it alone, if we made poor United or poor Aetna have to compete with each other for Dr. BURGESS' business or for JOHN SHADEGG's business, oh, they wouldn't like that. That might drive down costs. That might drive their profits down. That might drive down profits or the salary of their executives.

Well, they didn't want that. And in the Democrats' bill, you know what, they don't have to. There's no competition across State lines. There's no competition under the Tax Code letting you and I buy health insurance on the same tax-free basis that our bosses can buy at the companies. Boy, I'll tell you, those health insurance plans got good lobbyists in the White House. And that was a meeting, that was a deal that was struck down at the White House?

Mr. BURGESS. Well, we don't know because the White House refuses to provide us with any information, even though they've been asked nicely. They were asked more forcefully with the resolution of inquiry in our committee. Chairman WAXMAN and Ranking Member BARTON did send a correspondence down to the White House asking for that information to be supplied to our committee. To date, what we've gotten back is a series of press releases and reprints of pages off of Web sites, but no real information.

It would be fascinating to know if it's part of that $2 trillion deal: okay, you're going to get a mandate. Maybe we'll leave out the public option. But, oh, by the way, we're going to trash you every day during this process, so get ready for the next year and a half. We will vilify your industry six ways to Sunday because they certainly have done a good job of doing that.

The gentleman points out an excellent point: if an individual is able to

buy a policy with the same breaks that a company gets, and that individual is able to keep that insurance over time, a longitudinal relationship with a health insurance company, what a novel concept. I've had the same car insurance since I was 18 years old. I can't tell you how many different health plans I've had because when I was in business for myself, I was always trying to find a better deal because that was one of the number one line-item expenses on my budget every year, providing insurance for my employees. So you were always looking to see if there wasn't a better deal somewhere.

And as a consequence, I frequently changed health insurances until I discovered what was then the medical savings account and now is the health savings account.

So kind of through the back door, I have now developed a longitudinal relationship with an insurance company. They send me emails, and they ask me to do certain things to keep myself healthy, and it works well between us. Why we didn't embrace that sort of model going into this, I just, frankly, don't understand.

Mr. SHADEGG. The gentleman raises one of the things that makes me so upset in this debate. And quite frankly, as you've pointed out, I've worked on health care reform since 1995. It seems to me morally indefensible, morally indefensible to say to the American people, If you work for a big, big, big employer—like you and I do, the Federal Government—or like we'll say, General Motors or Intel or Motorola or AT&T or any of those big employers, you work for a big employer, you're a lucky guy or a lucky gal because your health insurance is tax free. Your employer buys the health insurance and writes off the cost of buying that health insurance. Your employer then gives that health insurance coverage to you, and it's not income to you. So the tax on—we'll say a $5,000 insurance policy—zero, zip, zero, nothing because you were lucky enough to go to work for a big employer.

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But the law in America—and I think this is what is morally indefensible. And the law in America, even after this bill passes, says to the little guy, to the least among us, to those who are just barely getting by, to that person who works for, we'll say, a small garage or maybe, in my State of Arizona, a small lawn service company——

Mr. BURGESS. Or a doctor's office.

Mr. SHADEGG. Or maybe even a small doctor's office. If their employer doesn't give them employer-paid health care coverage, here's what we do the little guy. Here's what we do to the least among us. We say, Oh, you really ought to be insured, but we're going to smack you down. We're going to make you pay income tax first before you buy that health insurance; that is to say, we're going to punish you if you decide to spend your money on health insurance.

So the $5,000 health insurance policy that this guy over here got from his employer that cost him zero in taxes, maybe it cost him or his employer $5,000, that plan for the little guy who doesn't work from an employer that provides health care coverage, that plan costs $5,000, we'll say, plus another third, or another, close to a third, we'll say another 15 or $1,800. That plan costs the little guy $6,800, because he has to go out and earn the $5,000, then he has to go out and earn $1,800 in income taxes on top of that and spend the total $6,800—$5,000 on insurance, $1,800 on income tax—to get the same policy that the guy that worked for the big employer got for free.

How can we morally justify that in this Nation? How can we say that it is right to treat those people lucky enough to work for the Federal Government or a big employer, Intel, Motorola, you name it, UPS, you get essentially free health care paid for by your employer and not taxed to your employer or you, but this little guy who works, or woman who works for a small day care company or who works for a small sewing shop, she gets no health care for free, and she has to pay income tax on her income before she even gets to go buy a health insurance policy? How can that be justified, and why isn't that fixed in this bill?

Mr. BURGESS. Great point. And another point that is so often missed in this discussion, let's take the example of the National Football League. You've got the Arizona Cardinals; I've got the Dallas Cowboys. A player who is lucky enough to be traded from Arizona to Dallas—I'm thinking it's an upgrade—their health insurance goes with them. If they had a knee injury in Arizona, they're covered for that knee injury day one in Dallas on the new team.

But if the fan who wants to follow their favorite player moves from Arizona to Dallas, they cannot take that insurance policy with them, necessarily, across State lines. And, oh, by the way, that new policy you're buying in Texas, that knee injury may be excluded because, after all, it was a preexisting condition. We will not apply the same degree of portability for the little guy that we do for the person who's covered under the large multi-State plans, the ERISA plans that the multi-State corporations can provide for their employees.

Make no mistake. I think that is wonderful that the large employers do that, and I don't think there is anyone among us who would want to see that system changed. But you are correct. We should provide the same breaks across the board.

Mr. SHADEGG. Going back to my board here, why don't Democrats want to force United to have to compete with Aetna for the business of that little guy so that he or she can buy health insurance, tax-free, like Intel can or Motorola can or the Federal Government can?

Why is it that America's politicians, about to pass this bill perhaps as early as this weekend, don't want to force those health insurance companies to compete? What's wrong with competition?

You mentioned auto insurance. I turn on the TV at night and I see TV commercials for every single auto insurance company I can imagine. I see one for GEICO. They've got their little gecko. I see Progressive. I see Allstate. I see State Farm. I see Farmers. I see all these insurance companies. They're all pounding me with their ads, and every ad says, Come buy your auto insurance from our company, and we will charge you less and give you better service.

And yet, there's not a single ad like that I've ever seen on TV where Aetna or United or any of those health insurance companies who, by the way, don't want competition from a public plan but do want an individual mandate compelling us to buy their product, I never see them advertise to me and say, Hey, John, come buy our health insurance policy, and we'll charge you less and give you better service. Could that be because they don't have to compete for our business? Because under the Tax Code that we're not fixing in this bill, you and I can't afford to buy health insurance directly from them, so they don't have to compete. They're protected from competition. They just want an individual mandate. Since they don't have to compete with each other, they complain that not enough people buy their policies. I think it's because their policies are too expensive. Since they don't have to compete, now they need a mandate to force us to buy their policies.

Why don't they have to compete like the auto insurance companies do?

Mr. BURGESS. Well, of course, the life insurance business, the premiums for life insurance plummeted with the introduction of the Internet with these companies that would advertise and then sell their policies on the Internet.

Mr. SHADEGG. So competition brought down the cost of that kind of insurance.

Mr. BURGESS. Yes. And the power of the Internet could apply to health insurance as well. But, as you know, there is some difficulty selling in the individual market across State lines, and therein is where the regulatory part of what we—the regulatory environment that we set here in Congress that we're not fixing in this bill, as you point out.

Mr. SHADEGG. Not fixing in this bill?

Mr. BURGESS. Not, not fixing in this bill, that that will continue to exist.

There are sites you can go to. You can go to Google and type in ''health savings account'' and get a variety of plans that will come up. And I encourage people who are looking for individual insurance, that is a reasonable thing to do. Yes, you have to pay with after-tax dollars. Some of those policies can be quite affordable if you're

willing to accept the fact that it will be a high deductible type of policy.

But, realistically, when you look at health care expenses—and I'm a physician. I've watched people spend their money in health care for years. Some expenses are so small that they're actually financed out of cash flow: aspirin and Band-Aids. Some expenses are predictable but larger: braces, having a baby, maybe arthroscopy on that knee injury. Those could be saved for or borrowed for if we allowed the correct flexibility within the health savings account, for example. And then there are the ''Boy, I hope that never happens to me'' events: the leukemia, the heart attack. Those are the ones where this catastrophic insurance really is a godsend when people have that.

But, again, we did nothing. We had—we both sit in the committee that deals with this. Did we have a hearing on how to provide more flexibility, more competition with the insurance market? No. It was, if you want everyone covered, it is an individual mandate. That really was the only offering. We never had a hearing to ask the question: Is there a way to cover people with preexisting conditions without an individual mandate? We never asked that question, so it's not surprising that we don't know the answer to that.

Mr. SHADEGG. You know, it stuns me that you just said that, under current law in America, if you work for an employer who gives you health care through your employment, it's tax free. There's no income tax paid on it by your employer, no tax paid on it by you when you receive it. But you can go on the Internet and you can buy health insurance on your own, but you've got to buy it with after-tax dollars, making it a third more expensive. Isn't it shocking?

Then, or more accurately, not to be cynical about it, isn't it pretty logical then that the health insurance companies don't compete? They don't care about our individual business because they know you and I can't afford to buy with after-tax dollars what we can get from our employer for free.

Tell me, I guess I just do not understand why we wouldn't want to fix the Tax Code so that every single American could buy their health insurance tax-free just like their employer, so they could hire it and fire it and hold it accountable.

The gentleman mentioned preexisting conditions and the Commerce Committee. I think the gentleman knows full well that, in 2006, we passed legislation through that Commerce Committee which dealt with the problem of preexisting conditions. We, as Republicans, in 2006, said, You know what? No one in America should go uninsured or go without care because they don't—because they have a preexisting condition. So we passed legislation encouraging all 50 States to create a State high-risk pool. Under a State high-risk pool, the State would be required to accept and insure anyone that had a preexisting condition.

I happen to have an older sister who is a breast cancer survivor. She's now lived 20 years beyond her breast cancer. She has a preexisting condition. If Arizona had taken advantage of that legislation, the State would have created a high-risk pool and she could have, if she was denied coverage, or if she was told her premium would cost too much, she could have applied to the State high-risk pool. She would have been entitled to be admitted to the State high-risk pool. She could not have been charged more than 110 percent or 120 percent of the cost of health insurance for a healthy person. But all of her care would have been paid for, and the extra cost of her care, as a member of that State high-risk pool, would have been shared; that is, would have been spread, the extra cost would have been spread amongst every single person in the State of Arizona who purchased health insurance, or would have been spread over the State tax base and subsidized by State revenues.

That legislation passed the Commerce Committee, passed the floor of this House by voice vote, passed the United States Senate by unanimous consent, and was signed into law, and is the law today. It didn't force the States to create high-risk pools, but 33 States have.

Now, we can improve upon that. I'd like to make them mandatory. But we've already dealt, or we can deal with preexisting conditions without a mandate, an individual mandate compelling people to buy health insurance from the same health insurance companies that are already doing a lousy job of offering us health insurance. And yet, when the President of the United States—this is very important. When the President of the United States held his health care summit—and I note you didn't get to go and I didn't get to go. But at the health care summit, the President misdescribed, and so did Secretary Sebelius, a high-risk pool. Both of them said, if you put all the sick people in and give them no help, of course their premiums are going to go up. But no State high-risk pool in America puts the sick people in and says to them, Now pay your own premiums.

What high-risk pools do is they put in the sick people; they guarantee them coverage; they cover their preexisting conditions, and then they spread the extra cost amongst all the taxpayers or all the people who buy health insurance in that State. And the reason people are willing to do that is because, but for the grace of God, you and I don't know that tomorrow we won't need to be in that high-risk pool. And I know you've dealt with high-risk pools.

Mr. BURGESS. That's correct. Thirty-four States do have the high-risk pools. NATHAN DEAL, the ranking member on our Health Subcommittee, and I tried to put some further refinements out there this year during the health care debate.

I don't like mandates. I know we had that discussion in committee today. I don't like mandates. So what if we allowed States either a high-risk pool or an option for reinsurance, provided some Federal subsidy to the State. They don't have to take it, but if they do take it, then whatever they decide they want to do, they need to then set up that high-risk pool or that reinsurance for that set of business that is otherwise likely to go without insurance coverage. Because we all know, folks our age, employer-sponsored insurance, we're in a recession. You lose your job, you have the heart attack, you didn't keep up with the COBRA payments, boom, you're in that category and now there's nothing you can do to extract yourself.

And the only option we were given was an individual mandate, or let the government take everything under their control.

Mr. SHADEGG. Federal legislation already passed in 2006 offered all 50 States some Federal money to help set up the State high-risk pool to care for those people with preexisting conditions and offered Federal money to subsidize or to underwrite the cost of those high-risk pools.

The reality is, every Republican plan, every Democrat plan deals with preexisting conditions because it's something that we, as a society, have already decided that we should do. Every single one of us knows that any moment we could be struck with a heart condition or diabetes or, like my oldest sister, breast cancer. We might be in the position and we oppose the, even, concept of someone being denied care because of a preexisting condition.

But I don't think the answer is a mandate. You said you don't like mandates. Okay. Some people may like mandates. I guess the issue is do they work. And of course the answer is, in Massachusetts, they worked to provide coverage, but the cost of care goes up.

Mr. BURGESS. Well, they may not be constitutional at our level. And the other thing to remember about a mandate, for a mandate to work, you have to know that it's in existence, and you have to know what the penalty is, and the penalty has to be pretty stiff.

You alluded to the IRS already. The IRS has a mandate on every one of us that we'll pay Federal income taxes. Every single one of us knows, we may not know exactly what bad thing happens, but we know it's bad, and most of us know we don't want it to happen to us.

So what is the compliance rate with the IRS in filing tax returns? Well, it's about 85 percent. What do we have as uninsured in this country right now? About 15 percent. How much more are we going to get coverage if we give up that much freedom by allowing us, us, Congress, to set a mandate as a condition for living in the United States of America? How much more coverage are we going to get?

I mean, the point is arguable, but just at first glance, it might not be that much.

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Now, on the issue of the preexisting conditions bill, I know when NATHAN DEAL and I looked into this and the Congressional Budget Office scored and said what would it require in the additional Federal subsidy to make these things really work for people, the Congressional Budget Office came back with a score of $20 billion over 10 years. Real money to be sure, but at the same time it is nowhere near the $1 or $2 trillion that is on the table today if the House takes up and passes this Senate bill that they passed on Christmas Eve.

I do have to make one point about the public option. The Senate bill does not have a public option per se, but there is language in the Senate bill that allows the Office of Personnel Management to oversee the exchanges and guarantee that there is one for-profit and one not-for-profit insurance company available in every exchange. If an exchange does not have an insurance product available, OPM will set up either a for-profit or a not-for-profit in that exchange.

Well, suddenly you are going down the road of a public option because what is the Office of Personnel Management? Well, it is a Federal agency. It is not used to doing that much work, because they oversee what goes on in the Federal Employee Health Benefit Plan, but now they are going to be tasked with this vast new set of powers, and it's anyone's guess how that will actually work out.

Mr. SHADEGG. The gentleman started by commenting about the shutting down of the switchboards and whether or not individual citizens could get through to their Member of Congress today and express their feelings, and I would suggest right now maybe their intensely felt feelings in opposition to or in support of this bill. It seems to me that the American people, who are frustrated by that process, maybe ought to think about what organizations or groups they are a member of that might be able to get through.

I am a little concerned that individual Members of this body maybe aren't taking phone calls right now, maybe aren't reading the faxes or the emails they are getting right now. But everybody who sits on this floor listens to the big organizations in their district. They listen to the Chamber of Commerce in their district. They listen to the farm bureau in their district. They listen to the cattle growers in their district. They might listen to the homebuilders, who by the way under the Senate bill are singled out for particularly mean or unfair treatment, high taxes, in this bill. They might listen to the contractors association.

It seems to me that anybody who wants to make their voice heard and is a member of any kind of a professional association or a political association that has contact with Members of Congress, if you can't get through to your Member of Congress, maybe you ought to call the local Chamber of Commerce and say, hey, I read where Congressman Smith or Congresswoman Jones is going to vote ''yes'' or ''no''. That is not what I want. You supported that, Congressman. Why don't you call him or call her and say, hey, I want a ''yes'' vote or I want a ''no'' vote. Because I will bet those Members of Congress will take calls from, for example, the local Chamber of Commerce or the local farm bureau or the local cattle growers association or some other organization in their congressional district that has spoken to them in the past, maybe supported them in the past. It seems to me that now is the time that you can use those organizations to reach out and talk about some of the issues in this bill.

You and I haven't talked so far tonight about some of the procedures. We haven't talked about the Slaughter solution, under which it appears the majority is going to push this bill through and try to say that they are really not voting for the Senate bill, or, for that matter, some of the special deals in the Senate bill. I find it interesting, yesterday apparently Speaker PELOSI said, quote, ''Nobody wants to vote for the Senate bill.'' She actually held a meeting with the press and said, quote, ''Nobody wants to vote for the Senate bill.'' I guess that is why they have come up with the Slaughter solution.

Let me ask you this question. Doesn't the Constitution say that for the Senate bill to pass the House, Members of the House have to actually vote for it or vote on it? Don't they have to pass that bill?

Mr. BURGESS. Certainly that is my understanding. And we both have to pass the same bill.

Mr. SHADEGG. The exact same bill.

Mr. BURGESS. The exact same bill. We learned that in December of 2005. The Deficit Reduction Act had one word different between the House and Senate bills, and the whole thing was held up.

Mr. SHADEGG. Because of one word difference? One word difference. The Senate has already passed the Senate bill, the House has to pass that exact bill word for word. It can't have one word missing?

Mr. BURGESS. Actually, that is a House bill that the Senate passed. So we would simply have to concur with the Senate amendment, and that would be the identical bill. But in this case the Slaughter rule would say we don't even have to bring that bill to the floor, we just deem it—Deem me up, Scotty—we just deem it as passed and then go on to the reconciliation process to try to fix some of the problems with the bill. No guarantee that they will be fixed.

Mr. SHADEGG. I kind of think the American people are fairly bright. I think they see through this. If you are deeming a bill passed in a rule, aren't you actually passing that bill and aren't you voting for that bill? And isn't this just a trick or a scheme to get around the requirement that Members actually vote for the Senate bill? I guess Ms. PELOSI says, this is a quote, it is right here, ''Nobody wants to vote for the Senate bill.'' But when they vote for a rule that says it's deemed passed, aren't they voting for the Senate bill?

Mr. BURGESS. There is no question that they are. You are right, the American people can see through that. It's an elaborate charade. It will provide no protection.

Mr. SHADEGG. An elaborate charade. Trickery. If the American people think we are engaged in trickery, why not engage in trickery.

Mr. BURGESS. But, and I am sure the gentleman feels the same way, I would not want to stand in front of the 2,000 people on a hot August morning in a town hall in Denton, Texas, and say, you know what, I never voted for that bill. I voted for the rule that deemed the bill.

Mr. SHADEGG. There we go. So the reason you wouldn't want to stand on the floor and vote for that Senate bill is not just because of the policy in it, it is because that bill will contain the Cornhusker Kickback, right?

Mr. BURGESS. Correct.

Mr. SHADEGG. It will contain the Louisiana Purchase.

Mr. BURGESS. And Gator Aid.

Mr. SHADEGG. Right. It will contain Gator Aid. It apparently contains $100 million for a local hospital in Connecticut that CHRIS DODD got in. It contains $1.1 billion for Medicaid in Vermont and Massachusetts. I guess not Arizona or Texas. Our States didn't get that deal, right? No, just those States got the deals because DODD or SANDERS and KERRY got them in, right? It contains, I like this one, $1 billion that Senator BOB MENENDEZ got in for New Jersey drug companies. Pretty good deal. I am not sure I would want to vote for that. My constituents might say, well, Congressman, why didn't you get a billion dollars for some companies in Arizona?

It contains $1 billion for MENENDEZ. We are talking serious money when you go to JOHN KERRY and DEBBIE STABENOW. They got in $5 billion for union health care plans in Massachusetts and Michigan. You already talked about the provision, the Florida Gator Aid, I guess, Medicare Advantage. I will tell you this is one that my constituents find offensive. Arizona has lots of people on Medicare Advantage. Apparently Senator BILL NELSON of Florida got in a provision saying Medicare Advantage won't be cut in Florida. I don't know how I go home and explain to my Arizona colleagues that it will be cut in Arizona. But I really don't know, since I am going to vote against this bill, how my Arizona colleagues go home—by the way, the press reported that the President wanted some of these special deals taken out.

But AP reported over the weekend that these Senators don't want those special deals taken out.

I think I agree with NANCY PELOSI. She said nobody wants to vote for the Senate bill because of all this junk, all of these secret special deals. So somehow they are going to not vote for it but they are still going to pass it? How do you do that under the Constitution? Maybe our colleague from Texas can tell us how you can pass something without voting on it.

I guess Newt said it today, there was a point in time when Members of Congress didn't read the bills that they passed. Now they are not going to vote on the bills that they pass. So what do we need to be here for?

Mr. BURGESS. I would just go back, too, to that instance with the Deficit Reduction Act, where a small difference in the House- and Senate-passed bills led to a court challenge, and we came back in January. We left on December 21st or whatever day it was when we passed that bill out of the House, it went over to the Senate, there was a problem, they couldn't fix it under unanimous consent because of an objection, and we had to repass the bill in January.

The reason I know this is because there was one of those doc fixes in that bill. And the doc fix did not go into effect December 31 and every doctor who saw Medicare patients across the country took a 6 percent ding in their Medicare reimbursement rates because we had not passed the bill by January 1.

Now, Dr. McClellan, Mark McClellan, to his credit, who at the time was Director of the Center for Medicare and Medicaid Services, came back and said, you don't have to refile those claims, we will take care of them if Congress passes the bill within a month or two of coming back, which we did. So they went back and reimbursed. But a terribly, terribly complicated process. All of it was brought up because one or two words different in the bills, because the Constitution says we shall pass the same bill and then it goes down to the President for signature.

Mr. SHADEGG. I am trying to understand this. So if the Medicare Advantage participants in Arizona who are having their Medicare Advantage cut, and the Medicare Advantage participants in Florida who are not, under the Gator Aid that Senator BILL NELSON cut, that special deal, having their Medicare Advantage cut, if the House only deems the bill passed, can they sue and can they win? Or will the courts say, well, no, no, no, your Congressman may have said he didn't vote for the bill, he just deemed it passed, but trust me, we, the courts say he did vote for the bill. And so Arizona taxpayers on Medicare Advantage lose out, Florida taxpayers because of BILL NELSON and the special deal he cut currently in the Senate bill, which you say can't have a word changed when it comes here, they win out. Pretty good deal.

By the way, I look at some of these other deals, there is special funding for coal miners in Montana. There is just provision after provision. In North Dakota there are special provisions providing higher Medicare payments there. There are special provisions for Hawaii that apparently the two Hawaii Senators got in. There are special provisions for longshoremen in Oregon. You know, this thing looks to me like it is chockablock full of special deals for special Members, special Senators who say, well, you know, I want a special deal or I won't vote for it. No wonder Ms. PELOSI says, and I quote, ''Nobody wants to vote for the Senate bill.'' But doesn't the Constitution say they either got to vote for it or it don't pass?

Mr. BURGESS. So we have two problems. The Constitution says we have to vote on the bill. We say the mandates may be extraconstitutional in their scope. And then the whole question of equal protection under the law. We have a constitutional scholar with us, so we turn to the gentleman from Texas, the judge from east Texas, for perhaps his rendition of this complicated process that faces us.

Mr. GOHMERT. Well, clearly the majority leadership thinks that the American people are so stupid that if you have a rule that says, you know what, if you vote for the rule, then the bill automatically is deemed passed. I just don't know anybody in the American public that can't figure out when you voted for the rule, I don't care what you say, you voted to pass the bill.

As far as it passing constitutional muster, who knows anymore with this Court. But I do know, as the gentlemen, both of you have been talking about the deals and Medicare Advantage, and I have got the Senate bill here, this lovely thing, and the truth is the only people that ought to pass this bill are people that eat it. A little digestive humor there. If you eat it, then yes, you should pass it. But otherwise this bill should not be passed.

But if you look at page 904 of part one of two parts of the Senate health care bill, and you wonder, gee, I wonder why AARP came out a couple weeks ago and said, oh, yes, we like the proposal, we are all on board. Well, you look at the Senate bill, it says that nothing in this section shall be construed as requiring the Secretary to accept every bid submitted by a Medicare Advantage organization. And so also the Secretary may deny a bid submitted by a Medicare Advantage organization for a Medicare Advantage plan if it proposes significant increases. But the bottom line here is the Secretary doesn't have to accept a bid.

And what is the consequence of saying we are not going to allow any more Medicare Advantage bids, we are just going to cut that out? Do you know what retirement organization is in the business of selling a kind of supplemental insurance?

Mr. SHADEGG. Wait. Wait. Let me guess. Could it be AARP?

Mr. GOHMERT. Well, it seems like maybe they do sell some supplemental medical insurance. So by golly——

Mr. SHADEGG. Maybe they got a better deal out of this.

Mr. GOHMERT. Maybe 904 is one of several reasons AARP said, you know what, this could be all right. We could get millions and millions of dollars in new insurance sales.

□ 2030

But did you see that the pharmaceutical industry says they like this bill, they are okay? And I read a headline today that the pharmaceutical industry was going to spend millions trying to get people to vote for it.

Mr. SHADEGG. So AARP likes it and PhRMA, which are big drug companies, like it. All of the big insurance companies like it because you're mandated to buy their product. And there is no public option competing with them, and they don't have to compete across State lines. Looks to me like all of the big guys really like this bill. They like the fact that they are getting lots out of it. What does Joe Six-Pack get?

Let me make a point. I put up a quote here from Speaker PELOSI. She said it on March 9. ''But we have to pass the bill so that you can find out what is in it, away from the fog of the controversy.'' Wow. Pretty stunning quote. Maybe those are things she doesn't want you to find out until after we pass it.

I know the gentleman has a point to make. I just want to point out. Talking about deals in the bill and special deals for health insurance companies. According to The Boston Globe of December 22, 2009, the Senate bill waives from any annual fee on health insurance companies certain additional fees, and this provision exempts two insurance companies, Blue Shield-Blue Cross of Nebraska and Blue Cross-Blue Shield of Michigan. That might be one more of those special deals put in there by a couple of powerful Senators, BEN NELSON of Nebraska and DEBBIE STABENOW of Michigan, cut a little deal for a couple of Blue Cross-Blue Shield Nebraska and Michigan companies—maybe that is what Mrs. PELOSI meant when she said, But we have to pass the bill so that you can find out what is in it.

Mr. GOHMERT. I appreciate the gentleman yielding.

If you look at page 1,957, along the same lines of what kind of deals that are in this bill, this has to do with health savings accounts. We know that there are millions and millions of dollars in health savings accounts that only can be used for health care. Well, I know I have an HSA, and if I can get an over-the-counter drug, a generic drug, that is what I buy.

Well, good deal for the pharmaceutical industry here beginning at page 1,957, because it says that such terms shall include an amount paid for medicine or drug only if such medicine or drug is a prescribed drug.

So you may want—like in my case, I have hay fever. I've had since it since I

was a little kid. I go and get a generic for like $2.50. And now if I want to spend my HSA on it, I can't go spend $2.50. I've got to go pay megabucks to the pharmaceutical companies in order to get a prescription drug.

Wow, maybe that is part of the deal that made them think, You know what? You know Joe Six-Pack, as my friend from Arizona says, may not get anything out of it, but by golly, we're going to make a lot of money on this bill. Let's throw our support behind it, and the President will love us for it, too.

Mr. BURGESS. One interesting point. You have these groups that went down to the White House in May and June—and I'm not going to criticize them for going down and advocating on behalf of their industries, on behalf of their groups. But what is so onerous about this is the President has proclaimed this Sunshine Week. Transparency is going to be the watchword of his administration. Remember? We heard it over and over again. Everything will be up on C–SPAN, everybody will be able to see it—except for these deals that were struck down in the White House in May and June. And now they come back and say, Well, there really wasn't anything written down. Two trillion dollars in savings and you didn't write a word of it down?

Now, in Texas, as the gentleman knows, we trust each other. A handshake is as good as a signature a lot of times. But when it's $2 trillion, you're probably going to need a little more than a handshake even in Texas, because are people going to perform as they said they were going to perform?

When Senator MCCAIN wanted to push an amendment that dealt with reimportation in the markup of the Senate bill, in the debate of the Senate bill at Christmastime—I don't agree with reimportation. I think it's unsafe. I think it's unwise. But Senator MCCAIN was prevented from offering that amendment because, to quote somebody at the time, That wasn't part of the deal that we had.

Well, wait a minute. If there is a deal that someone knows about, is it written down somewhere? Could we please see what else is in that deal? We're the legislative body. If there are deals struck at the White House—and it is Sunshine Week—if there are deals struck at the White House, let us see what those deals are.

I'm not criticizing the groups that went down there and advocated on behalf of those groups. That is fine. They should have done that. But we, as the legislative body, should have been privy to any of that information as we tried to craft the legislation that would have to either enact or confirm or deal with those deals.

Mr. SHADEGG. Well, it seems to me that while we do not know what the quid pro quo was for any given deal, we know a couple of things: We know the insurance companies went in first and foremost and said, We want an individual mandate. We want the government to compel every American to buy federally approved, Federal Government approved health insurance, and we want the IRS to enforce that mandate. You must buy Federal Government approved health insurance. That is what the insurance companies wanted going into the deal. Funny, that is what they got. They got an agreement that there would be an individual mandate.

So if this becomes law, every single American will be required to buy a government-approved health insurance plan. And if they don't, the IRS will tax them. Huh.

We also know, although the gentleman points out, there is no individual mandate in the Senate bill—there are some things that are pretty close to it—the insurance companies didn't want competition. They certainly didn't want across-the-State-line competition, they didn't want the State tax code to say you and I could buy it tax-free so they would have to compete with each other like the auto insurance companies. It sounds to me like we can kind of decipher some of the outlines of the deal that occurred.

Mr. BURGESS. And I can be as critical of the insurance companies as anyone else, but they take the path of least resistance. Their capital is not necessarily any more courageous than anyone else's. The easiest way to get to what they want is an individual mandate.

But I suspect if we set up pretaxed expenses, buying across State lines, if we develop that market for them, I'll bet they'd find a way to compete, I'd bet they'd find a way to work in that market and win in that market.

Mr. SHADEGG. I think the gentleman makes an excellent point.

The truth is America's health insurance companies are playing under the rules we set, and the rules we set say they really don't have to compete for my individual business, for JOHN SHADEGG as an individual customer, or yours, or our colleague from Texas because the Tax Code says we cannot buy health insurance like our employers can. We can't buy it tax-free, but our employers can.

I think the gentleman is absolutely correct. I think the reason that the auto insurance industry competes every day, day-in and day-out, pounding us on TV saying, you buy our plan from GEICO or Progressive or Allstate or Farmers, we will give you better service for a lower cost; and the health insurance companies don't compete day-in and day-out saying, you buy our health insurance plan from United or from Aetna or from Blue Cross-Blue Shield, and we will give you a better price at a lower cost.

The reason they don't compete like that is because the government sets the rules. And the rules say that they sell pretty much exclusively to big companies, and we say to the poor working stiff who can't get employer-based health care, too bad, pal. You kind of don't count in the system. The insurance companies don't really want their business, they don't market to you, and if you buy their product, you have to buy it with after-tax dollars. Tragically not fixed in this bill.

Mr. BURGESS. Let me point out just one thing.

We hear over and over again Republicans have no solutions for health care. HealthCaucus.org is a Web site that deals only with health care policy. On that Web site, Dr. BURGESS's prescription for health care reform, the seven or nine things that I heard consistently in my town halls this summer are up there. People can download that and look at that themselves.

Suffice it to say that we really have been frozen out of this process from the beginning. They were not interested in our input last year because they had a supermajority in the House of Representatives. You can't pass a bill with 40 extra votes? What's the matter with you?

Well, now, the entire argument, the entire argument is within the Democratic Caucus. They don't have the votes on their side because it is a badly flawed product and a badly flawed process that they are trying to push through on the American people.

People do need to understand this bill has nothing to do with health care any longer. This bill has, as has been pointed out tonight, if we wanted to fix these things, we would have fixed them. This bill is about higher political power for the party in charge, and they want to obligate the American citizenry to re-up their contract every 2 years in order to not lose the benefits that they are ostensibly going to get with the bill.

The bill is a bad deal, Mr. Speaker. I would submit that the American people need to continue to weigh in on this. All is not lost. Time is not up. There is time to make a difference.

I'll yield to the gentleman for a final thought.

Mr. GOHMERT. I just appreciate all the work you've done. There are several bills that have been proposed by Republicans.

Mr. BURGESS. I thank the gentlemen for their time this evening.

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Ohio (Mr. RYAN) is recognized for 60 minutes.

Mr. RYAN of Ohio. I appreciate the opportunity to come up and continue the discussion on health care from a little different perspective than my friends on the other side have been giving the American people.

I want to talk about the need for health care reform in the United States of America and what we need to do here in the Congress to get it done.

We had a nice discussion yesterday in Cleveland with the President of the

United States. I've been one who has said that if we're going to do this, we need to do it. We have got other issues that we're dealing with simultaneously now with jobs, passing a second jobs bill. My community back in northeast Ohio has benefited a great deal from the original stimulus package that has passed here. But we need to continue the work of getting the American people back to work. And in the short term, that means job packages, that means financial reform so we should bring some integrity back.

But in the next week or so, we have to pass this health care bill. And I know there's been a lot of controversy surrounding this bill. There's been an extended discussion over the course of the last year or so on this issue. We have talked about all of the issues, and now it's time for us to have a vote in the House of Representatives—hopefully here in the next week—and pass this bill so that we can move the country forward and start addressing the other issues with regulatory reform on Wall Street, trying to bring some discipline back to the financial system. It's also allowing us to go back and continue to focus on the jobs issue.

But under this bill, you talk about long-term economic growth as we try to be competitive in the United States, globally competitive competing with China, competing with India. The American businessperson now has an anchor strapped around their neck in the form of health care costs. And if we think that we can continue to grow our economy, hire American workers, make the proper capital investments, make the investments in technology, if our businesses are asked to compete while dealing with the health care system that over the last 5 years has increased over 120 percent for small business people, we are asking our small business owners to go into the shark-infested waters of the insurance market so that they can cover their citizens, their workers, and then ask to compete on the global playing field.

□ 2045

They can't do it. The small business people are screaming for health care reform. Now, you want to get into an ideological battle, but what we are trying to deal with on this side of the aisle are practical, pragmatic solutions to the problems that are facing us, looking at the facts, looking at the issues that are facing our country, and addressing those issues in a bipartisan way.

I know many on the other side have said, well, we have been locked out of the debate. I want to know one time when the last President spent 7 hours sitting around a table with people from both parties to discuss any issue, let alone health care. President Bush never sat down, Madam Speaker, for 7 hours. President Bush never came to our caucus and had the kind of discussion and question and answer that President Obama had a few months ago when he went to the Republican Caucus. And I think this shows why he is the President of the United States, by dealing directly with their questions. He was able to do that and has included the Republicans and tried to include the Republicans every single step of the way.

But the Republicans are getting their marching orders from their pollsters and their consultants. And one of the memos was leaked early last year, as many of us remember, that said to the Republican Caucus, do not let Obama pass health care, because he will succeed, and the Democrats will succeed, and you will be in the minority for decades. That is what their consultants told them.

So right from the get-go, our friends on the other side of the aisle had no interest in being part of the solution here because their pollsters were telling them that they had to defeat this bill before we even knew what the bill was. Our friends on the other side were calling it socialism and government-run medicine before we even had a bill to actually look at and discuss.

So they got the media machine all cranked up, got everybody all fired up before we even had something to talk about. So fast forward through a long discussion, long talks where we included both sides of the aisle to try to solve these problems, and now we have a solution. We have a compromise that President Obama has submitted for us to vote on. And we continue to get some numbers, hopefully here tonight, on the exact scoring, but we are close, we know give or take a few bucks where we are at, and we know that this bill will cover 30 million more Americans and this bill has a number of issues in it that are going to benefit the American people.

Let's look at some of the issues, some of the pieces of this legislation that will be implemented within the year. Small business tax credits, the President's proposal will allow small businesses tax credits up to 35 percent. We close the doughnut hole in Medicare. Now our seniors have $2,000, $3,000, where it's covered through Medicare part D, and then they fall into a doughnut hole for months and months and months until part D picks back up again several thousand dollars later. Our Medicare recipients have to come out of pocket. We close that hole up. We close that doughnut hole up.

We end the rescissions so that insurance companies can't kick you off the rolls once you get sick. We eliminate insurance companies from being able to deny people coverage because they have a preexisting condition. That is in this bill. We have a provision in this bill that says no child can be denied health insurance because they may have a preexisting condition. We eliminate the lifetime caps of policies so that when someone in your family gets sick and they need coverage, that all of a sudden the insurance company can't say, well, you have spent your allotted amount of money, you're on your own.

It is our moral responsibility to prevent millions of Americans from getting hurt, from getting hurt under the current health care system. And there is no denying it: free preventative care under Medicare under this provision, free Medicare under private plans in this piece that we are putting together here.

Also for people who are 55 and older, between 55 and 64, this creates a temporary reinsurance program until we get the exchange up and running to help offset the cost of expensive health claims for employers that provide health care benefits for those people between 55 and 64 years old. That's what's in this bill. Those are the things that just come online this year. And the improvements will continue.

This is a good bill. Is this a perfect bill? Of course it's not. But we have people on the left saying it doesn't go far enough and voting against the bill, and we have people on the right saying it's socialized medicine. But if it were socialized medicine, people on the left would be voting for it.

This is a pragmatic bill, a pragmatic solution to the health care crisis in the United States of America. And our friends on the other side of the aisle and our friends in the insurance industry say that we should start all over, we should start from scratch, get out a blank sheet of paper. Well, maybe the insurance industry should start from scratch and go back to 1992 and '93 and revoke all of their increases that they have given to the American insurance consumer over the last 20 years or so, rescind all of those increases. You start over. Let the insurance industry start over, and then maybe we can consider starting over.

But people in my district over the last few months, few days, few weeks, were getting 20, 30, 40, 50 percent increases. Small businesses are almost going bankrupt because of the increase of 50 percent to their health care costs. This fixes it. This allows small businesses to go into the exchange, to get tax credits so that they can provide insurance for their employees.

Now, some of those things that I read, and I know a lot of our friends on the other side say that people don't want this, here is the poll that says American people don't want this. And I'm the first to recognize and acknowledge that we probably haven't done a very good job of telling the American people what's in this bill. And that was the essence of Speaker PELOSI's comments about when you pass the bill you'll find out what's in it, meaning that when we pass the bill, the rhetoric and the fiction that has surrounded this bill for the longest time will fall away, and there will be a document that we can all point at, and the American people between now and November will be able to look at what has passed.

We know what's in this bill. We've been debating this for a month. I like how our friends on the other side in one breath say we're trying to jam it

through, and then you look, and the American people are tired of the debates. But you can't have it both ways.

Now all of those things that I mentioned, here is a Kaiser poll: tax credits for small business, 73 percent of the American people more likely to support the bill. Tax credits are in the bill. In fact, these are all in the bill. Insurance exchanges, 67 percent of the American people support the insurance exchanges. The ability to keep what you have, 66 percent of the American people are more likely to support this bill if you can keep what you have. You can keep what you have in this bill. Ban preexisting condition denials, 63 percent are more likely to support this provision of banning preexisting conditions denials. Expanding Medicaid, which is what we do, 62 percent; dependent coverage through 26 which means if you're 26 or under, you can stay on your parents' insurance. How many people support it? Sixty percent. Closing the Medicare doughnut holes, as I mentioned earlier, 60 percent; subsidy assistance to individuals, 67 percent more likely to support the bill.

So we have not done a good job of messaging this bill, but I will tell you what is going to happen. We are going to have an election in November, and I'm looking forward to it. I'm looking forward to the debate because in the debate our friends on the other side are going to want to repeal this piece of legislation. They are going to run their campaign in November about repealing health care reform.

So they are going to have to go out and run commercials saying, those small businesses tax credits are up to 35 percent, we want to repeal them. The ban on preexisting conditions, we want to repeal that. The ban that says no kid, no child can be denied because they have a preexisting condition, they're going to run a campaign in the fall saying, we want to repeal that. The lifetime caps that we're going to eliminate so you can get coverage no matter how sick you get, our friends on the other side are going to run an election saying, we want to repeal that.

The subsidies that people are going to get so that they can afford health insurance, our friends on the other side are going to run a campaign in November saying, we want to repeal that. Helping people 55 to 64 get reinsured, they're going to want to repeal that. Closing the doughnut hole in Medicare, I can't wait to go to the senior centers in my district when this has already been implemented and we've started to close that doughnut hole and the seniors have seen some of the progress, and we go in there and we say, our opponents want to repeal that provision where we closed up that doughnut hole.

Let's have this debate. Let's have this discussion. Let's do it. That's what this is all about. We implement our agenda, then we go out and defend it. And we know what happened. The 8 years, more like almost two decades, 14 years, 12 years actually, that our friends on the other side were in charge, and then with President Bush controlling the House, the Senate, the White House, our Republican friends on the other side had an opportunity to implement their political philosophy.

House, Senate, White House, we got their supply side economics, we got their foreign policy, we got their health care policy, we got their energy policy and we got their education policy. And look what happened. We got their Wall Street policy, and look what happened. We had a collapse of the financial markets, we had college tuition balloon through the roof, we had energy costs balloon throughout the roof, we had health care costs balloon through the roof, the collapse of our economic system, a prescription drug bill that was not paid for with a doughnut hole you could drive a truck through, and a foreign policy that forced us to a war, an elective war in Iraq.

All of these things were implemented when our friends were in charge. And we had elections on those. And now we are going to pass health care, and we are going to pass our agenda and you look and you see what happened with this stimulus package, the economy is starting to open up, trying to straighten up Wall Street. But we know we can't move forward until we get health care costs under control. We know small businesses are never really going to be able to grow at the pace and the capacity that they need to grow to with this health care anchor hanging around their neck.

Now, I believe that, and many of us on this side of the aisle believe, the government has a moral mission, a mission, a moral mission to protect its citizens. Whether it be terrorists or criminals on the street, there is a moral mission to the government to protect people. And that doesn't stop at the borders. That doesn't just stop with the issues of crime. That responsibility hits every aspect of our society. And if we have an industry that is hurting people, then we have a responsibility to step in and push back that industry and say enough is enough. You're hurting people.

In our country, the government has a moral mission to stop that from happening. That is what this debate is all about, yes, the role and the responsibility of government. And the government is not allowed to just completely step aside while industry abuses happen and happen and happen.

□ 2100

And that is what this debate is about. That is what this bill of rights, health care bill of rights is all about.

And our friends on the other side say, We are for this stuff. They say, We are for it. You pull it out; we are for it.

Well, that is interesting, because we had some votes over the last day or so in committee. This is the House Budget Committee that is starting to pass the legislation that is going to be needed.

Here we go. Protecting Medicare for America's seniors and closing the prescription drug doughnut hole, 15 Republicans voted against it.

Closing the doughnut hole, voted against it. If you talk to them, Well, we are for closing the doughnut hole. We have got to close the doughnut hole.

Protecting Americans from insurance caps, as I just talked about, and banning annual and lifetime limits on health care coverage, 15 Republicans voted ''no,'' we don't want to do that.

Holding health insurance companies accountable, 15 Republicans voting ''no.''

Bringing down the cost of health insurance for everyone and providing tax credits to small businesses, all of them voted ''no.'' Every Republican on the Budget Committee voted ''no'' for giving tax credits to small business people.

I mean, this is the equivalent of our friends on the other side who all voted against the stimulus package, and then they go back to their districts when money is coming in and they say, This bridge, this road, this money is going to create jobs in our district.

But you voted ''no'' against the stimulus package. Don't tell anybody. That is the kind of thing that has been going on in Washington. That is called the old Potomac two-step. The old Potomac two-step.

So we have these provisions in this bill that, when you pull them out and you explain them to the American people, have anywhere from 57 to 73 percent. This is what the American people have been crying out for. And when this bill passes, we are going to have a lot to campaign on and run on.

But our friends on the other side like to talk a little bit about polarizing issues. One of the most recent polarizing issues that they have tried to pull out is the issue of abortion and trying to say that this is going to publicly fund abortions.

Well, we have a letter here from, I believe, 25 or so of the top pro-life citizens in our country: Joel Hunter, senior pastor of Northland Church. I believe he was head of Focus on the Family at one point; Jim Wallis from Sojourners Magazine; a lot of evangelical and Catholics; the former associate general secretary of the U.S. Conference of Catholic Bishops, all saying that this Senate health bill upholds abortion funding restrictions. The Catholic Health Association, 600 Catholic hospitals.

I went to Catholic school for 12 years. I know where the Catholic church and the Catholic hospitals stand on the issue of public funding for abortions, and believe me, believe me, I had a lot of nuns and a lot of priests and a lot of brothers going to Our Lady of Mount Carmel, in Warren, John F. Kennedy High School, and I will tell you that those nuns and those administrators who run Catholic hospitals, 600 of

them, would not support this legislation if they believed that there was public funding for abortion.

And I think the head of the Catholic hospitals said that—we are all pro-life, but they believe that the language in the Senate bill, some of the language that we kicked around here early on in the House version, will sufficiently prevent public funds from being used for abortions.

That is 600 Catholic hospitals saying that. That is not me saying that. That is not the Democrats say that. This is Joel Hunter and a variety of others who are professors of Christian formation and disciplines, discipleship, Pentecostal, theological seminary, Leadership Institute, Loyola University, University of Dayton, Duquesne. These are some of the leaders. Jim Wallis from Sojourners; Ron Sider, Evangelicals for Social Action; Catholics and Alliance for the Common Good, on and on and on.

But our friends on the other side, because I know, I was getting calls in my office today, getting people all hopped up on the abortion issue. Let's look at the facts. Let's look at what is in this bill, and we are going to have that debate. And just like the discussions in August about death panels and we are going to kill people's grandparents and all that nonsense that we heard in August, where did that go? It dissipated. It just disappeared because it wasn't the truth. And so it just faded away. And all of these arguments that our friends on the other side are making now are just going to fade away because they do not reflect the facts. What reflects the facts are the things that we are trying to deal with here.

Now, look at some of the stuff that we are trying to address. Between 2009 and 2010, monthly prices in the doughnut hole increased by 5 percent or more for half of the top 10 brand-name drugs. So increased by 5 percent or more for monthly prices for these drugs that most of our seniors get.

Now, from 2006, full negotiated prices for top brand-name drugs between 2006 and 2010, and I will just use some of the percentages here: Plavix, for example, 25 percent. Lexapro went up 25 percent; ADVAIR, 32 percent. Unbelievable increases in prescription drugs. And we are asking our seniors to continue to pay these increases that happen when they fall into the doughnut hole.

So, Madam Speaker, we have got a moral responsibility because so many people are being hurt in our country today, and I stand here this week as we stand on the brink of passing a significant piece of legislation that is not perfect, and I don't think anybody says it is. We are all human here in this Chamber and in the Senate. The President and his team, we are all human. We are going to make mistakes. It is not going to be perfect. But what we are doing is moving forward in a significant way.

One of the huge issues we have in this country is that we have millions and millions of Americans who don't have health care, so what they do is they show up at the emergency room and have no money. They are not on Medicaid. They are not on Medicare. They don't have private insurance. They are not a veteran, so they go into the emergency room when they get sick. This is what happens.

Not only is that inhumane and not only, I would think, do we have some kind of moral duty as elected officials in the United States to say, you know, that is just—I have got a problem with that. That is just not right. What do we do? We have got to do something.

So this bill is an attempt for us to do that, to step in and help people, empower them to be able to afford insurance, and create a system where they are able to afford their health insurance and go into this exchange and be able to afford insurance. Because some people say, Well, I don't want to pay for those people. I got mine and I got my health insurance and I am cool. I have got a job and it is all right.

But you are already paying for them, because what happens is four or five uninsured go into the hospital, go into the emergency room, costs a lot of money but don't have any way to pay for it, and then you walk in behind them and you have your insurance card. Guess who is paying for their treatment that they didn't pay anything for? You are and the next guy who walks in with an insurance card and the next person. These costs all get shifted and so you see these huge increases.

So we have a system where we don't prevent anything. We wait until people get deathly sick, go into the emergency room, stay there for a week instead of getting a $20 prescription that would have saved us all a boatload of money.

This is not a discussion about whether the government is going to run the health care industry or the insurance companies are going to run the health care industry. This is about doctors running the health care industry. This is about making sure doctors don't have to call up the insurance companies and haggle with them over what is covered and what is not covered.

It is 2010 in America. We are the wealthiest country on the planet, and we have the most dysfunctional health care system going. Yes, we have got tremendous high-end care. But if you were setting up a system, you wouldn't certainly say to 30 million people in your country, Just wait until you get absolutely deathly sick, then show up at the emergency room and we will take care of you then. That is not how you would set it up.

And our friends on the other side love to have this discussion about we are losing your freedom. You are losing your freedom. You are not losing your freedom. How free are you when you are sick and you can't get anybody to take care of you? How free are you then? How free are you when you want to leave your job and go get another job, but you can't because you have a preexisting condition or your spouse has a preexisting condition or your child has a preexisting condition and you are stuck? That is not our idea of freedom.

How free are you if you want to go start a business and create wealth and jobs in the United States, but you can't because you have a preexisting condition? How free are you as a small business person? If you are just the average small business person, you had a 126 percent increase over the last 5 or 6 years. Now, how free are you to run your business the way you see fit, to make the investments that you want to make into capital, into technology, into worker training, into wages for your workers, more into the pension plan for workers, hire more workers? How free are you?

And these folks that can't afford health care and they get a lot sicker than they would normally have gotten, what kind of quality of life is that? Life, liberty, pursuit of happiness. These things mean something. And when you talk about what the Founding Fathers meant when they said life, liberty, and the pursuit of happiness, they meant that government has the responsibility, a moral responsibility to protect people's lives, liberty, and their ability to pursue happiness. And when we have a system in place now where an industry is limiting that freedom, reducing that quality of life, the government has an obligation to protect them so that they can be free, and that is what we are doing with this piece of legislation.

I mean, look at what is happening here, the issues that we are addressing. Think about this. This is what is in the bill. This big bogeyman that you hear about on Fox News that is going to end western civilization as we know it if this thing passes has a 35 percent tax credit for small businesses. It says that children cannot be denied health insurance because the kid has a preexisting condition. It is going to say that the lifetime caps that people have on their insurance will be eliminated so, no matter what, kids will get covered. It will extend coverage so that young people can stay on their parents' insurance until they are 26 years old. If they are getting out of college and want to go on to get an advanced degree or they hit a rough patch with the job market or they are trying to figure things out, you are not going to be booted. And how many parents aren't going to have to worry about that anymore? Free preventative care under private plans, free preventative care under Medicare so we can prevent a lot of these problems from happening.

If you are 55 to 64, there will be a reinsurance opportunity for employers who are employing people 55 to 64 to make sure that those people have coverage. The doughnut hole will be closed over time so that senior citizens can afford their prescription drugs. And

when you look at all these things, from time and time and time again, these are very popular among the American people.

Tax credits for small businesses, 73 percent more likely to support. Insurance exchanges, 67 percent. Keep what you have, 66 percent. Ban preexisting conditions, 63 percent. Medicaid expansion, 62 percent. Dependent coverage through 26, 60 percent. Close the Medicare doughnut hole, 60 percent. Subsidy to individuals, 57 percent. And all of these things, as we start to vote on them, our friends on the other side say, Well, we are for those.

So in the last day or so the House Budget Committee was working on this legislation and they had some opportunity to vote on these issues, and so I just want to share with Members of the House how our friends on the other side on that committee voted.

Protecting Medicare, closing the prescription drug doughnut hole, 15 Republicans voted against that.

Protecting Americans from insurance caps, banning annual and lifetime limits on health care coverage, 15 Republicans voted against that.

□ 2115

Holding health insurance companies accountable; 15 Republicans voted against that. Bringing down the cost of health insurance for everyone and providing a tax credit to small businesses; 15 Republicans voted against that.

These are the basic provisions of our health care reform bill that between 57 and 73 percent of the American people support. This is not Medicare for all. This is not single-payer. There's no public option in this bill. Many of us on this side don't like some of that—the fact that those aren't in there. But this is a significant step forward, some basic reforms, and when we have 15 members of the Budget Committee on the Republican side consistently vote against tax credits for small business to get health care, you know they're doing it for one reason: They're doing it for politics. Madam Speaker, this is all about politics. Go back to the memo that someone left somewhere in some room that the press got a hold of that told the Republicans, Do not let Barack Obama pass health care reform. Do not let them. Do not let the Democrats get this big victory because you will be in the minority for another decade or two.

And so right out of the gate they had no interest, Madam Speaker. Our friends on the other side had no interest in cooperating. No interest in adding to the debate. They were against this bill before there was even a bill written. They were calling it socialism before there was one item printed on this piece of paper here telling us what was on this bill.

That's not what the American people want. The American people want us to sit down, work together—no one is going to get everything they want—and pass something and move it forward that's going to help the American people, that's going to allow us to meet our moral obligation to protect the American people, to protect those kids who are being denied because of a preexisting condition, to protect those seniors who fall into the doughnut hole, to protect those families who get denied because of a preexisting condition, to protect those families who hit a lifetime cap and get thrown out on their own.

This is what this is about—to help empower thousands of small businesses who've got the anchor around their neck because they get 20, 30, 40 percent increases in health care. That's what this bill is about. It's about protecting our citizens, it's about empowering our citizens, it's about making our citizens freer than they are today when they're trapped in this ungodly health insurance system that hurts many of them. We can't stand by and stick our finger up in the air and see which way the wind is blowing and allow millions of people to go get hurt, and then 30, 40, 50 years from now go sit on the rocking chair. Our children are going to ask us what we did when we were in Congress. What did you do to move the country forward? And we're going to say what? We failed. We didn't muster up the courage to make the tough votes. We didn't have the ability to look through the clouds and the smoke and the mirrors, look past the bogeymen that have been created on this bill.

I love it. I love how these arguments have just fallen apart, from death panels, now abortion. They're saying everything is publicly funded abortion here. And 600 Catholic hospitals are endorsing the bill. Now how do you say that this is public funding for abortion when 600 Catholic hospitals have endorsed this piece of legislation? So our friends on the other side need to go to all these 600 hospitals and all the sisters that are there, intimately involved in the health care of their patients, and all of the Catholic administrators of all of these hospitals and say, You're pro-abortion. Good luck having that argument. It's a phony argument that's being created for politics, just like the death panels were, just like the illegal immigrants were going to be covered under this bill. All of those issues have been demagogued in this House and across this country to try to scare legislators and the American people. And the dust is going to settle, and we're going to be able to look back on this vote.

I look forward, Madam Speaker—I will tell you this—I look forward to the debate in the fall discussing with the American people exactly what is in this bill. I look forward to talking to my Chamber of Commerce, my friends in small business, that they're going to get a 35 percent tax credit, and they're going to be able to go into this exchange and negotiate with a bunch of other small business people, thousands, to have some bargaining power to reduce their health insurance costs. I look forward to going into a debate saying, You know what was in this health care bill? We made sure that no insurance company could deny any child because they have a preexisting condition. No insurance company could deny a citizen of this country because they have a preexisting condition. That our seniors are going to get more prescription drug coverage. That our citizens, when they hit a catastrophic health event in their life, that there won't be any lifetime caps or limits to how much they can be covered. Madam Speaker, that is what this health care debate is about.

No matter how many times our friends on the other side try to say they want to work with us, they have been given the opportunity to sit down and work. And they say they're for a lot of these things but, again, already in committee, peeling out the votes, closing the prescription drug hole in the Budget Committee, 15 Republicans voted ''no,'' we don't want to close the doughnut hole. Protecting Americans from insurance caps, banning annual and lifetime limits on health care coverage. This is the vote. That's all the vote was on. Fifteen Republicans from the Budget Committee voted ''no,'' we don't want to protect Americans from the caps and ban annual lifetime limits. Holding health insurance companies accountable, 15 Republicans said, No, we don't want to hold them accountable. Bringing down the cost of insurance, providing a tax credit to small businesses, 15 Republicans voted ''no'' for a tax credit for small business because their consultants and pollsters told them they couldn't let this bill pass.

So out of 15 Republicans on each one of these votes, a majority of the Republicans on all of these votes, out of the 15, voted ''no,'' we don't want to do it. In some instances, it was close to all of the 15.

Madam Speaker, we have an opportunity here to make history. But that's not why we're doing it. We're doing it because this government, from its inception, this government from its inception has had a moral mission; a moral mission to protect and empower its citizens. And when an industry and their unsavory business practices are hurting the American people, we have a moral obligation to intervene. And we have a moral obligation to empower by making sure that our citizens are free to go in and have expanded choice, that they are free from an insurance company saying, You're off the rolls now because you got sick. You're empowered because you can be healthy and get access to care and you can experience the liberty that this country has provided—life, liberty, and the pursuit of happiness. That's what this bill is about, and I look forward to having an opportunity to continue to advocate for it.

With that, Madam Speaker, 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 Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. It is my privilege and I'm honored to be recognized to speak here on the floor and to address you tonight. Having listened to my friend and colleague from Ohio talk about the high moral calling that there is for them to pass socialized medicine, I'll just tell you, Madam Speaker, it's hard for me to reconcile those things. It's hard for me to think of a country—a beautiful country with a deep, rich, free tradition that would give up its freedom and its liberty and its sense of responsibility for the sake of the government providing something that 85 percent of people are providing for themselves.

The statements that were made by the gentleman from Ohio about what is not freedom—it's not freedom to be able to start your business and have to worry about paying health care premiums or it's not freedom to see those premiums go up by a large percentage every year. That whole spiel, Madam Speaker. And I think it misses the point entirely. I think the freedoms that I'm hearing the gentleman from Ohio talk about are the types of definitions for freedom that I hear talked about by those that live in places like Canada or the United Kingdom or France or one of those countries that has socialized medicine; one of those countries that says freedom is having free health care provide by somebody else paying for it as a taxpayer. It's not the measure of freedom. It's not the measure of liberty. The measure of freedom and liberty is entirely different. You can't ever measure freedom by what is free, because freedom is never free. And it is a huge dichotomy in this Congress that people on this side of the aisle that want to subvert the definition of freedom. And so I will just say freedom is not about what is free.

Let's talk about liberty. Liberty is to be able to make the decisions for yourself, but be bridled by morality. That's the difference between liberty and freedom.

Other people in the world talk about freedom as in what's free from government, as if that's a measure of liberty. But when you talk about what's free from government, first of all, it's never free. Somebody has to pay the taxes, whether it's the people who are earning and paying taxes now or whether its the children or grandchildren that they would foist this debt upon with this socialized medicine bill.

Madam Speaker, we could stand here tonight and we could talk about nuance after nuance of what's in this bill and what isn't. The truth is, the gentleman from Ohio doesn't know. And I suspect that nobody in the entire Democrat caucus knows. I'm confident nobody on the Republican side knows what's in this supposed negotiated change. A night or more ago, there was a bill that was brought to the Budget Committee. It's a shell bill. It doesn't have in it the changes that they're trying to get established here. It's a shell bill. It's designed to start the clock ticking so that when they get the arms twisted and the Speaker uses all the leverage at her disposal and we can hear the bones breaking across Capitol Hill from arms twisted up behind people's back, some of them carrot—some of them stick.

When all of that is done, they want to have this machinery in place so that the Speaker, who sits up in her office making these deals behind closed doors, will have a bill come down here to the floor that nobody has seen, at least so far, and a bill that will be a reconciliation package that is unprecedented in its tactic, in its procedure, to propose changes to a bill that is the Senate version of the bill.

And this is the unbelievable part, Madam Speaker—the very idea that we have before us this week, and at least threatened to come forward if the votes can be put together this week, a socialized medicine bill, a bill that could not today pass the United States Senate. A Senate version of the bill wouldn't pass in the Senate. Everybody in America knows that. That's why the results of the election in Massachusetts made so much difference. The people in Massachusetts, arguably the least likely in this modern era to save liberty for Americans, voted SCOTT BROWN in as their Senator. He said that he would oppose this Senate version of the health care bill.

□ 2130

The bill that passed on Christmas Eve can't pass today on the eve of St. Patrick's Day. Not out of the Senate it can't, Madam Speaker. And so we are in this odd, perverse situation where perhaps for the first time in the history of America—and if this happens, certainly with the largest magnitude of impact, a bill that can't pass the Senate in its current condition—that being the configuration of the Senate as reset by the people in Massachusetts and the American people—a bill that can't pass the Senate comes to the House that's to be passed here on the floor of the House under the Slaughter rule, which deems it has been passed but doesn't require people to vote on it.

And so we have a bill that could very well go to the President of the United States where he is salivating to sign it, a bill that couldn't pass the Senate, a bill that couldn't pass the House, but nevertheless could become the law of the land. That is the breathtaking anomaly of what we're facing here, and it's in a bill that cannot be brought here to the floor of the House because, even though Speaker PELOSI can let 37 Democrats off right now, according to the most recent news reports, those 37 happen to represent ''noes'' or hard ''noes,'' and another 55 are undecided.

And if the Speaker's to pull the votes together, she's got to run the table on the 55 undecided and hold all of the ''noes'' together. Every undecided would have to decide that they're going to be in favor of socialized medicine for this to work. And the brokered deal would be that they would bring the Senate version of this to the floor under a rule that would be self-enacting, a rule that would be configured right up here on the third floor in that little old Rules Committee that I call the hole in the wall, where the hole in the wall gang usurps the liberty of this deliberative body and usurps the franchise of the Members of Congress and send the bill down here under a limited amount of debate time.

Probably it would be a closed rule, so there would be no amendments to the rule; and the rule would be self-enacting which would automatically deem that the bill that has passed the Senate in the past that couldn't pass the Senate today is deemed to be passed by the House of Representatives, even though the Members on this floor don't have the will to vote for it so that it would go to the President of the United States, whom I said is salivating to sign it.

He would sign it, and we would have the law of the land, a bill that swallows up one-sixth of the economy of the United States and nationalizes the management of the health care of every American, over 300 million of us, into law enacted, without being able to pass the United States Senate, without being able to be supported and passed for the purposes of becoming law in the House of Representatives.

And then behind that, the Speaker is asking people who have gone through a crucible to get here—and I will say, Madam Speaker, I respect the intelligence of my colleagues on both sides of the aisle. I think it would be hard to believe that there are people in this Congress that would be so stupid to believe that they could be promised that if they just vote for the Senate version of the bill with all of its warts, moles and scars and all of the smelly things that are part of it, the Cornhusker Kickback, the Louisiana Purchase, the Florida Gator Aid, the national health clinics to the tune of $11 billion, and about six or seven other special packages and components that are in the Senate version of the bill, none of them passing the smell test.

But asking this House to vote for a rule that automatically enacts it so they don't have to vote for the bill on the promise that there would be a reconciliation package that would be passed here in this House that would go over to the Senate that would be designed to fix the flaws in the Senate bill, strip out the Cornhusker Kickback, strip out the Louisiana Purchase, strip out the Florida Gator Aid, and strip out the $11 billion worth of public health clinics that have been leveraged by BERNIE SANDERS from Vermont and those other six or seven egregious bargains that have been made and convince the Democrats, 216 of them, to

vote for a bill that will be followed by a reconciliation package that may or may not have the votes to pass the House of Representatives.

Then it would go straight down that Hall to the Senate where the Senate would have to take the changes to the bill that they passed that are dictated by the House and expect that that's going to happen, even though procedural obstructions fall in the way in a breathtaking fashion down to the point where just the parliamentary rules would threaten to strip out half or two-thirds of a reconciliation bill, including the Stupak language which isn't going to go in here anyway.

So you end up with the Senate bill becoming law and a futile effort on the part of the House to follow through on a promise to the Members of the House that don't want to vote for this thing that have been leveraged to vote.

And what is the configuration of the Democratic Caucus, Madam Speaker? What are they thinking, and what would they like to get accomplished here? Here is where they sit. They sit in three places, just to analyze the political configuration here because this isn't policy anymore. This is politics. Politics are this: hard-core left-wing liberals, every member of the Progressive Caucus which is linked to the socialists in America, they're all for this bill. It nationalizes health care in America. It may not do it in the first stroke of the pen, but it gets us there. And to be fair, there may be one or two of those that will decide that it's not lefty enough for them. But that core of the progressives, the socialists, the lefties, they're going to vote for this bill because they believe in it. It's a deep conviction on their part.

The second component will be those Democrats that believe that they will take the risk, and they think that they can somehow figure out how to get re-elected to come back to this Congress even though the American people, by the hundreds of thousands, have risen up in every way they know how to say ''no'' to this socialized medicine.

And then the next component of this, these are the people that are members of the Democratic Caucus that have decided that they need to vote for this bill for the sake of preserving, let me say, their President's mojo, their President's political capital. To keep the caucus together on the Senate side, they would say, I'm going to have to sacrifice myself because this cause of keeping Speaker PELOSI in power and Barack Obama's mojo flowing is more important than their seat in Congress or the voices of their constituents, which, by the way, reflects to be almost one and the same thing.

So there's the configuration. Left-wing liberal progressives that will vote for the bill because it moves us towards socialized medicine—it either is or gets us there eventually; those who will take the chance and decide that they think that they can hold their seat even though they'll vote for something that the American people have rejected, spit out, Madam Speaker, three to one for the most part in this country; and then those that believe that they can somehow either hang onto their seat or they're willing to pay the sacrifice. Three categories. That is what's going on.

And then of course you have the Democrats that will vote ''no.'' If 37 of them vote ''no,'' this bill can pass by a vote of 216–215. If 38 of them vote ''no,'' then the bill fails. And I will predict that if it's clear that the bill is going to fail even by one vote, we will see, Madam Speaker, a lineup of Democrat Members of Congress come down here to the well and pull their red cards out of the box that will be sitting on this table and take their felt-tip pen, and they will write in there and change their ''yes'' to a ''no.'' This bill will either pass by one or two votes or it will fail by 40 because they don't want their names on this turkey, but they're determined politically to move this through.

Here's what we also have, Madam Speaker, and that is that this all started back a year and a half or more ago, 2 years ago during the Democratic Presidential Caucus, and it started in Iowa. I mean, it is my home territory. I see it. I know it. Hillary Clinton had pushed the National Health Care Act as the first lady in the early nineties, in the beginning years of Bill Clinton's Presidency. Yes, she closed the doors, and she had backroom deals. She did write a bill, though; and it was socialized medicine. It was single-payer. The Federal Government takes it over and creates all these new agencies. It was a scary and threatening thing to what it would have done to our freedom and our liberty. And then the American people rejected that, spit it out, so to speak.

And back here we are 15 years later with Hillary Clinton's opponent in the Democratic primaries pushing a socialized medicine program that is in some respects different from that that Hillary pushed. The American people see this, and they rejected it, and they spit it out.

What has been created is a toxic stew. They went in and put this all together. President Obama wanted a, and still wants, a single-payer plan. Single-payer is a complete government-run takeover of health care, socialized medicine. He has said so. It's a matter of record. So they went together to try to figure out how to write a bill, and from the beginning, it was this—and I will do the metaphors, Madam Speaker.

They went back into old HillaryCare, and they took that old soup bone that was laying on the shelf in HillaryCare in 1993 and '94. It had been sitting there for 15 years. All the meat stuck to the bone was tainted. They took HillaryCare off the shelf, and they put it in the pot, just add some water. They said, Hey, look what we have. Voila, we have socialized medicine—oh, no excuse me—single-payer plan. The American people don't want it to be called socialized medicine.

And people looked at that skeptically and said, That's not enough. So they began adding more and more pieces, more and more bells and whistles, other ways to try to blur the taste of that tainted meat that was in that stew. By the time this has been churned through from June of last year, July, August—especially August—and September, October. November, it passed the House. By then, the American people knew that there was a toxic stew that had been cooked up and created by the Democrats in this Congress. A toxic stew.

It started with old HillaryCare, dropped that old tainted soup bone into it, and then they began to add other vegetables and bells and whistles to try to blur the taste and mask it. It's still tainted. And the American people have said over and over again in every way that they know how that they don't want a potful of this toxic stew. They don't want a bowlful. They don't want a ladleful. They don't want a spoonful of this toxic stew. American people do not want any measure of the toxic stew of socialized medicine, but that's what we have because the elitists and the arrogance of the liberals have decided that they understand what's right for posterity, and they can manage, Madam Speaker, the people in the country who apparently can't manage themselves.

But what I see is 85 percent of the American people who are insured and 85 percent of the people who are happy with their insurance. These are the people who want to be able to make their own choices for themselves, and that's what will be rejected. There is a whole list of things that go out the window if this socialized medicine bill is passed.

We are not the kind of people who should be moving towards greater and greater dependency classes. We're the kind of people that believe in freedom in the true sense of the word. We believe in liberty. We have our constitutional principles, our constitutional values, and this bill does not reflect them. I believe if it does become law, there will be court challenges to the constitutionality of it. We will see, as a matter of certainty, health insurance premiums will go up for Americans. The younger you are, the more you will see the premiums go up.

There will be a large amount of non-participation, people who decide they're going to pay the fine, whether it's $800 or $2,000, because it's cheaper than the higher premiums that will be driven by this bill. And then when they get sick, they'll be going to buy health insurance to cover them after they're sick.

And one of the first things that's enacted if this legislation should become the law of the land is—they'll call it the fix. It's the change in preexisting conditions. So it would prohibit an insurance company from considering

that an applicant had preexisting health problem conditions, which means that if you prohibit that consideration of preexisting conditions, who would buy insurance until they got sick? Wouldn't you just wait until your house was on fire and buy your property and casualty insurance? Wouldn't you just wait until the hail was pounding the roof to shreds and buy your property and casualty so you can make your claim?

That's what will happen with health care. That's about the only thing that happens right away, Madam Speaker, except for the increases in fees, the increases in taxes, the increases in revenue that comes with this in this bill that is, according to JUDD GREGG, a $2.5 trillion bill. And that was when they scored it almost a year ago. Now you can add another $400 billion to $500 billion to the cost because the revenue has been shut down, and they would sign a lot of people up over the next 4 years before the benefits kick in. That, Madam Speaker, is what we're dealing with here today.

And it's one of the reasons that my good friend Judge GOHMERT from Texas has come to the floor. He carries a tremendous amount of knowledge and a tremendous amount of passion about freedom and liberty. He's been here defending this night after night after night here on the floor, in press conferences, at rallies everywhere in America. LOUIE GOHMERT has a place to go. He's stepped up to defend our freedom and our liberty, like all Americans should be doing and like the Americans who filled this Capital City up today. I would be happy to yield as much time as he may consume to the gentleman from Texas, my friend LOUIE GOHMERT.

Mr. GOHMERT. I appreciate my friend from Iowa so much, and I appreciate the wonderful points you are making. I was here just out off the Chamber for the whole discussion by our colleagues across the aisle.

□ 2145

I always appreciate when people across the aisle attempt to speak for me and what I support and what I would like to have happen and what I will and do vote for and vote against.

But the great thing about debate is that the other side can be presented. Of course, you know, there was the occasion a year and a half ago where the Speaker cut off the microphones and that was prevented, but we stood here on the floor and spoke anyway. That's the great thing about America.

But I would like to correct some things. Although I know my friend had the best of intentions of speaking on Republicans' behalf, but when he said Republicans have no interest in being part of the solution, I have to differ on that. And I appreciate my Democratic friend saying we don't wish to be part of the solution, but that's simply not true. And, in fact, I know Republicans that begged and pleaded to be allowed to have input into this bill, but it's hard to have input into a bill that's negotiated secretly.

You get the union and AARP and you don't tell any Republicans when they're going to be meeting, when they're going to do their secret deals. You get the pharmaceutical industry and, yes, you get insurance companies to be part of secret negotiations. And I can promise you this, every industry, every individual who has come out and said I think this is a great bill on behalf of some industry, they got a deal cut for them in this bill.

Now, this is the Senate bill here. I've had our House bill until this week. That's what I'd been working from. But it looks like they're serious about cramming the Senate bill down our throats, and they use real thin paper and print on both sides so that it's this small.

But some other things that need to be corrected my friend across the aisle said during his time, Our friends on the other side of the aisle support the insurance industry wanting to start all over. Well, my friend's not completely informed, because there are those in the insurance industry that say, You know what? This bill, the Senate bill, it's okay with us. It would be all right. And if you're in the insurance industry and you have the Federal Government mandating that everybody has to buy a policy, then, you know, your eyes get big and you start thinking, Wow, think of all those sales.

Of course, they don't look far enough into the future and realize that that plan and they, themselves, as insurance companies, won't last very long. They'll go the way of private insurances or insurance companies offering flood insurance. When the Federal Government got involved, it's hard for a private company to compete with the Federal Government that goes in the red and stays in the red, as the Federal flood insurance policies have done.

He also commented that the Democrats are holding health insurance accountable. And that's nice to hear being said, but if they were holding health insurance companies accountable, you would not find one insurance company that's going to be okay with this, and there are those out there.

My friend also commented that 67 percent of Americans support an insurance exchange. Well, in the House bill, which we've talked about it, there's the Federal insurance exchange program, and that's what will take over as they finish killing off the private insurance companies.

And as my friend and I both agree, we don't want insurance companies between us and our doctor. We don't want the government between us and our doctor, and the proposals we've made get them out from between us. They get insurance companies back in the position of insuring and out of the business of managing. Why would we want the Federal Government to come in and manage our health care decisions when we don't even want private insurance companies managing our health care insurance?

And I do appreciate my friend's honesty and candor when I understood him to say, first, that we have a moral mission. We have a moral mission, he said, to protect even the terrorists and the criminals on the street, and that that moral mission apparently does not stop at our border. Well, this is just a difference in philosophy.

And I have a few other points that I want to make here, but I feel like my friend from Iowa will want to comment on this because we've had such lengthy discussions about this issue. And it is just a difference in philosophy that we have friends across the aisle that believe we have a moral mission to protect terrorists, to protect criminals on the street, and that that moral mission does not stop at the border.

And see, my belief, and I believe it's shared by my friend from Iowa, is that when I took an oath to the Constitution, when I was in the United States Army, as a prosecutor, as a judge, as a Chief justice, and as a Member of Congress, there was nothing in my oath that I take so seriously about supporting and defending those on the other side of our borders or supporting and defending all enemies, foreign and domestic, that want to kill me. It was not that I want to support and protect and defend all terrorists and enemies, foreign and domestic. No, it was I'm going to help protect America from all enemies, foreign and domestic, protect from those enemies, not go across the border and take my morality to other countries and be the policeman of the world. And, in fact, I think we do make a mistake when we begin to be country building, nation building, government building in other nations. Our job is to protect this country. And when there are terrorists in this country, our job is to take them out, eliminate the terrorists so that they are no longer a threat.

Now, what normally happens when people declare war on another group or country and you capture some of those people, in a civilized society like ours, you hold them until such time as their friends, their colleagues, their comrades decide and announce we're no longer at war. Then you can release all of those, except for the ones you believe or have reason to believe, probable cause to believe committed war crimes. Then you go ahead and try them.

But it's just a difference in philosophy. And I'd love to hear my friend from Iowa if he has a comment on that obligation.

Mr. KING of Iowa. Reclaiming my time, and I appreciate the gentleman from Texas, as I listened to the gentleman from Ohio talk and to spread this philosophy that somehow, first, there are principles that they've been trying to drag back and establish rights that don't exist for a long time. This goes back to, probably, Woodrow Wilson or earlier, but FDR comes to mind. And if one should go out to

FDR's Memorial here in this city, you'll see the memorial that displays the four freedoms. Back in those years, Franklin Delano Roosevelt made a speech about the four freedoms, and Norman Rockwell painted the cover of a magazine on that that showed the four freedoms, one at a time. The first freedom was, freedom—let's see—freedom of speech. The second one was freedom of religion. The third one was freedom from want, and the fourth one was freedom from fear.

Now, I go back and look at that, and I don't think I was very old when I first realized about that speech of Franklin Delano Roosevelt, the four freedoms speech—the freedom of speech, religion, want, and fear—and I knew even then, as a young man, that there is no freedom from want and there is no freedom from fear, that these are things that can be resolved. These aren't rights that come from God.

Our liberty comes from God. It says so in the Declaration. We hold these truths to be self-evident that all men are created equal. And we're endowed by our Creator with certain unalienable rights, among them are life, liberty and the pursuit of happiness.

And by the way, the pursuit of happiness, in the left-wing version, means anything hedonistic you might want to do that makes you happy or gives you pleasure for the moment. But pursuit of happiness our Founding Fathers understood was rooted in the Greek word eudaemonia, which means that pursuit of truth, both the physical and the mental versions of truth.

So we have these liberties that come from God that are clearly delineated in the Declaration of Independence and the foundation for our laws in the Constitution, and no one in America has a God-given right for freedom from fear or freedom from want. Those are manufactured rights that jerk this country off on to the left towards the socialist side of this.

And as I listen to this debate on health care, it comes back to a position that's continually made, that people have not only a right to health care, but they have a right to their own individual health insurance policy that they own.

And the folks on this side of the aisle, the Democrat side of the aisle, have continually conflated two terms. Well, many more, but the two that I'm talking about are the terms ''health care'' and ''health insurance.'' Over the last year and a half or 2 years, the subject has been conflated to the point where, when people say ''health care,'' often they mean health insurance. And if you say ''health insurance,'' you generally mean health insurance. But if you say ''health care,'' you might mean health insurance or health care.

And many Democrats on that side of the aisle, and I don't know that that's the case with the gentleman from Ohio, have made the statement that everybody in America has a right to health care and that they have a right to their own health insurance policy.

And I'll make this point, that everybody in America has access to health care, albeit in some cases it's the emergency room. Everybody has access to health care. We don't let people die in the streets. You'd never see that happen in the United States. We take care of people.

We don't have a collapsed system, as the gentleman from Ohio would have us believe. We have the best health care delivery system in the world. We have the best health insurance system in the world. Both of them can use improvements, and we should do that. But we should not throw the baby out with the bathwater. We shouldn't give up on the great things that we have that give so much quality and so great a life expectancy in this country for the sake of moving towards the socialization or the nationalization of a policy that diminishes us as a people.

And so, going through those four freedoms, freedom of speech, freedom of religion—which I agree with, those are God-given rights—freedom from want and freedom from fear, takes me back to a hearing we had in the Ag Committee at the beginning of the markup for the last farm bill that we did. And there, Janet Murguia, the president of La Raza—La Raza, I would point out, Madam Speaker, is the organization that is called—the ''La Raza'' is Spanish for ''the race.''

Now, if we had a, let's say, Caucasian organization that was exclusive to that, that had called themselves ''The Race,'' they would be called the racists. But meanwhile, we accept La Raza as the people that are doing the negotiating for our food stamps.

And Janet Murguia testified that one of the obesity problems we have in the United States comes because people, they know where their next meal is going to be—they couldn't find somebody that was suffering from malnutrition—but she said that they may have anxiety about where their next meal is going to come from.

I think I am going to pick this up in a little moment and yield to my friend from Texas.

Mr. GOHMERT. Well, I appreciate that very much. I would like to follow up on that with something that our friend across the aisle said before us tonight. He said that when this bill passes, we'll have a lot to run on, and I agree. And I think they'll need to be running a great deal after this bill were to pass because the vast majority of Americans don't want it to pass. That's very clear.

So you ask yourself, Why would the majority of the House of Representatives and the Senate and the President try to cram a bill down the throat of a majority of Americans that don't want the bill when it could hurt them politically?

Well, there is so much government in this bill that they know if this bill passes, then the government intrusion, whether you want to call it socialism or progressivism, it's the government taking over such a massive part of our lives, basically taking over our lives.

But I would want to point out page 100 of the Senate bill. You know, why were the unions so happy to jump on this? You know, unions are beginning to look at their health insurance policies as—some of them are—as a massive debt, and they'd like to get rid of it, and we know that they'd be unable to do this under the bill. But people will be glad to know, people who are in unions who are retired and have union health insurance, they'll be glad to know that they won't lose their union-negotiated health care, at least not until the date on which the last of the collective bargaining agreements relating to the coverage terminates.

□ 2200

So people will be able to keep, if you're in a union, or, Madam Speaker, people are in a union or they have retired and they have union health care, they can be assured they do not lose their health care—at least not until the date on which the last of the collective bargaining agreements relating to the coverage terminates. And then, of course, once a new union contract has to be negotiated, all bets are off.

So that should provide some comfort if there is a year or two left on a collective bargaining agreement, then they can be comforted. They have got that insurance if they like it, and they can keep it until the collective bargaining agreement terminates.

Mr. KING of Iowa. I thank the gentleman from Texas from picking up there from where I was forced to leave off.

To take this up then, Madam Speaker, the situation of asking Janet Murguia, the president of La Raza, to testify as to why we needed to increase food stamps by 46 percent before the Ag Committee. And not being able to find people that are suffering from malnutrition and not being able to find people that aren't having their meals today, they testified that there were people that were having anxiety because they don't know where all of their future meals were going to come from. And because they had had uncertainty, they tended to overeat, and if they ate out of anxiety—not having full comfort that there would always be plenty of food for them there, they might attend a feast or gorge themselves in those times—she argued if we would just give everybody 46 percent more food stamps, people wouldn't have this food anxiety, and they would eat less, and we would solve this human obesity problem, at least improve it, by providing food stamps for people.

Now, here I am sitting in the United States Congress, highest level in the land or the world, for that matter, and I'm listening to a witness begin to tell us why we should expand food stamps. And her argument is if we give people

more food, they won't be as fat. People are fat because they eat out of anxiety, and if we make sure there was a mountain of food in front of them, they wouldn't eat out of anxiety anymore and apparently they would lose weight and they would be slender.

Now, my response to that takes me back to the statement that I made earlier about the manufactured rights that came out of the presentation of Franklin Delano Roosevelt. Freedom of speech and religion, that's fine. The other two of the four, freedom from want and freedom from fear, now those are breathtaking principles to lay out in the 1930s. But if you listen to Janet Murguia's testimony, her argument is that people have a right to have freedom from fear of want. And that fear of want causes people to overeat so they get obese, and if we can solve that problem and give them their freedom from fear of want, then they won't eat as much, they'll be thinner, and they will be healthier.

This is a bizarre, upside-down, topsy-turvy world that we live in, Madam Speaker. And when we think about what freedom is and what liberty is, Americans that understand it have an entirely different understanding of what liberty is than people in Canada, Great Britain, and around the world. Their argument is that whatever is free expands freedom.

So if you have a lot of food stamps and rent subsidies and heat subsidies, you'd have a lot of freedom. I suppose you would because you wouldn't need to go to work. You would have the freedom to go do whatever you want to do, sit around and be a couch potato, or go off to play golf or go fishing every day.

But that's not what we're talking about. Not the freedom to be irresponsible or not to take responsibility for yourself. We're talking the liberties that come with this Constitution, that liberties that allow us the right to speak freely, to worship as we please, to peaceably assemble, and redress our grievances, the right to keep and bear arms, the right to keep property. However, the Kelo decision altered the Constitution itself. The right to face your accuser, to have a jury trial. The list goes on and on. Free from cruel and unusual punishment. Those are liberties that we have. They are delineated in Constitution. These are laws that come down from God. But He didn't ever promise us that we wouldn't have fear from want because there is something intrinsic in human nature that says that we have got to get out there and strive and struggle.

But this Democrat health care bill is about expanding the dependency class in America. If they can expand the dependency class—they're the representatives of the dependency class; we're the representatives of the liberty class. We're the people that want to work, that want to expand families. We want to provide for and encourage more personal responsibility. We want to see that spark of vitality come out of every human being. And we want that to join together. And we know that our job is to find ways that we can to lay the groundwork and help nurture so that the average annual productivity of the American goes up. If it does, so does our quality of life—at least in terms relative to the rest of the world it does. We have got to have a moral foundation to do that. And it requires individual responsibility, not growing the dependency class.

If you take people and they're on a safety net already, a safety net that has been cranked up to where we are a welfare State today—some 71 different welfare programs—and this safety net that was designed to keep people from falling through and freezing to death or starving to death now has been cranked up to the point where the safety net has become a hammock, Madam Speaker, and the more comfortable that former safety net, now a hammock, is, the less incentive there is for people to take care of themselves. They lose their incentive.

And so they lose their will to try, they lose their will to be creative. They lose their ingenuity. And they don't think they have to put themselves out to the point their parents did or their grandparents did.

I look at the people that settled the part of the country that I live in. Those ancestors in about 1875 came out there and stuck a stake in the ground out in the prairie and claimed a homestead of 160 acres. And a lot of them came out in covered wagons. And if they had a good day traveling, they would walk behind the oxen 10 miles a day on a good day. Some days they didn't move at all because it was muddy, they were bogged down, something went wrong, they broke an axle or wheel or whatever it was. Ten miles a day on a good day to get out on the prairie to drive a stake in the ground and say, This is my 160 acres, and if I build a home on it and I take care of it and I farm it and make it productive—under the Homestead Act they could keep it. That's the American dream.

They went out there to live free or die out there on that prairie, and they had to raise their food and they had to protect themselves from the elements and from hostiles. And that independent spirit is the thread of the Americans that we are today.

We didn't ever think about capitulating. We didn't think about giving up. We never thought the winters were too tough or the days too long or the work was too hard or too hot or too sweaty or too dusty or snowy or rainy. We did what we had to do because we were driven to succeed, we were driven to achieve the American dream. And by the way, there wasn't a fallback position. That fallback position would have been freeze to death, starve to death, let the hostiles take over you. Any number of things could happen.

Well, that American spirit is what has brought about the thriving of the American people and our tenacity globally. If you look at where we are economically, American business has gone around the globe. We set the standard. We set the pace in patents and in trademarks and creativity and in productivity. We set the pace from a military-security standpoint. We set the pace from a cultural standpoint. We set the pace from a religious standpoint.

All of these things that I am talking about here are undermined by people on this side of the aisle and undermined by a socialized medicine bill that the Senate could not pass today, the House would not approve of, that diminishes us and expands our dependency so that it can expand the political class that supports and votes for them.

This is a cynical political move, and if it was about policy, Madam Speaker, then one of them, just one of them—and I have a question I want to project to the gentleman from Texas here in a moment—but if it was about policy, then the President of the United States, the Speaker of the House, HARRY REID of the Senate, or someone out of all of these Democrats over here would have pointed to a country in the world that has a better health care system than the United States and said, Let's emulate that.

□ 2210

Well, whom shall we emulate? China? Russia? Cuba? Canada? Great Britain? Germany? I think all of us would reject all of those proposals. If there is a country out there that does it better, I would like to know, and we will take a look at that. I pose that question as more than a rhetorical question, but a real question of substance that has been unanswered. And I would yield to the gentleman from Texas wherever he would like to take that.

Mr. GOHMERT. And I certainly appreciate the question, because we just happen to have a chart here. And this is a chart, as it says, government-run care means lower survival rates for cancer. Now, we have been told by friends across the aisle, well, but if you look at England or you look at other countries, you find that they have a longer life expectancy than we do in America. Well, not if you're looking at cancer survival rates. If you compare apples to apples, you find out, as my friend from Iowa said, there is no better health care anywhere in the world when you want a good, the best survival rate, whether it's cancer, heart disease or whatever.

Now, the place where the statistics get skewed is our life expectancy in the United States has added in and this is terribly unfortunate, a higher murder rate than some of those countries have. And one other thing that really skews the figures in the United States is that when a baby is born, it doesn't matter if that baby is 20 weeks premature, 10 weeks, 8 to 10 weeks, like my wife's and my first child, if that child is born alive and subsequently dies, even if it's

an hour later, that counts in our statistics because in America the majority still feels that every life counts.

Well, in many of the countries that they try to compare us with with our life expectancy, if a baby is born prematurely and dies, they don't count that. We count it here. And when you have a child that dies within an hour or 2 hours, it dramatically brings down the life expectancy. But it's one of the things I love about America. We care about lives here in America. And so you look at this chart, if you could choose a country to go to if you got cancer, well, you could go, this green here is England, but that is not the greatest survival rate.

My goodness, look at prostate cancer, 50.9 percent survival rate. That's not so good. In the United States, we have a 91.9 percent. That is phenomenal, up 41 percent. That means in the United States, if you get prostate cancer, for every two people that get prostate cancer in the United States, most of the time, both of them are going to live. However in England, you have two people that get prostate cancer, one of them will die. And it's so unnecessary because they have access to the same types of health care we do.

Mr. KING of Iowa. Just as I look at the statistics here, and I see the 91 percent of survival rate of prostate cancer in America, that means out of 10 patients, nine will live. I look at the ratio in the United Kingdom, 50 percent. That means out of two patients, one of them will die. One out of 10 will die in America, one out of two will die in England. That is the comparison in the results of this health care.

Mr. GOHMERT. Why would you want to go to any other country? So who could blame the Newfoundland prime minister when he had a heart problem, for saying, I love you, Canada, you're my country, I love you and I am totally devoted, but I am flying to the United States for my heart surgery, which he did. He is a smart man, obviously.

But you look at breast cancer, and I've been shown statistics that are not on here. For example, in breast cancer, if a tumor is found localized in a breast, then we have a 98 percent survival rate, 98 percent survival rate, if a cancerous tumor is found localized in the breast. In England, it's about 20 percent less than that. In other words, even though both countries have wonderful technology, when you have a government-run program, you have to put people on lists.

And the President is right. He is not being disingenuous when he says we are not going to deny coverage. For the most part, that is right. What you do is you put them on lists so that they die before they get what they need. And I was talking to a really sweet secretary in Tyler, Texas, my hometown, and she has emigrated from England. And she told me that her mother got cancer in England and died of that cancer because she was in England. Each step of the way, finding the tumor, having surgery, having therapy, all the things that you have, chemo, all those things, you get on a list. She said, my mother was found to have cancer, and she died because she lived in England. After I emigrated to the United States, I was found to have cancer, and she said I'm alive because I was in the United States instead of England. She said, because I didn't go on a list.

And this is not some wealthy person. This is a middle class secretary with a lot of class. And she knows just how good we have it here. And so you've got all men's cancer: 66.3 percent survival rate here; in England, 44.8 percent; 53 percent in Canada. That's a lot of people. We heard our friend from Florida come down and rant and rave about people and you're killing folks in our district. But all I can see when I look at these cancer survival rates and death rates is when you want us to go to a government-run health care—I know it's not intentional, I know it's not intentional—but the fact is you will cause people to die unnecessarily.

There is no reason to have this kind of drop in prostate cancer success, but that's what we have. And it's so unnecessary.

You've got all women's cancer, 62.9; 55.8 in England. There's not quite as big a discrepancy, but if you're one of the 9 percent or 7 percent in these different categories or even 41 percent that are going to die because you don't live in the United States, then you probably think the United States is the place to be for health care. You take out the murder statistics and you make all countries deal with their statistics of premature babies who die after they're born, then you would find the United States at the top of the charts on life expectancy.

So I appreciate the gentleman yielding on that particular issue.

□ 2220

Mr. KING of Iowa. Reclaiming my time, and so we have seen what the data is on survival rates for cancer in the United States versus Canada and Great Britain and one other country.

There is another point that has been made, I say it has been made consistently by the President of the United States, it has been made by the Speaker of the House, and that is this point that there is nothing in any bill that is likely to pass the House or the Senate that could become law that doesn't fund abortion or illegals. This is where the argument came in. Madam Speaker, it is a JOE WILSON argument.

Well, I will deal first with the issue of illegals. The House version of the bill is looser than the Senate version of the bill. But when the President says we are not going to fund illegals, he is not right on that. The Senate version is a little tighter. But if you go to the language in the Senate bill, it says essentially that it lowers the standards.

We had a standard that existed under the Medicaid standards, which is pretty close to the gold standard as far as the Federal Government is concerned, that if an individual were going to sign up for Medicaid, that they would have to prove their citizenship by providing a birth certificate and a couple of supporting documents or a series of naturalization papers that would allow people to sign up and receive Medicaid benefits.

But when this House, under the leadership of Speaker PELOSI, changed the language under SCHIP, the State Children's Health Insurance Program, which I called socialized Clinton-style HillaryCare for illegals and their parents, when they changed that, they lowered the standard, and the standard then for Medicaid and the standard for SCHIP became the same, and that is the standard that exists in the Senate language of the bill. Even though it says we are not going to fund illegals, the proof is simply a requirement that they introduce and offer, let me say, attest to a nine-digit Social Security number.

Well, if you have people that are adept at gaming the system, they are not likely to be so intimidated that they would not be able to produce a nine-digit Social Security number. It is unlikely that it will be checked. The standards to require that are a little tighter in the Senate version than they are in the House version, but the Congressional Budget Office, when one examines their calculations, it produces this number:

Under the Senate language, 6.1 million illegals could access health care benefits, health insurance benefits under the Senate version of the bill which presumably, if you listen to the Speaker of the House, the House is ready to pass. 6.1 million illegals. And yet, the Speaker and the President say we are not going to fund illegals because they say in the bill they are not going to fund illegals. But you have to look at the standards.

This is akin to the no earmarks edict that was delivered to this House at the beginning of the 110th Congress the first year of the Pelosi Speakership when the chairman of the Appropriations Committee, DAVID OBEY, brought a big appropriations bill to the floor. And when he was challenged for all the earmarks that were in it, even though they had pledged they were not going to provide earmarks—this is the Pelosi Speakership—DAVID OBEY said, There are not earmarks in this bill. But when pointed out to him that there were hundreds of earmarks in the bill, the chairman of the Appropriations Committee then went to the first page of the bill, I believe it was the second paragraph, and he read verbatim from the bill—generally speaking, not verbatim from me—is this: There are no earmarks in the bill by definition; therefore, this bill doesn't have earmarks.

Can you actually write stuff out, the things that we can't believe our lying

eyes because someone has said by definition it doesn't exist? That is what is going on here.

They will argue by definition they don't want to fund illegals, but the result is 6.1 million illegals taking advantage of the Senate version of the bill by the calculations of the nonpartisan Congressional Budget Office. The House version funds illegals. The Senate version funds illegals. And the House version, I know a little better, it funds them in a myriad of ways.

Also, the Senate version funds abortion with American people's tax dollars. That is something also that the President says they are not doing. That is something that the Speaker of the House says they are not doing. And I haven't actually heard Majority Leader HARRY REID say one way or the other.

But there are a couple of ways that this happens. One of them is in this chart right here. And so, Madam Speaker, it goes like this:

When you have Americans that have to fund into these three different systems, pay taxes, or enroll in an exchange plan, or enroll in an exchange plan that covers abortions, some of them will be enrolled in an exchange plan that covers abortions unintentionally because their employer will offer that. And they will sign up and they won't ask the question, and they won't know that their premium is going to fund abortion. But in any case, they will enroll in the red version here that funds abortions.

Mr. GOHMERT. Would the gentleman yield?

Mr. KING of Iowa. I would yield.

Mr. GOHMERT. If you look at page 122, the exact point is made that you are making. It says that there is at least one such health care plan that provides coverage of services described in clauses i and ii of subparagraph (b).

You look at subparagraph (b)(i), and it says: The services described in this clause are abortions for which the expenditure of Federal funds appropriated for the Department of Health and Human Services is not permitted based on the laws in effect at the date that is six months before the beginning of the plan year.

So this has actually misled people into thinking, oh, there is a provision here that prevents you from using money——

I am sorry. We were told we had 6 minutes, and we have used 4. Okay.

Mr. KING of Iowa. In that case, I take the gentleman's point and I think it has been driven home effectively by this chart and the language that we know.

Mr. Speaker, I appreciate your indulgence. And if I called you Madam Speaker, I apologize. I didn't have a rearview mirror. And I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for today on account of illness caused by food poisoning.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GARAMENDI) to revise and extend their remarks and include extraneous material:)

Mr. ETHERIDGE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, March 23.

Mr. JONES, for 5 minutes, March 23.

Mr. SOUDER, for 5 minutes, today and March 17, 18, and 19.

Mr. BOUSTANY, for 5 minutes, today.

Mr. SMITH of New Jersey, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, March 23.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. GARAMENDI, for 5 minutes, today.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 53. Concurrent resolution recognizing and congratulating the City of Colorado Springs, Colorado, as the new official site of the National Emergency Medical Services Memorial Service and the National Emergency Medical Service Memorial; to the Committee on Energy and Commerce.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on March 15, 2010 she presented to the President of the United States, for his approval, the following bill.

H.R. 3433. To amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act, and for other purposes.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 25 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 17, 2010, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

6611. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Establishment of Honey Packers and Importers Research, Promotion, Consumer Education and Industry Information Order and Suspension of Assessments Under the Honey Research, Promotion, and Consumer Information Order [Docket No.: AMS-FV-06-0176; FV-03-704-FR] (RIN: 0581-AC37) received March 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6612. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tomatoes Grown in Florida; Decreased Assessment Rate [Doc. No.: AMS-FV-09-0063; FV09-966-2 FIR] received March 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6613. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Amendments to Rules Requiring Internet Availability of Proxy Materials [Release Nos.: 33-9108; 34-61560; IC-29131; File No. S7-22-09] (RIN: 3235-AK25) received March 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6614. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Magnet Schools Assistance Program [Docket ID: ED-2010-OII-0003] (RIN: 1855-AA07) received March 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6615. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Investing in Innovation Fund [Docket ID: ED-2009-OII-0012] (RIN: 1855-AA06) received March 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6616. A letter from the Acting Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for 48 Species on Kauai and Designation of Critical Habitat [FWS-R1-ES-2008-0046] (RIN: 1018-AV48) received March 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6617. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Oregon Chub (Oregonichthys crameri) [Docket No.: FWS-R1-ES-2009-0010] (RIN: 1018-AV87) received March 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6618. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Native American Graves Protection and Repatriation Act Regulations — Disposition of Culturally Unidentifiable Human Remains (RIN: 1024-AD68) received March 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6619. A letter from the Acting Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the California Red-Legged Frog

[FWS-R8-ES-2009-0089] (RIN: 1018-AV90) received March 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6620. A letter from the Deputy Chief Financial Officer and Director for Financial Management, Department of Commerce, transmitting the Department's final rule — Civil Monetary Penalities; Adjustments [Docket No.: 0612213340-6339-01] (RIN: 0690-AA35) received March 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6621. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A380-841, -842, and -861 Airplanes [Docket No.: FAA-2010-0038; Directorate Identifier 2009-NM-110-AD; Amendment 39-16203; AD 2010-04-10] (RIN: 2120-AA64) received March 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6622. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200 Series Airplanes and Model A340-200 and -300 Series Airplanes [Docket No.: FAA-2009-1107; Directorate Identifier 2009-NM-138-AD; Amendment 39-16202; AD 2010-04-09] (RIN: 2120-AA64) received March 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6623. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Augustair, Inc. Models 2150,2150A, and 2180 Airplanes [Docket No.: FAA-2010-0121; Directorate Identifier 2010-CE-001-AD; Amendment 39-16207; AD 2010-04-14] (RIN: 2120-AA64) received March 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6624. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Extra Flugzeugproduktions-und Vertriebs-GmbH Models EA-300/200 and EA-300/L Airplanes [Docket No.: FAA-2009-1025 Directorate Identifier 2009-CE-055-AD; Amendment 39-16204; AD 2010-04-11] (RIN: 2120-AA64) received March 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6625. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McCauley Propeller Systems 1A103/TCM Series Propellers [Docket No.: FAA-2010-0093; Directorate Identifier 97-ANE-06-AD; Amendment 39-16198; AD 2010-04-05] (RIN: 2120-AA64) received March 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6626. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SCHEIBE-Flugzeugbau GmbH Model SF 25C Gliders [Docket No.: FAA-2010-0125; Directorate Identifier 2010-CE-005-AD; Amendment 39-16208; AD 2010-04-15] (RIN: 2120-AA64) received March 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6627. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Model TAE 125-01 Reciprocating Engines [Docket No.: FAA-2009-0747; Directorate Identifier 2009-NE-28-AD; Amendment 39-16199; AD 2010-04-06] (RIN: 2120-AA64) received March 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6628. A letter from the Senior Regulation Analyst, Department of Transportation, transmitting the Department's final rule — Procedures for Transportation Workplace Drug and Alcohol Testing Programs [Docket No.: OST-2007-26828] (RIN: 2105-AD64) received March 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6629. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, & 702), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) Airplanes [Docket No.: FAA-2009-1027; Directorate Identifier 2009-NM-143-AD; Amendment 39-16197; AD 2010-04-04] (RIN: 2120-AA64) received March 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6630. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability (Rev. Proc. 2010-14) received March 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. LEVIN (for himself, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. POMEROY, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. KIND, Mr. PASCRELL, Ms. BERKLEY, Mr. CROWLEY, Mr. VAN HOLLEN, Ms. SCHWARTZ, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. ETHERIDGE, Ms. LINDA T. SÁNCHEZ of California, and Mr. YARMUTH):

H.R. 4849. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, extend the Build America Bonds program, provide other infrastructure job creation tax incentives, and for other purposes; to the Committee on Ways and Means.

By Mr. PETERS (for himself, Mr. LARSON of Connecticut, Mr. REICHERT, and Mr. TIBERI):

H.R. 4850. A bill to amend the Internal Revenue Code of 1986 to allow companies to utilize existing alternative minimum tax credits to create and maintain United States jobs, and for other purposes; to the Committee on Ways and Means.

By Mr. LEVIN (for himself, Mr. WAXMAN, Mr. GEORGE MILLER of California, Mr. CONYERS, and Mr. OBERSTAR):

H.R. 4851. A bill to provide a temporary extension of certain programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Budget, Education and Labor, Energy and Commerce, Financial Services, the Judiciary, Transportation and Infrastructure, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. BERRY, Mrs. BLACKBURN, Mr. BLUMENAUER, Mr. CARNAHAN, Mr. CHANDLER, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. COOPER, Mr. DAVIS of Tennessee, Mr. DUNCAN, Mrs. EMERSON, Mr. GARAMENDI, Mr. GORDON of Tennessee, Mr. HARE, Mr. HINCHEY, Ms. HIRONO, Ms. MOORE of Wisconsin, Mrs. NAPOLITANO, Ms. NORTON, Mr. ROE of Tennessee, Mr. ROSS, Mr. SABLAN, Mr. SKELTON, Mr. SNYDER, Mr. TANNER, Mr. WHITFIELD, Ms. WOOLSEY, Mr. WU, and Mr. YARMUTH):

H.R. 4852. A bill to direct the Administrator of the Federal Emergency Management Agency to establish a grant program to improve the ability of trauma center hospitals and airports to withstand earthquakes, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. OBERSTAR (for himself, Mr. MICA, Mr. LEVIN, Mr. CAMP, Mr. COSTELLO, and Mr. PETRI):

H.R. 4853. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAY:

H.R. 4854. A bill to require that any home inspection conducted in connection with a purchase of residential real property that involves a federally related mortgage loan be conducted by a State-licensed or State-certified home inspector to determine the existence of structural, mechanical, and electrical safety defects, and to require inclusion in the standard HUD-1 settlement statement of information regarding any home inspection conducted in connection with settlement; to the Committee on Financial Services.

By Ms. WOOLSEY (for herself and Mr. GEORGE MILLER of California):

H.R. 4855. A bill to establish the Work-Life Balance Award for employers that have developed and implemented work-life balance policies; to the Committee on Education and Labor.

By Mr. DONNELLY of Indiana (for himself, Mr. COOPER, Mr. BOYD, Ms. HERSETH SANDLIN, Mr. MINNICK, Mr. BRIGHT, Mr. MATHESON, Mr. KRATOVIL, Mr. HILL, Mr. SHULER, Mr. TAYLOR, Mr. ELLSWORTH, Mr. CHILDERS, Mr. SCHRADER, Mr. BISHOP of Georgia, Ms. GIFFORDS, Mr. SALAZAR, Mr. MURPHY of New York, Mr. CARNEY, Mr. MICHAUD, Mr. NYE, and Mr. MELANCON):

H.R. 4856. A bill to require the President's budget and the congressional budget to disclose and display the net present value of future costs of entitlement programs; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HODES:

H.R. 4857. A bill to amend title 5, United States Code, to allow amounts to be transferred from a qualified tuition program to the Thrift Savings Plan for the benefit of any individual who is eligible to participate in such Plan by virtue of being a member of the uniformed services or of the Ready Reserve, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on

Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL:

H.R. 4858. A bill to establish an advisory committee to issue nonbinding government-wide guidelines on making public information available on the Internet, to require publicly available Government information held by the executive branch to be made available on the Internet, to express the sense of Congress that publicly available information held by the legislative and judicial branches should be available on the Internet, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. JENKINS (for herself, Mr. MORAN of Kansas, Mr. TIAHRT, Mr. MOORE of Kansas, Mr. OLSON, Mr. PETRI, Mr. MILLER of Florida, Mr. TAYLOR, Mr. COFFMAN of Colorado, Mrs. LUMMIS, Mr. GUTHRIE, Mr. FLEMING, Mr. COLE, Mr. SULLIVAN, Mr. LUCAS, Mr. TIM MURPHY of Pennsylvania, Mr. GRAVES, Mr. LANCE, Mr. WILSON of South Carolina, Mr. LAMBORN, Mr. WELCH, and Mr. SMITH of Nebraska):

H.R. 4859. A bill to amend the Internal Revenue Code of 1986 to allow the work opportunity credit to small business which hire individuals who are members of the Ready Reserve or National Guard; to the Committee on Ways and Means.

By Mr. MARKEY of Massachusetts:

H.R. 4860. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide electric consumers the right to access certain electric energy information; to the Committee on Energy and Commerce.

By Mr. QUIGLEY (for himself, Mr. RUSH, Mr. JACKSON of Illinois, Mr. LIPINSKI, Mr. GUTIERREZ, Mr. ROSKAM, Mr. DAVIS of Illinois, Ms. BEAN, Ms. SCHAKOWSKY, Mr. KIRK, Mrs. HALVORSON, Mr. COSTELLO, Mrs. BIGGERT, Mr. FOSTER, Mr. JOHNSON of Illinois, Mr. MANZULLO, Mr. HARE, Mr. SCHOCK, and Mr. SHIMKUS):

H.R. 4861. A bill to designate the facility of the United States Postal Service located at 1343 West Irving Park Road in Chicago, Illinois, as the ''Steve Goodman Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. SERRANO:

H.R. 4862. A bill to permit Members of Congress to administer the oath of allegiance to applicants for naturalization, and for other purposes; to the Committee on the Judiciary.

By Mr. SESTAK (for himself and Mr. MARKEY of Massachusetts):

H.R. 4863. A bill to increase the annual amount authorized for emergency assistance under the Low-Income Home Energy Assistance Act of 1981; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself and Ms. WOOLSEY):

H.R. 4864. A bill to require a heightened review process by the Secretary of Labor of State occupational safety and health plans, and for other purposes; to the Committee on Education and Labor.

By Mr. RANGEL:

H.J. Res. 81. A joint resolution recognizing Madam C.J. Walker for her achievements as a trailblazing woman in business, philanthropist, and 20th century activist for social justice; to the Committee on Oversight and Government Reform.

By Mr. HODES:

H. Con. Res. 253. Concurrent resolution recognizing Doris ''Granny D'' Haddock, who inspired millions of people through remarkable acts of political activism, and extending the condolences of Congress on the death of Doris ''Granny D'' Haddock; to the Committee on Oversight and Government Reform.

By Mr. HOYER (for himself, Ms. EDWARDS of Maryland, Mr. KRATOVIL, Mr. RUPPERSBERGER, Mr. CUMMINGS, Mr. VAN HOLLEN, Mr. SARBANES, Mr. BARTLETT, Mr. CARDOZA, and Mr. CLAY):

H. Res. 1184. A resolution congratulating the 2009-2010 University of Maryland Men's Basketball Team, Greivis Vasquez, and Coach Gary Williams on an outstanding season; to the Committee on Education and Labor.

By Mr. LIPINSKI (for himself and Mr. FORTENBERRY):

H. Res. 1185. A resolution congratulating Reverend Daniel P. Coughlin on his tenth year of service as Chaplain of the House of Representatives; to the Committee on House Administration.

By Ms. MARKEY of Colorado:

H. Res. 1186. A resolution expressing support for designation of April as National Distracted Driving Awareness Month; to the Committee on Transportation and Infrastructure.

By Mr. MORAN of Virginia (for himself, Mr. BARTLETT, Mr. CONNOLLY of Virginia, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. EDWARDS of Maryland, Mr. HOYER, Mr. LEWIS of Georgia, Mr. LYNCH, Ms. NORTON, Mr. PRICE of North Carolina, Mr. SARBANES, Mr. VAN HOLLEN, and Mr. WITTMAN):

H. Res. 1187. A resolution expressing the sense of the House of Representatives with respect to raising public awareness of and helping to prevent attacks against Federal employees while engaged in or on account of the performance of official duties; to the Committee on Oversight and Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Ms. KILPATRICK of Michigan and Mr. PAYNE.
H.R. 43: Mr. COHEN and Ms. DELAURO.
H.R. 211: Mr. SIRES.
H.R. 413: Mr. MCCOTTER, Ms. BALDWIN, Ms. CLARKE, and Mr. DAVIS of Illinois.
H.R. 616: Mr. CASSIDY and Mr. SOUDER.
H.R. 618: Ms. GIFFORDS.
H.R. 690: Mr. GONZALEZ.
H.R. 847: Ms. ESHOO.
H.R. 948: Ms. GRANGER.
H.R. 988: Mrs. CAPITO.
H.R. 1077: Mr. BOSWELL.
H.R. 1189: Mr. OLVER and Mr. JACKSON of Illinois.
H.R. 1207: Mr. MCNERNEY.
H.R. 1210: Mr. STARK.
H.R. 1240: Ms. GIFFORDS.
H.R. 1314: Mr. MCNERNEY.
H.R. 1507: Mr. ELLISON.
H.R. 1520: Mr. PLATTS.
H.R. 1521: Mr. LEE of New York and Mr. THOMPSON of Mississippi.
H.R. 1526: Mr. BERMAN.
H.R. 1584: Mr. GRAYSON.
H.R. 1625: Mr. TIM MURPHY of Pennsylvania.
H.R. 1806: Mr. BILBRAY and Ms. TSONGAS.
H.R. 1826: Mr. HALL of New York.
H.R. 1879: Mr. ROE of Tennessee.
H.R. 1894: Mrs. SCHMIDT, Mr. DRIEHAUS, and Mr. ANDREWS.
H.R. 2021: Mr. MCCOTTER.
H.R. 2122: Mr. KUCINICH.
H.R. 2142: Ms. NORTON.
H.R. 2262: Mr. ANDREWS and Mr. SCOTT of Virginia.
H.R. 2308: Mr. BLUMENAUER, Mr. WAXMAN, and Mr. GONZALEZ.
H.R. 2413: Ms. NORTON and Mrs. MCMORRIS RODGERS.
H.R. 2443: Mr. CAPUANO.
H.R. 2483: Mr. ROTHMAN of New Jersey.
H.R. 2565: Mr. SHUSTER.
H.R. 2598: Mr. KISSELL, Ms. JACKSON LEE of Texas, Mr. COHEN, Mr. FARR, Mr. MATHESON, Mr. FILNER, Ms. MCCOLLUM, Mr. MICHAUD, Mr. CARNAHAN, Mr. PERLMUTTER, Mr. ADLER of New Jersey, Mr. KIND, Mr. CHANDLER, Mr. COURTNEY, Mr. YARMUTH, Mr. NYE, Mr. TONKO, Mr. BOCCIERI, Ms. PINGREE of Maine, Mr. SCHAUER, Mr. WELCH, and Mr. PASTOR of Arizona.
H.R. 2656: Ms. JENKINS.
H.R. 2672: Mr. MURPHY of New York.
H.R. 2733: Mr. NEUGEBAUER, Ms. TITUS, and Mr. MINNICK.
H.R. 2766: Mr. LIPINSKI.
H.R. 2819: Mrs. NAPOLITANO.
H.R. 2999: Mr. PUTNAM.
H.R. 3024: Ms. LORETTA SANCHEZ of California.
H.R. 3101: Mr. SCHIFF and Mr. MAFFEI.
H.R. 3277: Mr. TONKO.
H.R. 3287: Mr. ELLISON and Mr. PAYNE.
H.R. 3315: Ms. KILROY.
H.R. 3321: Mr. MEEK of Florida, Ms. KILROY, and Mr. WU.
H.R. 3351: Mr. CAPUANO.
H.R. 3415: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STARK, and Mr. GUTHRIE.
H.R. 3554: Mr. MICHAUD.
H.R. 3578: Mr. SESTAK.
H.R. 3608: Mr. CASSIDY.
H.R. 3652: Mr. RUSH, Mr. BERMAN, Mr. DELAHUNT, Mr. BURTON of Indiana, Mr. HEINRICH, Mr. KAGEN, Mr. SOUDER, Ms. MATSUI, and Mr. RAHALL.
H.R. 3668: Mr. INGLIS, Mr. GRIFFITH, Mr. KAGEN, Mr. ROGERS of Alabama, Mr. HOEKSTRA, Mr. DONNELLY of Indiana, Mr. DEFAZIO, Mr. INSLEE, Mr. WAMP, Mrs. DAHLKEMPER, Mr. LATHAM, Mr. RANGEL, Mr. BONNER, Mr. BISHOP of New York, Mr. COHEN, Mr. BOSWELL, and Mr. MCCOTTER.
H.R. 3705: Mr. FATTAH and Mr. PALLONE.
H.R. 3715: Mr. SCHOCK.
H.R. 3745: Mr. MCNERNEY.
H.R. 3752: Mr. BILBRAY and Mr. GALLEGLY.
H.R. 3964: Mr. STEARNS and Mr. DANIEL E. LUNGREN of California.
H.R. 4014: Mrs. CAPPS.
H.R. 4021: Ms. BALDWIN.
H.R. 4068: Mr. MCDERMOTT, Mr. RANGEL, and Mr. POMEROY.
H.R. 4091: Mr. OLSON.
H.R. 4109: Mr. COSTA.
H.R. 4132: Mr. GEORGE MILLER of California.
H.R. 4148: Mr. RANGEL, Ms. KILROY, and Mr. WU.
H.R. 4149: Ms. TITUS.
H.R. 4155: Mr. BISHOP of New York, Mr. HOLT, and Mr. HODES.
H.R. 4278: Mr. THOMPSON of Pennsylvania, Mr. HOEKSTRA, Mr. SCHAUER, and Mr. DELAHUNT.
H.R. 4364: Mr. GONZALEZ.
H.R. 4376: Mr. SCOTT of Virginia.
H.R. 4402: Mr. SNYDER and Mr. WU.
H.R. 4415: Mr. PENCE.
H.R. 4497: Mr. SESTAK.
H.R. 4530: Mr. KILDEE.
H.R. 4531: Mr. COHEN.
H.R. 4539: Ms. BERKLEY.
H.R. 4541: Mr. MARIO DIAZ-BALART of Florida, Ms. GIFFORDS, and Mr. COHEN.

H.R. 4558: Mr. UPTON, Mr. LEVIN, and Mr. ROGERS of Michigan.
H.R. 4572: Mr. LUETKEMEYER.
H.R. 4603: Mr. FRANKS of Arizona, Mr. SOUDER, Mr. PITTS, Mr. BRADY of Texas, Ms. GRANGER, Mr. LAMBORN, and Mr. ELLSWORTH.
H.R. 4615: Ms. BALDWIN.
H.R. 4616: Mr. FATTAH, Ms. NORTON, Mr. MCGOVERN, and Mr. STARK.
H.R. 4638: Mr. JOHNSON of Georgia, Ms. CORRINE BROWN of Florida, and Ms. CASTOR of Florida.
H.R. 4645: Mr. WALZ, Ms. SCHAKOWSKY, and Mr. BISHOP of New York.
H.R. 4647: Mr. PETERS, Mr. NADLER of New York, Mr. QUIGLEY, Mr. HALL of New York, Ms. SCHAKOWSKY, Mr. SHULER, and Mr. CARNAHAN.
H.R. 4678: Mr. STARK.
H.R. 4694: Ms. LEE of California, Ms. ROYBAL-ALLARD, Mr. PETERS, Mr. RODRIGUEZ, and Mr. DELAHUNT.
H.R. 4709: Ms. FUDGE.
H.R. 4717: Mr. NUNES, Mr. HERGER, Mr. LUCAS, Mr. CHAFFETZ, Mr. CONAWAY, Mr. REHBERG, Mr. YOUNG of Alaska, Mr. LAMBORN, Mrs. MCMORRIS RODGERS, Mr. MCCLINTOCK, Mr. SMITH of Nebraska, Mr. LUETKEMEYER, and Ms. NORTON.
H.R. 4722: Ms. BALDWIN.
H.R. 4732: Mr. LATHAM.
H.R. 4755: Mr. CAMP.
H.R. 4766: Mrs. MCCARTHY of New York.
H.R. 4772: Mr. TIBERI.
H.R. 4789: Ms. KILPATRICK of Michigan, Ms. BALDWIN, Mr. DOYLE, Ms. DEGETTE, Mr. COHEN, Mr. THOMPSON of Mississippi, Mr. CARSON of Indiana, Ms. CLARKE, Mr. ISRAEL, Mr. MORAN of Kansas, Mr. CLEAVER, Ms. CHU, Mr. PAYNE, Mr. GARAMENDI, Mr. RUSH, Mr. CAPUANO, Ms. NORTON, Mr. HONDA, Mr. CLAY, Mr. TONKO, Mr. FARR, Mr. ENGEL, Ms. SPEIER, and Ms. HIRONO.
H.R. 4790: Mr. GARAMENDI, Mr. GUTIERREZ, Ms. KILROY, Mr. LARSON of Connecticut, and Mr. PASCRELL.
H.R. 4809: Mr. PETRI.
H.R. 4812: Mr. CARSON of Indiana, Mr. STARK, Ms. RICHARDSON, Ms. CORRINE BROWN of Florida, and Ms. CHU.
H.R. 4813: Mr. DAVIS of Tennessee.
H.R. 4825: Mr. WILSON of Ohio, Mr. PETERS, and Mr. QUIGLEY.
H.R. 4833: Mr. SABLAN.
H.R. 4842: Mr. KING of New York.
H.R. 4846: Mrs. CHRISTENSEN and Mr. FALEOMAVAEGA.
H.J. Res. 42: Mrs. EMERSON.
H.J. Res. 76: Mr. MARSHALL, Mr. SIMPSON, Mrs. KIRKPATRICK of Arizona, and Mr. FLAKE.
H.J. Res. 79: Mr. SMITH of Texas, Mr. BARTON of Texas, Mr. SCALISE, and Mr. BOOZMAN.
H. Con. Res. 49: Ms. GIFFORDS.
H. Con. Res. 169: Mr. FORBES.
H. Con. Res. 201: Mr. ROGERS of Michigan and Ms. JENKINS.
H. Con. Res. 230: Ms. MARKEY of Colorado and Mr. CALVERT.
H. Con. Res. 244: Ms. WASSERMAN SCHULTZ, Mr. SMITH of New Jersey, Mr. MCCOTTER, Mr. TERRY, Mr. BILBRAY, Mr. GUTHRIE, and Mr. FLEMING.
H. Con. Res. 245: Mrs. CAPPS.
H. Con. Res. 246: Mr. GONZALEZ.
H. Res. 111: Mr. ENGEL.
H. Res. 213: Mr. LEWIS of Georgia, Mr. MCDERMOTT, and Mr. CLAY.
H. Res. 236: Mr. ENGEL.
H. Res. 605: Mr. PENCE.
H. Res. 704: Mr. AKIN, Mr. LAMBORN, Ms. GINNY BROWN-WAITE of Florida, Mr. DAVIS of Tennessee, Mrs. SCHMIDT, Mr. SIRES, Mr. TANNER, Mr. JOHNSON of Illinois, Mr. ROGERS of Kentucky, Mrs. CAPITO, Mr. SENSENBRENNER, Mr. AUSTRIA, Mr. PERRIELLO, Ms. CLARKE, Mr. DUNCAN, Mr. LYNCH, Mrs. HALVORSON, Mr. KING of Iowa, Ms. PINGREE of Maine, and Mr. CAMP.
H. Res. 1016: Mr. MCDERMOTT and Mr. CLEAVER.
H. Res. 1026: Mr. MICA.
H. Res. 1033: Mr. MORAN of Kansas, Mr. LATOURETTE, Mr. GRIFFITH, Mr. PAULSEN, and Mr. TURNER.
H. Res. 1053: Mr. PITTS, Mr. FRANK of Massachusetts, and Mr. GORDON of Tennessee.
H. Res. 1075: Mr. TERRY and Mr. BOOZMAN.
H. Res. 1099: Mr. COHEN.
H. Res. 1104: Mr. COHEN.
H. Res. 1119: Mr. YOUNG of Florida and Mr. GONZALEZ.
H. Res. 1128: Mr. MCDERMOTT and Mr. BOOZMAN.
H. Res. 1158: Ms. RICHARDSON and Mr. GRIJALVA.
H. Res. 1161: Mr. SENSENBRENNER and Mr. OBEY.
H. Res. 1167: Ms. MOORE of Wisconsin, Mr. COURTNEY, Ms. SUTTON, Mr. MOORE of Kansas, Mr. YARMUTH, and Mr. LOEBSACK.
H. Res. 1171: Mr. RYAN of Ohio, Mrs. MALONEY, Mr. COSTELLO, Mr. HIGGINS, Mr. MCMAHON, Mr. GARRETT of New Jersey, Mr. ENGEL, Ms. SHEA-PORTER, Mr. NEAL of Massachusetts, Mr. LARSON of Connecticut, Mr. DELAHUNT, Mr. HINCHEY, Mr. COURTNEY, Ms. MCCOLLUM, Mr. LYNCH, Ms. KILROY, Mr. ACKERMAN, and Mr. BURTON of Indiana.
H. Res. 1174: Ms. MARKEY of Colorado and Mr. MCNERNEY.
H. Res. 1180: Mrs. CHRISTENSEN, Ms. WOOLSEY, Ms. LINDA T. SÁNCHEZ of California, Ms. MARKEY of Colorado, and Mr. STARK.
H. Res. 1181: Mrs. BACHMANN and Mr. PENCE.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1255: Mr. SARBANES.

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Senate

The Senate met at 10:15 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Fountain of all light and glory, giving life and light and joy, Your greatness and power continue to amaze us.

Today, guide our Senators with Your abiding love. Keep them brave before their fears, pure in their battle against temptations, and true to the duty You have called them to fulfill. May they seek in their times of need the shadow of Your presence, ready to bless even before they ask You.

Lord, take us all as we are and make us by Your grace what we ought to be.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 16, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will proceed to a period of morning business until 12:30 p.m. Senators will be allowed to speak for up to 10 minutes each, with the time until 10:30 equally divided and controlled between the two leaders or their designees and with the time from 10:30 until 12:30 equally divided, with the majority controlling the first half of that time and the Republicans controlling the second half. The Senate will recess from 12:30 until 2:15 p.m. to allow for the weekly caucus luncheons. When the Senate reconvenes at 2:15, we will resume consideration of H.R. 1586, the FAA reauthorization legislation. Senators should be prepared for rollcall votes this afternoon in relation to amendments to the FAA bill.

The reason I talked about the time equally divided and controlled between Democrats and Republicans, according to how long Senator MCCONNELL might take, it may not be the full 2 hours, but it will be very close.

MEASURE PLACED ON THE CALENDAR—H.R. 2314

Mr. REID. Madam President, I understand that H.R. 2314 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 2314) to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

Mr. REID. I object to the matter being placed on the calendar.

The ACTING PRESIDENT pro tempore. Objection having been heard, the matter will be placed on the calendar under rule XIV.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

HEALTH CARE

Mr. MCCONNELL. Madam President, the President recently noted that everything there is to say about health care has already been said. When it comes to the substance of the legislation, this may be true. I suspect that is why an overwhelming majority of Americans oppose it. Americans know exactly what is in this bill, and they have rejected it. They do not want this bill to pass.

But there is still a lot to be said about the process Democrats are using to force this bill through. That won't change whether they get their votes this week or not. The fact is, the die has already been cast on this Congress. Democratic leaders have been imploring Members to make history—make history, they say—by voting for this bill. But this Congress is already guaranteed to go down in history—not for any piece of legislation but for the arrogant way it has dictated to the American people what is best for them and for the ugly way in which it has gone about getting around the will of the American people. Democratic leaders have made it perfectly clear that they view their constituents as an obstacle, particularly on the issue of health care. At every turn, they have

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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met fierce public opposition, and every time they have tried to come up with a way to get around that fierce public opposition. It has become a vicious cycle: the harder Democrats try to get around the public, the more repellent their proposals become and the more egregious their efforts become to get them through anyway.

We watched last summer as they forced their partisan health care bill through the committees. We watched as they tried to sell it to the public as something other than what it was. We watched as they wrote the final bill behind closed doors, then wheeled and dealed to get the last few votes they needed to squeeze it through both Chambers on a party-line vote. We saw the ''Cornhusker kickback,'' the ''Louisiana purchase,'' ''Gator Aid,'' and all the rest. But as ugly as all this was, as distasteful as all these deals have been, they were child's play—child's play—compared to the scheme they have been cooking up over in the House just this week.

The plan Speaker PELOSI has hatched for getting this bill through is to try to pull the wool over the eyes of the public, and it is jaw-dropping—it is jaw-dropping—in its audacity. Here is their plan: Speaker PELOSI can't get enough of her Democratic majority to vote for the Senate version of the bill, so she and her allies have concocted a way to pass it without actually casting a vote on it. They are concocting a way to pass it without actually casting a vote on it—the so-called Slaughter solution in which the Senate bill is ''deemed'' to have passed. This way, they will claim they never voted for it, even though they will vote to send it to the President for his signature.

This ''scheme and deem'' approach has never been tried on a bill of this scope, according to today's Washington Post. This is how they will try to keep their fingerprints off a bill that forces taxpayers to cover the cost of abortions, cuts Medicare by $½ trillion, raises taxes by $½ trillion, raises insurance premiums, creates a brand new government entitlement program at a time when the entitlement programs we already have are on the verge of bankruptcy, and vastly expands the cost and reach of the Federal Government in Washington at a time when most Americans think government is already entirely too big.

As Speaker PELOSI put it, ''Nobody wants to vote for the Senate bill.'' But anyone who believes they can send this bill to the President without being tarred by it is absolutely delusional. Anybody who thinks this is a good strategy isn't thinking clearly. They are too close to the situation. They don't realize this strategy is the only thing for which they or this Congress will be remembered. Anyone who endorses this strategy will be forever remembered for trying to claim they didn't vote for something they did. They will be forever remembered by claiming they didn't vote for something they did vote for. It will go down as one of the most extraordinary legislative sleights of hand in history. Make no mistake, this will be a career-defining and a Congress-defining vote. Make no mistake, this will be a career-defining and a Congress-defining vote.

Most of the time, the verdict of history is hard to predict. In this case, it is not. Anyone who endorses this strategy will be remembered for it. On the other hand, anyone who decides in a moment of clarity that they shouldn't, that they should resist this strategy, will be remembered for standing up to party leadership that lost its way.

Democratic leaders continue to advance the false argument that this effort is somehow akin to certain legislative efforts of the past. There is no comparison. First of all, the good programs they are referring to were far more modest. They enjoyed broad support from both parties in Congress. Most importantly, they enjoyed broad support of the American people.

By contrast, there is no bipartisan consensus about this bill in Congress. It aims to reshape no less than one-sixth of our entire economy at a moment when our economy is already suffering and our existing debts threaten to drown us in a sea of red ink. Most importantly, Americans overwhelmingly oppose it. If you need any evidence of that, look no further than today's Washington Post, which calls this process unseemly, or the Cincinnati Enquirer, which calls it disgusting. Look no further than the President's own pollster, who is telling the White House that the chicanery the Democrats have used to advance this measure is a serious problem.

This entire effort has been a travesty, but the latest solution to give House Members a way out by telling them they can pretend they didn't vote for something they will, in fact, be voting for has sealed its fate. The latest solution to give House Members a way out by telling them they can pretend they didn't vote for something they will, in fact, vote for has sealed the fate of this legislation with the American public.

It is time for rank-and-file Democrats to pull the fire alarm—pull the fire alarm—and save the American people from this latest scheme and this unpopular bill. The process has been tainted. It is time to end the vicious cycle, start over, cleanse the process, and work on the step-by-step reforms the American people really want. It is time to recognize that constituents are not obstacles—constituents are not obstacles—to overcome with schemes and sweetheart deals. Fortunately, it is not too late.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, and the time from 10:30 a.m. until 12:30 p.m. shall be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Virginia is recognized.

EXECUTIVE NOMINATIONS

Mr. WARNER. Madam President, there are many reasons why the Senate is known as one of the world's greatest deliberative bodies. This Chamber has seen some of the most important debates and votes since the beginning of our Republic. As a freshman Senator—I know my colleague, the Presiding Officer, is also a freshman Senator and soon we will be joined by a series of freshman Senators and my good friend, the Senator from Illinois, is here as well—I think we have all been struck by how much history has been made in this very Chamber.

I am reminded, as we saw last evening some of the exchanges between the majority leader and the Republican leader, there is still an awful lot that I at least feel, as a newcomer, I have to learn. But one thing has become clear to me since being sworn in a little over a year ago. Some of the very safeguards that were created to make this a serious and responsible deliberative body have been abused in a way that damages this institution. In some instances, this abuse also runs contrary to our national interest.

This became very clear to me several weeks ago during the nomination and voting on Justice Barbara Keenan. Senator JIM WEBB, my colleague, and I had the honor of nominating Virginia Supreme Court Justice Barbara Milano Keenan to the Federal Appeals Court for the Fourth Circuit. She is one of the most highly regarded jurists in Virginia. She received a unanimously ''well qualified'' rating from the ABA. She was reported by the Judiciary Committee unanimously last October, and then her nomination ground to a halt, first for weeks and then for months. In fact, her nomination was filibustered, if you can call it that. I recall in school thinking the filibuster

was something that was only going to be used on rare occasions of issues of national concern to make sure minority rights were protected.

Justice Keenan was filibustered, in effect, because one Senator placed a hold on her. Consequently, cloture had to be filed. That was despite the strong endorsement Justice Keenan had received from our new Republican Governor, Governor McDonnell. I appreciate his support of Justice Keenan.

A funny thing happened when we forced the vote both on cloture and the nomination: She was confirmed unanimously. Filibustering a nominee who gets a unanimous vote, something is not right with that. That is not the way this body is supposed to work.

This experience was truly an eye-opener for me. I see dozens of executive branch nominees caught up in this web. My understanding is, right now, in the second week of March, literally the Obama administration has 64 nominees pending. These are nominees where, despite overwhelming committee votes, they have languished on the calendar for months, often because one Senator has a completely different gripe about a completely unrelated issue.

The Presiding Officer knows, she and I were both Governors, we were both CEOs. I think it is incredibly important, whether you are a Governor, whether you are a CEO of a private company, and particularly if you are the President of this great country, you ought to be able to have your management team in place, clearly, 14 months after the inauguration of President Obama.

I certainly do not believe the Senate should be a rubberstamp for nominees. Far from it. In cases where there is legitimate disagreement about qualifications of any particular nominee, I am all for having a debate and then a straight up-or-down vote. But that has not been the case. It has not been the case with Justice Keenan, and I am going to cite one other individual today, and I know my other colleagues are going to be citing others.

The individual I wish to talk about is Michael Mundaca. He has been nominated by President Obama to be Assistant Secretary of the Treasury for Tax Policy—a very important job in crafting tax and revenue policies. He is both highly qualified and well respected, having worked previously at high levels of the Treasury Department and in the international tax department of Ernst and Young. He has a law degree from UC Berkeley School of Law and was executive editor of the California Law Review.

As I understand it, Mr. Mundaca's nomination was approved overwhelmingly, 19 to 4, in the Senate Finance Committee before Christmas. Since then, he has been denied a vote in this body, not over any substantive concerns. If there is a concern about Mr. Mundaca's qualifications, a Senator ought to come and make that case, and we ought to have a debate. No, that is not the reason. It is because one Senator or group of Senators has decided to try to leverage this nomination to some other end. To me, that is simply not fair.

This morning—I see my colleagues starting to arrive—many Senators who are relatively new to the body will take to the floor. We are the new guys and gals, the freshmen and the sophomores. Maybe we do not understand all the rules and traditions. We basically spent our first year trying to learn those rules and traditions.

But one of the issues that has united us in all coming here this morning is because the nomination process is broken, and we are asking all our colleagues—Republicans and Democrats—to come together, not as partisans but as Americans.

In the last four Presidential terms, there have been two Democrats and two Republicans holding the White House. I am confident we would be here regardless of who occupies the White House because a President deserves his or her management team to be in place 14 months after inauguration. If there are problems with their nominees, they ought to be debated and brought to the floor and discussed, not simply left in limbo. We need to start doing our job and start voting up or down on these nominees who are languishing on the Senate calendar.

I see my colleague who is much more experienced than this freshman, my good friend, the Senator from Rhode Island. I now yield 4 minutes to my friend, Senator WHITEHOUSE.

Mr. WHITEHOUSE. Madam President, I thank the Senator.

The last 2 years have seen the American economy on the brink of collapse, battered by an economic maelstrom not seen since the Great Depression and now slowly—too slowly—recovering its strength. President Obama's Recovery Act led the way, and we have seen its benefits over the last year with job losses slowing significantly. He inherited an economy losing, I think, 700,000 jobs a month, and it is now back to nearly break even.

An essential element of this recovery has been encouraging thriving export markets. Last week, President Obama laid out his plan to double exports in 5 years, an initiative which could create up to 2 million jobs. As the President said: ''In a time when millions of Americans are out of work, boosting our exports is a short-term imperative.''

But for international trade to function, our government must participate fully in international trade negotiations, advocating fair and open trading rules that allow American businesses to compete and export.

Yet a single Senator, the Republican Senator from Kentucky, has blocked the President's nominees for two key trade positions—nominees who cleared the committee with strong, positive votes. Michael Punke, nominated as Deputy Trade Representative to Geneva, and Islam Siddiqui, nominated to be Chief Agricultural Negotiator, deserve an up-or-down vote in the Senate.

In this economic crisis, why in the world would a Senator hold up such important appointments for our exports and for our economy, hobbling this administration's ability to fully participate in international trade talks?

The Senator from Kentucky has told us why: to try to force U.S. Trade Representative Ron Kirk to file a complaint regarding Canada's recently passed antismoking law. Yes, believe it or not, the Senator from Kentucky is blocking the appointment of critical U.S. international trade officials to try to force the administration to put pressure on Canada to change its antismoking law.

I am sure the tobacco industry is important in the Senator's home State, and protecting home State jobs is important. But hampering our ability to negotiate our trade agreements in this time of economic distress is not the way to do it. The Senator's hold is particularly ironic and unproductive, since trade officials, such as these nominees, are the ones charged with negotiating resolutions to trade issues such as the one that appears to motivate the Senator from Kentucky. Ambassador Kirk recently commented that the absence of these officials is having a significant impact and indicated the situation is causing some countries to question our commitment to serious trade talks. ''We would be greatly advantaged not only just from the manpower and intellectual strength these two individuals bring, but I think it would help us regain some of our credibility,'' is what Ambassador Kirk said.

Let's be clear. The Senator from Kentucky has said he does not have any objection to these nominees. He is only blocking the nominations as leverage against the President and Ambassador Kirk. That is pure obstructionism.

It is these kinds of political power plays—one Senator actually had 70 nominees on hold—that lead to such cynicism in the country about our ability to work together and get things done. When a Senator blocks basic governmental action—action that all agree is of national importance—for purely parochial and political reasons, the public rightly wonders what is going on.

If the Senator from Kentucky disagrees with the Canadian Legislature, fine, he should voice that disagreement publicly and try to persuade the President of the merits of his point of view. He is welcome to do that. Instead, he has chosen to add to the obstructionist tactics that are poisoning this Chamber and preventing the Government of the United States from doing its business. That may serve the immediate political goals of his party, but it is wrong for our country and it is wrong for all Americans who depend on an effective U.S. Government. I urge the Senator from Kentucky to release his holds.

I yield the floor back to Senator WARNER from Virginia.

Mr. WARNER. Madam President, I appreciate the comments of Senator WHITEHOUSE and his pointing out one more example of a qualified nominee who needs to be voted on up or down.

I now call upon my friend and colleague from Illinois, Senator BURRIS.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. BURRIS. Madam President, I thank my colleague from Virginia and the distinguished Senator from Rhode Island. It is a pleasure for me to join in this very important discussion in the Senate.

I am proud to join my Democratic colleagues on the floor this morning to discuss some of the obstructionism we have seen from the other side on a number of Presidential nominations. It is the duty of this Senate to provide advice and consent on more than 2,000 government officials appointed by the President of the United States. These individuals range from Cabinet level officers to agency administrators, ambassadors, Federal judges, and more. They are tasked with leading important agencies and offices such as the Transportation Security Administration, our diplomatic missions around the world, and various law enforcement organizations.

These nominees generally make it through committee on near-unanimous bipartisan votes. They are extremely dedicated public servants who stand ready to defend our national security, advance our shared interests, and carry out the important work of the American people. But when these nominations come out of the committee, they invariably hit a roadblock. They hit a stone wall. They are stalled the moment they come to the Senate floor. That is because my Republican friends are holding up dozens of these nominations.

Scores of important offices remain vacant because of the same partisan tactics of distraction and delay that we have seen time and time again from the other side. It is not that my Republican colleagues have any problems with the qualifications of the nominees themselves. They enjoy bipartisan support in committee. They carry the high esteem of both Democrats and Republicans. When we are finally able to break the filibuster and have an up-or-down vote, these individuals are almost always confirmed unanimously, as the judge from Senator WARNER's State of Virginia was, with a vote of 99 to 0. It was senseless for that nomination to be held up for that long.

But thanks to the same old political games, it is difficult to get cloture on these nominations so we can get a floor vote in the first place. The same Republican Senators who vote in favor of these nominees in committee—the same Senators who later support them on the floor—try to keep us from moving forward as a full Senate. This is obstructionism at its worst. This is pure politics at the expense of the American taxpayers.

This is a waste of our time and effort, and the American people deserve better. They sent us to Washington to solve big problems—to create jobs, to reform health care, to strengthen our educational system. But my Republican friends are not interested in working together to confront these challenges. Instead, they drag their feet on noncontroversial things such as Presidential nominations in hopes of scoring political points. They bring this body to a standstill just so they can advance a partisan agenda. Meanwhile, dozens of important Federal agencies are without leadership at the highest levels. Thousands of government employees are working without the public servants who have been appointed to lead them—all because of Republican political games.

So I would ask my good friends from the other side of the aisle to abandon these tactics of distraction and delay. Let's have a substantial debate about the issues, not an argument over procedure. Let's stop wasting time and start working together to solve the problems we face. In the meantime, let's confirm these nominees so they can take up their appointed offices and begin to serve the American people.

I yield the floor to the distinguished Senator from New Hampshire.

The PRESIDING OFFICER (Mr. WARNER). The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am here to join my colleagues from the freshman and sophomore classes to point out the obstruction that we are seeing from the other side of the aisle in holding up these executive branch nominees. It is unfortunate, with so many challenges facing this country, that we have to be on the floor of the Senate today talking about obstructionism rather than talking about what we can do to address the real issues facing this country.

One of those important issues has to do with how we get this economy going again. Ninety-five percent of the world's consumers live outside of the United States; and for American companies to grow and expand, to create jobs, we have to increase exports of goods and services. That is the simple reality.

There are several actions we need to take to help American companies compete overseas. Tomorrow, for example, I am going to be back on the Senate floor talking about what we can do to strengthen the Small Business Administration's export lending and promotion services. Certainly another thing we need to do is to protect the interests of American companies and workers in the trade arena.

As we have already heard from Senator WHITEHOUSE, that is why it is unconscionable that the confirmation of President Obama's nominee to be Ambassador to the World Trade Organization, Michael Punke, is being held up by a single Senator.

Senator TESTER came to the floor last week to ask Senator BUNNING to stop blocking Mr. Punke's confirmation. Now, after reading yesterday's New York Times, I felt compelled to also speak about the hold on this confirmation. Yesterday's story in the paper reported on China's aggressive filing of complaints with the WTO. In the last 12 months, China filed more complaints with the WTO than any other country, even though it is cleaning the clock of every country on the planet, including the United States, when it comes to trade.

China racked up a nearly $200 billion trade surplus with the rest of the world last year. Its trade imbalance with the United States is 4 to 1. Yet the top position of the United States at the WTO—you guessed it, the position that Mr. Punke has been nominated for—is being held up, is still vacant because there is one Senator who is unhappy with Canada's tobacco law.

That is right. As Senator WHITEHOUSE has already told us, the hold on Mr. Punke has nothing to do with whether he is qualified to be ambassador to the WTO. His confirmation was unanimously recommended by the Finance Committee 3 months ago. No, this critical post remains vacant because one Senator—Senator BUNNING—is angry that Canada banned flavored cigarettes as a way to combat teen smoking.

I certainly understand the tobacco industry fears the Canadian law will be interpreted broadly to ban American-blend cigarettes. But blocking the confirmation of our WTO ambassador over this issue at this time, when expanding exports is critical to our economic recovery, is counterproductive, and it is an abuse of Senate rules. The point has now been made. So now is the time for Senator BUNNING to lift this hold so we can confirm Mr. Punke and we can get this critical position filled and make sure that American businesses have a level playing field when it comes to exports.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BURRIS). The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am proud to join my colleagues in the freshman and sophomore classes today to highlight a recurring problem in the Senate—the Republican holds on the confirmations of crucial executive branch nominees. These are not controversial people, as you will hear from what I am going to tell you from my part of the story today and what you have heard from some of my colleagues.

As a former prosecutor and the manager of a prosecutor's office of more than 400 people, I know from personal experience how important it is to have a strong leadership team in place. Only with a strong leadership team can an executive implement his or her vision. In our current economy, a vision for increased trade and export promotion is particularly important, and the President has one.

Earlier this year, he announced a plan, widely supported by CEOs of large and small corporations, to double American exports overseas in the next 5 years. Export promotion is a topic that is of special interest to me, as I chair the Subcommittee on Competitiveness, Innovation and Export Promotion.

I truly believe if we are to move this economy again, we have a world of opportunity out there. Ninety-five percent of the world's customers are outside of our borders. This is a different world with growing buying power in countries such as India and China, where instead of just importing goods we can be making stuff again; we can be sending it out so that customers in these other countries can be buying it.

Look at the numbers. A diversified base of customers helps a business weather the economic ups and downs. According to research, businesses that export grow 1.3 percent faster—and they are nearly 8.5 percent more likely to stay in business—than companies that don't export. These are the facts. So it is hard to believe, when we have a laser focus on the economy right now, when that is all I hear about from the people of my State, that my friends on the other side of the aisle are holding up the President's nominees for positions that promote American exports abroad. It makes absolutely no sense.

Right now, Republican holds are blocking votes on the confirmations of Michael Punke, nominated to be Deputy U.S. Trade Representative, and ''Isi'' Siddiqui, nominated to be Chief Agricultural Negotiator. These nominees have five decades of experience in international trade between the two of them, including extensive private sector and government work. They work with Democrats and they work with Republicans. They just want to get this economy moving again. But our friends on the other side of the aisle are placing holds on them at the very time when we all know this is the direction in which we need to move. These are exactly the type of people who could help expand American agricultural and small business exports and grow our economy.

These two nominees have been fully vetted and received strong bipartisan support in their Finance Committee hearings. They were recommended by the Finance Committee to the full Senate by a vote of 23 to 0—including the affirmative vote of the Senator who has since placed a hold on Mr. Punke. No one would believe this. The reason for the hold? The Senator in question wants Mr. Punke to commit to forcing Canada to repeal parts of an antismoking law passed by the Canadian Parliament.

So we have people in Rhode Island, in Illinois, in Minnesota, in New Hampshire who are looking for jobs, and they know that a key part of this is to increase exports to be able to sell our goods to other countries. Yet these guys are placing a hold on the very people who can get this work done because they are concerned about a law passed by the Canadian Parliament. It is too good to be true but, sadly, it is true.

Holding these nominees in limbo has dire consequences for our ability to promote American products abroad. Our international partners actually use the absence of Mr. Punke and Dr. Siddiqui as an excuse to stall progress on serious negotiations. You know what they say. They say: You don't have your guys in place. You don't have your people in place, so we are not negotiating with you, America.

Blocking these nominees gives cover to other nations that want to keep the United States from getting fair market access in the global trading system for American agriculture, manufacturing, and services.

A coalition of 42 food and agricultural groups wrote Senators REID and MCCONNELL in January to call for quick approval. They said: U.S. food and agricultural exports are under assault in many markets with trading partners erecting even more barriers in recent months. It has to stop.

In the United States, we further export promotion policy through a variety of different executive agencies, and Republicans aren't just holding up USTR reps, they are also holding up Eric Hirschhorn, the nominee to head up the Bureau of Industry and Security at the Commerce Department. This is the division at Commerce that screens exports to make sure national security, economic security, cyber-security, and homeland security standards are upheld when we export sensitive technologies.

The head of this bureau engages in strategic dialogues with high-level government officials from key transshipment countries such as Malaysia, Singapore, Hong Kong, and the United Arab Emirates in order to prevent sensitive technologies from being diverted to China, Iran, and North Korea. Leaving this position unfilled sends a negative message to the domestic exporting community, to our allied governments, and it hurts our security. Why would we want to leave this position unfilled?

Mr. Hirschhorn has spent more than 30 years involved in issues related to export control. As an author of numerous articles and ''The Export Control and Embargo Handbook,'' which is widely recognized as the leading text on the issue, Hirschhorn displays an unparalleled understanding of the importance of export control systems and work.

These are a few examples of the pivotal positions being held up by our colleagues on the other side of the aisle. If you are going to talk the talk about moving this economy, about exports, about trade, about getting our goods out there, building things again, then you should walk the walk. You should not be holding up Siddiqui and Punke and Hirschhorn. These are noncontroversial people. Nobody watching C–SPAN has ever heard of them before. They are not in the middle of some controversial mess. They are trying to get our country moving again. That is what this is about. For people who are trying to get jobs, trying to move this country, they need people in place in the government to help them. Take those holds off, get this moving, put these people in place.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Oregon is recognized.

Mr. MERKLEY. Madam President, I rise today to decry the attack of my Republican colleagues on the executive branch of the United States of America. The Constitution, which we are sworn to uphold, calls for a balance of power between three branches of government—the executive branch, the legislative branch, and the judicial branch. In it, it gives us a certain ability to test the fitness of high appointees to the executive branch. That is the advise and consent clause of the Constitution.

The Constitution does not have a delay and obstruct clause. It has an advise and consent clause. That means we have the responsibility, on a timely basis, to review high appointees to the executive branch and give our opinion. If we vote a person down, then indeed that nomination does not go forward.

What we have here is not a sincere application of advise and consent. We have a systematic effort underway to undermine the credibility and the capability of the President's team here in America.

This is a list of nominations that is being held up. This is not one nomination here and one nomination there. These are dozens and dozens of key appointees who will make the executive branch operate. Let's look at some of these. The Federal Election Commission, the Department of Energy, the Small Business Administration, the National Labor Relations Board, the Legal Services Corporation, the Department of Homeland Security, the Army, the Executive Office of the President, the Amtrak Board of Directors, the National Transportation Safety Board, the Equal Employment Opportunity Commission, the Farm Credit Administration, the Department of Commerce, the Department of Housing and Urban Development, the Department of the Treasury, the Department of Health, the Department of Veterans Affairs, the Department of State, the Department of Energy, the Nuclear Regulatory Commission, the National Council on Disability, the Tennessee Valley Authority.

Fellow Americans, I think you get the picture that this is a list in a systematic effort to undermine the ability of the executive branch to do its job. If we simply look back at the nominations on which we have had to file cloture and hold a vote in this Chamber, two-thirds of those nominees have passed by more than 70 of this body.

Many of them had 80 or 90 votes because there was no sincere objection to this individual, be it he or she, in a number of these departments. But it was a systematic effort to delay the capability of the executive branch of the United States of America. That is unacceptable. We are not empowered as a Chamber, in this Constitution, to delay and obstruct and prevent the executive branch from doing its job.

I call upon my Republican colleagues who are conducting this attack on the President and his team to honor their constitutional responsibilities to advise and consent, to take this list and if there are a couple of key nominees that you have serious concerns about, then indeed let's have that debate here on the floor. But these dozens need to be set free to do their job. That is how the balance of powers is envisioned in the Constitution.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise this morning to raise questions about why the Republicans in the Senate are holding up a number of nominations. We have heard some of that articulated this morning by a number of our colleagues. I have a specific example of what this kind of obstruction leads to. It is with regard to a circuit court nomination, in this case a judge in the Middle District of Pennsylvania. This is someone I have known a long time, someone I have known to be not only capable to do the job a U.S. Court of Appeals judge must do, but also someone who has demonstrated his ability on the district court for many years. The person I am speaking of is Judge Thomas I. Vanaskie, who has been nominated for a position on the Third Circuit Court of Appeals, which covers Pennsylvania, New Jersey, Delaware, and the Virgin Islands.

As I said, I have known him a long time. He is someone who has been a legal scholar, someone who has a long and distinguished career on the Federal bench as well as a career as an advocate when he was practicing law.

I ask unanimous consent a fuller statement of his record and résumé be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BIOGRAPHY

Judge Vanaskie's biography highlights both his scholarly and professional accomplishments and the high esteem in which he is held by his colleagues in the legal profession. He graduated magna cum laude from Lycoming College in Williamsport, Pennsylvania, where he was also an honorable mention All-American football player, a first team Academic All-American, the college's outstanding male student athlete, and the recipient of the highest award given to a graduating student.

At Dickinson School of Law, from which he graduated cum laude in 1978, Judge Vanaskie served as an editor of the Law Review and received the M. Vashti Burr award, a scholarship given by the faculty to the student deemed "most deserving".

After graduating, Judge Vanaskie served as a law clerk for Judge William J. Nealon, Chief Judge of the U.S. District Court for the Middle District of Pennsylvania.

Judge Vanaskie practiced law for two highly regarded Pennsylvania firms before his appointment to the U.S. District Court for the Middle District of Pennsylvania in 1994.

He became the Middle District's Chief Judge in 1999 and completed his seven-year term in 2006.

He was appointed by Chief Justice Rehnquist to the Information Technology Committee of the Judicial Conference of the United States where he served as Chair for three years. He has also participated in several working groups of the Administrative Office of the United States Courts, mostly recently on the Future of District CM/ECF Working Group, tasked with determining the design and development of the next generation of the federal judiciary's electronic case filing program.

He is an adjunct professor at the Dickinson School of Law and has also been active in civic and charitable efforts in his hometown of Scranton.

ACCOLADES

Lawyers who have appeared before Judge Vanaskie have expressed tremendous respect for his intellectual rigor and the disciplined attention he brings to the matters before him.

One attorney who has tried over a dozen cases before Judge Vanaskie has described him as "objective, fair, analytical, dispassionate, extraordinarily careful, and very respectful of appellate authority." This same practitioner said that he has not always agreed with Judge Vanaskie's decisions, but he has always felt that his rulings reflected what the Judge considered to be the most appropriate result, and the result that he was obligated to impose under the law.

U.S. District Judge William J. Nealon, for whom Judge Vanaskie clerked has described him as "superbly qualified . . . He's outstanding . . . He's brilliant. He's objective. And he's tireless . . ."

Judge Vanaskie recognizes that for many citizens, his decisions will be the final word on their claims. He treats people with respect and honors their right to be heard. His deep understanding of and respect for the law will serve him well in ruling on cases and authoring opinions that will be influential in the Third Circuit and beyond.

CAREER HIGHLIGHTS

In 2008, Judge Vanaskie presided over the first known court appearance of aging mobster Bill D'Elia where he pleaded guilty to two federal felonies. He later sentenced "Big Billy" to serve in federal prison.

Late last year, Judge Vanaskie sentenced the former Superintendent of the Pittston Area School District to 13 months in federal prison and a $15,000 fine for accepting $5,000 cash in kickbacks from a contractor he supported in obtaining a contract with the school district. The case is part of an ongoing investigation by the FBI and the IRS and is being prosecuted by a team of federal prosecutors.

He ruled that the government could not deport Sameh Khouzam, a native of Egypt and a Christian, because the State Department did not review Egyptian diplomatic assurances that Khouzam would not be tortured upon his return. "The fact that this matter implicates the foreign affairs of the United States does not insulate the executive branch action from judicial review," the Judge wrote. "Not even the president of the United States has the authority to sacrifice . . . the right to be free from torture . . ."

He presided over the trial and sentencing of an Old Forge man who spent more than $413,000 that he stole from victims of an investment scam. "You stole these people's money," said the Judge. "I can't sugarcoat it."

Mr. CASEY. Judge Vanaskie graduated with high honors from Lycoming College and was an honorable mention All-American football player there. He attended the Dickinson School of Law in Pennsylvania, graduated with honors in 1978, was editor of the Law Review, clerked for Judge William Nealon, who was then the Chief Judge for the Middle District of Pennsylvania. Judge Vanaskie went on to have a distinguished career as a lawyer. He got to the Middle District Court, the U.S. Middle District of Pennsylvania in 1994, became the Chief Judge, just like Judge Nealon, the judge he served. Judge Vanaskie became the Middle District's Chief Judge in 1999 and his 7-year term as Chief Judge was completed in 1996.

He was appointed by Chief Justice Rehnquist to the Information Technology Committee of the Judicial Conference of the United States, where he served as Chair for 3 years.

I will submit for the RECORD, as I mentioned before, what many people have said about him in addition to his record. I will read one of those at this moment. Judge Nealon, someone who has been on the District Court of Pennsylvania, the Middle District, for more than a generation, since 1962—here is what that judge said about Judge Vanaskie. He said:

> He is superbly qualified, he is outstanding, he is brilliant, he is objective and he is tireless.

There is not much more you could say that would be higher praise than that from not only a colleague but someone who has had decades of experience presiding over complex matters in the district courts.

In my own judgment, Judge Vanaskie demonstrated, when he was on the district court, the kind of legal acumen and scholarship and commitment to the rule of law that made him stand out on the district court. I know I personally have experience with that; I appeared before him. I remember in particular trying a case in front of him. He is someone I knew very well for many years, someone I had great respect for, but also someone I knew personally. Despite that personal connection, I do remember him ruling against me on a number of objections. That alone is testament to his integrity. It is widely shared.

When you consider all of that legal experience, unquestioned ability on the district court, unquestioned ability to handle very complex matters that prepared him to serve on the Third Circuit Court of Appeals and that he was voted out of committee close to unanimously—I think there were three votes against him. I will doublecheck this, but I think the vote was 16 to 3. I will make sure we check that for the RECORD.

Having said all that, I cannot understand why our friends on the other side

of the aisle would want to hold up someone who has such a brilliant record, who is committed to being and has already demonstrated a commitment to be a fair-minded judge, someone who will set aside their personal points of view, their personal biases, to rule on matters that come before the U.S. Court of Appeals for the Third Circuit. It does not make much sense when you consider the support he has received. But it seems, as on so many of these nominations, the impediment here is not a set of questions, not a set of unresolved issues. The impediment is too many Senators on the other side of the aisle who want to use the nomination process to achieve political objectives. That, in my judgment, is what is happening.

What they should do for the American people is set aside those political objectives and get people confirmed, just as they would hope that their nominees, people they support under a Republican President, would be confirmed.

This is just one example, but I think a very telling example, of what our friends are doing when they hold up a judge who has that kind of record of service, of commitment to justice and the rule of law. I think it speaks volumes about what is happening in the Senate on nominations.

I yield the floor.

The PRESIDING OFFICER (Mr. BURRIS). The Senator from Minnesota is recognized.

Mr. FRANKEN. Mr. President, I rise today to speak about the gridlock in the Senate and the effect it has on our ability to do our jobs as legislators. If you talk to the average person on the street, he or she will probably tell you that Americans are pretty frustrated with their government right now. People think government does not work and that politicians care more about fighting with each other than they do about helping American families.

Some days I can hardly blame the people who hold this opinion. We are now in the second year of President Obama's administration and we have only just begun to fill the spots in the executive and judicial branches because of filibusters, holds, and other procedural tactics that have delayed an extraordinary number of people. We had no Under Secretary for Domestic Finance at the Treasury Department despite the fact that our country has just experienced arguably the worst economic crisis since the Great Depression. We have no Assistant Secretary for Legislation at the Department of Health and Human Services. You would think when we have been considering health care reform legislation in the past year, it might be helpful to confirm an Assistant Secretary for Legislation at the Department of Health and Human Services.

There are so few members of the National Labor Relations Board, the Supreme Court is currently deciding whether the NLRB's current decisions have any legal standing, yet we have failed to confirm a single one of President Obama's three nominees.

In one of the most egregious examples of obstructionism, the Senate failed to vote on the appointment of the first nominee for Transportation Security Administration Chief, the person charged with keeping our Nation's airlines safe. In the interim, a terrorist tried to attack Northwest flight 253. Perhaps unsurprisingly, the nominee eventually withdrew himself from consideration, saying he was ''obstructed by political ideology.''

I have said it before and I will say it again: I have no problem with standing on principle. Our first President, George Washington, supposedly once said we pour House legislation into the senatorial saucer to cool it. Whether or not that story is true, the Senate has long served as the cooling Chamber, the place where reason and thoughtful debate occur in our Congress. The filibuster is a key tool for the way the minority can stand up to a majority that is acting irrationally in the heat of the moment. So I have no problems with my colleagues threatening to filibuster nominees or legislation that they actually oppose.

That is what the Founders intended. The Senate has an important role to play in giving the President its advice and consent on nominations. I take that role very seriously. But too often my colleagues filibuster nominees they actually support in an effort to extract other promises or just to slow the Senate down.

In February, the Senate finally confirmed the noncontroversial administrator of the General Services Administration after 9 months. The vote was 94 to 2. Similarly this month, my colleagues forced a cloture vote, they forced a cloture vote to approve a judicial nominee for the Fourth Circuit Court of Appeals. She was then confirmed unanimously, 99 to 0.

Yet we are forced to vote for a filibuster. That is nuts. This is a perversion of the filibuster and a perversion of the role of the Senate. It used to be the filibuster was reserved for matters of great principle. Today it has become a way to play out the clock. Some of my colleagues seem more interested in using every procedural method possible to keep the Senate from doing anything then they are in creating jobs or helping Americans struggling in a difficult economy.

They seem to actually want the government to fail. Why else delay things you actually agree with? No wonder Americans are frustrated with the government. It is time for this to stop. It is time for the Senate to stop playing politics or pursuing personal agendas and start approving well-qualified nominees without forcing unnecessary delay.

For our government to function the way it is supposed to, it needs to have personnel. Let's give the executive branch and the judicial branch the people they need so we can help government function in the way it is supposed to and reassure Americans that government does work for them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I rise, along with my colleagues this morning, to draw attention to the growing dysfunction exacted on this institution's ability to confirm both judicial and executive branch nominees.

Having served five terms in the House of Representatives, I have come to expect a certain amount of political revelry and combat. While I was honored to serve in the House, and I have fond memories of the often raucous debates there, I had high expectations that the Senate would truly be a place of deliberation and bipartisan goodwill.

Of late, however, it seems the worst political gamesmanship has infiltrated the Senate. Perhaps the proverb ''the grass is always greener on the other side'' applies here, but I do have to tell you, I think the level of gridlock we have faced in the last year is unprecedented.

We have seen roadblock after roadblock as we have tried to exercise one of the most basic functions of the Senate, that of making sure we have a full complement of Federal judges and ensuring the departments and agencies of the sitting administration are filled with competent public servants.

In contrast, by this date during President Bush's first term in office, the Senate, with a Democratic majority, had confirmed twice as many circuit and district court nominations. The obstruction of present judicial nominees is all the more galling when you note that they were reported by the Judiciary Committee without dissent.

Two weeks ago today, we were forced to invoke cloture on Barbara Milano Keenan to be U.S. circuit judge. Her nomination was held up for months. We finally had to say enough is enough and shut off the filibuster. When we finally voted on cloture, it was invoked 99 to 0, meaning not a single Senator was willing to stand and oppose the nominee.

You know in your State, Mr. President, this is the kind of superficial partisanship the American people are fed up with. In addition to judicial nominees, President Obama's executive branch appointments have suffered from a similar kind of gamesmanship. One would be hard-pressed to find one single department in this administration whose work has not been interrupted by phony delays.

Let me give you an example. After having invoked cloture and overcome a filibuster on Martha Johnson to be the Director of the General Services Administration, not a single Senator was willing to stand in opposition to the nominee. Cloture was invoked and she was confirmed by a 96-to-0 margin.

I know partisanship is rampant in this town, but the American people deserve to know what is happening in the

Senate. We are reaching a heightened level of imprudence, the kind George Washington warned us about in his farewell address in 1796.

In outlaying the principle we first all have an obligation to govern, Washington stated, ''All obstructions to the execution of the national laws [. . .] with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities are destructive of this fundamental principle.''

As I close, the American people know this town causes grown men and women to bicker and fight like children. Children have an excuse, they are children. We are not. We can do better, and I urge my colleagues to set aside their partisan differences, end this gridlock, and begin working together for the good of the American people.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN.) The Senator from North Carolina.

Mrs. HAGAN. I thank the Senator from Colorado for yielding.

I am joining my freshman colleagues on the floor to express my amazement at the difficulty this body is having conducting even the simplest legislative functions.

When I came to Washington last year from the North Carolina State Senate, I was certainly under no illusions that the process here would be lightening fast. In fact, I believe strongly we should take the time to make reasoned judgments about legislative and executive branch and judicial nominees. The American people are better served when we take the time to make the best decisions.

But there is a difference between taking time for reasoned judgment and impeding progress for the sole purpose of delay. There currently are 67 executive branch nominations awaiting action by the full Senate. Every one of these has been approved by the committee of jurisdiction, many having been approved unanimously. Thirty-one of those sixty-seven nominees were approved in committee last year and have been waiting for months for action by the full Senate.

One individual awaiting action by the Senate, Michael Punke, has been nominated to be our ambassador to the World Trade Organization. He was approved unanimously by the Senate Finance Committee in December.

As my colleagues know, the member countries of the WTO are currently engaged in a round of trade talks that could have enormous implications for American workers and industries. Would it not make sense to have the best possible American representation at those talks? Should we not want someone there who is advocating forcefully on behalf of our American workers, producers, and businesses?

It has been reported the delay in considering this particular nomination is connected to a concern one Senator has regarding a recent tobacco law passed in the Canadian Parliament. Well, I represent the largest tobacco State in the country. I will be honest, I understand the concerns of my fellow tobacco-State Senator regarding this legislation.

But I guess I have not been here long enough to understand how concerns with Canadian tobacco legislation lead you to the conclusion that you should prevent the United States from being represented in international trade negotiations. How are we supposed to address our issues with Canada and all trading partners when our seat at the table is empty? That is just one example. The calendar is full of nominees who deserve a vote.

In fact, there are two judicial nominees on the calendar from North Carolina who would be easily confirmed should they come up with for a vote, Jim Wynn and Al Diaz, nominees for the Fourth Circuit Court of Appeals. They were both approved by the Senate Judiciary Committee in January. But truth be told, we have not just been waiting since January, we have been waiting since 1994.

There has been an opening for a North Carolina judge on the Fourth Circuit since 1994. Partisan politics has gotten in the way of filling that vacancy time and again. Finally, we have not one but two qualified judges, supported by both myself and Senator BURR. Let's bring them up for a vote.

The government cannot function without qualified appointees in place. Let's stop the delays and bring these nominees up for a vote so they can get on with the business of the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I rise to call on the Senate to do something the rest of the American people are doing, our job. Most of President Obama's nominees to the executive branch and our Federal courts are not even remotely controversial. The country needs them on the job, and their responsibilities, their careers, and the stress on their families should not be caused by holds and other pointless delays.

We face serious challenges as a nation. Unemployment and underemployment rates are unacceptably high. Our courts have unprecedented backlogs. We are fighting two wars and have the persistent threat of terror that casts a shadow over our security.

We need a functioning Federal Government. The American people expect this. Yet some in this body are too tied up in ''politics as usual'' to get our government working again. Rather than making sure we get the government up and running by allowing our votes on key administration nominees, the Senate is mired in perpetual stalling, failing to perform its constitutional responsibility to advise and consent. Qualified people nominated to hold key positions in the administration are languishing in the Senate because of procedural abuses. These should end.

I have introduced a resolution which would help address some of these abuses. My resolution would bring holds by one Senator outside the shadows, time limit them, and place requirements that, after 2 days, holds must be bipartisan to continue.

These commonsense improvements ought not be necessary. But in today's Senate, unfortunately, they are. I fully support scrutinizing all positions requiring confirmation. In fact, that is why my suggested resolution actually says, if you have bipartisan support—and there might be a reason to look at it other than just pure politics—I think we should look at it.

But useless delay is not getting us anywhere. I am not asking for a rubberstamp from anyone. But a desire to assert leverage over the administration or a desire to frustrate the government's efforts to work for the American people is unacceptable for holding up nominees.

Too often we have seen nominees held for months only to be confirmed by overwhelming margins. Judge Barbara Keenan was recently confirmed to the Fourth Circuit Court of Appeals by the breathtakingly close vote of 99 to 0. This was after her nomination was held up for 4 months following approval by the Judiciary Committee.

There are currently 16 other judicial nominees who, similar to Judge Keenan, have cleared the Senate Judiciary Committee and are awaiting floor time. Unfortunately, they are subject to partisan and meritless delays. The result is, our district and appellate courts will continue to be backlogged and justice will not be served in communities all across the United States of America.

Judicial nominations have a sad history of partisanship in recent years. The delays and games that have replaced the Senate's role to advise and consent have now bled into all executive branch nominations at unprecedented levels.

Just last month, the media reported 80 nominees were being held up by one Senator. These holds included the Under Secretary for Military Readiness and top officials at the Departments of State and Homeland Security. These holds were unrelated to the actual nominee and solely concerned parochial and political interests. Our national security should never be subjugated to one Senator's politics.

We also had the President's nomination to the Transportation Security Administration tied up and ultimately withdrawn because of partisan bickering unrelated to his responsibilities to secure our airports. This is unacceptable. Does it no longer matter whether there is someone at the helm of the agencies responsible for securing our airports?

How is this acceptable behavior in the Senate? It would not be acceptable

behavior around my kitchen table. If it is not acceptable there, it should not be acceptable here. There are too many examples of qualified, noncontroversial nominees, such as Martha Johnson, the GSA Administrator with impeccable qualifications whose nomination was held for 9 months. Yet she was confirmed by a 96-to-0 vote once the hold on her nomination was removed.

These nominations are being blocked even though they have broad bipartisan support.

I urge my colleagues to remove their holds on noncontroversial administration nominees and allow confirmation votes.

I yield the floor.

Mr. WARNER. I thank my colleague from Colorado.

Mr. LEAHY. Mr. President, many Senators are speaking on the Senate floor today about the Republican delays and obstruction of President Obama's nominations to fill critical posts throughout the executive branch.

Republicans have engaged in a partisan effort to block scores of nominations, preventing up-or-down votes in the Senate. This Republican effort has prevented the Senate from considering well-qualified public servants like Professor Chris Schroeder, who was first nominated by President Obama on June 4, 2009. He appeared before the Senate Judiciary Committee last June, and was reported favorably in July by voice vote, with no dissent. His nomination then languished on the Senate's Executive Calendar for nearly 5 months. Not a single Republican explained the reason for the delay.

Republican Senators objected to carrying over Professor Schroeder's nomination into the new session. It was returned to the President with no action. President Obama nominated Professor Schroeder again this year, and again his nomination was reported by the Judiciary Committee with Republican support. An esteemed scholar and public servant who has served with distinction on the staff of the Senate Judiciary Committee and in the Justice Department, Professor Schroeder has support across the political spectrum.

We treated President Bush's nominations to run the Office of Legal Policy much more fairly than Republicans are treating President Obama's, confirming all four nominees to lead that office quickly. We confirmed President Bush's first nominee to that post by a vote of 96 to 1 just 1 month after he was nominated, and only a week after his nomination was reported by the Judiciary Committee. In contrast Professor Schroeder's nomination has been pending since last June. It is time for an up-or-down vote on his nomination.

In addition to the many executive branch nominees currently stalled on the Senate calendar, there are 18 judicial nominees that have been reported favorably by the Judiciary Committee—most of them unanimously—who await Senate consideration. That is more nominees than the total of President Obama's circuit and district court nominees—17—that have been confirmed since he took office. This sorry state of affairs is the result of a Republican strategy to stall, obstruct, and delay that has existed throughout President Obama's time in office. The casualties of this effort are the American people who seek justice in our increasingly overburdened Federal courts.

By this date during President Bush's first term, the Senate had confirmed 41 Federal circuit and district court nominations. That was a tumultuous period in which Senate Democrats worked hard to make progress with a staunchly partisan Republican President. It included the period of the 9/11 attacks and the anthrax attacks upon the Senate. In contrast, the Senate has confirmed just 17 Federal and circuit court nominees—just 17—during President Obama's first term.

We are currently on pace to confirm fewer than 30 Federal circuit and district court nominees during this Congress, which would be easily the lowest in memory. That number stands in sad contrast to the 100 judges we confirmed when I chaired the Judiciary Committee for 17 months during President Bush's first term. When we were reviewing the judicial nominees of a President of the other party, and one who consulted across the aisle far less than President Obama has, we confirmed 100 judges in just 17 months. President Obama is in his 14th month and Senate Republicans have allowed only 17 Federal circuit and district court judges to be confirmed. We are 24 behind the pace we set in 2001 and 2002.

The Judiciary Committee has favorably reported 35 of President Obama's Federal circuit and district court nominees to the Senate for final consideration and confirmation. Eighteen of those nominees are still awaiting a vote by the Senate. The Senate can more than double the total number of judicial nominations it has confirmed by considering the other judicial nominees already before the Senate awaiting final action. We should do that now, without more delay, without additional obstruction. There are another five judicial nominations set to be reported by the Judiciary Committee this week. They will bring the total awaiting final action by the Senate to 23. Confirming them without unnecessary delay would put us back on track.

While Republican Senators stall, judicial vacancies continue to skyrocket. Vacancies have already grown to more than 100, undoing years of our hard work repairing the damage done by Republican pocket filibusters of President Clinton's judicial nominees. When I chaired the Judiciary Committee during President Bush's last year in office, we reduced judicial vacancies to as low as 34, even though it was a presidential election year.When President Bush left office, we had reduced vacancies in 9 of the 13 Federal circuits. As matters stand today, judicial vacancies have spiked and are being left unfilled. We started 2010 with the highest number of vacancies on article III courts since 1994, when the vacancies created by the last comprehensive judgeship bill were still being filled.

More than 30 of the vacancies on our Federal courts today are classified as ''judicial emergencies.'' This is another reversal of our hard work during the Bush administration when we reduced judicial emergencies by more than half. Those vacancies have now increased dramatically, encumbering judges across the country with overloaded dockets and preventing ordinary Americans from seeking justice in our overburdened Federal courts. This is wrong. We owe it to the American people to do better.

President Obama deserves praise for working closely with home State Senators, whether Democratic or Republican, to identify and select well-qualified nominees to fill vacancies on the Federal bench. Yet Senate Republicans delay and obstruct even nominees chosen after consultation with Republican home State Senators. President Obama has worked closely with home State Republican Senators, but Senate Republicans have still chosen to treat his nominees badly. Last year, President Obama sent 33 Federal circuit and district court nominations to the Senate, but the Senate confirmed only 12 of them, the fewest judicial nominees confirmed in the first year of a Presidency in more than 50 years.

Senate Republicans unsuccessfully filibustered the nomination of Judge David Hamilton of Indiana to the Seventh Circuit, despite support for his nomination from the senior Republican in the Senate, DICK LUGAR of Indiana. Republicans delayed for months Senate consideration of Judge Beverly Martin of Georgia to the Eleventh Circuit despite the endorsement of both her Republican home State Senators. When Republicans finally agreed to consider her nomination on January 20, she was confirmed unanimously. Whether Jeffrey Viken or Roberto Lange of South Dakota, who were supported by Senator THUNE, or Charlene Edwards Honeywell of Florida, who was supported by Senators Martinez and LEMIEUX, virtually all of President Obama's nominees have been denied prompt Senate action by Republican objections.

I noted when the Senate considered the nominations of Judge Christina Reiss of Vermont and Mr. Abdul Kallon of Alabama relatively promptly that they should serve as the model for Senate action. Sadly, they are the exception rather than the model. They show what the Senate could do, but does not. Time and again, noncontroversial nominees are delayed. When the Senate does finally consider them, they are confirmed overwhelmingly.

In December, I made several statements in this Chamber about the need for progress on the nominees reported by the Senate Judiciary Committee. I

also spoke repeatedly to Senate leaders on both sides of the aisle and made the following proposal: Agree to immediate votes on those judicial nominees that are reported by the Senate Judiciary Committee without dissent, and agree to time agreements to debate and vote on the others. I have recently reiterated my proposal and urged Senate Republicans to reconsider their strategy of obstruction. There is no justification for these nominations to be dragged out week after week, month after month.

The last time the Senate considered judicial nominations was weeks ago. Indeed, on March 2, the Republican filibuster and obstruction of the nomination of Justice Barbara Keenan of Virginia to be a Fourth Circuit Judge had to be ended by invoking cloture. Senate Republicans would not agree to debate and vote on her nomination and the majority leader was required to proceed through a time consuming procedure to end the obstruction. The votes to end debate and on her confirmation were both 99 to 0. That nomination had been reported in October. So after more than 4 months of stalling, there was no justification, explanation or basis for the delay. That is wrong. That was the 17th filibuster of President Obama's nominations.

The 18 judicial nominees awaiting Senate consideration are: Jane Stranch of Tennessee, nominated to the Sixth Circuit; Judge Thomas Vanaskie of Pennsylvania, nominated to the Third Circuit; Judge Denny Chin of New York, nominated to the Second Circuit; Justice Rogeriee Thompson of Rhode Island, nominated to the First Circuit; Judge James Wynn of North Carolina, nominated to the Fourth Circuit; Judge Albert Diaz of North Carolina, nominated to the Fourth Circuit; Judge Edward Chen, nominated to the Northern District of California; Justice Louis Butler, nominated to the Western District of Wisconsin; Nancy Freudenthal, nominated to the District of Wyoming; Denzil Marshall, nominated to the Eastern District of Arkansas; Benita Pearson, nominated to the Northern District of Ohio; Timothy Black, nominated to the Southern District of Ohio; Gloria M. Navarro, nominated to the District of Nevada; Audrey G. Fleissig, nominated to the Eastern District of Missouri; Lucy H. Koh, nominated to the Northern District of California; Jon E. DeGuilio, nominated to the Northern District of Indiana; Tanya Walton Pratt, nominated to the Southern District of Indiana; and Jane Magnus-Stinson, nominated to the Southern District of Indiana. Twelve of the 18 were reported from the Senate Judiciary Committee without opposition; one had a single negative vote. The stalling and obstruction should end and these nominations should be considered by the Senate and voted upon without further delay. When they are, they, too, will be confirmed overwhelmingly.

I also want to highlight my concern about the new standard the Republican minority is applying to many of President Obama's district court nominees. Democrats never used this standard with President Bush's nominees, whether we were in the majority or the minority. In 8 years, the Judiciary Committee reported only a single Bush district court nomination by a party-line vote. That was the controversial nomination of Leon Holmes, who was opposed not because of some litmus test, but because of his strident, intemperate, and insensitive public statements over the years. During President Obama's short time in office, not one, not two, but three district court nominees have been reported on a party-line vote as Senate Republicans look for any reason to oppose every nomination. I hope this new standard does not become the rule for Senate Republicans.

Of the 17 Federal circuit and district court judges confirmed, 14 have been confirmed unanimously. That is right. The delay and obstruction is so baseless that when votes are finally taken, they are overwhelmingly in favor and most often unanimous. There have been only a handful of votes cast against just three of President Obama's nominees to the Federal circuit and district courts. One of those, Judge Gerry Lynch of the Second Circuit, garnered only three negative votes, and 94 votes in favor. Judge Andre Davis of Maryland was stalled for months and then confirmed with 72 votes in favor. Judge David Hamilton was filibustered in a failed effort to prevent an up or down vote.

So why all the obstruction and delay? It is part of a partisan pattern. Even when they cannot say ''no,'' Republicans nonetheless demand that the Senate go slow. The practice is continuing. There have already been 17 filibusters of President Obama's nominees. That is the same number of Federal circuit and district nominees the Senate has confirmed during the entirety of the Obama administration. And that comparison does not include the many other nominees who were delayed or who are being denied up-or-down votes by Senate Republicans refusing to agree to time agreements to consider even noncontroversial nominees.

I urge Senate Republicans to reconsider their destructive strategy and to work with us to provide final consideration without further delay to the 18 judicial nominees on the Senate Executive Calendar awaiting final action. We can make real progress if they will join with us and we work together.

The PRESIDING OFFICER. The Senator from Virginia.

EXTENSION OF MORNING BUSINESS

Mr. WARNER. I thank my colleague from Colorado. I ask unanimous consent that 7 minutes of morning business be added to each side and at the end of that time, the Senate stand in recess as provided for under the previous order. I thank my colleagues on the other side for their courtesy.

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

The Senator from Alaska.

Mr. President, I am pleased to join my colleagues on the floor today to discuss what none of us are the least bit happy to see happening in the U.S. Senate.

We were sent here by the people of our States to get work done. This means passing legislation and overseeing the work of Federal agencies.

It is difficult, if not impossible, for Federal agencies to do the work Congress and the American people want them to do if they spend months—in some cases, years—leaderless. It is impossible for them to do their work if they can hope that a momentary peace will break out in the Senate to allow for confirmation of the presidential designee for their respective agency.

As Senators, we are endowed with a constitutional responsibility to lend our advice and consent to the men and women a President nominates to run agencies and parts of agencies.

Career civil servants can do a lot. We would be lost without them. But they do not have the authority, or the accountability to Congress and the American people to accomplish what a President selects them to do.

Yet many of our colleagues on the other side of the aisle would deny President Obama any of his nominees. I believe a President—the current President or any future President with whom I am lucky enough to serve—is due a great deal of deference in his or her selections for Senate-confirmable positions.

For our Republican colleagues, it would seem there is a belief that the Federal Government should just not function, certainly any government led by President Obama.

We have seen the slow-walking, the indefinite—and indefensible—holds on nominations for crucial national security positions. Only when Armed Services Chairman LEVIN took the unusual step of embarrassing colleagues who were placing a hold for their home State politics did a number of important nominees get reported out of our committee.

There is still a hold by one of our Republican colleagues—unbelievable as it may seem—on the promotion of an Army general while our Nation is involved in two wars.

But the problem and the cynicism of Republican obstructionism is seen nowhere as obviously as in the judiciary. There are currently 103 Federal judge vacancies.

Several nominees reported out of the Judiciary Committee have been denied votes in the Senate by Republican ostructionism for almost 200 days. In some cases the judicial seat to be filled has been vacant for years.

It is clear that—even if they are in denial about who was elected in 2008—

our Republican colleagues have their sights set on 2012 and beyond, when they hope to have a huge number of Federal court vacancies to be filled by a President more to their liking.

Obstruction of nominees hurts the functioning of the government our colleagues have strived to be part of. If they continue to block qualified nominees, our Republican colleagues only further demonstrate their unwillingness to perform the duties for which they were elected and prove their disdain for the constitutional responsibilities with which they have been entrusted.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, let me thank Senator WARNER for organizing this presentation to point out the abuses the minority has used in blocking the responsibility of the Senate to confirm appointments made by the President. I believe in the right of the minority. At times, it needs to be exercised. But it has been abused. The American people need to know that because it is affecting their rights and the ability of agencies and the courts to protect the rights of Americans.

Let me cite one number: 60 individuals the President has nominated for important offices have been blocked in their confirmation votes on the Senate floor even though their nominations were approved by the committees either by voice vote or unanimous vote or by significant supermajorities. These are just being delayed, when we now know the final outcome will be approval. As a result, Americans are being denied judges on the courts and administrators who can help enforce their rights.

We have already heard the circumstances about our courts, how we have had to take to a cloture vote, which means floor time, for the nomination of Judge Keenan, who received 99 votes and no one in opposition. We have two vacancies on the Fourth Circuit right now. These appointments have been approved overwhelmingly by the Judiciary Committee—Albert Diaz and James Wynn—by votes of 19 to 0 and 18 to 1. They have the support of Senators BURR and HAGAN. Yet they have still not been brought to the floor for a vote. That represents a 20-percent vacancy on the Fourth Circuit, denying the people of my region their full representation on the appellate court.

We are very proud of legislation we have passed to help the disabled—the ADA law—to guarantee gender pay equity with the Lilly Ledbetter law, and genetic discrimination prohibition legislation. But it takes the EEOC to enforce those rules. President Obama has submitted four nominees for the EEOC. They have been approved by the committee by voice votes, which means they are not controversial. Yet we cannot bring those nominations to the floor for quick action because Republicans are abusing their rights to hold up action on the floor of the Senate to carry out our constitutional responsibilities to act on the President's nominations.

This is denying the people of America the protections they are entitled to by the courts and by agencies. It is wrong. It is time for this practice to end.

I yield the floor.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from Arizona.

Mr. KYL. I ask unanimous consent to speak for 15 minutes.

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

HIRE ACT

Mr. KYL. Mr. President, we are going to be taking up the so-called HIRE Act starting tomorrow. I wish to address some of the problems with it since the procedure under which we have considered this bill does not allow any amendments. As a result, we have no opportunity to fix problems that are inherent with the bill and will force me to vote against it.

The first provision that should be highlighted is the provision called the Build America Bonds. This was created first in the 2009 stimulus bill. It offers a direct subsidy from the Federal Government to States and other governmental entities to cover their cost of financing for certain kinds of projects.

The House-passed bill expands this subsidy by allowing four current tax-preferred bonds to qualify for the direct subsidy under this program and increases the generosity of that subsidy to cover all of the borrowing costs for education projects. This will mean an expansion of the already substantial support the Federal Government offers for State and local governments, support for which we taxpayers are then responsible. The Federal Government gave $44 billion in extraordinary stimulus State aid last year and regularly spends $26 billion annually in sub-Federal Government subsidies through tax-exempt bond financing. This is a significant Federal expenditure for which taxpayers will be responsible.

Here is the key problem, in addition to the additional exposure of taxpayers: Because interest rates reflect risks, States with poor credit ratings that therefore pay higher interest rates would actually be rewarded under this legislation due to the structure of these bonds. For example, a State that issues $1 billion worth of debt paying a 5-percent interest rate would receive a bigger direct payment from the Federal Government than a State issuing $1 billion worth of debt paying a 4-percent interest rate. Thus, States with lower credit ratings could receive larger subsidies, which, of course, encourages greater risk-taking and creates an incentive for States to issue even more debt than they would have without the subsidy.

The so-called jobs bill would further reward States with poor credit. The Senate version of the bill expands the Build America Bonds program by giving insurers of certain tax credit bonds for school construction and alternative energy projects the option of receiving direct payment of up to 65 percent of the interest cost. The House bill would, in certain cases, reimburse up to 100 percent of a project's interest costs.

The original Build America Bonds program encouraged States to take greater risks. The bill we will consider tomorrow would make the problem even worse. One of the lessons from the financial crisis is that people should not borrow more than they can afford. Unfortunately, it appears many of us have not taken this lesson to heart.

There is a provision relating to highway extension. Rather than being a straight extension of the current highway authorization, this bill represents a significant expansion of the Federal Government's funding for highway projects. The highway piece first cancels rescissions that were scheduled under the last highway reauthorization. It then permanently increases the authorization levels for highway spending and permanently authorizes interest payments from the general fund to the highway trust fund and authorizes a one-time transfer of $19.5 billion from the general fund to the highway trust fund.

Although not all of these costs will show up as increasing the deficit because of the unique CBO scoring conventions, all told, the highway extension under this bill will add $46.5 billion to the debt over the next 10 years and will authorize $142.5 billion in additional spending over the next 10 years.

You hear the President talking about not adding to the deficit. All of our colleagues wring their hands and say: We have to somehow control Federal spending. Yet in this legislation we take up tomorrow we add $46.5 billion to the debt over the next 10 years and then authorize an additional $142.5 billion of spending over the next 10 years. When will it stop?

There is a provision of the bill that has some merit to it. It is called the payroll tax holiday, although I think the way it has been constructed is not something we should do. This is the most expensive piece of the bill. In fact, the Congressional Budget Office has told us that it expects a provision similar to this to create five to nine jobs for each million dollars in budgetary cost in 2010. Since this provision would cost approximately $13 billion by using the CBO model, one would estimate that the provision would create between 65,000 and 117,000 jobs this year at a cost of $110,000 to $200,000 per job. This sounds a lot like the stimulus bill to me, a very inefficient way to create jobs, if, in fact, they actually get created.

The proposed payroll tax holiday comes on the heels of the Senate-passed health care bill which actually increases the Medicare payroll tax from 2.9 percent to 3.8 percent. This actually would relieve employers of an

element of the payroll tax. So which is it? Do we agree that payroll taxes that are increased are unhelpful to job creation?

According to Timothy Bartik of the Economic Policy Institute:

> The employer tax credit in the Senate jobs bill is likely to create few jobs and at an excessively high cost.

As I have said, up to $200,000 per job. He explains it this way:

> Awarding credits for hires can be very expensive. Over a one-year period, the number of hires, as a percentage of total private employment, is over 40 percent even during a recession. To pay for hires that would have occurred anyway will be expensive and won't necessarily increase total private sector employment. The Schumer-Hatch design tries to avoid some of these large costs in several ways. First, credits are limited to hiring the unemployed, apply only to the rest of 2010, and are only worth 6.2 percent of the new hire's payroll costs. The retention bonus is of modest size and delayed. While these limits control costs, they also hamper the credit's benefits.
>
> Limiting the credit to hiring someone unemployed at least 60 days makes the credit less attractive to employers.
>
> Not only does the credit become more complicated to claim (which reduces its effectiveness), but it restricts the employer's hiring to a more limited pool of workers.

Bartik also explains that past experiences—for example, with the targeted jobs tax credit, the work opportunities tax credit, and the welfare-to-work tax credit—show that tax credits to encourage hiring disadvantaged workers usually generate little employer interest and have a negligible effect upon employer behavior. He says:

> Employers are happy to claim such credits, if they happen to meet the credit's rules, but they are reluctant to change their behavior in response to such targeted tax credits.

So even the one provision of the bill that actually has some alleged relationship to job creation probably would not and, to the extent it does, would cost an extraordinary amount of money per job actually created.

Let me turn to one of the ways in which these expenses are allegedly offset: delaying the application of the so-called worldwide interest allocation. This is a very bad idea. This delays implementing a corporate tax reform we passed in 2004 in order to help American businesses properly account for their overseas income and, frankly, be more competitive with those abroad.

The worldwide interest allocation rules were originally improved as part of the American Jobs Creation Act of 2004, as I said, and were scheduled to take effect in 2009. However, the Housing and Economic Recovery Act of 2008 delayed the effectiveness of these rules by 2 years to 2011. The Worker, Homeownership, and Business Assistance Act of 2009 that extended the first-time home buyer tax credit further delayed the effectiveness of these rules to 2018.

The so-called jobs bill would delay this provision through the end of the existing budget window to 2021. Repeated delays have the same effect as repeal: an increase in the effective corporate tax rate. As I said, that does nothing to help our American businesses in their desire to compete overseas.

So these are just some of the reasons why I am not going to be able to support the HIRE Act, and I would urge my colleagues, since we are not going to have an opportunity to amend it, to oppose it as well.

Might I ask, Mr. President, how much time I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes.

HEALTH CARE

Mr. KYL. Mr. President, I wish to address now the health care legislation we passed in the Senate and that is pending over in the House of Representatives.

There is a news report that Democrats are going to use the strangest of all procedural tactics to try to pass the Senate health care bill over in the House of Representatives, and this is against a backdrop of a lot of strange things—the use of the reconciliation process, all the backroom deals that result in the various benefits for various Senators and Representatives—we have heard so much about.

It almost seems Democratic leaders view the views of their constituents as an obstacle to be overcome, and every time the polls show even more opposition to the legislation, they decide to try even more clever ways of getting around their constituents' views—wheeling and dealing, backdoor legislation—but nothing quite as brazen, I guess I would say, as the process we now see developing. This is a process I became familiar with as a Member of the Senate—not when I was in the House of Representatives because I do not believe it was ever used then, although it might have been and I was not aware of it. But it is a process by which House of Representatives Members can actually say they have passed a piece of legislation without ever voting on it.

You might say: That does not quite comport with what I learned in eighth grade civics class, and you would be right. We all know the only way a President can sign a bill is if identical versions of legislation pass both the House and the Senate.

Well, the House does not want to have to vote on the Senate health care bill because, as the Speaker of the House said: ''Nobody wants to vote for the Senate bill.'' So now what they have done is concoct a way you can actually pass the bill without ever voting for it, and it is by including the substantive Senate-passed bill into the rule that as a procedural matter the House votes on to consider each measure. So as a rule to consider the reconciliation bill is brought to the House floor, it would contain a provision that would deem the Senate-passed bill passed, even though the House Members would never vote on it.

That is wrong. It is probably unconstitutional. Any House Member who believes he or she can go home and say to their constituents: Well, I never voted for the Senate-passed bill is, frankly, not going to get away with it because, by voting for the rule, they will have voted for the Senate-passed bill.

It seems to me this is the time for principled Members of the House of Representatives to stand and say: Enough. I may even somewhat like what we are trying to do with this health care legislation, but somebody has to stand for principle, and principle means, at a minimum, voting for legislation that you send to the President for his signature—not standing behind a rule which deems legislation to have been passed, even though it was never separately voted on.

It seems to me, first of all, we should make it crystal clear we will make this famous to the American people, if in fact they decide to use this process—something that has never been used for a bill such as this before. This so-called deeming rule will become part of the lexicon of American political discourse, and people will come to know it, just like they did the House banking scandal and certain other things here in Washington, to represent a time period and a group of people who were willing to violate all rules of sensibility, of morality, as well as legality in order to try to accomplish ends that could not be accomplished in other ways.

Nobody who votes for this rule and then later claims they did not have anything to do with passing this Senate bill is going to be able to get away with that. The American people will understand it. Frankly, whether they are sympathetic to the underlying health care legislation, they are not going to be sympathetic to Members of the House of Representatives who decide to do this kind of end run, this sort of scheme to deem a bill passed that has never been separately voted on in that body.

I hope the health care legislation we have now debated for a year can stand or fall on its merits. The American people have made it clear they do not want this legislation. Twenty-five percent do, but seventy-three percent have said either stop altogether or stop and start over. That is what we should be doing. Because of this wave of opposition by our constituents, our colleagues in the House should not try to get around that by using a procedure that is totally inappropriate to the purpose.

The PRESIDING OFFICER. The Senator has spoken for 10 minutes.

Mr. KYL. Mr. President, might I make a parliamentary inquiry: Is there more time remaining on the Republican side?

The PRESIDING OFFICER. Fifty-one minutes.

Mr. KYL. Thank you, Mr. President.

What I would like to do, until Senator GRASSLEY arrives—I first ask

unanimous consent to have printed in the RECORD a letter from Gov. Janice K. Brewer of Arizona, dated March 10, 2010, to President Barack Obama.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE,
STATE OF ARIZONA,
Phoenix, AZ, March 10, 2010.

Hon. BARACK OBAMA,
President of the United States, The White House, Washington DC.

DEAR MR. PRESIDENT: We share common ground in that we have both been called to lead during some of the most difficult times our nation has faced. Like you, I hear painful stories on a regular basis from people who are struggling to survive.

Yet in their time of need, our state government is on the brink of insolvency.

During this downturn, Arizona has lost the largest percentage of jobs in the United States. The flagging economy has resulted in a loss of state revenues in excess of 30%, placing tremendous pressure on our state budget. Today, Arizona faces one of the largest deficits of any state.

There is no doubt that this fiscal calamity has been compounded by the enormous spending increases we are facing as a result of our Medicaid program, which has seen population growth of almost 20% in the past 12 months.

It is for that reason I write to you today.

You have repeated on several occasions that the debate on health care reform has consumed the past year and you most recently called on Congress to vote the measure ''up or down''. As the Governor of a state that is bleeding red ink, I am imploring our Congressional delegation to vote against your proposal to expand government health care and to help vote it down.

The reason for my position is simple: we cannot afford it. And based on our state's own experience with government health care expansion, we doubt the rest of America can, either.

Arizona is one of a few states that have pursued health care policies similar to those that you are proposing for the nation. In 2000, Arizonans voted to provide health care coverage up to 100% of the federal poverty limit for all residents, including childless adults, through the expansion of the state's Medicaid program.

While the expansion resulted in a modest reduction in the state's uninsured rate, the voters did not earmark adequate funding for the expansion and, as a result, our expenditures have become unsustainable, exploding from $3.0 billion to $9.5 billion during the past decade. Based on our state's own experience with underfunded government health care programs, Arizona can serve as a case in point for what will happen across our nation if your proposal is enacted.

Even with generous and enhanced federal matches, as well as recognition as one of the country's best Medicaid models, the program today demands nearly one in five state dollars. As a result, we find ourselves even more limited in our ability to invest in other critical state services, such as education and public safety, not to mention job creation and other economic development activities.

Unfortunately, your proposal to further expand government health care does not fix the problem we face in Arizona. In fact, it makes our situation much worse, exacerbating our state's fiscal woes by billions of dollars. Following are some of Arizona's concerns:

Makes Arizonans pay twice to fund other states' expansions—Your proposal continues the inequities established in the Senate bill with regard to early expansion states. While there is some mention of additional funding for states that have already expanded coverage, it is clear it will not fully cover the costs we will experience as a result of the mandated expansion. Therefore, Arizona taxpayers will have the misfortune to pay twice: once for our program and then once more for the higher match for other states.

Makes states responsible for financing national health care—In addition, your proposal, as well as the Senate bill it is based on, effectively terminates the partnership that has existed with the states since the inception of Medicaid. For 28 years, Arizona and the federal government have been partners in administering the Medicaid program. States have been provided with important flexibility to develop and create programs that work for their citizens. However, under your proposal, more power is centralized in Washington, DC, and the states become just another financing mechanism. Not only will states be forced to pay for this massive new entitlement program our ability to control the costs of our existing program will be limited. These policies are simply not sustainable, and will result in a greater burden on state budgets and state taxpayers.

Creates a massive new entitlement program our country cannot afford—Your proposal creates a vast new entitlement program that our country does not have the resources to support. Our nation faces trillion dollar deficits far into our future. Medicare has an unfunded liability of $38 trillion, and physicians are destined to realize a 21 percent decrease in Medicare reimbursement until Congress finally accounts for the $371 billion in additional costs associated with their rates.

Mr. President, I am concerned that Washington does not recognize the fiscal realities states are facing, and likely will continue to face, for several years to come. Our country is living beyond its means and the federal government is leading the way by its example.

As Governor, it has been a painful process to move the State towards fiscal sanity. I have even proposed a temporary revenue increase, something I have never done in my 28 years of public service, to help mitigate impacts to education, public safety, and health services for our most extremely vulnerable citizens. Though Arizona's budget deficit is not of my creation, I am firm in my determination and responsibility to resolve it. I believe we have a moral imperative as leaders to not bankrupt and diminish the capacity of future generations.

I understand that there are tremendous pressures to show some progress on health care given the time and effort that has been spent to date on this important issue. Indeed, improving access to quality health care is a laudable goal. However, the approach being taken by your administration has been proven by states like Arizona to be unsustainable in the long run.

Mr. President, I humbly request that you heed Arizona's experience and reconsider your proposed policies that will further strain already overburdened state budgets.

Thank you for your consideration, and for your tireless efforts on behalf of our citizens.

Yours in service to our great nation.

Sincerely,

JANICE K. BREWER,
Governor.

Mr. KYL. Let me briefly describe the reason for this request.

Arizona is suffering, as are other States, from the economic downturn. We have an unemployment rate now that has more than doubled. In fact, it has gone from 3.6 percent in June of 2007 to 9.2 percent this month. Our State faces a $1.4 billion shortfall in the current fiscal year and a $3.2 billion shortfall for the next fiscal year, despite the fact that the Governor and the State legislature have imposed significant spending reductions.

State revenues are down by 34 percent. Notwithstanding this, over 200,000 Arizonans have enrolled in the State's Medicaid Program, known as AHCCCS—which is our Arizona health Care Cost Containment System—just since the beginning of 2009. That is nearly 20,000 new enrollees every month. The last thing, given these kinds of numbers, Washington should be doing is making the States' economic or fiscal problems even worse. Yet that is exactly what Governor Brewer says the Senate health care bill would do because it would require every State to expand its Medicaid Program.

The Federal Government would foot the bill for 3 years. Then the States would have to help finance the expansion in 2017 and in subsequent years. She estimates the bill would increase the cost in Arizona by nearly $4 billion over the next 10 years. Making matters worse, the early expansion States—States such as Arizona that have already expanded Medicaid to cover the uninsured, as I noted—will actually get fewer Federal dollars than the States that have not yet expanded their Medicaid Programs, in effect punishing those who have tried to do the right things—the exact things Democrats have wanted in the health care bill.

As she observed in her letter:

> Arizona taxpayers will have the misfortune to pay twice: once for [Arizona's] program and then once more for the higher match for other states.

Additionally, States currently retain important flexibility in administering their Medicaid Programs so they are not caught off-guard as the economy changes. But as Governor Brewer notes, that flexibility would be eliminated under the Senate bill. She says:

> Under your proposal, more power is centralized in Washington, DC, and the states just become another financing mechanism. Not only will states be forced to pay for this massive new entitlement program, but our ability to control the costs of our existing program will be limited. These policies are simply not sustainable, and will result in a greater burden on state budgets and state taxpayers.

Mr. President, since I put the letter in the RECORD, I will not reflect further on it but note the fact that this is yet one more reason for Members to oppose the Senate-passed bill in the House.

The PRESIDING OFFICER. The Senator from Iowa.

HIRE ACT

Mr. GRASSLEY. Mr. President, one of the provisions the Democratic leadership decided to put in this HIRE bill is the expansion of Build America Bonds. Build America Bonds is a very rich spending program; however, it is

disguised as a tax cut. One Democratic Senator was asked why the Build America Bonds program is viewed differently than appropriations, and she replied: It has a good name.

Ironically, the Finance Committee is returning to its roots of doing appropriations bills. When our committee was established in 1816, the Finance Committee handled the major appropriations bills that came before Congress.

Mr. President, I ask unanimous consent that a portion of the document outlining the history of the Finance Committee be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

This vote of no confidence proved a turning point in jurisdiction over tariff bills. . . . Beginning in 1834, all tariff bills were referred initially to the Finance Committee. The important Tariff Act of 1842 was handle by the Finance Committee, as were a number of minor bills in the decade following the Compromise Tariff of 1833.

In 1846, a bill to reduce tariffs was passed by the House and sent to the Senate on July 6. The Senate leaders wished to take the bill up on the Senate floor immediately; a motion to refer it first to the Finance Committee was narrowly defeated 24 to 22. After 6 weeks of floor debate, it was referred to the Finance Committee on July 27 by a 28 to 27 vote, with detailed specific instructions on what to report. The following day the committee asked to be discharged from further consideration of the bill. A motion to refer the bill to a special committee, with similar detailed instructions, was defeated 27 to 27 (with the Vice President opposing the motion), the bill was then passed with the Vice President voting for the bill, thereby breaking a tie vote of 27 to 27.

For the next decade, there was no serious challenge to the Finance Committee's jurisdiction over tariff measures. The tariff-reducing Tariff Act of 1857 was handled by the Finance Committee; an attempt to prevent referral of the 1861 Tariff Act to the Finance Committee was defeated, 29 to 27 (though subsequent to Finance Committee action, a select committee was appointed to consider the bill further).

Appropriation bills.—Though the Finance Committee was to become the major committee handling appropriations before the Civil War, this role was not established immediately upon the creation of the committee in 1816.

In the earliest years of the committee's existence, there were only three major appropriation bills to be considered each year: for the Army, for the Navy, and for the civil functions of Government. In the first session of the 14th Congress, while the Finance Committee was still a select committee, the Army appropriation bill was handled by the Select Committee on Military Affairs; the Navy appropriation bill was handled by the Select Committee on Naval Affairs; and the general Government appropriation bill was referred to a specially created select committee none of whose members served on the select Committee on Finance and an Uniform National Currency).

The next year, when the standing Committee on Finance was established it took over the responsibility for the Army and general Government appropriation bills. The Navy appropriation bill continued to be handled by the Committee on Naval Affairs until 1827 (with the exception of the 2 years 1821 and 1822), when the Finance Committee was assigned the bill.

One of the appropriation actions in the early years of the Senate Finance Committee related to the Louisiana purchase, which had been made in 1803. Of the $15 million cost of the purchase, $3.75 million was retained by the United States to pay claims of U.S. citizens for damages incurred (mostly at sea at the hands of the French). The remaining $11.25 million was provided in 6-percent bonds payable in four annual installments, from 1818 to 1821. Since Napoleon wanted cash rather than bonds, he sold them to two international bankers for about $10.2 million. The bankers held the bonds until maturity: when they were paid, the Senate Finance Committee had jurisdiction over the appropriation bills. The total cost of the Louisiana purchase to the United States, including interest and American damage claims, was $23.5 million less than 3 cents an acre for the entire territory.

New appropriation bills were not always referred to the Finance Committee. An annual bill appropriating funds for Revolutionary War pensions was first referred to the Committee on Pensions: not until 1830 was Finance Committee jurisdiction over appropriations for this purpose firmly established. Appropriations related to Indian treaties were first handled by the Committee on Indian Affairs; transfer of jurisdiction to the Finance Committee took several years, and it was not until 1834 that all Indian appropriation bills began to be referred to the Finance Committee.

From this time on, jurisdiction over appropriation bills remained virtually unchanged until the Civil War. The Finance Committee was given basic responsibility for appropriations, with the sole exception of public works appropriation bills (which were referred either to the Committee on Commerce or the Committee on Territories, depending on the location of the projects).

Mr. GRASSLEY. Bloomberg News reported that large Wall Street investment banks were charging 37 percent higher underwriting fees on Build America Bond deals than on other tax-exempt bond deals. Therefore, American taxpayers appear to be funding huge underwriting fees for large Wall Street investment banks as part of the Build America Bonds.

The Wall Street Journal article, dated March 10, 2010, stated, Wall Street investment banks have made over $1 billion in underwriting fees on Build America Bonds in less than 1 year.

The Wall Street Journal article, based on data from Thomson Reuters, stated underwriting fees on Build America Bond deals are higher than those for tax-exempt bond deals. That sounds like a great deal for the high rollers on Wall Street. But how about the taxpayers back on Main Street America who have to pick up this tab?

The Democratic leadership has said the Build America Bonds program is about creating jobs. But I wish to know whether it is about lining the pockets of Wall Street executives.

Recently, I asked the CEO of a large Wall Street investment bank a number of questions about these larger underwriting fees that are subsidized by the American taxpayers. He confirmed that the underwriting fees for Build America Bond deals are larger than those of tax-exempt bond deals.

The Senate and House have recently passed different versions of the bill we are currently debating which includes a provision that expands the Build America Bonds program created in the stimulus bill. One would assume it was just a temporary provision and extend that to four types of tax credit bonds. I will give those four types. Before I do, I remind my colleagues that this is another example that the word ''temporary'' does not apply to very many things in Washington, DC, because it does not take long for a temporary program to become a permanent program.

I talked about four types of tax credit bonds. They are the qualified school construction bonds, qualified zone academy bonds, clean renewable energy bonds, and qualified energy conservation bonds.

The Build America Bonds program contains an option for the issuer of bonds which is a nontaxpaying entity to receive a check from the Treasury Department based on a percentage of the interest cost incurred by the issuer. Some refer to this option as the direct pay option.

The percentage of the interest costs on the four tax credit bonds subsidized by the American taxpayers under the direct pay option in the Senate bill is a whopping 45 percent and is increased to 65 percent for small issuers. ''Small issuers'' are defined as those issuing less than $30 million in bonds per year.

The House version increased the direct payment subsidy to 100 percent for qualified school construction bonds and qualified zone academy bonds, and increased the subsidy to 70 percent for clean renewable energy bonds and the qualified energy conservation bonds.

Let me put this in context.

The Build America Bonds program created in the stimulus bill contains a 35-percent direct pay subsidy, and the President has proposed in his fiscal year 2011 budget that it be lowered to 28 percent.

It was reported in the March 11, 2010, Bond Buyer article that a senior House staffer asserted that no issuers would opt to issue direct pay bonds under the lower Senate rates of 45 and 65 percent.

When I read that assertion, I asked the Finance Committee Republican staff to reconcile that assertion with the scoring of the Build America Bonds proposal in the Senate-passed bill.

The Republican staff of the Finance Committee reviewed the Joint Committee on Taxation's final estimate of the Senate-passed bill and found that the senior House staffer's assertion was directly contradicted by the estimate provided by the Joint Committee on Taxation, which everybody knows is the nonpartisan official scorekeeper for Congress on any tax matters. In fact, footnote 2 of the estimate of the Senate Build America Bonds provision states that the Joint Tax Committee's estimate of the Senate direct pay bonds option includes an increase in outlays of—let's say $8 billion. This means the Joint Committee on Taxation estimates assumed that a large number of issuers would elect to use

the direct pay option, contrary to that House staffer's assertion.

The Bond Buyer—that is a publication—the Bond Buyer also reported that the senior House staffer stated:

> There is nobody that I know who does not view the Build America Bonds program as an enormous success, with the possible exception of one person.

I assume that staffer was referring to me. There are many Federal taxpayers who do not view the Build America Bonds program as an enormous success. To understand why, let's see which States benefit the most from the Build America Bonds.

In looking at data from Thomson Reuters on the 10 largest Build America Bonds deals, California alone issues 73 percent of those bonds. Between California and New York, those two States alone issue 92 percent of the bonds from the 10 largest Build America Bonds deals. California and New York are the biggest winners under the Build America Bonds, while American taxpayers from the remaining 48 States subsidize these States.

As Senator KYL pointed out in his ''Dear Colleague'' letter on Build America Bonds circulated on March 15, the Build America Bonds program actually rewards States for having a riskier credit rating by giving them more money. Build America Bonds creates a perverse incentive that causes State and local governments to borrow more than they otherwise would borrow. This is especially true regarding the school tax credit bonds.

This bill creates incentives where States and local governments should not even care what the interest rate is. The American taxpayers are picking up 100 percent of the interest cost. Actually, the cost borne by the American taxpayers is, in fact, more than 100 percent. At least with tax credit bonds, the taxpayers include the amount of the tax credit in income and the Federal Government collects taxes on that income. The only purchasers of tax credit bonds are those who have tax liabilities; otherwise, it makes no sense to buy tax credit bonds. However, Build America bonds are technically taxable bonds. But most of the investors do not pay tax on these bonds.

For example, under our tax rules, if a foreign person or a pension fund or a tax-exempt entity buys a Build America Bond, they do not pay tax on the interest they receive. Thus, the Federal Government not only cuts a check for 100 percent of the bond's interest cost, but it also loses most of the revenue it would have collected from the tax credit bonds.

State and local governments can view this Federal money as what it really is—free money—because they do not have to collect it from their residents. Therefore, of course, State and local governments turn out to be very big fans of the Build America Bonds program. They get Federal money that they do not have to pay back. The large Wall Street investment banks love Build America Bonds. Why? Because they are getting richer off those bonds.

However, we all know there is no such thing as a free lunch. Washington is an island surrounded by reality. Consequently, everybody in this town thinks there are free lunches, and the common sense of the rest of the country has difficulty getting inside this island. It is our responsibility to point out that in this city, this District—the only real industry is government—you cannot have everybody in the wagon. In this town, everybody is in the wagon. Everybody outside the District is pulling the wagon. That cannot go on very long.

There is no such thing as a free lunch. Federal taxpayers are footing the bill for this big spending program, which only gets bigger every time Congress touches it. This legislation before us is just an example. As this program that started out as a little program in the stimulus bill—and presumably the word ''stimulus'' means temporary, doesn't it? But this is not turning out to be temporary and it is not turning out to be small because it has just been enhanced greatly in the other body. The American taxpayers are the ones we ought to be looking out for, and a temporary program ought to be temporary and a stimulus program ought to be stimulus and nothing else. And here we are expanding it.

The American taxpayers are the ones who, in the words of the senior House staffer, do ''not view the Build America Bonds program as an enormous success.''

I urge my colleagues to look beyond the fancy, well-funded lobbying campaign for this rich subsidy. Take a look at who wins. The winners are big Wall Street banks. Maybe a small number of governments will issue bonds they otherwise would not. Main Street is not helped very much by this program. The only certainty is that the Federal taxpayers are on the hook for the interest costs.

With record budget deficits under this Congress and administration, we cannot casually look away as new, open-ended subsidies are proposed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

YUCCA MOUNTAIN

Ms. MURKOWSKI. Mr. President, last Wednesday, the Department of Energy submitted a motion to the Nuclear Regulatory Commission to withdraw its license application to construct a spent nuclear fuel and high-level radioactive waste repository at Yucca Mountain. What was the latest rationale for this? Simply because we need it too much.

That might seem like creative interpretation on my part, but just last week, Secretary of Energy Steven Chu noted that due to the revival of the nuclear industry, Yucca Mountain's repository would hit its statutory capacity limit in the next several decades and would not meet future industry needs. Instead of moving forward with a permanent repository that billions of dollars have already been spent on and simply expanding the arbitrary limit the law puts on the size of the repository, spent nuclear fuel from commercial nuclear reactors will be stored onsite at over 100 locations across the country for at least the next several decades.

If we do have the nuclear revival that many of us believe is needed to reduce greenhouse gas emissions and meet our energy needs, the number of onsite storage locations across the country will only increase.

Not only is the Department of Energy seeking to withdraw its license application—and I am not absolutely convinced they have the authority to do so—they are seeking to withdraw it ''with prejudice,'' making it very difficult, if not impossible, to resurrect Yucca Mountain as a possible option for spent nuclear fuel and high-level radioactive waste, regardless of what future scientific and engineering advances may offer and regardless of what the administration's blue ribbon panel that is directed to consider all of the options may conclude.

In fact, the Department of Energy argues in its motion that ''scientific and engineering knowledge on issues relevant to disposition of high-level waste and spent nuclear fuel has advanced dramatically over the 20 years since the Yucca Mountain project was initiated.''

Apparently, the Department is also arguing that scientific and engineering knowledge on the same issues will not advance any further over the next several decades to address issues with the Yucca Mountain site.

Setting the legal issues aside surrounding the Department's motion to withdraw, I wish to focus for a moment on what stopping work on the Yucca Mountain site will actually cost the American taxpayers.

Under the Nuclear Waste Policy Act of 1982, the Federal Government has a contractual obligation to collect spent nuclear fuel from individual nuclear powerplants starting in 1998. The government has clearly missed on that deadline.

According to the Department of Justice, the Federal Government has so far paid $565 million in settlement costs for breaching this contract with the utilities. I say ''so far'' because the ultimate cost to the American taxpayer we know is going to be much higher.

Utility companies have filed 71 cases in Federal court alleging the Department of Energy's delay in taking title to spent nuclear fuel is a breach of contract. Of those 71 lawsuits, 10 have now been settled, 6 were withdrawn, and 4 were fully litigated, resulting in the $565 million in payments. Of the 51 cases that are outstanding, then, the

judgment has been entered in 13 of those cases, putting government liability, so far—so far—for commercial spent nuclear fuel stored onsite between 1998 and 2007 at a cost of $1.3 billion. And there remain another 38 cases for judgment to be entered on, so the amount of the liability for that timeframe is likely to increase significantly in the future. Keep in mind, this number does not take in account the level of liability for the increasing amount of spent nuclear fuel stored onsite from 2008 until the date when a permanent repository is opened, whenever that might be, nor do the costs include the $24 million in attorney costs, $91 million in expert funds, $39 million in litigation support costs, or the thousands of hours the DOE and the NRC employees have already expended on this effort.

The Department of Energy estimates that the potential liability of the Federal Government to utilities will be $12.3 billion—if the government starts taking title to the spent fuel by 2020, just 10 years from now. According to the CBO, the Congressional Budget Office, utility industry reports estimate that the claims will total $50 billion. And both of these estimates were developed before the administration took steps to withdraw the Yucca application. So we have liability estimates of between $12 billion and $50 billion in taxpayer money—if a repository is opened and accepting spent fuels in the next 10 years. Keep in mind, it took us almost 30 years to get this far on Yucca Mountain. With the current administration shutting down all work on Yucca and beginning the search for a solution anew, it seems increasingly likely that the costs will greatly exceed the $50 billion estimate.

At a time when we are already racking up trillions of dollars in debt for future generations, the administration has freely chosen—freely chosen—to incur additional future taxpayer liability in terms of tens of billions of dollars by withdrawing the Yucca Mountain repository license application because, in the words of Secretary Chu, ''the statutory limit of Yucca Mountain would have been used up in the next several decades.''

So all Americans are on the hook for tens of billions of dollars because the Federal Government is in breach of its contract to take title to spent nuclear fuel. But it gets even better for those Americans whose utility gets some of its electricity from nuclear power plants: You get to pay twice. In return for the Federal Government taking title to commercial spent nuclear fuel, the Nuclear Waste Policy Act established a nuclear waste fund to provide for the construction of a spent nuclear fuel and high-level radioactive waste repository. Utilities that operate under nuclear power reactors are charged a fee by the Secretary of Energy, and that fee is then deposited into the waste fund. The cost of that fee is passed on from the utility to the consumer. The utilities, and then hence their customers, contribute between $750 million and $800 million into the waste fund each year.

As of September 30, 2009, payments and interest credited to the fund totaled just over $30 billion. That is a substantial amount of money. However, there are restrictions on what those funds can be used for. Funds from the nuclear waste fund may only be expended for the construction of a facility expressly authorized by the Nuclear Waste Policy Act or subsequent legislation. The only facility that meets this description is Yucca Mountain. Yet the Obama administration has shut down work on Yucca and filed a motion to withdraw its license application. So the natural question is, What happens to the money in the nuclear waste fund since it can't be spent on anything other than the construction of the Yucca Mountain repository? Well, the Nuclear Waste Policy Act directs the Secretary of Energy to adjust the fee paid by the utilities if the amount collected is insufficient or in excess of the amount needed to meet the cost of construction of the repository. It is hard to see how the $24 billion balance in the fund is not sufficient to pay for work on a facility where no more work will ever occur.

Utilities have been suggesting that the fee be dispensed with, but Secretary Chu said that the collection will continue. So some ratepayers will continue to pay a higher electricity bill to contribute to a fund that no longer serves a purpose, at least until the courts should rule otherwise. If—or perhaps when—the courts order the reduction of the fee and the refund of the balances already paid into the fund, you can add the loss of over $750 million in income to the Federal Government per year, as well as the refund of the $30 billion already collected, to the taxpayers' debt.

Mr. President, I have focused on the impact stopping work at Yucca Mountain will have on the commercial operations and the individual taxpayer, but the license application withdrawal will also impact those 13 States that host Federal sites that hold high-level radioactive waste from the production of nuclear weapons dating back to the Manhattan Project. These are, most notably, Hanford, WA; Savannah River, SC; and the National Engineering and Environmental Lab in Idaho. Just as utilities have sued the Federal Government for breach of contract, the decision to terminate Yucca should open the door to a lawsuit from a State such as Idaho, which has a court-approved agreement with the Department of Energy to remove nuclear waste from the State by the year 2035.

I am also concerned that in the administration's haste to suspend the work on Yucca Mountain, valuable scientific data will be lost—for example, as the Sustainable Fuel Cycle Task Force noted, long-term corrosion samples containing decades of information that is irreplaceable.

To quote the task force, they say:

> Scientific information developed at considerable cost in the Yucca Mountain program should be preserved to assist in future repository development, wherever that may be.

I call upon the administration to preserve the data it has collected so far. I support moving forward with the Yucca Mountain license application, but if the motion to withdraw the application is successful, the knowledge and data received so far in the process will be valuable for future repository siting needs.

Mr. President, taxpayers are on the hook for tens of billions of dollars. Some are paying twice for a repository that is being taken off the table. States are left with Federal holding sites that contain high-level radioactive waste. Valuable scientific data is at risk of being lost forever. And all the administration can offer in return is a 2-year delay while a panel studies the issue and offers a report.

It is encouraging to hear the administration voice its support for the development of additional nuclear power and back those words with a request for greater loan guarantee funding. That is good. But in order to have support for new nuclear at a national level, there must be support among the communities which host existing nuclear powerplants. I am increasingly concerned that until we can resolve what to do with the back end of the nuclear fuel cycle, local support for nuclear will erode as questions about how long the spent fuel will be stored onsite persist.

With the withdrawal of the Yucca Mountain license application, we are essentially back to square one, and the American taxpayer will continue to pay the cost—without receiving any answers.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, am I correct that, procedurally, I am speaking in morning business?

The PRESIDING OFFICER. That is correct.

HEALTH CARE

Mrs. HUTCHISON. Mr. President, I rise today to speak on this health care reform bill that is purportedly going through the House right now. I just have to speak on it because it is so obvious that the American people do not want this bill, and yet now the Democrats seem to be pushing it through the House with these elaborate procedures. So I want to talk about it, as I know many others on this floor are doing and have done, because really the only way we can bring to the attention of the American people what is going on here is to talk about it—both process as well as substance.

The health care bill that passed this Senate last December, on Christmas Eve, was passed really under a cloud,

and the American people immediately saw that big cloud on the horizon, for sure. The bill has been bandied around so much that the American people have finally come to the conclusion that what was passed was not in the best interest of America. So we are still debating this legislation, and the reason is the American people don't want this bill. Why do they not want it? They know it will do great harm to our economy—one-sixth of the whole economy of our country—and it is not going to significantly change the course of our Nation's spending on health care, nor is it going to add to its quality. The Senate bill is a failure in terms of resolving the concerns Americans have with our current health care system.

Most of us in this Chamber agree that the health care system today is not what it needs to be and that it is not sustainable. And we can probably agree on the causes—No. 1, health care costs are going up, and No. 2, a lot of people can't afford and don't have access to health care insurance. So limited access to affordable options and rising costs. But this bill makes it worse, not better.

The bill is so bad that the President and the leadership in Congress are going to use the unique budget procedure known as reconciliation to force additional health care measures through Congress. In fact, they are even talking about not actually passing the bill that passed the Senate—without any minority votes—in December, and they are talking about ''passing it'' by deeming it in the House, which means Members of the House won't actually vote on it, because it is so bad. Well, how much sense does that make?

The media is continuing to speculate about whether the Speaker of the House can secure the votes needed to pass the Senate bill as well as a new unseen, unknown additional bill that would change the bill that passed the Senate and take out some of its flaws. We haven't seen this new bill, either, and we are talking about getting it over on the Senate side next week.

Amid this media storm of speculation on whether a bill can be passed using reconciliation, we need to talk about why this bill represents the wrong approach to health care reform.

No. 1 is the cost of the bill. The bill costs more than $2 trillion. Some may try to say it is actually less than that, but the truth is, there are 10 years of tax increases and 10 years of Medicare cuts to pay for 6 years of spending. Yes, that is right. The taxes start immediately, the Medicare cuts start immediately, and 4 years from now there will be presumed options for people to be able to have affordable health care. The true 10-year cost of this bill is $2 trillion.

More taxes. The bill imposes 10 years of taxes—$½ trillion of tax increases—most of which will start immediately or very shortly. More than $100 billion in taxes on prescription drug companies, medical device manufacturers, and insurance companies is going to be levied. What do those taxes mean? Well, clearly, every study shows and every economist says those taxes will be passed on to individuals. They will be passed on to individuals in the form of higher cost for prescription drugs and higher cost of insurance premiums and medical devices. That all starts before we ever see any kind of affordable health care options.

I offered an amendment in the December debate that would say no taxes start until services are provided. I thought that was a pretty clear tax policy, one that maybe the American people would at least say: OK, at least it is fair; the taxes don't start until the services start.

Of course, my amendment was rejected. Now we have the bill that was passed which is 10 years of taxes for 6 years of services. There are taxes on those who cannot afford insurance, the higher of $750 per individual or 2 percent of household income. That is the tax on people who do not purchase insurance. Employers are also hit with new taxes. The penalty could be as high as $3,000 per employee under the Senate bill.

What will this do to small businesses, which create 70 percent of the new jobs in our country? In a letter sent to the majority leader, the Small Business Coalition for Affordable Health Care stated ''with the new taxes, mandates, growth in government programs and overall price tag, the Patient Protection and Affordable Care Act,'' the health care reform bill, ''costs too much and delivers too little.''

That is pretty succinct, the Small Business Coalition speaking out and saying this bill costs too much and delivers too little. Small businesses are reeling. We are in a time when families are struggling to pay their mortgages, struggling to find a job, struggling to pay bills, and businesses are having a hard time, too, and they are not hiring. What are we doing? Providing more burdens on small businesses and expecting them to hire more people. This is so counterintuitive that the American people certainly see what is happening.

Those are all the taxes. The other side is the cuts to Medicare. The Senate bill includes $½ trillion in cuts to Medicare over 10 years, including $135 billion in cuts to hospitals. The Medicare Program is unsustainable. The Chief Actuary of Medicare has said as much as 20 percent of Medicare's providers will either go out of business or will have to stop seeing Medicare beneficiaries. Millions of seniors, including those who have chosen Medicare Advantage, will lose the coverage they now enjoy. Medicare is being used as a piggy bank, and it needs every penny that has been deposited. We cannot reform all of the health care system on the backs of our seniors. Cuts to hospitals will threaten access for seniors.

We have been asking the leadership of Congress to scrap this bill and work with Republicans to achieve the reform that Americans want, reform that will reduce costs, increase competition, and improve access. This bill achieves none of that. I cannot understand why the President chose to base his proposal for reform on the Senate bill that was passed by the Senate, but the American people have consistently opposed it. Every poll shows the American people do not want the Senate bill. They saw it for what it was, a failure.

I hope the Members of Congress who are being cajoled into voting for this bill will listen to the American people. They do not want the government to take over their health care. They want affordable access, and that means we have to bring the costs down and give more options.

Let's talk about the right kind of reform, what Republicans are putting on the table: more choices. How about allowing small businesses to pull together so their risk pool is increased and costs are lowered; and create an online marketplace where the public can easily compare and select insurance plans. But it would be a marketplace that is free from mandates and government interference. The one that is in the Senate bill had so many mandates and so many requirements that the costs are going to be out of sight.

So what happens? In comes the government plan to supplant the new higher cost options because of all the taxes that have been put on the companies that are trying to provide health care.

No. 2, how can we reduce costs and lower expenses? For one thing, we could reform our litigious system of tort law that punishes doctors and hospitals. It drives physicians away from the practice of medicine. Tort reform alone could save at least $54 billion. That is the low end of the projections of what tort reform could save.

No. 3, we could lower the cost to taxpayers by giving tax incentives to encourage the purchase of health insurance. We do not have to have a government takeover, and we don't have to have new taxes. Let's give incentives, tax breaks for individuals and families who will buy health insurance. We will help them have affordable access. Senator DEMINT and I have a bill that would offer a voucher to families: $5,000 for a family to purchase their own health insurance, to go on the exchange, to determine what they can afford, to determine what their needs are, and it is not tied to their employer so it is portable, so it is theirs and they own it. No preexisting conditions would ever keep them from having that policy again, and they could take it to whatever employer they decided to work for. They would not be tied to employment for health care coverage.

These are options the Republicans have given to the majority to ask them to consider in a bill that would reform health care in the right way.

I urge my colleagues to listen to their constituents. Their constituents are speaking in volumes at a time

when we are seeing political games being played on the House side to strong-arm people to vote for a bill that their constituents do not want, and then they are going to send it over to the Senate with a new bill that is going to, supposedly, correct the problems in the Senate bill—except that we will still have the taxes, we will still have the increased costs, we will still have the cuts to Medicare. All of that will remain. It is a flawed bill.

Please, Members of Congress, listen to your constituents and let's start again and do this right. That is what the American people are asking for. It is the least that we owe them: not to pass a bill that is going to destroy one-sixth of the American economy and take away the choices that Medicare patients have, cut the services of Medicare, and tax every employer and every family whether they have not enough health insurance, no health insurance, or too much health insurance. They are going to be taxed no matter which way they go. That is not health reform. That is a government takeover of a system that needs improvement, but not killing.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:15 and reassembled when called to order by the Presiding Officer (Mr. BEGICH).

TAX ON BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1586, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients.

Pending:

Rockefeller amendment No. 3452, in the nature of a substitute.

Sessions/McCaskill modified amendment No. 3453 (to amendment No. 3452), to reduce the deficit by establishing discretionary spending caps.

Lieberman amendment No. 3456 (to amendment No. 3452), to reauthorize the DC opportunity scholarship program.

Vitter amendment No. 3458 (to amendment No. 3452), to clarify application requirements relating to the coastal impact assistance program.

DeMint amendment No. 3454 (to amendment No. 3452), to establish an earmark moratorium for fiscal years 2010 and 2011.

Feingold amendment No. 3470 (to amendment No. 3452), to provide for the rescission of unused transportation earmarks and to establish a general reporting requirement for any unused earmarks.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENTS NOS. 3472, 3475, 3527, AND 3528 TO AMENDMENT NO. 3452

Mr. MCCAIN. Mr. President, I ask unanimous consent to set aside the pending amendment and that I be allowed to call up four amendments that are at the desk. They are amendment No. 3472, Amendment No. 3475, an amendment that has been at the desk on FAA reauthorization and—they are all at the desk—and the fourth concerns the Federal Aviation Administration finance proposal for development and implementation of technology for the Next Generation Air Transportation System.

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

The clerk will report the amendments.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes amendments en bloc numbered 3472, 3475, 3527, and 3528 to amendment No. 3452.

Mr. MCCAIN. Is amendment No. 3528 on the Grand Canyon National Park?

The PRESIDING OFFICER. Yes, it is.

The amendments are as follows:

AMENDMENT NO. 3472

(Purpose: To prohibit the use of passenger facility charges for the construction of bicycle storage facilities)

On page 29, after line 21, insert the following:

SEC. 207(b) PROHIBITION ON USE OF PASSENGER FACILITY CHARGES TO CONSTRUCT BICYCLE STORAGE FACILITIES.—Section 40117(a)(3) is amended—

(1) by redesignating subparagraphs (A) through (G) as clauses (i) through (vii);

(2) by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—The term''; and

(3) by adding at the end the following:

''(B) BICYCLE STORAGE FACILITIES.—A project to construct a bicycle storage facility may not be considered an eligible airport-related project.''.

AMENDMENT NO. 3475

(Purpose: To prohibit earmarks in years in which there is a deficit)

At the end, insert the following:

SEC. _____. EARMARKS PROHIBITED IN YEARS IN WHICH THERE IS A DEFICIT.

(a) IN GENERAL.—It shall not be in order in the Senate or the House of Representatives to consider a bill, joint resolution, or conference report containing a congressional earmark or an earmark attributable to the President for any fiscal year in which there is or will be a deficit as determined by CBO.

(b) CONGRESSIONAL EARMARK.—In this section, the term ''congressional earmark'' means the following:

(1) A congressionally directed spending item, as defined in Rule XLIV of the Standing Rules of the Senate.

(2) A congressional earmark for purposes of Rule XXI of the House of Representatives.

(c) WAIVER AND APPEAL.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

AMENDMENT NO. 3527

(Purpose: To require the Administrator of the Federal Aviation Administration to develop a financing proposal for fully funding the development and implementation of technology for the Next Generation Air Transportation System)

On page 84, between lines 21 and 22, insert the following:

SEC. 319. REPORT ON FUNDING FOR NEXTGEN TECHNOLOGY.

Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to Congress a report that contains—

(1) a financing proposal that—

(A) uses innovative methods to fully fund the development and implementation of technology for the Next Generation Air Transportation System in a manner that does not increase the Federal deficit; and

(B) takes into consideration opportunities for involvement by public-private partnerships; and

(2) recommendations with respect to how the Administrator and Congress can provide operational benefits, such as benefits relating to preferred airspace, routings, or runway access, for air carriers that equip their aircraft with technology necessary for the operation of the Next Generation Air Transportation System before the date by which the Administrator requires the use of such technology.

AMENDMENT NO. 3528

(Purpose: To provide standards for determining whether the substantial restoration of the natural quiet and experience of the Grand Canyon National Park has been achieved and to clarify regulatory authority with respect to commercial air tours operating over the Park)

At the end of title VII, add the following:

SEC. 723. OVERFLIGHTS IN GRAND CANYON NATIONAL PARK.

(a) DETERMINATIONS WITH RESPECT TO SUBSTANTIAL RESTORATION OF NATURAL QUIET AND EXPERIENCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, for purposes of section 3(b)(1) of Public Law 100–91 (16 U.S.C. 1a–1 note), the substantial restoration of the natural quiet and experience of the Grand Canyon National Park (in this subsection referred to as the ''Park'') shall be considered to be achieved in the Park if, for at least 75 percent of each day, 50 percent of the Park is free of sound produced by commercial air tour operations that have an allocation to conduct commercial air tours in the Park as of the date of the enactment of this Act.

(2) CONSIDERATIONS.—

(A) IN GENERAL.—For purposes of determining whether substantial restoration of the natural quiet and experience of the Park has been achieved in accordance with paragraph (1), the Secretary of the Interior (in this section referred to as the ''Secretary'') shall use—

(i) the 2-zone system for the Park in effect on the date of the enactment of this Act to assess impacts relating to subsectional restoration of natural quiet at the Park, including—

(I) the thresholds for noticeability and audibility; and

(II) the distribution of land between the 2 zones; and

(ii) noise modeling science that is—

(I) developed for use at the Park, specifically Integrated Noise Model Version 6.2;

(II) validated by reasonable standards for conducting field observations of model results; and

(III) accepted and validated by the Federal Interagency Committee on Aviation Noise.

(B) SOUND FROM OTHER SOURCES.—The Secretary shall not consider sound produced by sources other than commercial air tour operations, including sound emitted by other types of aircraft operations or other noise sources, for purposes of—

(i) making recommendations, developing a final plan, or issuing regulations relating to commercial air tour operations in the Park; or

(ii) determining under paragraph (1) whether substantial restoration of the natural quiet and experience of the Park has been achieved.

(3) CONTINUED MONITORING.—The Secretary shall continue monitoring noise from aircraft operating over the Park below 17,999 feet MSL to ensure continued compliance with the substantial restoration of natural quiet and experience in the Park.

(4) DAY DEFINED.—For purposes of this subsection, the term ''day'' means the hours between 7:00 a.m. and 7:00 p.m.

(b) REGULATION OF COMMERCIAL AIR TOUR OPERATIONS.—Commercial air tour operations over the Grand Canyon National Park Special Flight Rules Area shall continue to be conducted in accordance with subpart U of part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act), except as follows:

(1) CURFEWS FOR COMMERCIAL FLIGHTS.—The hours for the curfew under section 93.317 of title 14, Code of Federal Regulations, shall be revised as follows:

(A) ENTRY INTO EFFECT OF CURFEW.—The curfew shall go into effect—

(i) at 6:00 p.m. on April 16 through August 31;

(ii) at 5:30 p.m. on September 1 through September 15;

(iii) at 5:00 p.m. on September 16 through September 30;

(iv) at 4:30 p.m. on October 1 through October 31; and

(v) at 4:00 p.m. on November 1 through April 15.

(B) TERMINATION OF CURFEW.—The curfew shall terminate—

(i) at 8:00 a.m. on March 16 through October 15; and

(ii) at 9:00 a.m. on October 16 through March 15.

(2) MODIFICATIONS OF AIR TOUR ROUTES.—

(A) DRAGON CORRIDOR.—Commercial air tour routes for the Dragon Corridor (Black 1A and Green 2 routes) shall be modified to include a western ''dogleg'' for the lower ⅓ of the Corridor to reduce air tour noise for west rim visitors in the vicinity of Hermits Rest and Dripping Springs.

(B) ZUNI POINT CORRIDOR.—Commercial air tour routes for the Zuni Point Corridor (Black 1 and Green 1 routes) shall be modified—

(i) to eliminate crossing over Nankoweap Basin; and

(ii) to limit the commercial air tour routes commonly known as ''Snoopy's Nose'' to extend not farther east than the Grand Canyon National Park boundary.

(C) PERMANENCE OF BLACK 2 AND GREEN 4 AIR TOUR ROUTES.—The locations of the Black 2 and Green 4 commercial air tour routes shall not be modified unless the Administrator of the Federal Aviation Administration determines that such a modification is necessary for safety reasons.

(3) SPECIAL RULES FOR MARBLE CANYON SECTOR.—

(A) FLIGHT ALLOCATION.—The flight allocation cap for commercial air tour operations in Marble Canyon (Black 4 route) shall be modified to not more than 5 flights a day to preserve permanently the high level of natural quiet that has been achieved in Marble Canyon.

(B) CURFEW.—Commercial air tour operations in Marble Canyon (Black 4 route) shall be subject to a year-round curfew that enters into effect one hour before sunset and terminates one hour after sunrise.

(C) ELIMINATION OF COMMERCIAL AIR TOUR ROUTE.—The Black 5 commercial air tour route for Marble Canyon shall be eliminated.

(4) CONVERSION TO QUIET AIRCRAFT TECHNOLOGY.—

(A) IN GENERAL.—All commercial air tour aircraft operating in the Grand Canyon National Park Special Flight Rules Area shall be required to fully convert to quiet aircraft technology (as determined in accordance with appendix A to subpart U of part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act)) by not later than the date that is 15 years after the date of the enactment of this Act.

(B) INCENTIVES FOR CONVERSION.—The Secretary and the Administrator of the Federal Aviation Administration shall provide incentives for commercial air tour operators that convert to quiet aircraft technology before the date specified in subparagraph (A), such as—

(i) reducing overflight fees for those operators; and

(ii) increasing the flight allocations for those operators.

(5) HUALAPAI ECONOMIC DEVELOPMENT EXEMPTION.—The exception for commercial air tour operators operating under contracts with the Hualapai Indian Nation under section 93.319(f) of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act) may not be terminated, unless the Administrator of the Federal Aviation Administration determines that terminating the exception is necessary for safety reasons.

(c) FLIGHT ALLOCATION CAP.—

(1) PROHIBITION ON REDUCTION OF FLIGHT ALLOCATION CAP.—Notwithstanding any other provision of law, the allocation cap for commercial air tours operating in the Grand Canyon National Park Special Flight Rules Area in effect on the day before the date of the enactment of this Act may not be reduced.

(2) RULEMAKING TO INCREASE FLIGHT ALLOCATION CAP.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a notice of proposed rulemaking that—

(A) reassesses the allocations for commercial air tours operating in the Grand Canyon National Park Special Flight Rules Area in light of gains with respect to the restoration of natural quiet and experience in the Park;

(B) makes equitable adjustments to those allocations, subject to continued monitoring under subsection (a)(3); and

(C) facilitates the use of new quieter aircraft technology by allowing commercial air tour operators using such technology to petition the Federal Aviation Administration to adjust allocations in accordance with improvements with respect to the restoration of natural quiet and experience in the Park resulting from such technology.

(3) INTERIM FLIGHT ALLOCATIONS.—

(A) IN GENERAL.—Until the Administrator issues a final rule pursuant to paragraph (2), for purposes of the allocation cap for commercial air tours operating in the Grand Canyon National Park Special Flight Rules Area—

(i) from November 1 through March 15, a flight operated by a commercial air tour operator described in subparagraph (B) shall count as ½ of 1 allocation; and

(ii) from March 16 through October 31, a flight operated by a commercial air tour operator described in subparagraph (B) shall count as ¾ of 1 allocation.

(B) COMMERCIAL AIR TOUR OPERATOR DESCRIBED.—A commercial air tour operator described in this subparagraph is a commercial air tour operator that—

(i) operated in the Grand Canyon National Park Special Flight Rules Area before the date of the enactment of this Act; and

(ii) operates aircraft that use quiet aircraft technology (as determined in accordance with appendix A to subpart U of part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act)).

(d) COMMERCIAL AIR TOUR USER FEES.—Notwithstanding section 4(n)(2)(A) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–6a(n)(1)(2)(A)), the Secretary—

(1) may establish a commercial tour use fee in excess of $25 for each commercial air tour aircraft with a passenger capacity of 25 or less for air tours operating in the Grand Canyon National Park Special Flight Rules Area in order to offset the costs of carrying out this section; and

(2) if the Secretary establishes a commercial tour use fee under paragraph (1), shall develop a method for providing a significant discount in the amount of that fee for air tours that operate aircraft that use quiet aircraft technology (as determined in accordance with appendix A to subpart U of part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act)).

AMENDMENT NO. 3475

Mr. MCCAIN. I would like to discuss all four amendments briefly. The first is the prohibition on earmarks in years in which there is a deficit. I have been pleased and somewhat surprised over the past week to hear about the renewed bipartisan interest in banning earmarks. I am thankful for the attention and I welcome the House Democratic leadership to the fight against earmarks.

According to last Thursday's Washington Post:

> Facing an election year backlash over runaway spending and ethics scandals, House Democrats moved Wednesday to ban earmarks for private companies, sparking a war between the parties over which would embrace the most dramatic steps to change the way business is done in Washington.

I was pleased to see that the Speaker of the House and the chairman of the House Appropriations Committee have recognized earmarks for what they are: a corrupting influence that should not be tolerated in these times of fiscal crisis.

I applaud my Republican colleagues in the House and Senate, especially Senators Coburn and DeMint, who have called for a year-long moratorium on all earmarks. I fully support and join them in those efforts, but I think we need to do more.

We need a complete ban on earmarks until our budget is balanced and we have eliminated our massive deficit. This amendment promises to do just that. I encourage my colleagues to join

me in this effort. It is what the American people want. We have an obligation to give it to them.

I am pleased to be joined by my good friend from Indiana, Senator BAYH.

AMENDMENT NO. 3472

The next amendment I would like to discuss very quickly is that no funds from the passenger facility fee could be used to construct bike storage facilities at airports.

As many know, the passenger facility fee is assessed on every ticket for any flight. Currently, this fee is $4.50 per flight. During these very difficult economic times for most Americans, the bill from the House raises this fee to $7 and indexes it to inflation. It is frustrating, but it is more frustrating that taxes and fees make up as much as 25 percent of every passenger's airline ticket.

I think most airline passengers would agree with me that they would rather see more improvements to ensure faster travel times and safer departures and arrivals.

The Atlanta Journal Constitution reported earlier this year, on January 14, 2010, that $1.5 million of passenger facility fees were used for a ''function art project of glass panels laminated with patterns of tree bark.''

It sounds beautiful, but I know most Americans want these excessive fees and charges to be used effectively and for the goal that Congress intended: to improve safety and performance.

AMENDMENT NO. 3527

On the issue of the amendment concerning moving Next Generation air traffic control forward, this amendment would require the FAA to report back to Congress in 90 days with proposals for innovative financing mechanisms to further the deployment and implementation of a modernized air traffic control system known as NextGen.

Specifically, the report requires these innovative financing proposals to not increase our Federal deficit and consider public-private partnerships. As the distinguished chairman of the committee knows all so well, modernizing our outdated air traffic control system will positively impact all Americans by decreasing airport delays, improving the flow of commerce, and advancing our Nation's air quality by reducing aircraft carbon emissions.

Every day Americans sit on a runway and miss meetings, children's soccer games, family dinners, and other important events due to air traffic delays that could have been avoided if our Nation had a modernized air traffic control system.

Thousands of goods are delayed for delivery each year due to air traffic delays which results in more than $40 billion in costs each year that are passed on to consumers, according to the Joint Economic Committee.

The Government Accountability Office estimates that one in every four flights in the United States of America is delayed. The airlines have called our air traffic control system ''an outdated World War II radar system.''

The FAA's Next Generation Air Transportation System, NextGen, will transform the current ground-based radar air traffic control system to one that uses precision satellites, digital network communications, and an integrated weather system.

Moving from a ground-based to a satellite-based system will enable more flights to occupy the same airspace, meaning the ontime performance improvements would be a reality, and would triple the aircraft capacity according to airlines. However, the administration and Congress have not provided adequate funding toward air traffic control modernization, and instead continue to fund billions of dollars of earmarks. The FAA estimates it will cost up to $42 billion to implement a modern air traffic control system.

Congress appropriated $188 million for air traffic control modernization in 2008, and $638 million in 2009, then another $358 million in the fiscal year 2010 Department of Transportation appropriations bill. However, that same bill dedicated $1.7 billion on transportation earmarks. We have to stop spending billions of dollars and instead cut spending or at least spend taxpayers' dollars on worthy projects.

Again, I would like to thank the chairman of the committee for his efforts over many years on FAA modernization. There is no doubt the airlines are right when they describe our air traffic control system as ''an outdated World War II radar system.''

It is a shame that all of these years we have had attempts that failed and wasted billions of dollars in our efforts to modernize the air traffic control system, and we have failed. But we have to redouble our efforts.

As we expect the economy to recover, there will be more aircraft flying in crowded airspace. There will be a more dangerous situation unless we modernize our air traffic control system.

AMENDMENT NO. 3528

The final amendment I have is to provide standards for determining whether the substantial restoration of the natural quiet and experience of the Grand Canyon National Park has been achieved, and to clarify regulatory authority with respect to commercial air tours operating over the park.

I see my colleagues waiting, and I will not take a lot of time on this amendment. But I would like to mention to my colleagues that it was approximately 25 years ago that I proposed legislation to restore natural quiet in the great experience over the Grand Canyon National Park.

All of these years have intervened and there still have not been regulations written to implement that legislation. All of us share the same goal. We have been able to sit down, with the help of the majority leader's office, Senator ENSIGN's office, Senator KYL's office, and others to try to make progress on this important issue.

I think we have brought all parties together. I think there is consensus. So I am hoping that we will be able to adopt this amendment without further disagreement. It is important that we restore the natural quiet and experience of the Grand Canyon National Park. At the same time, it is also very important that people from all over the world have the opportunity to enjoy one of the great and magnificent experiences that any person can have; that is, to view the Grand Canyon from the air as well as from the ground.

I think this legislation represents that careful balance. I thank Senator REID and Senator ENSIGN and Senator KYL for their efforts in crafting this legislation. It is time we acted. I appreciate the indulgence of my colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I would say to the good Senator from the State of Arizona that we have a number of amendments that are already more or less agreed to. More amendments are coming in, including several that he has mentioned. We want a chance to look at those to see whether those are—I heard one amendment, for example, that sounded pretty easy to do.

The earmark amendment, I actually—I am not dissing this, but I just cannot resist but point something out; that is, on earmarks, this would ban earmarks for the foreseeable future. Let me redefine that.

In the last 71 years, the Congress of the United States has not had a budget deficit in only 13 years. So you can see for the foreseeable future it is sort of a large matter. Nevertheless, we welcome the chance to look at that and work on it.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to talk about two issues. First, I will talk about the pending business before the Senate, which is the FAA reauthorization, in a moment. I certainly want to commend my dear friend and colleague, the distinguished chairman of the Commerce Committee, for what he has done in bringing the reauthorization to the floor and the manner in which he has fashioned it.

This is an opportunity to create 150,000 jobs, modernize our system for this 21st century, save millions of gallons of fuel that get spent under a system that is antiquated, and people sitting in planes just idling, and $9 billion in lost revenue to the Nation as a result of an antiquated system. All of this will be dealt with, with the FAA reauthorization.

But before I get to that I want to speak for a moment on an item that we will be voting on tomorrow which is critically important to make sure we put the Nation back to work, the HIRE Act. One of those items I believe is incredibly important that has been getting the wrong view here is the question of the Build America Bonds. It is

one that has been debated quite a bit on the Senate floor the last couple of times we have been in session. My view is that these bonds have been one of the most successful pieces of the economic recovery package passed last year. They have helped to finance nearly $80 billion in economic development projects in all 50 States.

Those are projects that are a win-win for America. By helping States and local governments finance vital public infrastructure projects, we are putting Americans back to work; building better, stronger communities, better schools, retooling our infrastructure, and preparing for the new economy. That is what makes the Build America Bonds so effective. By lowering borrowing costs, these bonds incentivize investments in our communities across America. This gives State and local entities resources to fund badly needed projects, projects from which we all benefit.

These bonds have been a resounding success. As a matter of fact, in a November article by Stephen Gandel that appeared on time.com, it ran under this headline: ''A Stimulus Success: Build America Bonds Are Working.''

In this article, Amy Resnick, the editor in chief of a publication which follows bond markets, was quoted as saying: ''It's clearly been a success as a means of stimulating the economy.''

When we talk about stimulating the economy, ultimately we are talking about putting Americans back to work. The bill we have before us, that we will vote on tomorrow, expands this successful program to allow issuers of school construction and energy project bonds to convert these tax credit bonds into a Build America Bond. Seems like a rather simple provision to me, a commonsense provision that says if it has been successful, why not expand on it. If we can stimulate needed construction for schools and communities across America, if we have a proven way to promote putting people to work on critical energy projects, why wouldn't we do it?

Some of my Republican friends say they want to work on job creation, but I find it ironic that on one hand they speak about creating jobs, but on the other hand they criticize Build America Bonds for ''doing too much'' to create jobs and facilitate investment in vital public projects in communities across America.

You can't have it both ways. You can't blame the majority for not focusing on job creation while criticizing one of the most successful programs as having done too much. At a time of 10 percent unemployment, the question is not are we helping our communities too much; rather, the fundamental question the Congress must be focused on is how do we create more investment so we can create more jobs so that we can put more Americans back to work. The lessons of history are important. Build America Bonds, the jobs they create, the good they do, underscore some of the historic differences between this side of the aisle and the other. History tells us that in difficult economic times, creating badly needed jobs for families struggling to make ends meet strengthens the economy and helps us rebuild a better future.

In the Great Depression, Franklin Roosevelt understood the need for government to step in and create jobs. He rebuilt America's rusted old 19th century infrastructure, retooled old systems and prepared the Nation for the 20th century. History has a way of repeating itself. We should not ignore it. We should instead learn from it, learn from our great successes so we don't repeat our worst failures. A proactive government creating a jobs agenda and putting people back to work during the New Deal and rebuilding our infrastructure was one of those successes. On the other hand, a static government doing nothing to create jobs in the face of massive unemployment, as Herbert Hoover did, was one of our worst failures.

The lesson of history is clear. If we are too shortsighted to repeat the things that work, we are doomed to repeat the things that failed.

Finally, on the second issue and the pending issue before the Senate, we need this FAA reauthorization bill because it will create jobs, over 150,000. It will reduce congestion, that $9 billion lost for America by airplanes idling and people not being productive at work as they try to get to their business appointments and others who get lost along the way in terms of the time lost being with their families and friends. It also improves safety, which should be job 1. It will invest in infrastructure that will get more people to their destinations on two words we want to hear more and more, as the chairman is trying to make happen: On time.

It will address several essential safety issues related to oversight, pilot training, pilot safety, and pilot fatigue after the tragic Colgan Air crash last year in Buffalo. This bill takes several steps to ensure that, 1, an extremely high level of safety exists throughout the entire transportation system. It protects passengers from being stranded on the tarmac like those at Stewart Airport in New York who sat on a plane that ran out of food. Things got so bad that each passenger was given four potato chips and half a cup of water. That is simply ridiculous and unacceptable. This bill will put an end to these stories by requiring each airline to provide adequate provisions to stranded planes and give all passengers the right to deplane after 3 hours, if not sooner.

I salute Senator ROCKEFELLER and the members of the Commerce Committee who have worked to bring this important bill to the floor.

There are some things I hope we have offered that will be accepted into a managers' amendment. I look forward to some opportunities. We have something called the Clear Airfares Act. I believe when you buy a ticket, you should have the right to know what you are paying for. Anything short of that is simply unfair. My amendment No. 3506 would require airlines to be upfront with their fees so consumers can make an informed decision. It seems as though the airlines never have met a fee they do not like. These are some of them. We have two easels here to try to make the case. It is rather busy, but this gives you a sense to these two chart that lay out 13 common airline fees that 18 different airlines assign—fees for ordering tickets by phone, fuel surcharges, for traveling with a pet. Last year they invented a new fee. It is called the holiday fee. Because these fees don't appear alongside a ticket's base airfare, consumers have little idea of how much the ticket will eventually cost them.

I brought an example we worked on to dramatize what we are talking about here. Airline A's ticket from BWI to La Guardia appears to be $2 cheaper than airline B's ticket, $223.50 compared to $225.40. But then come the hidden fees. Airline A charges you $120 round trip to check two bags plus an additional $200 to travel with a pet. By contrast, airline B allows you to check two bags for free and charges you $150 to travel with a pet. The end result, when you add up the fees, what appeared to be the least expensive ticket for the same exact flight is actually $150 more expensive. My amendment shines a light on airline fees and surcharges so consumers have an accurate picture about what their trip is likely to cost them. We hope the committee will accept that.

We also have an amendment on focused flying which was written in response to the flight that flew 150 miles beyond its destination, allegedly because the pilots were too distracted to notice the airport. I am pleased. Working with the committee and Senator DORGAN, we were able to include language in the underlying bill that would prohibit unnecessary electronic devices from the cockpit. However, it is important we look at all pilot distractions. Our amendment calls for the FAA to conduct a study on the broader issue of distractive flying and its impact on flight safety.

The last amendment I have filed would require the FAA to monitor the air noise impacts of New Jersey, New York, and Philadelphia airspace redesign and simply provide the data to the public. I have not been supportive of the airspace redesign in part because it was done in such a way where noise impacts are rather severe. Now that the redesign is being implemented, the public has a right to know what consequences there are in that redesign and that some level of transparency should be provided to the flying public and the communities affected.

Lastly, I look forward to what I hope is an end product, as we move through this Chamber and have a conference,

that no longer makes it tougher for some workers to organize unions than others who do the same work. I believe the rules should be applied evenly across the board. Unions help improve safety standards which not only benefit workers, they touch all of us who drive on the roads and fly in the skies. I hope the ultimate result will create that opportunity. It is time we finally pass the FAA reauthorization. It will create jobs. It will make our flying experience safer. It will make it more efficient. We will save money in our economy.

I look forward to working with Chairman ROCKEFELLER to make the bill one we can continue to be proud of as we fly the skies of our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I compliment the Senator from New Jersey who is complimented far too little for doing so many good things but did a lot of them on the floor this afternoon. I appreciate what he said which is not related to aviation, about the school bond. It makes an enormous difference. It has been changed a bit to make it more effective at the State level. I appreciate the fact that he said that. And the points he made with respect to some of the amendments to the aviation bill seemed to make a lot of sense. The last one may cause some discussion, but I know the Senator and I know what is in his heart. He always speaks the truth.

Mr. MENENDEZ. I thank my distinguished colleague and chairman for his remarks and observations. We look forward to working with the committee to achieve some of these things and to achieve ultimate success with him at the end of the day.

Mr. ROCKEFELLER. You could join the Commerce Committee. You are right up there in the leadership. I respect everything the Senator from New Jersey does.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, I have just visited with Senator ROCKEFELLER. Of course, we, along with Senator HUTCHISON, are trying to pass an FAA reauthorization bill, which is not as easy as it sounds. This is not one of the most controversial or difficult or passionate issues that divide America. We have plenty of those issues around. But this is about modernizing our air traffic control system, about reauthorizing the Airport Improvement Program, improving air safety—a wide range of issues. Still, anything that is brought to the floor of the Senate these days slows down—way, way, way down—and that is the case with this bill as well. I have described it as similar to trying to walk through wet cement to try to get something through the Congress.

We have amendments pending dealing with school vouchers, putting discretionary caps on budgets, earmark reform—things that have very little or in most cases nothing to do with this underlying bill. It is just that this is an authorization bill open for amendment, so we have amendments on a wide range of issues. We also have other amendments that have been offered that are germane and relate to this piece of legislation, and we have been working through trying to put together an en bloc amendment with our staffs and Senator ROCKEFELLER's staff, working through, with other colleagues, some of the suggestions. They make a lot of sense. I think we are making progress there.

I have described before the need for this legislation. Last year, I met with some of the Europeans who are putting together the modernization program in Europe. This issue of modernization of the air traffic control system—I think I heard Senator MCCAIN talk about World War II vintage air traffic control. It is the case that for those who are now taking off this minute from National Airport, when that airplane leaves the runway and is in the national airspace, it is the case that someone in a control tower somewhere is watching that airplane. Why? Because there is a lot of traffic up there.

This is the most complex airspace in the world here in the United States, and I think the FAA, the Federal Aviation Administration, does a terrific job in operating the most complex system in the world. We have the safest skies in the world, there is no question about that. We have had one particularly fatal accident in the last year. That tragedy occurred in Buffalo, NY, with Colgan Air, in which 50 people tragically lost their lives, including the pilot and copilot and flight attendant. But the fact is, we have safe skies, and I would be the last to come to the floor of the Senate and say the American public should be worried about safety. It is the case, however, that the Colgan crash gave us a roadmap to some changes that I believe are necessary and that I and Senator ROCKEFELLER and Senator HUTCHISON have put in this bill. The issues we have discovered from that tragedy persuaded us that a number of things needed to be done.

The FAA itself has worked on aviation safety for a long while. The National Transportation Safety Board, which investigates aviation accidents, has made recommendations. In fact, they have a most wanted list. There are some recommendations that will improve air safety that have been on the most wanted list for a long, long time, some for well over a decade and not yet adopted. So the Administrator of the FAA, Randy Babbitt, has worked with us. I know he is working diligently to try to address some of those issues.

Let me mention safety in just a moment, but let me talk for a moment about modernizing the system.

When people say: Well, what is that about, it means we are moving from the tracking of that airplane that just left National Airport—I think we have about one a minute that is authorized at that slot airport, so every minute, an airplane is leaving that airport. When that airplane is at cruising altitude and on its way up to cruising altitude, it has a transponder, and that transponder is sending signals. That signal shows up on a screen. That screen is in front of an air traffic controller. That screen shows that airplane, in most cases by number, and that air traffic controller is directing that airplane with its traffic through other routes flown by other airplanes. It is all about safety, making sure airplanes can fly in a congested, crowded sky.

The dilemma—by the way, it has been relatively safe. It certainly is safer than in the old days when they first started flying at night. During the day, they would fly by sight, years and years ago. Then, at night, they would fly to bonfires. They would fly to a bonfire and then fly 50 miles to another bonfire as they carried the mail at night. Eventually they would fly to lights, and then eventually they would fly to ground-based radar. It has been around a long time.

The problem is, ground-based radar only shows where a jet plane is right at that moment—any airplane, for that matter, but a jet moves very fast, so at that nanosecond when that sweep of the radar shows that airplane in that airspace, that is exactly where it is. But a nanosecond later, it is somewhere else. Especially with a jet, with the next 5 or 7 seconds it takes to sweep the radar, that jet is somewhere other than where the dot showed it on the screen. Now we have the capability to know much more precisely than that where the airplane is, but because we only know about where that airplane is, we have to space airplanes for a margin of safety and we fly less direct routes. The result is, we use more fuel in that plane by flying a less direct route. We have to have much wider spacing of airplanes in a congested airspace. We are polluting the skies with more fuel used. We are costing the airplanes and the passengers the extra fuel. We are also taking extra time for the passengers to get to where they are headed because of less direct routes.

All of that can change with a new system of global positing, GPS. Everybody understands what GPS is. You have GPS in your automobile in many cases. You type in an address and it shows you where your car is and where the address is and it takes you right to the address. If your child has a cell phone, in most cases they have access to GPS in their cell phone. In many cases, your child with a cell phone has

the opportunity, with some of the providers, to link with their best friends—their five best friends, for example—and each of them with their cell phone can have GPS locators, so they can access their five friends and know exactly where each of the five is. We can do that with children and cell phones. We cannot do it today with commercial airplanes. We cannot know exactly where that airliner is with GPS technology. That is because we have not yet modernized.

That is what this is all about—modernization of the air traffic control system. When we do—and we will—we will be able to fly much more direct routes, have a greater margin of safety, save fuel, save the environment. We will do all of these things. Other parts of the world are doing it, and so must we. That is why Senator ROCKEFELLER and I have brought a bill to the floor that moves directly and aggressively toward what is called modernization of the air traffic control systems. It sounds complicated. It is less complicated than one would think. It needs the FAA to build the facilities on the ground, and it needs the airplanes to have the equipage in the jet or the airplane itself. When we do that and have the procedures and the developed process, we will have modernized the air traffic control system. That is what the legislation is about.

The legislation is also about building infrastructure across the country. If you are going to fly, you have to have someplace to land and someplace for passengers to embark and disembark. It means runways and terminals. It means a wide range of things. This also includes the Essential Air Service Program, which provides essential air service through contracts to smaller communities. As I indicated earlier, it addresses the issue of safety.

Let me describe safety for a moment, as I have done a couple of times on the floor because I think it is very important.

One-half of the flights in this country are by regional airlines. The passengers do not necessarily know it is a regional airline. They get on, in most cases, a smaller airplane, and it says United, US Airways, Delta, Continental, but it is not that company at all. That is just the brand on the airplane, and it is a regional company, in most cases, that is flying for the larger carrier. In some cases, the larger carrier owns the regional, but in most cases, it is a regional flying under contract to one of the major carriers.

What we have discovered in several hearings, in the aftermath of the Colgan accident, is some very difficult circumstances in terms of mistakes that were made and things that we think we need to improve and correct. Some of it we do in this bill.

The pilot who was in charge of the Colgan plane that evening—flying at night, in ice, in the winter, into Buffalo, NY, from Newark Airport—that pilot, we discovered later, had failed a number of pilot exams along the way. We have learned that the CEO of this company, Colgan, indicated: Had we known about these multiple failures along the way of this pilot's credentials, we would not have hired the pilot. But they did not know because they did not have access to all of that information. This legislation provides that access shall be made available. So those hiring decisions will be better decisions.

The issue of fatigue is very important and was very evident as part of the cause, I believe, of that Colgan accident in Buffalo. There is almost never a circumstance where there was an airplane accident in this country where the accident report says definitively: This was caused by fatigue. But we know, of course, there are a number of tragedies that were caused by fatigue.

Let me point out something we learned with respect to this particular flight, and my assumption is it is not peculiar to this flight. This chart shows the Colgan Air pilots' commuting prior to a flight. On this particular flight, on that evening, when the passengers boarded that flight, the copilot, who got in the right seat of that cockpit, had flown from Seattle, WA, to Newark Airport in order to reach her duty station. She lived in Seattle and she worked out of Newark. She flew all night long, deadheaded on a FedEx plane to Memphis, changed, and flew to Newark all night long. The pilot commuted from Florida to Newark. So you have two people in the cockpit: one from Florida who commuted to Newark and one from Seattle who commuted to Newark.

What we now have heard from testimony from the National Transportation Safety Board is the pilot of that airplane had not slept in a bed the two previous nights, the copilot had not slept in a bed the previous night. Was this crash caused by fatigue? There will never be something that definitively suggests that, but if you were a passenger on an airplane and in the cockpit sat a pilot and copilot, neither of whom had slept in a bed the previous night or two nights, would you believe fatigue was the cause of perhaps a misjudgment in the cockpit? I would. I would.

The question is not, Can you end all commuting? I do not expect you can probably end all commuting. But the question is, Does some of this commuting invariably cause fatigue? I believe it does. And how do you begin to address that? The FAA Administrator has now sent to the Office of Management and Budget, I believe, his rulemaking on fatigue, so that is a step forward because we have to address that.

As shown on this chart, this quote is from a discussion by a regional pilot in the Wall Street Journal of September 12, 2008. He said:

Take a shower, brush your teeth, pretend you slept.

That is what a regional pilot says about the kind of work on regional carriers, where you have a lot of stops, small routes or short routes: ''Take a shower, brush your teeth, pretend you slept.''

Again, I think it raises the question—and a reasonable question—about how do you make this circumstance change. How do you promote greater safety in circumstances where there is so much commuting, where you have duty time that often allows for less than is necessary to sleep at night? There is the full 8 hours, to be sure. But by the time you get to a hotel somewhere during duty time, it is quite often the case you have not slept a full night.

In this case of the Colgan flight, we have now learned the copilot on that airplane not only traveled all the way across country to reach her duty station, but she is someone who made in the neighborhood of $20,000 to $23,000 a year. Does anybody believe a copilot on a commercial carrier paid $20,000 to $23,000 a year is going to be able to afford hotel rooms when they get to their duty station prior to taking a flight? I don't think so. That is not an unreasonable thing to expect to have happen.

Let me say, my discussion of this is not to tarnish regional airlines. They play a very important role in our air traffic system in the commercial aviation system—very important. My hope is, though, working with the regional carriers, these safety provisions we have included in this piece of legislation will substantially improve safety and avoid the kind of circumstances that existed on that particular Colgan flight.

I mentioned previously the families of the victims on that Colgan flight have been real champions for aviation safety. They have never missed a hearing. They have shown up at all the events in Washington, DC, whether it is a hearing or other activities, to say: I am here on behalf of my son, my daughter, my brother, my mother who perished in that crash. The fact is, that diligence and that effort has made a difference and shows itself in this legislation.

We also, in this legislation, are addressing the issue of pilot hours as qualifications. I will talk about that some other time.

I think there is a lot here to commend this bill to my colleagues. It is urgent we get this passed through the Senate, get to conference, be able to reach a conference agreement with the House, and get the bill signed. We will, by that, I think improve the infrastructure in this country, substantially increase jobs—we are estimating 150,000 new jobs as a result of it—and dramatically change the air traffic control system from an archaic system to a modern system. All that is good for the country.

There is way too much that is needed to be done in this country to improve things, especially in areas of infrastructure and modernization, that is

left undone. Let's at least get this piece for commercial aviation and for all aviation completed.

I have mentioned almost exclusively the issue of commercial aviation. I do not want to leave the floor again without saying there is another component to aviation in our country; that is, general aviation. Many of us fly on small planes a lot. I learned how to fly a small plane years and years ago. General aviation plays a very important role in the area of aviation in our lives.

In States such as Alaska, the Presiding Officer's State, or perhaps West Virginia or North Dakota, in States such as that, the ability to get on a Cessna 210 or a King Air, if we are lucky, or perhaps even a Mooney or a 172 Cessna and go someplace and get there, sometimes in circumstances where there are not a lot of roads, as would be the case in Alaska, and other circumstances where you have wide distances to travel on a Friday, Saturday or Sunday—general aviation is so important and they do so much good work.

In addition, very few people talk—it is true of general aviation and also commercial aviation—about the mercy flights, flying a heart for a donor on a mercy flight, or flying someone who needs desperate treatment to save a life. It goes on every day all across this country—corporate jets, private planes, and, yes, even with commercial airliners.

We are in the process right now of beginning to fight a flood in Fargo-Moorhead. That river will go up 20 feet in about 10 days. It is going to be 20 feet by Friday from 2 weeks ago. I recall last year when the flood occurred, then Northwest Airlines, now Delta Airlines, flew some very large planes into Fargo for relief purposes. They never asked for anything. They just said they were coming. There is a lot of work that goes on by some of the major carriers, as well as corporate and general aviation, that is very important.

Again, I thank Senator ROCKEFELLER for the work he and Senator HUTCHISON have done. I, as chairman, and Senator DEMINT, as ranking member, of the Subcommittee on Aviation are pleased to be working with them.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. GILLIBRAND). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNITED STATES AND ISRAEL CONTROVERSY

Mr. SPECTER. Madam President, I have sought recognition to comment on the current controversy between the United States and Israel on the settlement issue.

Before the current controversy between the United States and Israel escalates further, I suggest all parties cool the rhetoric, avoid public recriminations, determine exactly what happened and consider some fundamental questions.

What are the facts? It has been reported that there are 1,600 new settlements in East Jerusalem in violation of Israeli commitments. Authoritative sources insist that the announcement by a mid-level official at the Ministry of the Interior only involved planning subject to judicial review with no groundbreaking for 3 years. Another report said U.S. officials extracted a secret promise from Prime Minister Netanyahu not to allow provocative steps in East Jerusalem. Is it true that the United States accepted the 10-month moratorium on settlements with caveats that excluded East Jerusalem in line with the insistence by Israeli officials dating back to Prime Minister Golda Meir that Jerusalem was under Israeli exclusive sovereignty?

It is conceded that Prime Minister Netanyahu was blindsided by the announcement. It is further acknowledged that the Israeli Minister of the Interior is a member of the ultra-conservative Shaos party whose participation is essential to the continuation of the coalition government.

These matters need to be thought through before making public pronouncements that could significantly damage the U.S.-Israeli relationship and give aid and comfort to the enemies of the Mideast peace process.

The rock solid alliance between the United States and Israel has withstood significant disagreements for six decades. The mutual interests which bind these two countries together have always been stronger than the most substantial differences. The United States needs to respect Israeli security interests, understanding that Israel cannot lose a war and survive. The United States has many layers of defense to protect our security interests and survive.

I suggest that if we all take a few deep breaths, think through the pending questions and reflect on the importance of maintaining U.S.-Israeli solidarity, we can weather this storm.

(The further remarks of Mr. SPECTER pertaining to the introduction of S. 3120 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SPECTER. I thank my distinguished colleague from Connecticut for awaiting those few comments and yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 3456

Mr. LIEBERMAN. Madam President, it was a pleasure to yield that time to my friend from Pennsylvania, which he used very well.

I rise to continue a discussion of amendment No. 3456, which has been offered by Senators COLLINS, BYRD, FEINSTEIN, VOINOVICH, ENSIGN, and myself, which would reauthorize the Opportunity Scholarship Program for students, needy and deserving students here in the District of Columbia, sometimes referred to as the DC voucher program.

This amendment would, as I say, reauthorize this program which otherwise would either atrophy over time—there are still 1,300 students in it, but now, for the last 2 years, it has not been reauthorized. President Obama in his budget says this probably will be the last year that Federal funding would be in it. The nonprofit corporation that has administered this program has said—under the circumstances the Congress by our inaction and in some sense interruption have created—they cannot continue to administer the program. No one else has come forward to do that.

This amendment says, effectively, it would be a tragedy, a human tragedy, 1,300 human tragedies—that 1,300 economically disadvantaged students in the District of Columbia who have been given a lifeline out of failing public schools to try to better educate themselves so they can live a life of self-sufficiency and satisfaction—that all that hope would be ended, all that opportunity would be ended.

This amendment would turn all that around and say the Senate believes this program is at least worth continuing as an experiment. But more than that, it has worked, by independent evaluation. Why terminate it? There is no good reason to terminate it. Would the Chancellor of the District of Columbia School System, Michelle Rhee, obviously an advocate for the public schools here—as I am, as the other Senators, COLLINS, BYRD, FEINSTEIN, VOINOVICH, and ENSIGN are—would the Chancellor of a public school system here support this program if it were not a good program? Of course not. Would she support it if she thought it was a threat to the public schools? Of course not. That is her first and major commitment. She supports a 5-year extension of this program that this amendment would authorize because, as she said poignantly to our Government Affairs Committee, which has jurisdiction over matters related to the District of Columbia—she said until she can say to a parent of a child at a school that has been designated under Federal law as a failing school, a school that has failed to give those children an equal educational opportunity—until, Chancellor Rhee has told us, she can say to the parent, "that public school that your child is in here in the District of Columbia, our Nation's Capital, is prepared to give your child an equal and good educational opportunity," then she cannot say terminate the DC Opportunity Scholarship Program which gives low-income, economically disadvantaged children a lifeline, a passport, a scholarship they can use at a private or faith-based school of their choice.

This program was started after difficult and intricate negotiations in

2004. It was started with a basic premise that is deeply and wonderfully American, which is: Hey, this is the country whose Declaration of Independence said that the government was being created in the first place, in 1776, to secure the rights to life, liberty, and the pursuit of happiness; that everybody has an endowment from our Creator—not by the government; the government is there to secure those rights—the endowment came from God, from our Creator. One of the fundamental ways in which we have attempted over our history to secure those rights is through the public school system, through our school system.

Generations and generations of Americans, new Americans, immigrant Americans, have come here and the school system has given them an opportunity for education and they have gone on to not only make a success of themselves but contribute enormously to our country.

The sad fact is that a lot of our public schools today are failing particularly our economically disadvantaged students. There is a terrible gap based on income and race and ethnicity, an achievement gap, in our public school system. No Child Left Behind and various Federal programs are trying hard to close that, but it has not been closed yet.

That is why a lot of us got together in 2004, the administration and both parties, and tried to negotiate and ultimately did negotiate a compromise which was based not on supporting any particular educational institution but founded on that goal that was in the Declaration of Independence, that is characteristically and fundamentally American, the individual and, in this case, the individual child. How many individual children, in this case in the Nation's Capital, can we give a better education so they can develop their God-given talent to the highest level possible, which they cannot do if they are not getting a good education?

So in this compromise that was enacted in 2004, we basically created new income streams. Some people say: Oh, the DC Opportunity Scholarship Program looks like it is working. It is a good idea to help kids get a scholarship to a private or faith-based school, but I am against it because it takes money from public schools. Wrong. That was the whole premise.

In fact, to even it out, when we adopted this program we gave an equal amount of additional money to the DC Public Schools as went into the DC Opportunity Scholarship Program, then a new stream of money into charter schools in the District of Columbia. That was the agreement that was made. It was a good agreement. Those of us who support the DC Opportunity Scholarship Program are not at all unhappy to give an equal amount of extra money to the public schools and to the charter school movement in the District.

I guess the program is controversial because some people do not want to experiment with something other than the public school system on how to educate the individual. OK, I respect that. I understand that.

Teachers unions are at the forefront of the opposition. They are against this bill. I understand that. But I disagree, respectfully. This is not an assault on teachers or the public schools. As Chancellor Rhee has said: This is a temporary lifeline for students who are in schools designated under Federal law as inadequate to educate them, to give them an opportunity to step up and go to a private or a faith-based school where they can do better.

I do not know why anyone would want to terminate this program. It is a small program. As I will make clear in a few moments, it has been positively evaluated. Particularly, I repeat, why would we want to intervene when the leader of the DC Public Schools says this Opportunity Scholarship Program should be continued because it is good for kids in the District of Columbia. She cannot really say to parents: I can give a good, first-class education to all of your children.

Parents like this program a lot. Kids like it. We heard moving testimony from children in the system. Polling in the District of Columbia shows very strong support for it, particularly and not surprisingly in economically disadvantaged areas.

Look, let's talk from the facts. Most of us, I will say ''us,'' including me, have the money to send our kids to either private or faith-based schools because we think they can get a better education there or the kind of education we want them to get, particularly if it is in a faith-based school.

These are parents who do not have that choice because they do not have the money. Imagine the frustration that we would feel if our children were trapped in a public school where we knew they were not getting a good education that would compromise the rest of their life and yet we did not have the money to get them a better education.

That is all this program deems, the Opportunity Scholarship Program. It is a scholarship to give economically disadvantaged kids an opportunity to rise to the limits of their ability. A vote against this amendment, I really believe, is a vote to take away opportunity for 1,300 economically disadvantaged students who are now in the program and hundreds of others who would join if and when this program is extended.

There have been hundreds of students involved. At its peak there were 1,930 students enrolled for the 2007–2008 school year. Because no new students could enroll, because the program was not reauthorized to that extent by Congress, enrollment declined to 1,721 for the 2008–2009 school year. It is now at 1,319.

Here is a terrible thing that happened: Last year, 216 students were offered a scholarship for the year that followed, the school year that followed. Then that offer, because of opposition to this program and a decision not to allow new students into it, was revoked by the Secretary of Education of the United States.

Since its inception, the Opportunity Scholarship Program has served over 3,000 students, and more than 8,400 have applied to participate. Over 85 percent of the students in this program would be attending a school in need of improvement, corrective action, or restructuring as designated under Federal law. This is a remarkable program that really does deserve to be continued.

I note the presence of my colleague and friend and cosponsor, Senator ENSIGN. If the Senator would like to speak at this time, I will be glad to yield the floor, and then I will take it back after he has concluded.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Madam President, first of all, I appreciate all of the great work that the chairman has done on this piece of legislation. This is a bipartisan piece of legislation that we are talking about today. We are talking about the DC Opportunity Scholarship Program.

Why is it on the bill that deals with the FAA, people would ask? Well, it is on there because we have been trying to get this reauthorized for a long time. In the Senate, we have to take whatever vehicle we can get.

I appreciate the leadership of Senator LIEBERMAN and the work he has done, as well as many of my other colleagues. Unfortunately, there are forces on the other side who apparently think giving opportunity scholarships for 1,300 poor children in the District of Columbia is somehow a threat to our public education system in America.

I heard the chairman talk about Michelle Rhee. Michelle is one of the true reformers of education. She is a believer in the public education system in America, as I am. I know that Chairman LIEBERMAN is a big believer in the public education system. That is one of the reasons we want to explore and test various reform proposals to actually see if they will work, or see if they do not work.

Well, so far, there have been 1,300 students participating in the DC Opportunity Scholarship Program. Based on the satisfaction of their parents, it is serving the students well. Remember, when they get a scholarship, they do not have to go. Let me repeat that. If they are in a public school system, they are zoned for that public school system. They cannot afford to go anyplace else; they do not have any choice. But if they get one of these DC scholarships, nobody forces them to use it. Nobody forces them to go to one of those other private schools.

Why do the parents and the kids like it? They like it because they are escaping from a bad school.

As Senator LIEBERMAN discussed, 85 percent of the kids who participate in

this program are from failing schools; failing based on objective criteria. The average household income is about $25,000 a year for the families of these kids who are participating in the DC Opportunity Scholarship Program. These are kids are from low-income families. They cannot afford to take their kids out of these failing schools by themselves. That is why we wanted to experiment to see whether the DC Opportunity Scholarship Program worked. Did it help the kids' educational system? Education in America has been called the new civil right. Well, I think that is exactly right. I think we need to look at education as a way to lift people out of poverty. But just because kids are getting an education at school, it does not give them the opportunities that other kids are getting. It is not a question of money. The DC Public School System spends $15,000 per year per student. It is one of the highest, if not the highest, in the country. It is about $4,600 a year more than the national average. It is almost three times more than what Nevada spends per student.

But I can guarantee you, I do not know of anybody in Nevada who would rather have their kids going here in Washington, DC, Public Schools than going to public school in Nevada. It is because of the poor performance of Washington, DC Public Schools.

Now, Michelle Rhee, to her credit, is doing a good job improving the public schools. But they have so far to go. The Mayor of Washington, DC, supports the DC Opportunity Scholarship Program. The parents of these children—there were over 7,000 people who just signed a petition in Washington, DC, to continue this program. I have met many of these students. When you talk to them, and you look in their faces and you say: Do you want this program to continue? Is this something that has helped you in your life? The students who have participated in the DC Opportunity Scholarship Program say it is one of the best things that ever happened to them in their life. DC Opportunity Scholarship Program allowed the students to get out of a school that had high crime rates, that had low performance, and where sometimes the teachers did not have great attitudes. The students went to a caring, loving atmosphere where they had a chance to succeed.

That is really what this whole thing is about. Recent data shows that about 26 percent of eighth graders in the DC Public Schools score below basic in math. Students of DC Public Schools rank near the bottom in the Nation in both SAT and ACT scores. About half of the DC students do not even graduate from high school.

On the other side of the coin, when you look at what has happened with the DC Opportunity Scholarship kids, a rigorous study by the Institute of Education Services found that students in the program experienced statistically significant improvements in reading that were equal to more than 3 months of additional schooling.

The study also found that students in five out of ten subgroups improved in reading, and parents experienced increased satisfaction with the quality and the safety of their children's schools.

Dr. Wolf, who was the principal investigator for the Department of Education study, has stated:

> . . . the D.C. scholarship program has proven to be the most effective education policy evaluated by the federal government's official education research arm so far.

You know, Rome was not built in a day. I believe we owe it to DC's children to continue this program and to continue the research on these promising gains.

Do we know that the DC Opportunity Scholarship Program will work in the future? No. But it is promising research so far. So we should not discontinue the DC Opportunity Scholarship Program. We should fund it, make sure that it continues and continue to study it.

Unfortunately, what has happened is that in the public school system, there are forces who believe that giving parents choice is somehow a threat to our public school system. To me, it is just about the kids and their education. That is who should come first in our education system, the children. Let's put their education and future first. Let's not have special interests decide who is going to control education.

That is what the DC Opportunity Scholarship Program is all about. I see Senator COLLINS is on the Senate floor. I appreciate her work, Senator LIEBERMAN, Senator VOINOVICH, and many others in the Senate who have worked in a bipartisan fashion. Let's not let this bill go down.

Secretary Duncan is a reformer. There is no question he has brought some reform proposals that I think deserve looking at.

He has talked a lot about putting our kids first in our education system. This is one way we can do it. We need to support Michelle Rhee in her efforts to improve the public school system, but we also need to keep this valuable program, the DC Opportunity Scholarship Program, intact for those 1,300 kids and their families who are enjoying its benefits.

I yield the floor and thank the chairman for allowing me to speak.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank Senator ENSIGN for his cosponsorship, for his convincing and informed argument for this amendment. I couldn't agree more. There is such an irony here. Secretary Duncan of Education is a reformer. The President supports school reforms. Michelle Rhee is trying very hard and valiantly and effectively to reform the DC Public Schools. Why would Secretary Duncan and members of the administration and some in this body and our colleagues in the other body oppose this program, an opportunity scholarship program which Chancellor Rhee supports because it is consistent with her attempt and the attempt of Secretary Duncan to reform our public schools? The only answer I can think of is that certain interest groups, including particularly teachers unions, oppose this measure.

For me, that is not an acceptable reason to terminate the hopes of 1,300 children in a program in the Nation's Capital.

I note, with pleasure, the presence of our colleague from Maine, Senator COLLINS.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, let me begin by saluting the leadership of my colleague, the chairman of the Homeland Security Committee, Senator LIEBERMAN. He has been so persistent in ensuring a debate on this program. His leadership on this issue, as on every other issue I work with him on, has been exemplary.

I am pleased to join Senators LIEBERMAN, ENSIGN, VOINOVICH, FEINSTEIN, and BYRD in offering this amendment to reauthorize the DC Opportunity Scholarship Program.

More than 5 years ago, leaders in the District of Columbia became frustrated with institutionalized failure within the public school system, and designed a ''three-sector'' strategy that provided new funding for public schools, public charter schools and new educational options for needy children. Working with the District, Congress then implemented the DC School Choice Incentive Act in 2004, giving birth to the DC Opportunity Scholarship Program. The program is the first to provide federally funded scholarships to students, and has enabled low-income students from the District of Columbia public school system to attend the independent-private or parochial school of their choice. For many of these students, this was their first opportunity to access a high quality education.

The program has clearly filled a need, a fact that is illustrated by the long lines of parents waiting to enroll their children in the program. Since its inception, more than 7,000 students have applied for scholarships. With demand so high, it is dismaying that critics would seek to dismantle the program.

The inspiring stories we have heard from parents and students participating in the program, parallels what we have learned from recent independent studies conducted by the University of Arkansas and the Institute of Education Sciences at the U.S. Department of Education.

In December 2009, University of Arkansas researchers released the findings of a new evaluation entitled ''Family Reflections on the District of Columbia Opportunity Scholarship Program.'' The project sought to ''capture the contextual nuances of what is

happening in the lives of the families experiencing the Program'' by conducting a qualitative assessment.

The study showed that parents were overwhelmingly satisfied with their children's experience in the program. Common reasons for this higher level of satisfaction included, appreciation for the ability to choose their child's school, the success their children are having in new school environments, and the support provided by the Washington Scholarship Fund.

In March 2009, the Department of Education released its evaluation of the program's impact after three years, which showed that overall; students offered scholarships had higher reading achievement than those not offered scholarships, the equivalent of an additional three months of learning.

As I noted previously, this amendment has bipartisan support and was crafted using input from Members on both sides of the aisle. As chair and ranking member of the Financial Services General Government Appropriations Subcommittee, Senator DURBIN and I held a hearing last September on funding for schools in the District. We heard from stakeholders representing DC Public Schools, DC Public Charter Schools, and the DC Opportunity Scholarship Program. This amendment is the byproduct of their input as well as that of my distinguished colleague, Senator DURBIN.

In addition to providing scholarships for low-income students and their family's real choice in education, the amendment authorizes $20 million for DC public schools and $20 million for pubic charter schools—so that all students in the District have access to a high quality education.

Further, our amendment includes provisions supported by Senator DURBIN. Among other things, it provides that all participating OSP schools maintain a valid certificate of occupancy issued by the DC government, that core subject matter teachers in OSP schools must hold at least a bachelor's degree, and that all OSP schools must be accredited.

We all must place what's best for students first. If Congress were to discontinue funding for DC opportunity scholarships, it is estimated that 86 percent of the students would be reassigned to schools that did not meet ''adequate yearly progress'' goals in reading and math for the 2006–07 school year. We simply cannot afford to allow that to happen. I urge my colleagues to support this amendment.

We are talking about averting a true tragedy by adopting the Lieberman amendment, which I am pleased to cosponsor. I do not use that word ''tragedy'' often nor lightly. That is what we are talking about. We are talking about the futures of young people in the District of Columbia. That is what is at stake in this debate. It is that serious.

It is important to go back and look at the history of the DC scholarship program. More than 5 years ago, the leaders of the District of Columbia became so frustrated with the institutionalized failure within the District's public school system that they came to Congress and worked with Members of Congress on both sides of the aisle to design a new three-sector strategy that provided new funding for public schools in the District, for public charter schools, and for scholarships for low-income children who might choose to attend a private school.

Working with the District's leaders, Congress then passed the DC School Choice Incentive Act of 2004, giving birth to the DC Opportunity Scholarship Program. For many of these students, this was their first opportunity to access a high-quality education, an education that would give them the opportunity to excel, the opportunity for a bright future. That is what the debate is about. Indeed, we have seen incredible enthusiasm for this program, and the three-pronged approach has helped DC's public schools to get on the path of improvement and DC's charter schools which are also providing some quality educational opportunities.

But a young man who testified before our Homeland Security and Governmental Affairs Committee put it very well when he was asked by a Senator who opposed the DC scholarship program why we should not, instead, focus solely on the DC Public Schools.

He said: Mr. Senator, the DC schools didn't get bad overnight, and they are not going to get better overnight.

Clearly, what he was saying was, why should he lose the opportunity for a good education and a bright future while he is waiting for DC Public Schools to get better.

I join in the admiration for Michelle Rhee, who is working very hard with the mayor and with the city council to improve the DC Public Schools. We are making progress. We rejoice in that progress. We support that progress. That is why we are continuing to provide Federal funding for DC's public schools. But as this young man told us, the DC schools did not get bad overnight, and they are not going to get better overnight, no matter what extraordinary leadership they are receiving.

The DC scholarship program has clearly filled a need, a fact that is illustrated by the long lines of parents waiting to enroll their children in the program. Since its inception, more than 7,000 students have applied for scholarships. With demand so high, with the stakes so great, it is dismaying, to say the least—I think it is tragic—that critics are seeking to dismantle this program.

The inspiring stories we have heard from parents and students participating in the DC scholarship program parallel what we have learned from recent independent, rigorous studies conducted by the University of Arkansas and the Institute of Education Sciences at the U.S. Department of Education. Senator LIEBERMAN and I heard firsthand from the researcher who conducted that study. He told us parents were overwhelmingly satisfied with their children's experience in this program, and they also told us the students offered scholarships had higher reading achievement than those not offered scholarships, the equivalent of an additional 3 months of learning. Given that these students had not been enrolled in these better schools for very long, that is impressive progress. I am certain as their education continues, if it is allowed to continue, we will see even more substantial educational gains.

It is so disappointing—it is discouraging and dismaying—that we are having to fight for the continuation of a program that each and every day is making a difference in the lives of these children.

I am going to challenge my colleagues, before you decide how you are going to vote on this program, if you are inclined to vote against our amendment, first talk to just one student who is enrolled in this program and their parents. If you then can come to the floor and, in good conscience, vote against the Lieberman-Collins amendment—well, suffice it to say, I don't think our colleagues can, in good conscience, vote against our amendment, if they have talked to any of the students and their families who are benefiting from this program.

It would be truly a tragedy for the children of the District of Columbia if this program is not continued.

Let me end my comments with one startling fact. If Congress were to discontinue funding for DC opportunity scholarships, it is estimated 86 percent of the students would be returned to schools that are failing schools, schools that did not meet the adequate yearly progress standard for reading and math for the 2006–2007 school year. We simply cannot, in good conscience, allow that to happen.

I hope my colleagues will take a close look at the facts revealed by our hearing, the rigorous studies that have been done to compare educational progress, the recommendations of the chancellor of the DC Public Schools and, most of all, I hope they will listen to the students and to the families whose lives have been changed for the better due to this program.

I yield the floor.

The PRESIDING OFFICER (Mr. KAUFMAN). The Senator from Connecticut.

Mr. LIEBERMAN. I thank my colleague, Senator COLLINS, for coming to the floor, for being a cosponsor of this amendment. And for the passionate and reasoned way in which she spoke.

Two things come to mind in listening to her remarks. One is, we are very often dealing with big national or international matters on the floor of the Senate—health care reform, jobs act, whatever. They all involve people,

of course. But here is one which is local, and we can actually quantify the people. We have 1,319 children who are in private or faith-based schools because of this DC Opportunity Scholarship Program, getting, by their own telling and that of their parents, so much better an education, feeling better about themselves, being on the road of opportunity.

If we don't authorize this, although the administration has said it is committed to at least following these students through high school, there is not enough money there to do that. The President, in the budget, said this is probably the last year he will fund it. There is not enough money to carry these students through high school.

The second point is, with all the uncertainty in the program, the current administrator of it, a nonprofit corporation, has said they don't want to do this anymore. So far, no one else has been found to do it.

So this definitely closes the door to opportunity for hundreds of other students in the District and their parents to give them a better education, while Chancellor Rhee, over the next 5 years, is trying to make every school in the District of Columbia a good school.

But, secondly, it really focuses us on the possibility that these 1,319 children will be forced to go back to the public schools in their neighborhoods, and 86 percent of those schools, as Senator COLLINS has said, are designated under Federal law as inadequate. None of us would let our kids go there, and we would pay their way out. But these parents who benefit from this program cannot.

So Senator COLLINS has really spoken of this as a tragedy, a human tragedy—she is right—that you could look into the face of each of these 1,319 kids and say: Sorry, you can't go on in this school you all are so happy to be going to at this point.

The second point is this, and I say this respectfully: It has been very rare, when I have been involved in a debate in the Senate on a matter, that I have not felt there were some respectable, good arguments on the other side. I did not agree with them. On balance, they did not convince me my position was wrong. But I must say that on this one I cannot think of a single good reason to be opposed to this amendment: 5 more years of an experimental program, $20 million to the DC Opportunity Scholarship Program out of, by my recollection, $13 billion of Federal taxpayer money that goes to title I schools, and over $25 billion that goes from the Federal Government to public schools around America in the No Child Left Behind Program—a total of $25 billion or $26 billion.

This is $20 million for these DC Opportunity Scholarships, alongside $20 million more to the DC Public Schools that they will not otherwise get, and $20 million more for the charter schools. In fact, if this program is allowed to die and those 1,319 students are forced back into the public schools in their neighborhoods, that adds, by the estimate of one independent authority I have seen, at least $14 million more to the expense of the DC Public School System to take them back.

So I welcome people who oppose this amendment to come to the floor to debate it, but honestly, listening to Senator COLLINS, I cannot think of a good reason to be against this amendment. I thank the Senator very much for coming over, for her cosponsorship, and for all the work we have been able to do together.

Again, I say, why did this come before the Homeland Security and Governmental Affairs Committee? Because historically—the Presiding Officer, I am now proud to say, is a new member of the committee—the Governmental Affairs Committee has been given jurisdiction over matters regarding the District of Columbia. It is in that capacity that we have done oversight of this program.

I note the presence of another cosponsor—and I will give her a moment to get ready—Senator FEINSTEIN of California, whom I will yield to whenever she wants to speak.

One of the arguments against this—actually, since no one is on the floor opposing this, I am going to use a memo sent out this afternoon by staff to Senators opposing the amendment from the Democratic leadership office, I believe. I will just pick out a few of these.

The first problem cited: This program was passed in 2003 as a 5-year pilot program. It has now been extended twice through appropriations bills to minimize the disruption to students already in the program, and a plan for winding it down is in place. But that is the point.

So they say: Reauthorization is not needed to keep students in the schools they are in. That, according to the DC authorities on this, is not true. There is not enough money in it to keep them in there. The President said, in his budget this year, this would probably be the last time he would recommend appropriating to this program. The promise was to keep these students in the Opportunity Scholarship Program right through graduation from high school. There is not enough money there.

But more to the point, there is every reason to do it, based on the independent evaluation of the program, based on Michelle Rhee, chancellor of the DC Public Schools, who is supporting the 5-year reauthorization because she feels it is necessary.

Incidentally, this reauthorization is also supported by Mayor Fenty. He supports the tripartite appropriation: public schools, charter schools, and the Opportunity Scholarship Program. And it is supported in a letter from a majority of the members of the city council of the District.

I want to quote—I will come back to it again—Michelle Rhee. This is why it is not adequate to say this ought to be just appropriated every year and keep these students in the program dangling every year, making it harder to find an independent administrator of the program, why reauthorization is needed. But listen to this. This is Michelle Rhee in testimony before the Financial Services and General Government Subcommittee on September 16 of last year. She says:

> [O]n a regular basis, I have parents from Wards 7 and 8 (which are our highest poverty wards, which are also the home of our lowest performing schools) come to me and they've done everything a parent should do and they say, ''I've looked at all the data, I know my neighborhood school and the schools surrounding are not performing at the level that I want them to. So I participated in the out-of-boundary process; I went through the lottery and I didn't get a slot at one of the schools I wanted.'' So they look at me and say, ''Now what? What are you going to do?''

Michelle Rhee answered in her testimony:

> And I cannot look at those parents in the eye right now at this point and offer every single one of them a spot in a school that I think is a high-performing school.

Here is a gutsy comment from this chancellor who is really devoted to the improvement of the public schools. Chancellor Rhee says:

> And until I think we are able to do that, which I think is on that five-year horizon, then I believe that we do need to have choice for our families and I think they do have to have the ability to participate: either to move into a charter school or to use the opportunity scholarships.

End of quote from the chancellor of the DC Public School System. I have the greatest respect for her. It took a lot of guts to say that. But she said ''5-year horizon,'' and that is what this reauthorization does. It gives these kids—these parents who know their children are not getting a good education in the public school they are in—who have not been able to go to one of the out-of-boundary, out-of-their-neighborhood schools because the schools are packed, have not made it into a charter school because I gather there are thousands waiting who cannot get into the existing charter schools—let's give them an opportunity to get one of these opportunity scholarships and have a chance for a better education and a better life.

Mr. President, I am going to stop now. I am very grateful for the cosponsorship by the distinguished Senator from California, a former mayor, of course, who is intimately knowledgeable on public education, who is committed to public education and yet really concerned about every child. That is what this program is about.

I will yield the floor at this moment.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank you for the recognition.

I thank the distinguished Senator and chairman of the committee for his leadership on this issue. Also, the Senator from Maine is in the Chamber. I thank her for her support.

This has not been an easy program. It has always surprised me that people oppose anything that might give an individual another opportunity. I believe very deeply that some children do well in one kind of setting, other children do well in another kind of setting, and the real goal of education ought to be to provide a number of different choices for youngsters so you can see where they learn best and then enable them to be in that situation. I also have always had a hard time understanding why only the well-to-do can afford a private school, why youngsters have to go to schools that are among the most troubled and, candidly, the worst anywhere because that is the way it is and that is what public education insists it be. So I have supported this program for some 6 years now, since its inception under the leadership of District of Columbia Mayor Anthony Williams, and I strongly believe it should be continued. It is right.

It started out as a 5-year pilot program to determine whether youngsters, low-income students, do, in fact, learn more and learn better in some of DC's private and parochial schools. The program's most recent evaluation results show this program is, in fact, valid and students are, in fact, improving. So I say, why not reauthorize it? What is everybody scared of? Why not reauthorize it? The scholarships of up to $7,500 that are offered through the DC Opportunity Scholarship Program help children make their education in a private or parochial school possible.

Currently, we know this: There are 1,319 children who attend 45 private and parochial schools. They all come from families where the average income is $25,000, and 85 percent of these students would be in DC's worst performing public schools if it were not for this program.

This amendment would extend the life of this worthy program for 5 more years and allow both current and new students the opportunity to participate. What are we afraid of? It is supported by DC Mayor Adrian Fenty, as the chairman said; DC School Chancellor Michelle Rhee—one very gutsy young superintendent; a majority of the District's council; and by parents in the District.

What are we afraid of?

Preliminary evaluations by the U.S. Department of Education's Institute of Education Sciences have shown academic gains and student improvement. When these students entered the program 6 years ago, they were performing in the bottom third on reading and math tests in the District's public schools. Last year's more comprehensive evaluation shows that reading test scores of students receiving a scholarship were higher by the equivalent of 3 months of additional schooling. It showed that they increased to the 35th percentile on the SAT–9 national standardized test from the 33rd percentile where they were before entering the program. So progress has been made. Specifically, pilot program students scored 4.5 points higher in reading on the SAT–9, with a total score of 635.4 when compared to the District's public school students' score of 630.9. These academic gains are despite the many challenges these students face outside the classroom, coming from families where the average income is $25,000.

I look forward to learning more in the months ahead of how students are performing in the program and the impact it has had on them. But in the meantime, there are these results. They may not be major, but what they are showing is that youngsters are learning to read better in this new setting than they were in the public school setting. That, indeed, is something.

I would like to share three examples with you of how the program has helped change the lives of the District's youngsters and how it has shown to give them a chance to reach their highest potential.

Let me give you the first one. OK. Here we are. This is a picture of Shirley-Ann Tomdio, a ninth grade student at Georgetown Visitation High School. I have someone very close to me at Georgetown Visitation. This is a tough academic school, so this youngster has gone from one of the worst schools to a very strong academic school. The scholarship has allowed her to attend this school for the past 5 years. She is now a ninth grade student at Georgetown Visitation School, and she wants to go to college and become a surgeon. She was the eighth grade valedictorian at Sacred Heart Middle School which is located in the District's neighborhood of Columbia Heights.

Shirley-Ann said at her eighth grade graduation speech last year:

> The DC OSP [Opportunity Scholarship Program] is important to me because without it I wouldn't be able to receive the best education possible. It should continue so that my brother, sister, and other students get the same chance. Every child should get the chance to go to a good school.

Who can disagree with that? That is her statement. She is one of the lucky ones. She will go on, and she will do well.

The second student is Carlos Battle. He is a twelfth grade student at Georgetown Day School. He has attended a private school for the past 6 years, since the program started. He is a well-rounded student, participating in school plays. He enjoys classes in classical and modern dance. He plays on the basketball team. And he maintains a solid grade point average of 3.1. He wants to go to college and has already been accepted to Northeastern University with a possible full scholarship, and Loyola University, among other colleges.

He comes from a family with a single mother and has a younger brother named Calvin who is currently an eighth grader at St. Francis Xavier Academy, also with a scholarship from the program.

Carlos said this about his experience in the program:

> The scholarships I have received through the Washington Scholarship Fund have afforded me countless opportunities, but most important, I have been given the chance to better myself. Now, instead of wanting to be someone who is well-known on the streets, I'd rather be someone who is well-known for his education, communication, and advocacy skills. I now no longer have to worry about fights breaking out in my classroom, or being threatened on a constant basis.
>
> With this security, I'm able to focus harder and become more active in my school's community. Even better, I can look forward to the future. If I keep on this same track, I am almost guaranteed a better future for my family and for myself.

Why should we be afraid of this program?

Let me show you a third youngster, Sanya Arias. This is someone who is now attending St. John's University in New York. She graduated last year from Archbishop Carroll High School with a 3.95 grade point average and is now in her first year at St. John's University in New York with a full scholarship, and she loves it.

The DC opportunity scholarship helped Sanya attend Archbishop Carroll High where she was vice president of her class, captain of the soccer team, on the lacrosse team, and president of the International Club.

In addition to her many extracurricular activities, Sanya took all honors and advanced placement courses. She said this about her experience in the program after just graduating from Archbishop Carroll High School:

> It just shows the difference from 7th and 8th grade to where I am now, where my friends strive to succeed and they influence me to want to succeed along with them. So, I'm really grateful for this opportunity.

Why don't the words of students such as Sanya, Carlos, and Shirley-Ann affect us? Why don't they enable us to see that choice in education is not something that is threatening?

I serve on the Appropriations Committee. I was one of the deciding votes in that committee when this came up. We put a lot of amount of money, additionally, into the District for public education to be able to sustain a simple choice opportunity program.

This program goes to the District's neediest students from the District's most failing schools. I have just shown my colleagues three who have succeeded. Is that not worth it? I do not understand why we are so afraid to give needy youngsters the opportunity of choice in education, to allow someone who cannot do well in a certain setting to have a different setting in which they may well be able to do very well.

I say to these three youngsters: All the more power to you. I am very proud. We should listen to students such as Sanya, Carlos, and Shirley-Ann and continue to provide this program to the District's neediest children. We need different models for different children, and I think this program is showing that.

I don't know, there is a lot of lobbying against the program. The teachers union does not like the program. I don't understand why. I don't understand what is to fear. I don't understand why, if you provide some funding for poor children to go to a special environment to learn and they learn and this youngster now is in a university because of it—I think that is what we are all about. I strongly support this program.

I thank Senator LIEBERMAN for his support and advocacy for it and his leadership in bringing this to the floor. I hope we have the votes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, briefly, I thank my colleague and dear friend from California for a wonderful statement. First, I say officially as an Independent that the Senator from California has begun demonstrating her independence of mind, spirit, and heart.

Secondly, I cannot tell the Senator how important it was that she did what she did with those three students because this is personal. This matters to individual students. It is hard to imagine the talents these three have shown and have developed would have been developed in the same way, unfortunately, at the school they were consigned to by their neighborhood.

Years ago, I learned an expression from some wise person—a hundred years ago—that if you save one life, it is as if you saved the whole world because every individual has all the potential of the world within them. That probably was talking more about physically saving a life. The truth is, in a way, that is real. By giving these kids an equal educational opportunity, we are giving them the ability to save their own lives.

I cannot thank the Senator from California enough for a wonderful statement. I appreciate it very much.

I note the presence of my friend and colleague from Ohio, Senator VOINOVICH, who has been a long-time advocate, going back to his days in Ohio, for better educational opportunity for every child.

I yield the floor and look forward to his statement at this time.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I thank Senator LIEBERMAN for the leadership he has shown in this effort to make a difference in the lives of students in the District of Columbia. The Senator from California did a beautiful job of outlining the difference it has made for just a few who have been able to participate in the program thus far.

I rise, of course, to support the amendment—the amendment that will continue to give thousands of children in the District of Columbia an opportunity for a good education.

It was first authorized in 2004. The program has the potential to provide 1,700 children with scholarships of up to $7,500 each to attend the school of their choice. To qualify, students must live in the District and have a household income of no more than 185 percent of the poverty line. In the District, recipients' average family income is $24,300. These are very poor kids from families who are just making it. It is not something we have created to make available to everyone.

Unfortunately, while the program can provide 1,700 children with scholarships, it does not. Increasingly, prohibitive language in the appropriations bills and a hostile administration—and I mean hostile—has already decreased participation significantly. The program now helps just over 1,300 students.

It is baffling to me why this administration has focused so much attention opposing a successful program which has provided a high-quality education to more than 3,300 children. According to the independent evaluator of the program, ''participating DC students are reading at higher levels as a result of the Opportunity Scholarship Program.'' That is why, since 2004, approximately 9,000 families have applied for spots in the program—nearly three applications for each available scholarship.

In its fiscal year 2011 budget request, President Obama has indicated this will be the last year he expects to request funding for the program based on declining participation. Give me a break. I say to the President: It is difficult to participate in a program that is closed to new applicants. Participation levels are down because the Secretary of Education rescinded more than 200 scholarships to deserving children for the current school year, and he did so after enrollment in desirable charter and public schools had already begun.

Are we going to allow these children to return to failing, unsafe schools? High school graduation rates in the District's public schools are consistently among the worst in the Nation. According to the Washington Post—which, by the way, has editorialized in favor of this over and over—just over half the District's teenage students attend a school that is ''persistently dangerous,'' as defined by the DC Government. On an average school day, nine violent incidents are reported throughout the school system.

I would like to say that Michelle Rhee is doing her very best to bring back the school system. The DC Tuition Assistance Grant Program has been a help to many of these students. In fact, we increased attendance to college education because of the TAG Program. She is doing everything she can. Here is someone who came in here and wants to make a difference for the District. Before our Governmental Affairs Committee, she came out strongly and said this program should be continued. Mayor Fenty, the Mayor of the District of Columbia, again said this program should be continued.

What I find troubling is that some of our leaders who have exercised their right to school choice are denying that right to District parents. President Obama enrolled his children in a private school. There is no way he would allow his kids to attend the DC public schools.

Listen to this: Secretary of Education Arne Duncan moved his family to Virginia, saying:

> I didn't want to try to save the country's children and our educational system and jeopardize my own children's education.

Hear that?

> I don't want to try to save the country's children and our educational system and jeopardize my own children's education.

He has that opportunity. These people who take advantage of the program do not have that opportunity.

To quote former DC Mayor Anthony Williams:

> It is only fair to allow low-income parents the same choices that we all have, to select the best educational environment for their child.

In a letter to Senate Democrats regarding the DC program, the National Education Association wrote:

> Throughout its history, NEA has strongly opposed any diversion of limited public funds to private schools.

Unfortunately, the letter neglects the fact that the scholarships were designed according to a three-sector approach under which not a single dime has been cut from public schools. In fact, when we came in with this program—I think the Senator from Connecticut remembers—we put $14 million into charters, $14 million into the public school system, and $14 million into the scholarship program. We did not take a dime away from the District. In fact, they made out quite well on it. Add up 3 times 14, whatever that is. That is not bad coming from the Congress so we can move forward with some new ideas.

I have to tell my colleagues something. The merits of the program are of little importance to the NEA. I know this because after endorsing my 1998 Senate campaign, here is what they said. I love this:

> It is fair to say that no other Governor has done more for education and Ohio's children.

That is the NEA. They then quickly withdrew support for my 2004 campaign because I supported the DC School Choice Act. I was told—I will never forget it. I went into the interview. They all sit around. You know how it is. I answered their questions. After it was over, my opponent did the same thing.

Later on I heard back from the people who were there. They said: You did a terrific job. We appreciate what you have done, but you are not going to get it because we have been told from the boys in Washington: There is no way you are going to be allowed to endorse GEORGE VOINOVICH because he came out for the DC Scholarship Program.

Mr. President, I know the same kind of pressure is on many Members of this

Senate. What they are afraid of is, if they vote for this amendment Senator LIEBERMAN has, it will hurt them with the OEA or the NEA they have in their respective States. Senator LIEBERMAN has done the job explaining what this is. This is not a big deal. Why can't they stand and say: This is a little bitty program that is helping a bunch of kids in the District of Columbia. Give me a break. Why shouldn't I support it?

I may be a little emotional about this, but Ohioans knew this was a good program way back in 1995 when, as Governor, I supported the opportunity scholarships with the Cleveland Scholarship and Tutoring Program Office. This was opposed—of course it was—but Ohioans knew it was a good program. Over 1,900 students participated in the first year. So with hard work and dedication, we fought for the program for nearly a decade. Finally, on June 27, 2002, the U.S. Supreme Court, in a landmark decision, agreed that the program was constitutional in Zelman v. Simmons-Harris.

When I leave the Senate, I am going to write a book. One of the things I am going to talk about in that book is that landmark decision that started out in the State of Ohio in 1995 because I told the legislature the Cleveland system was going down the tubes and they needed to do something else. We finally got them to agree to put that scholarship program into Cleveland, OH. As a result of that program, over 1,900 participated in the beginning of it. Today, there are 6,000 students who are participating in that program.

The benefits, I would like to say, go beyond the academic. I think the Senator from California did a beautiful job in laying out how this helps academically, but a study by the Buckeye Institute in Ohio found students involved in the Cleveland program are gaining access to a more integrated school experience. It is very important they have this kind of experience.

This program wasn't available when I was mayor, and my children probably wouldn't have been eligible for it, but I will never forget that my son George was the only White kid in his class in a major work program in the city of Cleveland, and I have to tell you he is a different person because of the fact that he had that experience.

My daughter was one of two White kids who were in a class that was all African American. The program was terrific and they took advantage of it and they had a learning experience they would not have had if it hadn't been for this program that brought kids together for a special program.

In his closing testimony before our committee, former Mayor Anthony Williams said:

> Quite frankly, I am befuddled by the proposal to have the program die by attrition. I cannot understand why anyone could eliminate a program that has uplifted the lives, fulfilled the dreams and given hopes to thousands of low-income families.

I am also befuddled by that idea, and I urge my colleagues to stand and be counted. Support the Lieberman amendment. Let's let these kids have an opportunity that without this program they are not going to have available to them.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to thank Senator VOINOVICH for his statement. He brings several thoughts to my mind. The first is: Senator VOINOVICH, I am going to miss you when you retire at the end of this year. You are a straight shooter, you are a straight talker, and you speak from your heart. You have had a lot of practical experience—as mayor, as Governor, and as a Member of the Senate—and you bring it all to bear in what you said.

Secondly, I look forward to buying that book you are about to write. I hope it is about your career broadly, but I would be real interested in that Ohio opportunity scholarships or voucher program.

Mr. VOINOVICH. If the Senator would yield, Mr. President, I would like to say, I hope that one of the things I write about is the Lieberman amendment that passed the Senate.

Mr. LIEBERMAN. Well, let's call it the Lieberman-Voinovich amendment.

Senator VOINOVICH has spoken from his own experience in the Ohio case. As he said, sometimes people say opportunity scholarships or vouchers are constitutionally suspect or unconstitutional. Not true. The Supreme Court has ruled that the Ohio voucher program was a neutral private choice program that did not violate the establishment clause.

But I will tell you what rings in my ear is the questions that have been raised by my colleagues in support of this amendment. Senator VOINOVICH said: Why would you vote against this amendment? Why would you vote against this program? As the Senator from California, Mrs. FEINSTEIN, said: What is there to be afraid of in this program? It doesn't take money away from the public schools. The head of the DC Public School System is for the program because she thinks it will benefit the children who need it, whom she knows she can't give a quality eduction to over the 5 years of the authorization program.

This program has been tested by an independent evaluator, Dr. Patrick Wolf, principal investigator for the U.S. Department of Education study, and he concluded that:

> The DC voucher program has proven to be the most effective education innovation policy program evaluated by the Federal Government's official education research arm so far.

Of the 11 innovation programs investigated, studies showed only 3 have reported any statistically significant achievement gains, and the gains reported in the Opportunity Scholarship Program in the District of Columbia are the highest thus far.

I know Senator ROCKEFELLER wants to return to the FAA authorization bill, so I will begin to wind this up. I thank all my colleagues who came over to speak on behalf of the amendment. I regret that nobody has come to speak against it. I was looking forward to a good debate. So I have to go back to this staff memo sent out to Senators against the amendment. We have actually dealt with all the arguments made:

Public dollars should be spent on public schools that accept all students subject to uniform public standards. This program accepts the students who apply, and when there are too many, they subject them to a lottery. It is a wide-open program.

They cite the Department of Education study. They do not do it fairly. They speak wrongly: DC parents already have choices about where to send their children with the public charter school network. Yet we know those programs are oversubscribed.

The fact is, all the arguments made in this memo against the DC Opportunity Scholarship Program and keeping it alive in the hopes that the lives of a limited number of students in the DC school system—1,300; maybe with this reauthorization they will be able to add a couple hundred more in each year for the next 5 years; maybe it will be 1,000 more children—will be better and for whom the doors of opportunity will be opened in a way they are not opened now. Why would anybody oppose this? I can't think of a good reason.

The group that has been most vigorously opposed has been the teachers unions. I understand why, but their interests do not outweigh the interests of these children, economically disadvantaged, with dreams and hopes they can't realize in the schools they are in but who have those hopes elevated and realized—as those three beautiful pictures of students who have been in this program that Senator FEINSTEIN showed us.

Look, along with Chancellor Rhee, I hope for and, in fact, envision a day when the DC Opportunity Scholarship Program is not needed and it will not be needed because the DC Public School System will be providing a good education to every student who lives in the District of Columbia. But that, as Chancellor Rhee has said, is not the reality these children and their families live in today. Many schools in our Nation's Capital, as the chancellor has said, are not providing an adequate education to the students.

I repeat: I will bet there is not a Member of this Senate, if their children were consigned by neighborhood allocation systems, who would not spend the money to get their children out of those schools because their children's lives and hopes and dreams would be compromised, through no fault of their own, simply because the schools were not adequate to educate them. So this is all about helping some

of those students by supporting this amendment to reauthorize the DC Opportunity Scholarship Program 5 more years.

I hope and pray what Chancellor Rhee said is right; that in 5 years she can look every parent of every student in the DC Public School System in the eye and say: Your child is at a school where he or she can get a good education so we don't need the DC Opportunity Scholarship Program anymore. But for now, Chancellor Rhee says we need it, Mayor Fenty says we need it, former Mayor Williams—who helped to create the program—is strongly for it, and a July 2009 poll conducted in the District of Columbia says, 75 percent of District residents want and need the DC Opportunity Scholarship Program.

I don't see a reason why a majority of Members of this Senate, hopefully an overwhelming bipartisan majority, would speak against this; would frustrate the hopes of all these families, all these students, and all these leaders of education in the District of Columbia. So I am going to yield the floor with the hope that we can have a vote on this soon, and I urge my colleagues to think about the 1,319 children whose lives will be compromised, whose dreams will be stifled if this program is not reauthorized.

I thank Senator ROCKEFELLER for his patience while we continued on this amendment, and with that, I yield the floor.

Ms. MIKULSKI. Mr. President, I rise to vehemently oppose Senator LIEBERMAN's amendment to reauthorize the District of Columbia Opportunity Scholarship Program. This amendment would extend a program that impacts fewer than 5 percent of the District's public school children, and, after more than 5 years in operation, has proved to be little more than an ineffective exercise in ideologically driven education reform.

The DC Opportunity Scholarship Program has minimal impact and scant evidence of any academic benefit to the students who participate in the program. It also siphons vital Federal money away from DC families that enroll their boys and girls in public schools. I would rather see that money invested in research-driven, high-impact education initiatives that benefit public schools open to all children. Let's invest more in DC's early education programs, so that moms and dads have kids ready for kindergarten when they get there. Let's boost funding for teacher recruitment to bring the best teachers into DC's most challenged schools, which can have a tough time recruiting top talent. Let's invest in the renovation and modernization of DC's oldest school buildings, so students and families are guaranteed safe, clean, and healthy learning environments. Let's ramp up funding to improve DC's special education programs, so that parents aren't forced to send their children to costly, private special education providers.

I can understand why parents would be excited about the opportunity to send their child to a private school. I myself am the product of a Catholic education. But I cannot reconcile that potential benefit to parents with the fact that certain members of Congress believe they can act like DC's school board. I believe the District of Columbia should have a voice and a vote in Congress; that they should receive statehood. I believe they should control their own money. And, I believe that if DC would like to have a voucher program the DC School Board should vote for it and pay for it with local, not Federal, tax dollars.

I urge my colleagues to join me in opposing Senator LIEBERMAN's amendment.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I rise to get back to something called the Federal Aviation Administration reauthorization bill. It is the bill we are on. I do not hesitate to say my daughter was one of the cofounders of a charter school, very successful, in Washington, DC, but I would also say to her, as I would to proponents of this legislation which is being discussed—vouchers—that in the Federal aviation bill, we are talking about 500 million Americans who fly every year. Not to diminish them nor my daughter's incredible work—1,300 students—that figure is going to rise very shortly to over 1 billion, and therefore what we do in the Federal aviation bill, which is the pending business, is incredibly important.

Senator BYRON DORGAN has discussed safety issues and other aspects of the legislation and he is the chairman of the Subcommittee on Aviation Operations, Safety, and Security, which I was for 10 years before I became chairman of the full committee, so I care passionately about the Federal Aviation Administration bill. I recognize it is not the most colorful, gallant legislation in the history of the world but, believe me, it affects every single American. It used to be that only 16 percent of Americans fly. Now everybody flies.

There is no way to describe how frustrated passengers are, and they have every right to be. This Federal aviation bill, incidentally, has been extended or laid over 11 different times. Eleven different times we have not been able to get to it, until this day. So I am glad we had the previous discussion and we are going to get to a number of amendments and vote on them before 6 o'clock this evening, after I announce some agreements that have been already been reached. So progress is being made, and I just wish to see it continue being made.

You have to figure that some passengers—not many cases but in some cases—have been kept waiting 9 hours on a tarmac. I can't even begin to do the body math of 9 hours, but I don't choose to because it is not pleasant. How does one eat? How does one keep sanity? Presumably, the engines are running. If they are, there is air. If they are not, there is no air. So it is extremely stuffy. You are without food, you are without water, you are without facilities and, most important, you are without any information to know where you are. This is all absolutely unacceptable.

In one little section of the bill, I want to say a couple of the things we do to fix that. This bill requires that air carriers in coordination with airports develop contingency plans to make certain they are prepared for these kinds of delays which will happen and which do happen. As more and more people fly, they will happen more frequently. It is a fact of life.

Under our bill, passengers have to have access to water, they have to have access to food, to restroom facilities, and to medical attention. They cannot remain on the tarmac for over 3 hours. I think that is stretching it. There is one little caveat which I sort of accept—at least it is in the bill—that if a pilot in his or her judgment believes that within the next 30 minutes or less they will take off, they do not have to go back to the terminal to disgorge their passengers so they can get caught up on water, facilities, medical attention, all the rest of it.

These are such commonsense protections, but they affect so many people and children. I have five grandchildren. I am trying to think what my five grandchildren would be acting like after 3 hours on a plane that has not gone anywhere. I am trying to imagine that from various points of view and none of them comes out very favorably, not one of them.

The air carriers will also have to post on their Web site which of their flights as a matter of their record tend to be delayed, tend to be canceled, tend to be on time, or diverted. That is a matter of record. It is not doing every one, but those which are likely to do that. That is on the Web site so when the passenger purchases tickets they get that, and that information has to be updated on a monthly basis and it has to be provided to customers before they purchase a ticket, Web site or no Web site. That is an advance in keeping passengers happier.

Any air carrier selling a ticket must disclose the actual air carrier. Why do I say that? Because, as Senator DORGAN has said a number of times, oft you do not know what you are flying on. There is a United up here, and a Colgan down here, and you don't know what you are flying on so you do not know who to hold accountable. We think accountability matters so you are told before you get the ticket what plane you are going to be flying on—who owns that plane, who flies that plane. So you do not, as I routinely—in West Virginia, this Senator—they are all propeller flights with one or two exceptions.

Senator DORGAN has also pointed out that 50 percent of all our aviation in

America—and we do fly half the people in the world. We are half the world's air traffic, right in North America. So we have to know whether they are a regional carrier and we have to know the information about them before people buy their ticket.

Passengers have been overlooked. They have been dismissed by the aviation system for so many years because we could get away with it and everybody was prospering. But along this time people were suffering, grievously sometimes. I think a lot of people—in fact, I think of a couple of my sisters and some people in my office, who, just when they are in an airplane, they change. They get white-knuckled. It is a cylinder, and people react in different ways to that. So we need to give passengers all the comfort, the information, and the transparency they can possibly have.

I just make that short statement. It is one aspect of our very long and comprehensive FAA authorization bill which has been waiting now for 3 years to reauthorization, and which we wish to do.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from North Dakota.

Mr. DORGAN. Madam President, as the Senator from West Virginia said, we are on the FAA reauthorization bill, that is reauthorizing the programs that deal with aviation safety and air traffic control and airport improvement funds and essential air service—all of these issues. For the last hour we have been hearing debate about a school voucher program in the District of Columbia. Why would that be the case? Because this is an authorization bill and anyone can come and offer any amendment to an authorization bill. So Senator LIEBERMAN and the cosponsors of his amendment are well within their rights to do that. It has nothing at all to do with the bill on the floor of the Senate, however.

Because we are going to vote on it, however, let me say a few words about it. I have spoken about the FAA reauthorization bill previously this afternoon and will again later, but let me talk for a moment about the issue of school vouchers. First, this is not the place to do it. This is not the place to offer the amendment. They have the right to offer the amendment but we are trying to get a bill done here.

The rest of the world is moving forward to modernize the aircraft control system and we, with the most congested and complicated air traffic control space in the world, we have extended the FAA authorization 11 straight times because we have not been able to get a bill done.

We will probably have three or four votes today and none of them have anything to do with the FAA. I hope we will clear some amendments. Senator ROCKEFELLER has been working hard to clear some amendments, but the votes we will have today have to do with earmark reform or school vouchers or any number of other subjects, discretionary budget caps, having nothing to do with the underlying bill. But if we must vote on them, let me at least take a couple of moments to respond to what we have heard for the last hour.

I know the people who came here to support the voucher amendment are enormously passionate about their support. The amendment is providing vouchers paid for by the American taxpayer for about 1,200 students in the District of Columbia, to attend private schools. In short, it provides public funding for certain students to attend private schools.

I am a big supporter of education. I believe education is our future. I believe when Thomas Jefferson said that anybody who believes a country can be both ignorant and free believes in something that never was and never can be. I understand that. I think education is the building block and foundation for America's future. In fact, it has been the success of America, that we designed education from the very start differently from many other countries. We said we are going to have a system of public education—public education, that means public schools that allow every child to go into that school and come out of that school with whatever their God-given talents allow them to become. We are not going to move people off, in the sixth grade or eighth grade, based on ability. That is not the way we are going to do it. Every child can enter those classrooms and decide to graduate with whatever their God-given talent allows them to achieve in this education system.

That is public education. I know people say to me America's schools do not work. Oh, really? Really? If you get to the Moon, anybody, would you please tell me whose bootprints are on the Moon? They are not Chinese or Russian, they are bootprints made by an American, made possible by people who were educated in America's public school system, who helped us to understand the science and math that allowed us to learn to build airplanes and learn to fly them and then build rockets and walk on the Moon and plant an American flag on the Moon. Public education has been remarkable for this country.

I walked into the oldest House Member's office the first day I came to the Congress. His name was Claude Pepper and he had two photographs behind his chair, at his desk, that I have never forgotten. Claude was in his mid- or late eighties. One photo was of Orville and Wilbur Wright making the first airplane flight, December 17, 1903, 59 seconds off the ground, the first human-powered flight. The photo was autographed ''To Congressman Claude Pepper with deep admiration, Orville Wright,'' before Orville died.

But just behind it was a second photograph of Neil Armstrong stepping gently with his boot on the surface of the Moon. I thought to myself, what is the distance measured between those two photographs? About four inches. But think of the distance in education, to learn to fly and fly to the Moon. Someone else didn't do that. We did that, with a network of public education that says to every kid: You can become whatever your God-given talents allow you to become.

Universal education in a system of public schools. Is it perfect? Certainly not. Has it worked? You bet. I am so tired of people trashing public schools. I go into a lot of classrooms and I almost never leave the classroom without thinking to myself: What an American hero teaching in that classroom. They didn't choose the profession that pays the most, for sure. But that teacher, that man or woman who is teaching those kids, what a remarkable person that is. I always leave classrooms feeling that way.

Let me talk about this program very quickly. This program, a voucher program to create public funding for a certain number of students here in the District of Columbia to attend private schools, was established as a 5-year pilot program in 2003. That is 7 years ago; a 5-year pilot program. It has now been extended twice through appropriations bills in order to minimize the disruption for students already in the program and a plan to wind it down is now in place. Reauthorization is not needed to keep current students in their schools.

In my judgment, public dollars should be spent on public schools. Yes, there are improvements that are needed in public schools. Why don't we invest in those improvements. Here in the District of Columbia they are $40 million short of what is needed. Yet we are using public dollars to support vouchers for private schools. I know it is not a lot of money but this is a program that, 7 years ago, was authorized for 5 years. It demonstrates how hard it is to shut down any program. At a time when education budgets are being slashed for public schools, we ought to be directing the money we have in the public domain for public schools.

Those who wish to attend private schools, they pay private tuition, I understand that. But our public funding ought to be devoted to strengthen our public schools.

Let me talk for a moment about a study that has been done of this voucher program. It has produced very mixed results. The Department of Education did a study that was mandated. After 3 years, no statistically significant achievement impacts were registered for students coming from the lowest performing schools. The reason that is important is that was the target of this program, low-performance schools, to allow those parents to get those kids out of those schools and give them a voucher to go to a private school. What we have discovered from the Department of Education study is for those very schools, the target schools, the lower performing schools, there is no

statistical achievement impact for students who came from those schools going into this voucher program.

Some of my colleagues said you have to give these people a choice and a chance. How about giving them a choice? The District of Columbia already has choices. There are choices available to parents on where to send their kids. There is a robust public charter school network with 60 charter schools here in the District of Columbia. Unlike voucher schools, public charter schools are open to all students, subject to the same accountability as all other schools, public schools; the same accountability standards. So the parents in DC already have some of that flexibility about which schools their children shall attend.

This program has not gone through the full committee process since 2003. The Homeland Security and Governmental Affairs Committee has yet to mark up this legislation in this Congress. More important, this amendment has nothing at all to do with the bill that is on the floor of the Senate.

I do not support this on its merits. I didn't support it in the Appropriations Committee. I do not support it now. I believe we ought to defeat it at this point, not because I do not support education but it is precisely because I support public education that we ought not be spooning off money here into a voucher program, taking public funds and moving them into private schools with, as I indicated, very mixed results as reported in a study that was done by the U.S. Department of Education.

I want for our children, for all children, to have the best education they can have. Our public school system has served this country well, but we have a lot of challenges. I will, finally, say this: One of the significant challenges of the public school system is not that teachers are poor teachers; it is not that the school is a bad school; it is, a school inherits virtually everything that exists in that town or that neighborhood and has to deal with it. That is just a fact.

So it is a challenge sometimes to, in public schools, do all that we want to do. But if we look at a couple of hundred years of history in the United States of America, it is pretty hard to conclude that we, as opposed to all other countries, we are the ones with universal education. We are the ones who supported public education. It is pretty hard to conclude that we have come up short relative to other countries.

Let me make one other point and perhaps boast just for a moment. If North Dakota were a country and not a State, a country not a State, we would rank second in the world next to Singapore in eighth grade math scores.

Does good news get reported very often? Not very often. It is just bad news that sells. This is an old saying: Bad news travels halfway around the world before good news gets its shoes on.

We ought to spend a day talking about the good news of education and then spend time as well addressing the challenges because there are some difficulties that we need to address. But I did want to say I am not going to vote for this voucher amendment. I do not think it is the right choice. I believe the proper choice is to strengthen public education, address the challenges of public education. We can do that. Our parents did it, our grandparents did it, and we can have the same kind of impact on our future as they did.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Madam President, I ask unanimous consent to speak as in morning business for up to 25 minutes.

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

LEHMAN BROTHERS

Mr. KAUFMAN. Madam President, last Thursday the bankruptcy examiner for Lehman Brothers Holdings, Incorporated released a 2,200-page report about the demise of the firm, which included riveting detail on the firm's accounting practices. That report has put into sharp relief what many have expected all along: that fraud and potential criminal conduct were at the heart of this financial crisis.

Now that we are beginning to learn many of the facts, at least with respect to the activities of Lehman Brothers, the country has every right to be outraged.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that the Senate now resume consideration of the DeMint amendment No. 3454, and that at 6 p.m. the Senate proceed to vote in relation to the amendment, with the time until then divided and controlled between Senators INOUYE and DEMINT or their designees; and that upon disposition of amendment No. 3454, the Senate then proceed to vote in relation to the following amendments with 2 minutes of debate prior to each vote equally divided and controlled in the usual form; and that after the first vote in this sequence, the remaining votes be limited to 10 minutes each; and that no amendment be in order to any of the amendments in this order, prior to a vote in relation thereto; and that in the case where there is a modification, the amendment be so modified with the changes at the desk.

The amendments are Feingold amendment No. 3470, as modified; Vitter amendment No. 3458, as modified; Lieberman amendment No. 3456.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. Madam President, I will not object, but I would like to add that Senator COCHRAN be protected, with Senator INOUYE, to have some of the divided time but that it not affect the 6 o'clock beginning.

The PRESIDING OFFICER. That is the understanding of the Chair.

Without objection, it is so ordered.

The amendments, as modified, are as follows:

AMENDMENT NO. 3458, AS MODIFIED

At the end of title VII, add the following:

SEC. 7___. COASTAL IMPACT ASSISTANCE PROGRAM AMENDMENTS.

Section 31 of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a) is amended—

(1) in subsection (c), by adding at the end the following:

''(5) APPLICATION REQUIREMENTS; AVAILABILITY OF FUNDING.—On approval of a plan by the Secretary under this section, the producing State shall—

''(A) not be subject to any additional application or other requirements (other than notifying the Secretary of which projects are being carried out under the plan) to receive the payments; and

''(B) be immediately eligible to receive payments under this section.''

AMENDMENT NO. 3470, AS MODIFIED

At the end, insert the following:

TITLE _____—RESCISSION OF UNUSED TRANSPORTATION EARMARKS AND GENERAL REPORTING REQUIREMENT

SEC. _01. DEFINITION.

In this title, the term ''earmark'' means the following:

(1) A congressionally directed spending item, as defined in Rule XLIV of the Standing Rules of the Senate.

(2) A congressional earmark, as defined for purposes of Rule XXI of the Rules of the House of Representatives.

SEC. _02. RESCISSION.

Any earmark of funds provided for the Department of Transportation with more than 90 percent of the appropriated amount remaining available for obligation at the end of the 9th fiscal year following the fiscal year in which the earmark was made available is rescinded effective at the end of that 9th fiscal year, except that the Secretary of Transportation may delay any such rescission if the Secretary determines that an additional obligation of the earmark is likely to occur during the following 12-month period.

SEC. _03. AGENCY WIDE IDENTIFICATION AND REPORTS.

(a) AGENCY IDENTIFICATION.—Each Federal agency shall identify and report every project that is an earmark with an unobligated balance at the end of each fiscal year to the Director of OMB.

(b) ANNUAL REPORT.—The Director of OMB shall submit to Congress and publically post on the website of OMB an annual report that includes—

(1) a listing and accounting for earmarks with unobligated balances summarized by agency including the amount of the original earmark, amount of the unobligated balance, and the year when the funding expires, if applicable;

(2) the number of rescissions resulting from this title and the annual savings resulting from this title for the previous fiscal year; and

(3) a listing and accounting for earmarks provided for the Department of Transportation scheduled to be rescinded at the end of the current fiscal year.

The PRESIDING OFFICER. Who yields time?

Mrs. HUTCHISON. Madam President, I just wanted to say to my colleagues that they need to prepare now for a 6 o'clock vote. Anyone wanting to debate will be able to do so within the constraints of the resolution that we just passed.

Senator INOUYE is on the Senate floor. We are expecting Senator COCHRAN and Senator DEMINT. So I hope if anyone else wants to have time within those timeframes that they would come to the floor now because I will object to any delay beyond 6 o'clock to start these four votes.

I yield the floor.

Mr. ROCKEFELLER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. INOUYE. Madam President, the amendment offered by the Senator from South Carolina is, simply stated, a misguided attempt which would turn over the power of the purse to the executive branch. It will not save a penny toward the deficit. It will allow unelected bureaucrats who have no accountability to voters to determine how Federal tax dollars are expended instead of the Congress.

Despite the protestations of a few Senators and an active media campaign spurred on by well-financed so-called watchdogs, this amendment is a solution to a problem that does not exist.

For the sake of my colleagues who may still want to support a moratorium on earmarks, let me point out where we are at this moment. Since retaking the majority in 2006, the Democratic-led Congress has reduced funding for earmarks by more than 50 percent.

As the new chairman of the appropriations committee last year I vowed with the Chairman of the House Appropriations Committee, Representative OBEY, that we would continue on the path set by former Chairman BYRD to reduce earmarks until they represented less than 1 percent of discretionary spending.

We achieved that objective in the fiscal year 2010 Appropriations Bills, and we have agreed that we will not exceed 1 percent as long as we are chairmen of our respective committees.

If we look at the numbers in 2006, the completed appropriations Acts included $16.7 billion in what are called ''Non-project Based Earmarks.

Madam President, $8.4 billion of these were in defense and the remainder in non-defense programs. In the fiscal year 2010 bills, we ended the year with a total of $8.2 billion in earmarks, $4.1 billion in defense and $4.1 billion in non-defense, well below 50 percent of the amount in 2006.

As a percentage of discretionary spending, non-project based earmarks are hardly ½ of 1 percent. Not only have we accomplished our objective, we have exceeded our goal.

I am sure others will cite different numbers and try to say that we have many more earmarks than we are counting. The earmark definition that we use for FY 2010 is the one that comes from the Senate rules. Other outside groups may want to consider additional congressional items as earmarks, but we can only go by what the Senate has declared as earmarks.

In summation, let me say this. Since the Democrats have retaken the Congress we have reduced earmarks by more than 50 percent. We are well below 1 percent of total discretionary spending for non-project based earmarks, and we will not be going above 1 percent as long as I am Chairman.

As the Senate considers this amendment, I believe it is time we have an honest debate about the overall subject of earmarks. What they are and what they aren't.

First and foremost, earmarks have nothing to do with the deficit. And let me say that another way to make sure everyone understands.

If we eliminate all earmarks this year or forever, it will not save a nickel in Federal spending. Not a dime. Not this year, next year, or ever.

So to continue on this theme, if we adopt the amendment from the senator from South Carolina, we won't save a penny in fiscal year 2010 or fiscal year 2011. We just change who gets to decide what we spend.

The definition of an earmark is to carve out funding from a budget for a specific purpose. It is not adding to the budget. When we specify that we want an agency to spend a portion of its budget on a specific item we aren't increasing that agency's budget, we are simply reallocating funding within the budget for that purpose.

If that is not completely understood let's look at it this way. The president submits his request to the Congress for funding by agency and budget functions.

Our budget committee reviews the funding requested and tells the appropriations committee how much funding it can spend in the budget resolution.

The budget resolution makes no assumptions about earmarks. It doesn't designate earmark levels in any way, shape or form.

The appropriations committee then divides the total funding provided in the budget resolution among its subcommittees.

The committee doesn't increase an allocation for earmarks, nor does it reduce the allocation if earmarks are not funded.

Instead it provides the subcommittee with a total amount it can spend. For example, the Foreign Operations subcommittee usually chooses not to proide earmarks. That doesn't change the amount of spending the subcommittee provides.

If the Senate adopts this amendment it will dictate that the fiscal year 2011 there will be no earmarks, but the budget committee won't be reducing the allocation to the appropriations committee. The appropriations committee won't reduce the subcommittee allocations. We will just defer to the executive branch to determine how taxpayer funds are spent.

So this debate like all others on the issue of earmarks is who gets to determine how taxpayer funds are allocated, the congress or the Executive Branch?

All my colleagues are aware that the Constitution requires the Congress to determine where our Nation's funds should be spent. There can be no argument on that.

Why then do a handful of members persist in advocating the elimination of the congressional discretion to allocate funds?

Some raise the factor of corruption. We are all too aware the role that earmarks played in the corruption and eventual conviction of one Republican member of the House of Representatives.

While other corruption has swept other Members of the House, little of that had to do with earmarks. It has involved paid vacations or gifts. It has had to do with sweetheart deals in legislation, or possible bribes for legislative favors.

Moreover, the appropriations committee has enacted reforms to minimize any possible chance of corruption by increasing transparency.

As Chairman I now require members to place all of their earmarks on their website 30 days before we act upon their requests.

We then post all earmarks that are to be included in appropriations bills on the committee's website 24 hours before the full committee takes action on the bill.

Furthermore, as directed under Senate Rules, we require each Senator to certify that he or she has no pecuniary interest in any earmark that is requested.

We cannot legislate morality. What we can do and have done, however, is to put safeguards in place to ensure that our actions are above board, transparent, and in the best interest of our constituents.

Clearly if this amendment were to become law it would change who does the earmarking, not whether earmarks are done.

On February 1, the President submitted his appropriations requests to the Congress. The staff of the appropriations committee has begun its detailed examination of that request.

My colleagues should know that our review by the staff and the members of our subcommittees takes months to complete. However, in our preliminary review of the budget we have discovered that the President has requested earmarks totalling $25 billion.

This is a conservative estimate of the executive branch's earmarks and it

uses the same criteria as we would use to identify a congressional spending earmark, specific location or entity, noncompetitive award, and specific dollar amount.

In this first assessment, we find that the administration request exceeds congressional earmarks that were approved last year by more than 100 percent, twice as much.

This amendment would do nothing to stop the practice of earmarking, but rather only eliminate the congressional influence in that process.

But for those who want to persist in championing this amendment as a reform, they should seriously think about the following information.

Last week, the democratic leadership of the House Appropriations Committee announced that they no longer would include earmarks done on behalf of for-profit entities, that means for all practical purposes, private companies.

The reaction from the lobbying community and other interested parties was swift.

According to a March 11 Washington Post article:

> Lobbyists said a prohibition against for profit earmarks will shift their focus from Capitol Hill to the Federal agencies.

Mr. Alan Chvotkin, a lobbyist for the Professional Services Council, was also quoted saying:

> There will be greater attention focused on protecting programs in the President's Budget.

Lobbyists and oversight organizations both agree—the lobbyists will simply go around the Congress and attempt to get their earmarks in the President's Request.

A story that appeared in the March 11 edition of Roll Call reports that Bill Allison of the nonpartisan Sunlight Foundation, which advocates for government transparency, said earmarks should remain in appropriations bills.

> ''The dangerous earmarkers are those going underground,'' Mr. Allison said. ''The real solution is to make them transparent.''

Instead of banning earmarks, Mr. Allison said Congress should focus on creating a centralized place for the public to see who is requesting earmarks and an easily navigable process for following an earmark from start to finish.

Let me say for the record we already do that.

And finally, this from Laura Peterson of Taxpayers for Common Sense, an organization that has been outspoken in its criticism of the appropriations committee.

In a March 10 Congressional Quarterly article, she said:

> Any ban on spending defined as earmarks could end up increasing the practice of securing funding without formally requesting an earmark. I would be concerned that some earmarks might just migrate to the appropriations bills as committee adds.

If it weren't so serious it would be almost laughable. Under this amendment, we won't eliminate earmarks, we will only eliminate our role, a role the Constitution has assigned to the Congress.

Moreover, all our efforts at making earmarks more transparent would be rendered moot.

The reforms we have implemented, which ensured full and open disclosure of who sponsors earmarks, as well as who has given money to those sponsoring earmarks, would be irrelevant.

Instead, we will have these decisions made by unelected bureaucrats in back rooms of agencies scattered all over this city. Is this the transparency that earmark opponents desired? I think not.

I don't understand why those who are the most opposed to the policies of the current president are so intent on putting additional power into his hands and those who serve the Executive Branch. Article I of the Constitution states very clearly:

> No money shall be drawn from the Treasury, but in consequence of appropriations made by law.

The DeMint amendment tramples on the framework established by our founding fathers. In fact, James Madison believed the power of the purse to be the most important power of congress. He called it ''The most complete and effectual weapon with which any Constitution can arm the immediate representatives of the people.''

I want all my colleagues to understand what we are doing today. I want everyone watching this body on the television to understand what we are doing today, so that in the future, no one can say, ''I didn't know.''

This amendment shifts the power to designate the expenditure of and accountability for taxpayers' hard earned dollars away from the representatives they elected, to the Executive Branch, where unelected bureaucrats who are accountable to no taxpayer will make the decisions of where those dollars will be spent.

There were indeed corruptions in the earmark process in the past. No one will dispute that. A Republican member of the House was convicted for corruption related to earmarking.

But we as Democrats addressed that issue when we came into power. We implemented reforms which ensured full and open disclosure of who sponsors earmarks, as well as who has given money to those sponsoring earmarks. It is all outlined for the world to see.

Now with this amendment, not only is transparency in the Congress not continued, but we are shifting the decisionmaking related to billions of dollars—which is another way of saying earmarking—to unelected bureaucrats.

As I said, now with this amendment, not only is transparency in the Congress not continued, but we are shifting the decision-making related to billions of dollars—which is another way of saying earmarking—to unelected bureaucrats that do not have to post anything about their relationships to recipients, who they meet with, when they meet with them, or who bought them dinner. None of those reporting requirements apply to unelected bureaucrats.

I am a strong proponent of earmarks. I am proud to sponsor earmarks that meet the needs of my constituents. Like every other Member of this body, I believe I understand the needs of my State better than the bureaucrats downtown do. I am closer to the people of Hawaii and I owe my allegiance to them.

I will continue to support earmarks for Hawaii as I will support the legitimate earmarks from other members of this institution.

The founders of our great Nation in their wisdom correctly placed the power of the purse in the hands of our elected legislators.

Those who seek to overturn that decision by placing artificial constraints on our ability to carry out that mandate are ultimately undermining our Nation's freedoms. They would create a system where there is no accountability to the voter on how their tax dollars are spent.

This amendment is one of many this institution has faced and will continue to face that seeks to alter the way taxpayer funds are allocated.

Perhaps unwittingly, but if enacted it would turn over spending decisions to the executive branch and weaken our separation of powers. We should not tolerate that.

Finally, to remind my colleagues, this amendment won't save a nickel. It has no impact on the deficit. The amendment serves no purpose other than to take away the Congress's right to determine how funds are allocated. I urge all my colleagues to reject this amendment.

The PRESIDING OFFICER. The time of the Senator from Hawaii has expired.

Mr. INOUYE. Madam President, I thank you very much and I hope this amendment is defeated.

The PRESIDING OFFICER. Who yields time?

Mr. INOUYE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COCHRAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Mississippi.

Mr. COCHRAN. Madam President, I understand we have time allocated to this side of the aisle, and the Senator from South Carolina has agreed to yield me a few minutes, and then he is going to close up debate after I speak.

The PRESIDING OFFICER. The Senator is recognized.

Mr. COCHRAN. Madam President, I oppose the amendment of the Senator from South Carolina. He is a friend of mine. He is a distinguished Senator. He makes an impact here in the Senate that is very impressive. But I think his proposal to impose a virtual moratorium on congressionally directed spending is not in the public's interest.

Some Senators who support the amendment voted earlier this year against creation of a deficit reduction commission and against pay-as-you-go rules. They argued that those initiatives were merely fig leaves and might make Congress feel good, but would not serve any useful purpose and might actually operate against our effort to reduce the national debt.

This amendment also may make you feel good, feel like you are doing something to reduce spending, but in reality, it does not accomplish that goal. Earmarking has nothing to do with how much the Federal Government spends, but it has everything to do with who decides how the Federal Government spends.

The DeMint amendment applies to earmarks in any bill—whether it is authorizing legislation, tax bills, or appropriations bills. The Appropriations Committee drafts bills that conform to the discretionary spending levels established in the annual budget resolution. If it is the will of the Congress, as expressed in the budget resolution, to increase domestic spending by 5 percent, the Appropriations Committee produces bills to conform to that level of spending. If the will of the Senate is to cut discretionary spending below a certain level, the committee will do that as well.

In any case, the committee allocates the discretionary amounts of funding for Federal programs as provided in the budget resolution. We also review the President's budget request, the levels of funding in prior years, and other considerations that are important. We meet with many outside groups during the annual hearing process. We review the requests for funding of every government agency in the executive branch. We also consider the priorities expressed by Members of the Senate. Some come to our hearings and testify as witnesses. We have an annual series of hearings reviewing every Department's budget requests and the agencies that operate within those Departments.

We subject the entire process to careful scrutiny. The Senate as a whole is involved as they want to be in negotiations with the other body, letting us know what their views are, and what we should argue for during conferences with the House. In disagreements with the administration, the Congress really has the power for the final say-so.

We do not all agree on the spending levels approved in the budget resolution. The Senator from South Carolina and I are likely to agree that the discretionary spending level approved for fiscal year 2010 was too high. But the level of spending is not the question before us. The question proposed by the DeMint amendment is whether Congress will allow the executive branch to make 100 percent of all the decisions about how spending is allocated or whether Congress will preserve its constitutional prerogative to appropriate funds for the purposes it deems meritorious.

There are many outstanding civil servants within the executive branch who do their best to manage in a careful way Federal funds in a professional manner. But those persons are not necessarily familiar with the interests of the people in our respective States and with the needs of those we represent.

It is naive to think that political considerations are not going to be a part of the executive branch decision-making process. History belies the notion that executive branch judgment with regard to spending is superior to the legislative branch.

Are my colleagues happy with the way stimulus funding has been spent, unfettered by congressional earmarks? Will western Senators be comfortable appropriating lump sums of money to the Department of the Interior for land acquisition not knowing what lands will be acquired? Inspector general reports arrive almost weekly describing wasteful and sometimes fraudulent spending by executive branch agencies.

Some may think executive branch spending decisions are entirely merit based, immune from political pressure and lapses in judgment. But they are not. That is one of the reasons I am not willing to cede every spending decision to the executive branch. I am not talking about political party-driven decisions, but I am not willing to concede superior public interests in the executive branch as compared with the legislative branch. I think the people of my State are entitled to be represented by advocates of projects that are important to the interests of their State. The programs and legislation that benefit our State they want me to support, and they want it to be in the best interests of my State and the country.

Each Member has to make his or her own analysis of each bill based on the entirety of its contents, the Member's views and background, his or her view of the national interest. So the presence or absence of earmarks is not the determining factor in the quality of the legislative process.

Every piece of legislation we consider in the Senate affects all of our citizens, communities, and industries in different ways. The bill currently before the Senate, which is the FAA authorization bill, has many provisions of particular interest and benefit to communities and sectors of the aviation community.

Madam President, I know the time is limited, and I do not want to prolong the debate. I do not question the motives of any Senator in this legislative process. Actions that we are taking are driven by notions of what is in the best interests of the country. We just happen to disagree, and I strongly disagree with this amendment.

Should we throw up our hands and say: This is a tough job, and let's turn it over to the executive branch; let's respect their decisions, forget our own interests in our States, and our own individual backgrounds and experience? Of course not. That would be an abdication of our responsibilities as Senators.

So the solution is to adopt an aggressive budget resolution; consider all spending and tax bills in a transparent fashion; subject them to public, careful scrutiny; allow Members to propose amendments on any and all provisions of any and all appropriations bills. When they judge it to be wasteful, vote against it. Cut the spending or approve it. In any case, do what each individual Senator thinks is in the public interest, unfettered by makeshift budget restraints that accomplish nothing except shift power from the Congress to the Executive.

The PRESIDING OFFICER. The Senator from South Carolina. Mr. DEMINT. Thank you, Madam President. I thank the Senator from Mississippi and——

Mr. INHOFE. Will the Senator yield?

Mr. DEMINT. No.

Mr. INHOFE. Will the Senator yield?

Mr. DEMINT. No.

Mr. INHOFE. For a question?

Mr. DEMINT. Yes, sir.

Mr. INHOFE. Would you be willing to give me 2 minutes? That is all I need. I want to say and make sure everyone understands this. I have a totally different argument against this. I happen to be ranked as the most conservative Member of the Senate, and all you are trying to do with this thing—all you will end up doing, if you are successful, is giving all this to the executive branch.

Mr. DEMINT. I thank the Senator. I reclaim my time.

Mr. INHOFE. Well——

Mr. DEMINT. All the time so far——

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. All the time so far has been used——

Mr. INHOFE. Let me ask——

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. INHOFE. For a unanimous consent request.

The PRESIDING OFFICER. The Senator from South Carolina has the floor.

Mr. INHOFE. I ask for a unanimous consent request, please.

Mr. DEMINT. Thank you, Madam President.

The PRESIDING OFFICER. The Senator does not have the floor.

The Senator from South Carolina.

Mr. DEMINT. If the Senator will yield, all the time so far has been yielded to those who oppose the bill. As I understand it, the time will be cut off at 6, and I will use that remaining time.

I do want to thank the appropriators, the Senator from Mississippi, all of those who work for the entire Senate to do what the Members ask as far as to look out for their States, and I do not call into account their motives at all. But I think as Members of the Senate we have to ask ourselves: Is the way we are doing this working?

We can have all the theoretical arguments we want. But what we have is trillions of dollars of debt, many wasteful projects. The trust in our government is at an all-time low, and the earmarks we are sending out all across the

country are mostly now with borrowed money.

So we can talk about our theories all we want, but what we are doing is not working, and perception is reality. With all of our debt, the corruption, the waste, every American has a right to question what we are doing right now. Clearly, if it is a constitutional responsibility for all of us to be here to get money for our States, somehow for the first 200 years of our country that was missed because even a few years ago Ronald Reagan would veto a bill with less than a couple hundred earmarks in it because of all the pork and waste. But now we are in the thousands and tens of thousands. It is out of control. The waste and the fraud and the abuse is so obvious that it is time we see it in the Senate.

If you look at the Constitution, a couple of principles are clear. They expect uniformity across the States, nonpreferential treatment, and that is not what happens with earmarks. Folks, we have to admit, while a lot of the proponents of earmarks will say it is a small part of our total budget, that is like looking at a long train that covers a whole mile and saying the engine is just a small part of that train. But the engine is what pulls the whole train, and earmarks are what pull through a lot of spending and a lot of borrowing.

Just going back 1 year, the big bailout bill—almost a trillion dollars—failed to pass the House, and then they added earmarks and it passed. Following that was a stimulus bill, a candy store of earmarks. After that, the omnibus bill with thousands of earmarks that sailed through the Congress, and even the health care bill. With the ''Nebraska kickback,'' the ''Louisiana purchase,'' Americans now know that we buy votes with earmarks.

Isn't it time we just take a timeout for 1 year and see if we can reform this system? Some of the reforms people are talking about that we have been talking about for years that we have not done—it is time to admit what we are doing is not working.

In the House of Representatives, yesterday, the Republicans led the way. They do not agree on how to deal with earmarks long term, but they agreed that it is enough of a problem that they decided to take a 1-year moratorium on earmarks. The House Republican Conference voted to eliminate earmarks for 1 year. It gives us a chance to take a timeout to try to work on this.

As to the argument that if we do not do earmarks, the administration will do it, folks, we have every power here by the way we appropriate to disallow the use of funds for certain things. We could not only here do what we are supposed to do, which is pass bills that provide funding for programs, and then provide the oversight for the administration—and we require they only use the funds in a nonpreferential, formula-based way or competitive grants or bids—we have every way to restrain the way the administration uses the funds that we appropriate. Then what would happen is, we would resist big spending bills because we did not have our parochial interests, our conflicts of interest to get money for our States.

Senators, we are not here to get money for our States. We are here as representatives of our States in the United States of America, and we put up our hands and say: We are going to defend and protect the Constitution that is about the general welfare of America. We cannot continue to come here every day and talk about our unsustainable debt, and then say: I have to have $1 million for my museum or my local sewer plant when, in fact, this is borrowed money.

We do not have the money we need to keep the promises to seniors we have made for Social Security and Medicare and to defend our country. Yet we spend most of the year trying to get earmarks for our local communities so we can do a press release, so we can talk about bringing home the bacon.

So we can talk about how a lot of these projects may have merit, but what doesn't have merit is when we forgo the interests of our Nation, the general welfare of our people, so that we can do our press releases on our tens of thousands of earmarks.

It is time to bring it to a close, at least for 1 year. The House has taken a bold stand, at least on the Republican side. Let's vote to take a timeout on earmarks, try to get our house in order, re-earn the trust of the American people, and stop putting this debt on the shoulders of our children.

We have a chance in a few minutes to vote on a moratorium of earmarks for 1 year. This is the very least we can do for the people of the United States of America. All of these arguments we can push aside. What America thinks right now is true. There is a connection between the waste, the fraud, the abuse, the debt, the borrowing, and earmarks. There is no question about it.

I implore my colleagues: Set aside the self-interests for one vote. Let's do what is best for our country and vote for a 1-year timeout on earmarks.

Thank you, Mr. President.

Mr. INHOFE. Mr. President, could I ask unanimous consent to have 15 seconds——

Mr. ROCKEFELLER addressed the Chair.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The Senator from West Virginia is recognized.

Mr. INHOFE. Mr. President, I ask unanimous consent to have a response.

Mr. ROCKEFELLER. Mr. President, I move to table the amendment and hope it is defeated.

The PRESIDING OFFICER. The Senator from Oklahoma does not have the floor and cannot propound a unanimous consent request at this time.

The Senator from West Virginia has made a motion to table.

Mr. ROCKEFELLER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Montana (Mr. TESTER) are necessarily absent.

I further announce that if present and voting, the Senator from Montana (Mr. TESTER) would vote ''yea.''

Mr. KYL. The following Senator is necessarily absent: the Senator from Utah (Mr. BENNETT).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 29, as follows:

[Rollcall Vote No. 50 Leg.]

YEAS—68

Akaka	Gillibrand	Nelson (NE)
Alexander	Gregg	Nelson (FL)
Baucus	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Hutchison	Reid
Bingaman	Inhofe	Roberts
Bond	Inouye	Rockefeller
Boxer	Johnson	Sanders
Brown (OH)	Kerry	Schumer
Bunning	Klobuchar	Shaheen
Burris	Kohl	Shelby
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Specter
Carper	Leahy	Stabenow
Casey	Levin	Udall (CO)
Cochran	Lieberman	Udall (NM)
Collins	Lincoln	Voinovich
Conrad	Lugar	Warner
Dodd	Menendez	Webb
Dorgan	Merkley	Whitehouse
Durbin	Mikulski	Wicker
Feinstein	Murkowski	Wyden
Franken	Murray	

NAYS—29

Barrasso	DeMint	Kyl
Bayh	Ensign	LeMieux
Brown (MA)	Enzi	McCain
Brownback	Feingold	McCaskill
Burr	Graham	McConnell
Chambliss	Grassley	Risch
Coburn	Hatch	Sessions
Corker	Isakson	Thune
Cornyn	Johanns	Vitter
Crapo	Kaufman	

NOT VOTING—3

Bennett	Byrd	Tester

The motion was agreed to.

Mr. COCHRAN. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3470

The PRESIDING OFFICER. There is now 2 minutes debate equally divided prior to a vote in relation to amendment No. 3470, offered by the Senator from Wisconsin, Mr. FEINGOLD.

The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, the Feingold-Coburn-Sherrod Brown-McCain-McCaskill amendment rescinds any earmarks that have sat on the shelf at the Department of Transportation for more than 10 years without more than 10 percent of it being obligated or spent. It also requires a report by the OMB on how many of these old,

unspent earmarks are at all Federal agencies. This would save an estimated $626 million in the first year and more down the road as other unused earmarks hit the 10-year milestone.

I know many Senators support transportation spending to create jobs and deal with crumbling infrastructure, as do I. But these unused and often unwanted earmarks do nothing to create jobs and fix roads.

The Bush administration supported the amendment, and the Obama administration and Chairwomen Boxer and Murray support the amendment. I hope it is adopted easily.

The PRESIDING OFFICER. Who yields time in opposition?

Mrs. HUTCHISON. Mr. President, I yield my 1 minute to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, I would like to make one statement on the DeMint amendment that was just defeated. I have to say this, as the person who was most recently characterized as the most conservative Member of the Senate: If there is anyone out there who thinks that was a conservative vote on earmarks, they are wrong. There has never been one case where an earmark has saved one penny that has been reduced.

I have to say this: Senator DEMINT had $70 million worth of highway earmarks that were in the amendment that we are talking about right now.

Real quickly: The Feingold amendment does not reduce the deficit one penny. Because of environmental laws and other things, the CBO and the administration have said the average time for a highway project is 13 years. For example, in my State of Oklahoma, Highway 40—a huge project—was started in 1991. If this amendment had been in there, that project would have been terminated in 2001.

I urge my conservative friends, unless you just don't like highways and roads, to kill this amendment.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Utah (Mr. BENNETT).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 11, as follows:

[Rollcall Vote No. 51 Leg.]

YEAS—87

Akaka	Baucus	Begich
Barrasso	Bayh	Bennet
Bingaman	Gillibrand	Merkley
Boxer	Graham	Mikulski
Brown (OH)	Grassley	Murkowski
Brownback	Gregg	Murray
Bunning	Hagan	Nelson (NE)
Burr	Harkin	Nelson (FL)
Burris	Hatch	Pryor
Cantwell	Hutchison	Reed
Cardin	Inouye	Reid
Carper	Isakson	Risch
Casey	Johanns	Roberts
Chambliss	Johnson	Sanders
Coburn	Kaufman	Schumer
Collins	Kerry	Sessions
Conrad	Klobuchar	Shaheen
Corker	Kohl	Snowe
Cornyn	Kyl	Specter
Crapo	Lautenberg	Stabenow
DeMint	Leahy	Tester
Dodd	LeMieux	Thune
Dorgan	Lieberman	Udall (CO)
Durbin	Lincoln	Udall (NM)
Ensign	Lugar	Vitter
Enzi	McCain	Warner
Feingold	McCaskill	Webb
Feinstein	McConnell	Whitehouse
Franken	Menendez	Wyden

NAYS—11

Alexander	Inhofe	Shelby
Bond	Landrieu	Voinovich
Brown (MA)	Levin	Wicker
Cochran	Rockefeller	

NOT VOTING—2

Bennett	Byrd

The amendment (No. 3470), as modified, was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Ms. STABENOW. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3458

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 3458 offered by the Senator from Louisiana, Mr. VITTER.

The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, I ask unanimous consent that Senators HUTCHISON and LANDRIEU be added as cosponsors of the amendment.

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

Mr. VITTER. Mr. President, in 2005 we passed the CF program, which is revenue sharing for States, for coastal conservation and other purposes. Unfortunately, that money has been very slow to get to States. Only 15 percent that was supposed to have been distributed by now has been. This amendment helps fix that. It does not spend new money, it does not increase the deficit.

I yield the remainder of my time to Senator LANDRIEU.

Ms. LANDRIEU. Mr. President, I join my colleague in supporting this amendment. We have modified it from the original version. No environmental laws will be ignored. The process will be followed. But this amendment would simply expedite getting money to the Gulf Coast States and to other States that benefit from this program. I ask my colleagues to support it.

The PRESIDING OFFICER. Who yields time?

The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, this amendment is completely unrelated to the FAA reauthorization legislation. It deals with a matter that is in the jurisdiction of the Energy Committee. It would make, in my view, inappropriate changes to a program that provides assistance to six coastal States.

I oppose the amendment. I urge my colleagues to oppose it as well. In my view, it will dilute the authority of the Secretary of Interior to properly oversee and ensure the accountability for the funds that are being spent in these programs.

I raise a point of order that the pending amendment violates section 311(a)(2)(A) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, with regard to this technical point of order, pursuant to section 904 of the Congressional Budget Act of 1974, section 4(G)(3) of the Statutory Pay-As-You-Go Act of 2010, I move to waive all applicable sections of those acts and applicable budget resolutions for purposes of my amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Utah (Mr. BENNETT).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 41, nays 57, as follows:

[Rollcall Vote No. 52 Leg.]

YEAS—41

Alexander	Ensign	McCain
Barrasso	Enzi	McConnell
Bayh	Graham	Murkowski
Begich	Grassley	Nelson (NE)
Bond	Hagan	Risch
Brownback	Hatch	Roberts
Bunning	Hutchison	Sessions
Burr	Inhofe	Shelby
Chambliss	Isakson	Snowe
Cochran	Johanns	Thune
Corker	Kyl	Vitter
Cornyn	Landrieu	Voinovich
Crapo	LeMieux	Wicker
DeMint	Lugar	

NAYS—57

Akaka	Feinstein	Mikulski
Baucus	Franken	Murray
Bennet	Gillibrand	Nelson (FL)
Bingaman	Gregg	Pryor
Boxer	Harkin	Reed
Brown (MA)	Inouye	Reid
Brown (OH)	Johnson	Rockefeller
Burris	Kaufman	Sanders
Cantwell	Kerry	Schumer
Cardin	Klobuchar	Shaheen
Carper	Kohl	Specter
Casey	Lautenberg	Stabenow
Coburn	Leahy	Tester
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Dodd	Lincoln	Warner
Dorgan	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feingold	Merkley	Wyden

NOT VOTING—2

Bennett Byrd

The PRESIDING OFFICER. On this vote, the yeas are 41, the nays are 57. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to. The point of order is sustained and the amendment falls.

The Senator from Washington.

Mrs. MURRAY. Senators should note that the next vote is the last vote we are going to have this evening. The managers do have a managers' package; they are going to clear it tonight.

Tomorrow morning after the Senate convenes at 9:30 a.m., we are slated to complete action on Job 1, so Senators should expect up to two rollcall votes at that time.

As a reminder to all Senators, at 2 p.m. tomorrow there is going to be a live quorum so that we can receive the House managers with respect to the impeachment proceedings. Therefore, all Members are urged to be in the Chamber at 2 p.m. so that proceedings can be expedited.

I yield the floor.

AMENDMENT NO. 3456

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 3456 offered by the Senator from Connecticut, Mr. LIEBERMAN.

The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, this is a bipartisan amendment introduced by Senators Collins, Burr, Voinovich, Feinstein, Ensign, and myself. It would benefit schoolchildren in the District of Columbia, reauthorizing a program we created 7 years ago now that has worked: $20 million to the DC public schools, $20 million to charter schools, and $20 million to the Opportunity Scholarship Program.

The last part is the controversial part. But it should not be. As Senator FEINSTEIN said in her remarks on this amendment, what is there in this amendment to be afraid of? It has helped 1,300 economically disadvantages children to have an opportunity to get out of a public school that the Chancellor of the DC Public Schools says is not working for them.

This measure is supported by Mayor Fenty, Chancellor Michelle Rhee, a majority of the members of the DC Public Schools, and it has been judged by an independent evaluator to be the most effective program of its kind in America.

I urge my colleagues to support the amendment.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Iowa.

Mr. HARKIN. Mr. President, first, this program has never been authorized. It was only put into an appropriations bill in 2003. It was extended once.

We had the Department of Education, not this one, the previous one, and this one, do studies of whether this was successful. After 3 years, no statistically significant achievement impacts were observed for students who came from the lowest performing schools—which was the target of the program—or for students who entered the program academically behind. No achievement impacts were found for male students, and there was no statistically significant impact on math scores. Already DC parents have a choice. We have over 60 charter schools here in the District of Columbia, and it is growing all the time. So there is a choice for them to go to charter schools which are public schools open to everyone and they do not discriminate.

So, again, there is no reason for this authorization. The kids who are in those schools on those vouchers can continue. There is no problem with that. But why open it for vouchers when we have got the charter schools building up here?

I might add the chairman of the Committee also, Senator ROCKEFELLER, opposes the amendment.

Mr. BAUCUS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT) and the Senator from Alabama (Mr. SHELBY).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 42, nays 55, as follows:

[Rollcall Vote No. 53 Leg.]

YEAS—42

Alexander	DeMint	Lieberman
Barrasso	Ensign	Lugar
Bond	Enzi	McCain
Brown (MA)	Feinstein	McConnell
Brownback	Graham	Murkowski
Bunning	Grassley	Nelson (FL)
Burr	Gregg	Risch
Chambliss	Hatch	Roberts
Coburn	Hutchison	Sessions
Cochran	Inhofe	Thune
Collins	Isakson	Vitter
Corker	Johanns	Voinovich
Cornyn	Kyl	Warner
Crapo	LeMieux	Wicker

NAYS—55

Akaka	Feingold	Menendez
Baucus	Franken	Merkley
Bayh	Gillibrand	Mikulski
Begich	Hagan	Murray
Bennet	Harkin	Nelson (NE)
Bingaman	Inouye	Pryor
Boxer	Johnson	Reed
Brown (OH)	Kaufman	Reid
Burris	Kerry	Rockefeller
Cantwell	Klobuchar	Sanders
Cardin	Kohl	Schumer
Carper	Landrieu	Shaheen
Casey	Lautenberg	Snowe
Conrad	Leahy	Specter
Dodd	Levin	Stabenow
Dorgan	Lincoln	Tester
Durbin	McCaskill	Udall (CO)
Udall (NM)	Webb	Whitehouse
Wyden		

NOT VOTING—3

Bennett Byrd Shelby

The amendment (No. 3456) was rejected.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

AMENDMENTS NOS. 3462; 3467; 3472; 3473, AS MODIFIED; 3474, AS MODIFIED; 3482, AS MODIFIED; 3486, AS MODIFIED; 3487; 3497; 3503; 3504; 3508; 3509; 3510; AND 3531 TO AMENDMENT NO. 3452

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the pending amendment be set aside and that it be in order for the Senate to consider en bloc the amendments listed here—I will read them in a moment—and that the amendments be considered and agreed to; that in the case where an amendment is modified, the amendment, as modified, be considered and agreed to; and the motions to reconsider be laid upon the table en bloc; and that no amendments be in order to the amendments considered in this agreement.

The amendments are as follows: Bennett-Hatch No. 3462; Reid-Ensign No. 3467; McCain No. 3472; Lautenberg No. 3473, to be modified; Barrasso No. 3474, to be modified; Durbin No. 3482, to be modified; Schumer No. 3486, to be modified; Bingaman No. 3487; Cardin No. 3497; Menendez No. 3503; Menendez No. 3504; Johanns No. 3508; Johanns No. 3509; Johanns No. 3510; and Coburn No. 3531.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 3462

(Purpose: To authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the City of St. George, Utah for airport purposes)

At the appropriate place, insert the following:

SEC. ___. RELEASE FROM RESTRICTIONS.

(a) IN GENERAL.—Subject to subsection (b), and notwithstanding section 16 of the Federal Airport Act (as in effect on August 28, 1973) and sections 47125 and 47153 of title 49, United States Code, the Secretary of Transportation is authorized to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated August 28, 1973, under which the United States conveyed certain property to the city of St. George, Utah, for airport purposes.

(b) CONDITION.—Any release granted by the Secretary of Transportation pursuant to subsection (a) shall be subject to the following conditions:

(1) The city of St. George, Utah, shall agree that in conveying any interest in the property which the United States conveyed to the city by deed on August 28, 1973, the city will receive an amount for such interest which is equal to its fair market value.

(2) Any amount received by the city under paragraph (1) shall be used by the city of St. George, Utah, for the development or improvement of a replacement public airport.

AMENDMENT NO. 3467

(Purpose: To authorize Clark County, Nevada, to permit the use of certain lands in the Las Vegas McCarran International Airport Environs Overlay District for transient lodging and associated facilities)

On page 364, between lines 17 and 18, insert the following:

SEC. 434. AUTHORIZATION OF USE OF CERTAIN LANDS IN THE LAS VEGAS MCCARRAN INTERNATIONAL AIRPORT ENVIRONS OVERLAY DISTRICT FOR TRANSIENT LODGING AND ASSOCIATED FACILITIES.

(a) IN GENERAL.—Notwithstanding any other provision of law and except as provided in subsection (b), Clark County, Nevada, is authorized to permit transient lodging, including hotels, and associated facilities, including enclosed auditoriums, concert halls, sports arenas, and places of public assembly, on lands in the Las Vegas McCarran International Airport Environs Overlay District that fall below the forecasted 2017 65 dB daynight annual average noise level (DNL), as identified in the Noise Exposure Map Notice published by the Federal Aviation Administration in the Federal Register on July 24, 2007 (72 Fed. Reg. 40357), and adopted into the Clark County Development Code in June 2008.

(b) LIMITATION.—No structure may be permitted under subsection (a) that would constitute a hazard to air navigation, result in an increase to minimum flight altitudes, or otherwise pose a significant adverse impact on airport or aircraft operations.

AMENDMENT NO. 3472

(Purpose: To prohibit the use of passenger facility charges for the construction of bicycle storage facilities)

On page 29, after line 21, insert the following:

SEC. 207(b) PROHIBITION ON USE OF PASSENGER FACILITY CHARGES TO CONSTRUCT BICYCLE STORAGE FACILITIES.—Section 40117(a)(3) is amended—

(1) by redesignating subparagraphs (A) through (G) as clauses (i) through (vii);

(2) by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—The term''; and

(3) by adding at the end the following:

''(B) BICYCLE STORAGE FACILITIES.—A project to construct a bicycle storage facility may not be considered an eligible airport-related project.''.

AMENDMENT NO. 3473, AS MODIFIED

(Purpose: To require a report on Newark Liberty Airport air traffic control)

At the end of title VII, add the following:

SEC. 723. REPORT ON NEWARK LIBERTY AIRPORT AIR TRAFFIC CONTROL TOWER.

Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall report to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, on the Federal Aviation Administration's plan to staff the Newark Liberty Airport air traffic control tower at negotiated staffing levels within 1 year after such date of enactment.

AMENDMENT NO. 3474, AS MODIFIED

(Purpose: To require the Administrator to prioritize the review of construction projects that are carried out in cold weather States)

At the end of title VII, add the following:

SEC. 723. PRIORITY REVIEW OF CONSTRUCTION PROJECTS IN COLD WEATHER STATES.

The Administrator of the Federal Aviation Administration shall, to the maximum extent practicable, schedule the Administrator's review of construction projects so that projects to be carried out in a States in which the weather during a typical calendar year prevents major construction projects from being carried out before May 1 are reviewed as early as possible.

AMENDMENT NO. 3482, AS MODIFIED

At the end of title VII, add the following:

SEC. 720. AIR-RAIL CODESHARE STUDY.

(a) CODESHARE STUDY.—Not later than 180 days after the date of the enactment of this Act, the GAO shall conduct a study of—

(1) the current airline and intercity passenger rail codeshare arrangements;

(2) the feasibility and costs to taxpayers and passengers of increasing intermodal connectivity of airline and intercity passenger rail facilities and systems to improve passenger travel.

(b) CONSIDERATIONS.—The study shall consider—

(1) the potential benefits to passengers and costs to taxpayers from the implementation of more integrated scheduling between airlines and Amtrak or other intercity passenger rail carriers achieved through codesharing arrangements;

(2) airport operations that can improve connectivity to intercity passenger rail facilities and stations.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller shall submit the report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives. The report shall include any conclusions of the Comptroller resulting from the study.

AMENDMENT NO. 3486, AS MODIFIED

On page 201, strike lines 20 through 24, and insert the following:

(b) MINIMUM EXPERIENCE REQUIREMENT.—

(1) IN GENERAL.—The final rule prescribed under subsection (a) shall, among any other requirements established by the rule, require that a pilot—

(A) have not less than 800 hours of flight time before serving as a flightcrew member for a part 121 air carrier; and

(B) demonstrate the ability to—

(i) function effectively in a multipilot environment;

(ii) function effectively in an air carrier operational environment;

(iii) function effectively in adverse weather conditions, including icing conditions if the pilot is expected to be operating aircraft in icing conditions;

(iv) function effectively during high altitude operations; and

(v) adhere to the highest professional standards.

(2) HOURS OF FLIGHT EXPERIENCE IN DIFFICULT OPERATIONAL CONDITIONS.—The total number of hours of flight experience required by the Administrator under paragraph (1) for pilots shall include a number of hours of flight experience in difficult operational conditions that may be encountered by an air carrier that the Administrator determines to be sufficient to enable a pilot to operate an aircraft safely in such conditions.

AMENDMENT NO. 3487, AS MODIFIED

(Purpose: To preserve the essential air service program)

At the end of subtitle B of title IV, add the following:

SEC. 419. REPEAL OF ESSENTIAL AIR SERVICE LOCAL PARTICIPATION PROGRAM.

(a) IN GENERAL.—Subchapter II of chapter 417 of title 49, United States Code, is amended by striking section 41747, and such title 49 shall be applied as if such section 41747 had not been enacted.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 417 of title 49, United States Code, is amended by striking the item relating to section 41747.

AMENDMENT NO. 3497

(Purpose: To extend the termination date for the final order with respect to determining mileage eligibility for essential air service)

Strike section 412 and insert the following:

SEC. 412. EXTENSION OF FINAL ORDER ESTABLISHING MILEAGE ADJUSTMENT ELIGIBILITY.

Section 409(d) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 41731 note) is amended by striking ''September 30, 2010.'' and inserting ''September 30, 2013.''.

AMENDMENT NO. 3503

(Purpose: To require an ongoing monitoring of and report on the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign)

At the end of title VII, add the following:

SEC. 723. ON-GOING MONITORING OF AND REPORT ON THE NEW YORK/NEW JERSEY/PHILADELPHIA METROPOLITAN AREA AIRSPACE REDESIGN.

Not later than 270 days after the date of the enactment of this Act and every 180 days thereafter until the completion of the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign, the Administrator of the Federal Aviation Administration shall, in conjunction with the Port Authority of New York and New Jersey and the Philadelphia International Airport—

(1) monitor the air noise impacts of the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign; and

(2) submit to Congress a report on the findings of the Administrator with respect to the monitoring described in paragraph (1).

AMENDMENT NO. 3504

(Purpose: To require the Administrator of the Federal Aviation Administration to conduct a study of the safety impact of distracted pilots)

On page 204, between lines 17 and 18, insert the following:

(e) STUDY.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall review relevant air carrier data and carry out a study—

(A) to identify common sources of distraction for the cockpit flight crew on commercial aircraft; and

(B) to determine the safety impacts of such distractions.

(2) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that contains—

(A) the findings of the study conducted under paragraph (1); and

(B) recommendations about ways to reduce distractions for cockpit flight crews.

AMENDMENT NO. 3508

(Purpose: To require the Coptroller General of the United States to study the impact of increases in fuel prices on the long-term viability of the Airport and Airway Trust Fund and on the aviation industry in general)

At the end of title VII, add the following:

SEC. 723. STUDY ON AVIATION FUEL PRICES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study and report to Congress on the impact of increases in aviation fuel prices on the Airport and Airway Trust Fund

and the aviation industry in general. The study shall include the impact of increases in aviation fuel prices on—

(1) general aviation;

(2) commercial passenger aviation;

(3) piston aircraft purchase and use;

(4) the aviation services industry, including repair and maintenance services;

(5) aviation manufacturing;

(6) aviation exports; and

(7) the use of small airport installations.

(b) ASSUMPTIONS ABOUT AVIATION FUEL PRICES.—In conducting the study required by subsection (a), the Comptroller General shall use the average aviation fuel price for fiscal year 2010 as a baseline and measure the impact of increases in aviation fuel prices that range from 5 percent to 200 percent over the 2010 baseline.

AMENDMENT NO. 3509

(Purpose: To require the Administrator of the Federal Aviation Administration to identify the benefits of ADS–B for small and medium-sized airports and general aviation users)

On page 77, strike lines 13 through 18, and insert the following:

(2) IDENTIFICATION AND MEASUREMENT OF BENEFITS.—In the report required by paragraph (1), the Administrator shall identify actual benefits that will accrue to National Airspace System users, small and medium-sized airports, and general aviation users from deployment of ADS–B and provide an explanation of the metrics used to quantify those benefits.

AMENDMENT NO. 3510

(Purpose: To extend conditionally the deadlines for equipping aircraft with ADS–B Technology)

On page 80, after line 21, insert the following:

(d) CONDITIONAL EXTENSION OF DEADLINES FOR EQUIPPING AIRCRAFT WITH ADS-B TECHNOLOGY.—

(1) ADS-B OUT.—In the case that the Administrator fails to complete the initial rulemaking described in subparagraph (A) of subsection (b)(1) on or before the date that is 45 days after the date of the enactment of this Act, the deadline described in clause (ii) of such subparagraph shall be extended by an amount of time that is equal to the amount of time of the period beginning on the date that is 45 days after the date of the enactment of this Act and ending on the date on which the Administrator completes such initial rulemaking.

(2) ADS-B IN.—In the case that the Administrator fails to initiate the rulemaking required by paragraph (2) of subsection (b) on or before the date that is 45 days after the date of the enactment of this Act, the deadline described in subparagraph (B) of such paragraph shall be extended by an amount of time that is equal to the amount of time of the period beginning on the date that is 45 days after the date of the enactment of this Act and ending on the date on which the Administrator initiates such rulemaking.

AMENDMENT NO. 3531

(Purpose: To discontinue a Federal program that has never been used since its creation in 2003)

On page 114, strike line 8 and all that follows through page 116, line 6 and insert the following:

SEC. 414. CONVERSION OF FORMER EAS AIRPORTS.

(a) IN GENERAL.—Section 41745 is amended to read as follows:

"§ 41745. Conversion of lost eligibility airports

''(a) IN GENERAL.—The Secretary shall establish a program to provide general aviation conversion funding for airports serving eligible places that the Secretary has determined no longer qualify for a subsidy.

''(b) GRANTS.—A grant under this section—

''(1) may not exceed twice the compensation paid to provide essential air service to the airport in the fiscal year preceeding the fiscal year in which the Secretary determines that the place served by the airport is no longer an eligible place; and

''(2) may be used—

''(A) for airport development (as defined in section 47102(3)) that will enhance general aviation capacity at the airport;

''(B) to defray operating expenses, if such use is approved by the Secretary; or

''(C) to develop innovative air service options, such as on-demand or air taxi operations, if such use is approved by the Secretary.

''(c) AIP REQUIREMENTS.—An airport sponsor that uses funds provided under this section for an airport development project shall comply with the requirements of subchapter I of chapter 471 applicable to airport development projects funded under that subchapter with respect to the project funded under this section.

''(d) LIMITATION.—The sponsor of an airport receiving funding under this section is not eligible for funding under section 41736.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 417 is amended by striking the item relating to section 41745 and inserting the following:

''41745. Conversion of lost eligibility airports.''.

Mr. MCCAIN. Mr. President, I am proud to introduce an amendment along with Senators REID, ENSIGN and KYL to clarify the Grand Canyon Overflights Act of 1987 that sought to restore the natural quiet of the canyon from commercial air tour overflights. After 23 years of numerous rulemakings by the National Park Service and the Federal Aviation Administration, and a lawsuit in 2002, it is now time to move forward to ensure that the 5 million visitors to the Grand Canyon can enjoy its majestic beauty by air or by foot without excessive noise from commercial air tour operators.

Specifically, this amendment would set forth in statute the ''substantial restoration of the natural quiet and experience of the Grand Canyon'' is achieved if for at least 75 percent of each day—between 7 a.m. and 7 p.m—50 percent of the park is free from the sound produced by commercial air tour operations. Additionally, the amendment provides curfews for overflights, particularly during the peak visitor season, so many visitors can enjoy the grand sunset at the Grand Canyon relatively free from overflight noise.

The amendment also sets forth curfews and reduced flight allocations for specific parts of the canyon that are particularly special for many visitors, including the Dragon Corridor on the west rim in the vicinity of Hermits Rest and Dripping Spring, the Zuni Point Corridor that includes the area known as ''Snoopy's Nose,'' and Marble Canyon. I have many fond memories of hiking the canyon with my sons, most recently just last year, and I hope all Americans are able to enjoy the beauty of the canyon without the interference of excessive noise from air tours. I believe this amendment allows without waiting another 23 years for progress.

Over the past few years, there have been strong improvements in quiet technology for aircraft. I am pleased that several of the air tour operators that provide air tours at the Grand Canyon have migrated to quiet technology aircraft. This amendment would mandate the conversion to quiet technology for all air tour operations within 15 years of enactment. Additionally, this amendment provides numerous incentives for operators to convert to quiet technology, including a reduced park entrance fee and increased flight allocations for aircraft that utilize quiet technology.

Lastly, this amendment requires the FAA to review flight allocations for air tour operators serving the Grand Canyon. These allocations have not been reviewed since 2001 and are based on 1990s data. Tourism is essential to Arizona's economic recovery. Over 37 million visitors came to Arizona in 2008 generating over $2.5 billion in tax revenues. There are over 300,000 jobs in Arizona that are tied to tourism in Arizona, and we must ensure that these jobs continue to exist and grow.

Over 5 million tourists, hikers and adventure seekers visited the Grand Canyon in 2008. These visitors have also contributed millions of dollars to the great States of Arizona and Nevada, in addition to the local communities surrounding the Grand Canyon. We must ensure that these visitors have the ability to view the canyon by air if they wish to do so, but in a manner that maintains ''natural quite'' for those visiting the canyon by foot. I think this amendment achieves that goal.

Again, I am proud to have the support of Senators REID, ENSIGN, and KYL who share my commitment to continuing the progress that has been made toward establishing ''natural quiet'' at the Grand Canyon, while continuing to ensure that its majesty is available to be viewed by air for those who wish to do so. I hope my colleagues will join me in supporting this important amendment.

Mr. KERRY. Mr. President, the FAA bill we are considering contains important new changes in both the Disadvantaged Business Enterprise Program, DBE, and the Airport Concessions Disadvantaged Business Enterprise, ACDBE, program. While we have made progress, discrimination in airport related business remains pervasive. Both of these programs are critical to our Nation's efforts to level the playing field in airport related contracting.

Over the past couple of years, both in my role on the Commerce Committee and Aviation Subcommittee and in my former role as chairman of the Committee on Small Business and Entrepreneurship, I have received an enormous amount of evidence about the ongoing existence of race and gender discrimination against minority and

women owned businesses. Discrimination impacts every aspect of the contracting process, every major industry category and hurts all types of disadvantaged business owners including African Americans, Hispanic Americans, Asian Americans, Native Americans, and women. Here in the Congress, we have received a great deal of evidence about the discrimination that specifically impacts minority and women owned businesses in the airport business context. In September of 2008 the Committee on Small Business heard testimony from diverse perspectives about the ongoing problem of discrimination in lending and access to capital across the disadvantaged business perspective, including discrimination against minority and women businesses in airport related business issues. In March of 2009, the House Committee on Transportation and Infrastructure conducted an extensive hearing focused on the DBE and ACDBE programs. They heard testimony about discrimination and needed program improvements from the administration, researchers, advocates and minority and women businesses themselves. And the Senate Aviation subcommittee itself received similar testimony and evidence in our May 2009 hearing—including a large number of disparity studies outlining extremely compelling statistical testimony of discrimination in airport related contracting.

The present day effects of past discrimination, and ongoing current discrimination, continue to be barriers to minority and women owned businesses. Even in the context of the highest constitutional scrutiny required by the Supreme Court, this powerful evidence of discrimination makes the maintenance of these programs imperative and constitutional. It also makes all the more important the changes we have proposed to improve the programs—adjusting the personal net worth cap for inflation, prohibiting excessive and discriminatory bonding, and improving certification training. The disturbing fact is, discrimination is still a major impediment to the formation, growth and success of minority and women business owners. That is unacceptable. Race and gender discrimination are bad for minority and women business owners, bad for our economy and morally wrong. With this bill, we are seeking to remedy that wrong in the FAA context.

VOTE EXPLANATION

Mr. TESTER. Mr. President, due to a meeting at the White House today, I regret I was unable to make the vote on the motion to table the DeMint amendment No. 3454 to H.R. 1586, the legislative vehicle for FAA reauthorization. If present, I would have voted aye, to table the amendment.

MORNING BUSINESS

Mr. ROCKEFELLER. Mr. President, I now ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the following Senators recognized to speak as follows: Senator MERKLEY for up to 5 minutes, Senator SANDERS for up to 15 minutes, and Senator KAUFMAN for up to 20 minutes; and that if there are any Republican speakers, they would be included in an alternating fashion.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon is recognized.

KLAMATH BASIN DROUGHT ASSISTANCE

Mr. MERKLEY. Mr. President, I rise tonight to tell you a tale about the Klamath Basin. It is really two stories about the Klamath Basin. One is of a terrific vision that has come together between fishermen and ranchers and tribes, and the second is a story about a terrible drought. So I want to start with the good news and share a little bit of the vision.

First, let me tell you about the magical place that is the Klamath Basin. It is in southern Oregon and northern California. It is an area of the country that is rich with agricultural resources and exceptional wildlife populations. The basin contains approximately 1,400 family farms and ranches and encompasses over 200,000 acres of farmland irrigated with water from the Klamath River and Klamath Lake.

In 2009, the basin's agricultural industry produced over $440 million in revenue. The Klamath is sometimes referred to as the ''Western Everglades.'' The basin attracts 80 percent of the Pacific Flyway's waterfowl and supports the largest over-wintering population of bald eagles anywhere in the Lower 48 States. It is also home to one of the most productive salmon river systems in the country.

Let me tell you that the allocation of water in this basin has always been a source of enormous tension between the farmers and ranchers, the fishermen—both the instream fishermen and the offshore fishermen—and the tribes. These groups that have traditionally been in contest with each other have come together over the last few years to say that this situation—the uncertainty about water and the poor health of the river—is not sustainable into the future; that all of us could benefit, all of the parties could benefit, if we worked together for a different vision, for a vision that shared a little more regularity with water, that took out some dams that increased the water flow, that had colder water for the salmon, that avoided some of the terrible calamities that occurred, including the worst die-off of fish we have had in the United States of America that happened about a decade ago.

So these stakeholders have developed a collaborative agreement and signed it, called the Klamath Basin Restoration Agreement or KBRA. That agreement is designed to benefit farmers and ranchers as well as the Klamath tribe and fishermen up and down the west coast by offering more certainty about access to water. At the same time, it restores the river and improves habitat and riverflows for native fish species and wildlife refuges.

The development of the Klamath Basin Restoration Agreement is a historic step forward for the region. If it were already in place, it would provide a powerful set of collaborative tools for dealing with drought, for dealing with years when there is a shortage of water. But Congress has not yet acted and those tools are not in place.

That brings us to this current year and the second half of the story. To help me address that, I am going to put up a chart in the Chamber.

This black line on the chart shows what had been the lowest level of Klamath Lake since it has been recorded in Oregon history—the lowest level, which is shown by the black line. This red line represents the level of the lake this year. As you can readily see, the level of the lake is far below the worst ever year that had been recorded—the calamity of 1992. These red dots on the chart represent the level the lake needs to be to provide irrigation water to farmers. There is no conceivable way we are going to get from this red line, as shown on the chart, to these red dots in order to provide water in the normal fashion. That is why we are facing such a calamity this year.

With spring planting season already upon us, it is critical that we take immediate action to respond to this crisis. We have the advantage of tracking this and knowing the crisis is coming. So together we can work to mitigate the worst effects of the drought rather than waiting for the drought to simply play itself out.

A drought of this magnitude requires an unprecedented, integrated, expansive set of responses from the Federal agencies and a dedicated effort to coordinate response efforts along with local and State governments. Along with Senator WYDEN, I have requested the Departments of Agriculture, Interior, and Commerce to dedicate all required resources to address this crisis swiftly. My team has been working with the teams at those Departments, and they are making a lot of progress. But we have to continue pushing forward as fast and as quickly as possible.

There are several key strategies that could help address this: first, acquiring upstream water rights from willing sellers to increase the amount of water that is available in the Klamath Basin; second, to pursue extensive flexibility within the boundaries of law and science to utilize surface water in the most effective possible manner; third, help farmers activate emergency drought wells and otherwise access ground water; and fourth, set up crop idling programs to conserve water.

The worst thing we can do is simply stand by, watch farmers plant their crops, and then watch those crops fail. So I want to say now that there is a big compliment owed to the Departments of Agriculture, Commerce, and Interior for their prompt and engaged action. I know Senator WYDEN and I will stay equally engaged. It is no exaggeration to say that without Federal assistance and cooperation with local and State officials, the impending drought will result in disaster for Klamath Basin communities. So I urge my colleagues to work with me to meet this challenge and avoid this calamity.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

THE ECONOMY

Mr. SANDERS. Mr. President, I wish to say a few words about the nature of the economy today, the cause of the very deep recession we are currently in, and what I think we have to do about it.

Right now, our country is experiencing the worst economy since the Great Depression of the 1930s. While officially unemployment is 9.7 percent, the reality is that we have some 19 percent of our people who are either unemployed or underemployed, people who would like to work 40 hours a week but they are only working 20 or 30 hours a week.

The crisis we are addressing today is magnified by the reality that the recession for the middle class and working families of this country did not just begin in the fall of 2008 with the financial crisis. In fact, the middle class has been collapsing for a very long time.

During the Bush administration, over 8 million Americans slipped out of the middle class and into poverty. Today, some 40 million Americans are living in poverty. During the Bush years, median household income declined by over $2,100. Middle-class Americans earned more income in 1999 than they did in 2008, and middle-class men earned more money in 1973 than they did in 2008, with inflation being accounted for.

When we look at people in this country who are angry, there is the reason. After working long and hard hours, tens of millions of Americans find themselves in worse economic shape today than they were in 10 years ago or even 20 years ago. Meanwhile, while the middle class shrinks and poverty increases, while more and more people lose their health insurance—so today we have 46 million with no health insurance at all—while 4 million American workers have lost their pension over the last 9 years, we continue to see in this country the most unequal distribution of wealth and income of any major country on Earth. That growing inequality is a moral obscenity, but it is a very serious economic problem as well. Because we become a nation in which very few have a whole lot, while a whole lot of people have very little.

The immediate recession was caused, as I think everybody knows, by the greed, the recklessness, and the illegal behavior of a small number of giant financial institutions on Wall Street. These people were not content to be making 40 percent of the profits being made in America. Their CEOs were not content to earn bonuses of tens of millions of dollars a year. The hedge funds were not content to have their owners and managers become billionaires. No, that was not good enough. So what these financial tycoons had to do was to develop and produce worthless, complicated financial instruments which plunged our country and much of the world into a deep recession.

To the frustration of the American people, a year and a half has passed since the financial collapse and what has happened? What actions has the Congress taken to rein in Wall Street, to tell Wall Street that their greed is not acceptable in this country, that they cannot continue to go forward with actions that destroy our economy and the lives of millions of people?

Within a short period of time, the Senate will be considering legislation dealing with financial reform. I wish to congratulate Senator DODD and others on the Banking Committee for the hard work they have done in producing a bill which, in a number of ways, moves us forward. But what I wish to say this evening is that moving us forward is not good enough. The American people want an end now to the recklessness and irresponsibility of Wall Street. They want an accounting and they want real change. They want, in my view, a new Wall Street which invests in the productive economy of small- and medium-sized businesses that actually produce real products and real services and which actually create real jobs, rather than the activities of Wall Street, which is a giant gambling casino, playing with financial instruments that nobody understands and which, at the end of the day, produces nothing real.

As the debate over financial reform moves on, I intend to play an active role in fighting for a number of concepts. Let me enumerate a few of them.

No. 1, right now, people in the State of Vermont, in the State of Colorado, in the State of Rhode Island, and all over this country are paying usurious interest rates on their credit cards, and I use the word ''usury'' advisedly. We now take it for granted, and we accept the fact that our friends and neighbors and family members are paying 20, 25, 30, 35 percent interest rates on their credit cards. That is wrong. That is unjust. In fact, according to every major religion on Earth—Christianity, Judaism, Islam—it is immoral. It is immoral to lend money to people who desperately need that money and then suck the blood out of them because, when they are desperate, they are going to have to pay 30 or 35 percent interest rates. That is immoral. That is wrong.

Over the years, a number of States, including Vermont, have said: We are going to prohibit usury. You can't do it. You can't charge more than 10 percent, 12 percent, 15 percent, whatever it is. But all those laws were made null and void by a Supreme Court decision which resulted in credit card companies being able to go to States which had no usury law and, therefore, they could sell their product all over this country with no limit.

Let us be clear. Those large financial institutions that are charging Americans 25, 30, 35 percent interest rates on their credit cards are no better than loan sharks. In the old days, what loan sharks used to do was break kneecaps if people couldn't repay their loans. Well, these guys don't break kneecaps, but they are destroying lives just the same. People are desperate. They are borrowing money. We have all been to the grocery store and have seen people buying bread and milk with their credit cards, gas to get to work with their credit cards, because that is the only source of revenue they now have available to them, paying 25 to 30 percent. We have to eliminate that once and for all.

I will be bringing forth an amendment which does nothing more than what credit unions now exist under. Credit unions in this country, by law, cannot charge more than 15 percent interest rates, except under exceptional circumstances, and now they can go up to 18 percent, but most of them don't; the vast majority of them don't. I don't think that is asking too much.

Secondly, I am going to bring forth language which will increase transparency at the Federal Reserve. This is an issue, interestingly enough, that brings some of the most conservative Members and some of the most progressive Members together. I remember a year or so ago the chairman of the Fed, Ben Bernanke, came before the Budget Committee on which I serve, and I asked him a very simple question. I said: Mr. Bernanke, my understanding is that you have lent out trillions of dollars of zero interest loans to financial institutions. Trillions of dollars. Can you please tell me and the American people which financial institutions received that money and what the terms were. I don't think that was an unreasonable question—trillions of dollars.

He said: No, Senator, I am not going to do it.

We have since introduced legislation to make them do it, and so forth and so on.

It is beyond my comprehension that we do not know which financial institutions have received trillions of dollars of zero or close to zero interest loans. We don't know about the conflicts of interest that may have existed.

In that regard, let me talk about a scam which is quite unbelievable that

goes on today. What goes on today is, companies such as Goldman Sachs borrow money from the Fed—and I have no reason to doubt that Goldman Sachs also was on the receiving end of these zero interest loans—and they borrow this money for a tenth of a percent, maybe a quarter of a percent, and then they take that money and they invest it in U.S. Treasury securities at 3.5 to 4 percent. That is a pretty good deal. Talk about welfare. Borrow money at zero or half a percent, lend it to the U.S. Government, which has the entire faith and credit of American history behind it, and you make 3 percent, 4 percent. What a deal. That is a pretty good deal. I think we have to end those types of practices and we have to move forward with real transparency at the Fed.

The other thing we have to do, which is enormously important, is have these large financial institutions start lending money to small- and medium-sized businesses that are prepared to create meaningful jobs in this country.

Earlier today, I think the Presiding Officer and I heard from former President Clinton, who made a very important point. He believes—and I agree with him—we can make profound changes in our economy; that over a period of years we can create millions of jobs as we transform our energy system away from fossil fuels to energy efficiency and to sustainable energy. There are small businesses in the energy business in this country that are ready to go, to create the jobs, if they can get reasonable loans, and they can't get that money today. We can transform our energy system. We can give a real spirit to our economy. We can create good-paying jobs, but we have to demand that Wall Street start investing in the real economy.

Another issue I intend to play an active role in is this issue of too big to fail. I have said it once. I have said it many times. If a financial institution is too big to fail, it is too big to exist. We now have four major financial institutions which, if any one of them collapsed today, would bring down the entire economy, and what we have to do is start breaking them up now—now. We have to take action at this point.

I think the American people are angry and they are angry for some good reasons. They are hurting financially. As I mentioned earlier, there are millions of Americans today who have seen a substantial decline in their income and are working incredibly hard and they are wondering what has happened. Then, despite all that, with the trend that has led to the collapse of the middle class as a result of Wall Street greed, we have been driven into a major recession.

The American people want us to have the courage to stand up to Wall Street. I should say that in 2009 alone, our good friends on Wall Street who have unlimited resources spent $300 million in lobbying this institution. They spent $300 million. When they fought for the deregulation over a period of 10 years, they spent $5 billion to be able to engage in the activities which they did engage in and that led us to the recession we are in right now.

So these guys, I guess they can borrow zero interest loans from the Fed—I don't know if they can use that for lobbying or whatever—but they have an unlimited sum of money. I think the American people want us to have the courage to stand with them, to take these guys on no matter how powerful and wealthy they may be. I think the eyes of the country and the eyes of the world will be on what we do.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

COOKING THE BOOKS

Mr. KAUFMAN. Mr. President, last Thursday, the bankruptcy examiner for Lehman Brothers Holding Company released a 2,200-page report about the demise of the firm, which included riveting detail on the firm's accounting practices. That report has put into sharp relief what many of us have expected all along: that fraud and potential criminal conduct were at the heart of the financial crisis.

Now that we are beginning to learn many of the facts, at least with respect to the activities at Lehman Brothers, the country has every right to be outraged. Lehman was cooking its books, hiding $50 billion in toxic assets by temporarily shifting them off its balance sheet in time to produce rosier quarter-end reports. According to the bankruptcy examiner's report, Lehman Brothers's financial statements were ''materially misleading'' and said its executives engaged in ''actionable balance sheet manipulation.'' Only further investigation will determine whether the individuals involved can be indicted or convicted of criminal wrongdoing.

According to the examiner's report, Lehman used accounting tricks to hide billions in debt from its investors and the public. Starting in 2001, that firm began abusing financial transactions called repurchase agreements or repos. Repos are basically short-term loans that exchange collateral for cash in trades that may be unwound as soon as the next day. While investment banks have come to overrely on repos to finance their operations, they are neither illegal nor questionable, assuming, of course, they are clearly accounted for.

Lehman structured some of its repo agreements so the collateral was worth 105 percent of the cash it received—hence, the name ''Repo 105.'' As explained by the New York Times' DealBook:

> That meant that for a few days—and by the fourth quarter of 2007 that meant end-of-quarter—Lehman could shuffle off tens of billions of dollars in assets to appear more financially healthy than it really was.

Even worse, Lehman's management trumpeted how the firm was decreasing its leverage so investors would not flee from the firm. But inside Lehman, according to the report, someone described the Repo 105 transactions as ''window dressing,'' a nice way of saying they were designed to mislead the public.

Ernst & Young, Lehman's outside auditor, apparently became comfortable with and never objected to the Repo 105 transactions. While Lehman could never find a U.S. law firm to provide an opinion that treating the Repo 105 transactions as a sale for accounting purposes was legal, the British law firm Linklaters provided an opinion letter under British law that they were sales and not merely financing agreements. Lehman ran the transaction through its London subsidiary and used several different foreign bank counterparties.

The SEC and Justice Department should pursue a thorough investigation, both civil and criminal, to identify every last person who had knowledge Lehman was misleading the public about its troubled balance sheet—and that means everyone from the Lehman executives, to its board of directors, to its accounting firm, Ernst & Young. Moreover, if the foreign bank counterparties who purchased the now infamous ''Repo 105s'' were complicit in the scheme, they should be held accountable as well.

It is high time that we return the rule of law to Wall Street, which has been seriously eroded by the deregulatory mindset that captured our regulatory agencies over the past 30 years, a process I described at length in my speech on the floor last Thursday. We became enamored of the view that self-regulation was adequate, that ''rational'' self-interest would motivate counterparties to undertake stronger and better forms of due diligence than any regulator could perform, and that market fundamentalism would lead to the best outcomes for the most people. Transparency and vigorous oversight by outside accountants were supposed to keep our financial system credible and sound.

The allure of deregulation, instead, led to the biggest financial crisis since 1929. And now we are learning, not surprisingly, that fraud and lawlessness were key ingredients in the collapse as well. Since the fall of 2008, Congress, the Federal Reserve and the American taxpayer have had to step into the breach—at a direct cost of more than $2.5 trillion—because, as so many experts have said: ''We had to save the system.''

But what exactly did we save?

First, a system of overwhelming and concentrated financial power that has become dangerous. It caused the crisis of 2008–2009 and threatens to cause another major crisis if we do not enact fundamental reforms. Only six U.S. banks control assets equal to 63 percent of the nation's gross domestic

product, while oversight is splintered among various regulators who are often overmatched in assessing weaknesses at these firms.

Second, a system in which the rule of law has broken yet again. Big banks can get away with extraordinarily bad behavior—conduct that would not be tolerated in the rest of society, such as the blatant gimmicks used by Lehman, despite the massive cost to the rest of us.

What lessons should we take from the bankruptcy examiner's report on Lehman, and from other recent examples of misleading conduct on Wall Street? I see three.

First, we must undo the damage done by decades of deregulation. That damage includes—financial institutions that are ''too big to manage and too big to regulate''—as former FDIC Chairman Bill Isaac has called them—a ''wild west'' attitude on Wall Street, and colossal failures by accountants and lawyers who misunderstand or disregard their role as gatekeepers. The rule of law depends in part on manageably-sized institutions, participants interested in following the law, and gatekeepers motivated by more than a paycheck from their clients.

Second, we must concentrate law enforcement and regulatory resources on restoring the rule of law to Wall Street. We must treat financial crimes with the same gravity as other crimes, because the price of inaction and a failure to deter future misconduct is enormous.

Third, we must help regulators and other gatekeepers not only by demanding transparency but also by providing clear, enforceable ''rules of the road'' wherever possible. That includes studying conduct that may not be illegal now, but that we should nonetheless consider banning or curtailing because it provides too ready a cover for financial wrongdoing.

The bottom line is that we need financial regulatory reform that is tough, far-reaching, and untainted by discredited claims about the efficacy of self-regulation.

When Senators LEAHY, GRASSLEY and I introduced the Fraud Enforcement and Recovery Act—FERA—last year, our central objective was restoring the rule of law to Wall Street. We wanted to make certain that the Department of Justice and other law enforcement authorities had the resources necessary to investigate and prosecute precisely the sort of fraudulent behavior allegedly engaged in by Lehman Brothers that we learned about recently.

We all understood that to restore the public's faith in our financial markets and the rule of law, we must identify, prosecute, and send to prison the participants in those markets who broke the law. Their fraudulent conduct has severely damaged our economy, caused devastating and sustained harm to countless hard-working Americans, and contributed to the widespread view that Wall Street does not play by the same rules as Main Street.

FERA, signed into law in May, ensures that additional tools and resources will be provided to those charged with enforcement of our Nation's laws against financial fraud. Since its passage, progress has been made, including the President's creation of an interagency Financial Fraud Enforcement Task Force, but much more needs to be done.

Many have said we should of seek to punish anyone, as all of Wall Street was in a delirium of profitmaking and almost no one foresaw the sub-prime crisis caused by the dramatic decline in housing values. But this is not about retribution. This is about addressing the continuum of behavior that took place—some of it fraudulent and illegal—and in the process addressing what Wall Street and the legal and regulatory system underlying its behavior have become.

As part of that effort, we must ensure that the legal system tackles financial crimes with the same gravity as other crimes. When crimes happened in the past—as in the case of Enron, when aided and abetted by, among others, Merrill Lynch, and not prevented by the supposed gatekeepers at Arthur Andersen—there were criminal convictions. If individuals and entities broke the law in the lead up to the 2008 financial crisis—such as at Lehman Brothers, which allegedly deceived everyone, including the New York Fed and the SEC—there should be civil and criminal cases that hold them accountable.

If we uncover bad behavior that was nonetheless lawful, or that we cannot prove to be unlawful, as may be exemplified by the recent reports of actions by Goldman Sachs with respect to the debt of Greece, then we should review our legal rules in the United States and perhaps change them so that certain misleading behavior cannot go unpunished again. This will not be easy. As the Wall Street Journal's ''Heard on the Street'' noted last week, ''Give Wall Street a rule and it will find a loophole.''

This confirms what I heard on December 9 of last year when I convened an oversight hearing on FERA. As that hearing made clear, unraveling sophisticated financial fraud is an enormously complicated and resource-intensive undertaking, because of the nature of both the conduct and the perpetrators.

Rob Khuzami, head of the SEC's enforcement division, put it this way during the hearing:

> White-collar area cases, I think, are distinguishable from terrorism or drug crimes, for the primary reason that, often, people are plotting their defense at the same time they're committing their crime. They are smart people who understand that they are crossing the line, and so they are papering the record or having veiled or coded conversations that make it difficult to establish a wrongdoing.

In other words, Wall Street criminals not only possess enormous resources but also are sophisticated enough to cover their tracks as they go along, often with the help, perhaps unwitting, of their lawyers and accountants.

Assistant Attorney General Lanny Breuer and Khuzami, along with Assistant FBI Director Kevin Perkins, all emphasized at the hearing the difficulty of proving these cases from the historical record alone. The strongest cases come with the help of insiders, those who have first-hand knowledge of not only conduct but also motive and intent. That is why I have applauded the efforts of the SEC and DOJ to use both carrots and sticks to encourage those with knowledge to come forward.

At the conclusion of that hearing in December, I was confident that our law enforcement agencies were intensely focused on bringing to justice those wrongdoers who brought our economy to the brink of collapse.

Going forward, we need to make sure that those agencies have the resources and tools they need to complete the job. But we are fooling ourselves if we believe that our law enforcement efforts, no matter how vigorous or well funded, are enough by themselves to prevent the types of destructive behavior perpetrated by today's too-big, too-powerful financial institutions on Wall Street.

I am concerned that the revelations about Lehman Brothers are just the tip of the iceberg. We have no reason to believe that the conduct detailed last week is somehow isolated or unique. Indeed, this sort of behavior is hardly novel. Enron engaged in similar deceit with some of its assets. And while we don't have the benefit of an examiner's report for other firms with a business model like Lehman's, law enforcement authorities should be well on their way in conducting investigations of whether others used similar ''accounting gimmicks'' to hide dangerous risk from investors and the public.

At the same time, there are reports that raise questions about whether Goldman Sachs and other firms may have failed to disclose material information about swaps with Greece that allowed the country to effectively mask the full extent of its debt just as it was joining the European Monetary Union, EMU. We simply do not know whether fraud was involved, but these actions have kicked off a continent-wide controversy, with ramifications for U.S. investors as well.

In Greece, the main transactions in question were called cross-currency swaps that exchange cash flows denominated in one currency for cash flows denominated in another. In Greece's case, these swaps were priced ''off-market,'' meaning that they didn't use prevailing market exchange rates. Instead, these highly unorthodox transactions provided Greece with a large upfront payment, and an apparent reduction in debt, which they then paid off through periodic interest payments and finally a large ''balloon'' payment at the contract's maturity. In other words, Goldman Sachs allegedly provided Greece with a loan by another name.

The story, however, does not end there. Following these transactions, Goldman Sachs and other investment banks underwrote billions of Euros in bonds for Greece. The questions being raised include whether some of these bond offering documents disclosed the true nature of these swaps to investors, and, if not, whether the failure to do so was material.

These bonds were issued under Greek law, and there is nothing necessarily illegal about not disclosing this information to bond investors in Europe. At least some of these bonds, however, were likely sold to American investors, so they may therefore still be subject to applicable U.S. securities law. While ''qualified institutional buyers,'' QIBs, in the United States are able to purchase bonds, such as the ones issued by Greece, and other securities not registered with the SEC under Securities Act of 1933, the sale of these bonds would still be governed by other requirements of U.S. law. Specifically, they presumably would be subject to the prohibition against the sale of securities to U.S. investors while deliberately withholding material adverse information.

The point may be not so much what happened in Greece, but yet again the broader point that financial transactions must be transparent to the investing public and verified as such by outside auditors. AIG fell in large part due to its credit default swap exposure, but no one knew until it was too late how much risk AIG had taken upon itself. Why do some on Wall Street resist transparency so? Lehman shows the answer: everyone will flee a listing ship, so the less investors know, the better off are the firms which find themselves in a downward spiral. At least until the final reckoning.

Who is to blame for this state of affairs, where major Wall Street firms conclude that hiding the truth is okay? Well, there is plenty of blame to go around. As I said previously, both Congress and the regulators came to believe that self-interest was regulation enough. In the now-immortal words of Alan Greenspan, ''Those of us who have looked to the self-interest of lending institutions to protect shareholder's equity—myself especially—are in a state of shocked disbelief.'' The time has come to get over the shock and get on with the work.

What about the professions? Accountants and lawyers are supposed to help insure that their clients obey the law. Indeed they often claim that simply by giving good advice to their clients, they are responsible for far more compliance with the law than are government investigators. That claim rings hollow, however, when these professionals now seem too often focused on helping their clients get around the law.

Experts such as Professor Peter Henning of Wayne State University Law School, looking at the Lehman examiner's report on the Repo 105 transactions, are stunned that the accountant Ernst & Young never seemed to be troubled in the least about it. Of course, the fact that a Lehman executive was blowing a whistle on the practice in May 2008 did not change anything, other than to cause some discomfort in the ranks.

While saying he was confident he could clear up the whistleblower's concerns, the lead partner for Lehman at Ernst & Young wrote that the letter and off-balance sheet accounting issues were ''adding stress to everyone.''

As Professor Henning notes, one of the supposed major effects of the Sarbanes-Oxley Act was to empower the accountants to challenge management and ensure that transactions were accounted for properly. Indeed, it was my predecessor, then-Senator BIDEN, who was the lead author of the provision requiring the CEO and CFO to attest to the accuracy of financial statements, under penalty of criminal sanction if they knowingly or willfully certified materially false statements. I don't believe this is a failure of Sarbanes-Oxley. A law is not a failure simply because some people subsequently violate it.

I am deeply disturbed at the apparent failure of some in the accounting profession to change their ways and truly undertake the profession's role as the first line of defense—the gatekeeper—against accounting fraud. In just a few years time since the Enron-related death of the accounting firm Arthur Andersen, one might have hoped that ''technically correct'' was no longer a defensible standard if the cumulative impression left by the action is grossly misleading. But apparently that standard as a singular defense is creeping back into the profession.

The accountants and lawyers weren't the only gatekeepers. If Lehman was hiding balance sheet risks from investors, it was also hiding them from rating agencies and regulators, thereby allowing it to delay possible ratings downgrades that would increase its capital requirements. The Repo 105 transactions allowed Lehman to lower its reported net leverage ratio from 17.3 to 15.4 for the first quarter of 2008, according to the examiner's report. It was bad enough that the SEC focused on a misguided metric like net leverage when Lehman's gross leverage ratio was much higher and more indicative of its risks. The SEC's failure to uncover such aggressive and possibly fraudulent accounting, as was employed on the Repo 105 transactions, provides a clear indication of the lack of rigor of its supervision of Lehman and other investment banks.

The SEC in years past allowed the investment banks to increase their leverage ratios by permitting them to determine their own risk level. When that approach was taken, it should have been coupled with absolute transparency on the level of risk. What the Lehman example shows is that increased leverage without the accountants and regulators and credit rating agencies insisting on transparency is yet another recipe for disaster.

Mr. President, last week's revelations about Lehman Brothers reinforce what I have been saying for some time. The folly of radical deregulation has given us financial institutions that are too big to fail, too big to manage, and too big to regulate. If we have any hope of returning the rule of law to Wall Street, we need regulatory reform that addresses this central reality.

As I said more than a year ago:

> At the end of the day, this is a test of whether we have one justice system in this country or two. If we don't treat a Wall Street firm that defrauded investors of millions of dollars the same way we treat someone who stole $500 from a cash register, then how can we expect our citizens to have faith in the rule of law? For our economy to work for all Americans, investors must have confidence in the honest and open functioning of our financial markets. Our markets can only flourish when Americans again trust that they are fair, transparent, and accountable to the laws.

The American people deserve no less.

I yield the floor, and 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. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KAUFMAN). Without objection, it is so ordered.

Mr. UDALL of Colorado. Mr. President, before I speak to the topic that brought me to the floor tonight, I want to acknowledge the Presiding Officer's remarks on the situation with Lehman Brothers and others on Wall Street. I know that the Senator is on a mission, and nothing would make him happier, nor me happier, if the story of Lehman Brothers is a story that is told for the last time, much less written for the last time.

I listened with great interest to the narrative that is now unfolding, and with that interest also the sense of horror and outrage and anger that the Presiding Officer clearly carries. A crime is a crime, as it was pointed out, whether it is $500 from a cash register or literally billions, in fact trillions of dollars of net worth that we have seen taken from Americans and American families.

I commend the Presiding Officer for his leadership, and I think he put it well when he pointed out if you are too big to fail, you are too big to exist, and too bad. Never again should that happen. So I wanted to acknowledge the Presiding Officer.

SOLAR UNITING NEIGHBORHOODS ACT

Mr. UDALL of Colorado. Mr. President, I want to speak about a bill that is born from the forward-thinking ideas of our constituents—a bill that will

help spur our Nation's new energy economy and create jobs. To that end, tomorrow I will introduce the Solar Uniting Neighborhoods Act, or the SUN Act.

Last year, I began traveling across Colorado as part of a workforce tour to listen directly to Coloradans and hear their innovative policy ideas to create jobs. These ongoing efforts not only make me proud to be a Coloradan but they help me identify ways the Federal Government can help—or in some cases get out of the way—in supporting economic development and investing in Colorado. The SUN Act comes from directly visiting with Coloradans. It was one of the several job creation proposals developed after I hosted an energy jobs summit last month in Colorado.

Our summit brought together leading clean energy stakeholders from the worlds of business and public interest and government. Many of our top elected officials were there, including Energy Secretary Steven Chu, Governor Bill Ritter, Senator MICHAEL BENNET, and Congressman ED PERLMUTTER. They were there to discuss ways to sensibly spur job growth in our emerging clean energy economy. In the coming weeks, I will be introducing further legislation developed in part from the creative ideas that flowed from the clean energy summit.

The SUN Act will bring common sense to our Tax Code, get government out of the way of developing solar energy and spur job growth in every community across the United States. Americans currently qualify for a 30-percent Federal tax credit for the cost of installing solar panels on their homes. These solar panels are a great way to convert sunlight to electricity, and over time they save American families money on their utility bills. A few years ago, I installed panels on my own home to take advantage of the Sun, which is very strong in the great State of Colorado. But I have come to understand that this option isn't available for all American families who want to receive their electricity from solar power. Why? Well, there can be difficulties attaching solar panels to your home, which is why more and more neighborhoods and towns are creating so-called ''community solar'' projects. In those projects, instead of attaching the panels on every roof on the block, an increasing number of families have decided to place those same solar panels together in one open and unobstructed sunny area near their homes. By grouping these solar panels, you can reduce the cost by 30 percent compared to installing a panel or a set of panels on every roof in the neighborhood. Moreover, community solar projects streamline maintenance and optimize energy production by avoiding trees, buildings, and other obstructions. Whether used by neighbors living at the end of a cul-de-sac or developed by a rural energy cooperative, creating these group solar projects to share energy is a great way to lower the cost of making electricity through the marvelous technology of photovoltaic units.

But there is a problem. Our Tax Code gets in the way. Why? Well, we have seen the Federal Tax Code discourage neighborhood solar projects because it requires the panels to be on your property. To put it simply, Federal law is telling Americans they need to have their solar panels affixed to their roofs instead of being able to partner with their neighbors on a community solar project. So this discourages innovation and slows the growth of solar power as an alternative energy source.

Back to the reason why I am introducing the SUN Act. It makes a small change in the Tax Code so that we no longer will be constrained in this innovative solar energy opportunity. By eliminating the requirement that the solar panel be on one individual's property, it frees Americans to work together on community projects where each individual can claim a tax credit on part of a shared project. This simple turnkey solution makes it easier to adopt and use clean renewable energy.

As more and more Americans are realizing, weaning ourselves off sources of foreign energy is a bipartisan imperative no matter what you think about global warming. Back in 2004, Colorado took a big step forward into the emerging clean energy economy when we approved a renewable electricity standard—a so-called RES. I know the Presiding Officer supports such a concept. It wasn't an easy transition. There were a lot of skeptics who feared setting a goal for renewable energy would result in job losses. I remember it well. I cochaired the campaign for this RES in the State of Colorado with the Republican Speaker of our Statehouse, Lola Spradley, who is a close friend. She and I toured the State during election season in a bipartisan effort. It was a surprise to a lot of people, who thought Republicans and Democrats only fight and disagree. We in fact agreed, and we had a wonderful time campaigning together. We passed the RES.

Colorado has initiated other efforts as well and we have easily created over 20,000 jobs. We have the fourth highest concentration of renewable energy and energy research jobs in our country. Estimates are that the solar energy requirement in the RES—because the RES allows for wind, biomass, and other kinds of renewable energies—created over 1,500 jobs.

So what does this tell us? It tells us what we already know well—that American capitalism can take the seeds of an idea and create positive economic change. So wherever possible, our Federal Government should encourage, not hinder, such entrepreneurial ideas and entrepreneurs.

Other important issues are at play as well. As we find our way out of the current recession, we are witness to the emergence of powerful economic competitors abroad, and we have an increasingly dangerous alliance on foreign fossil fuels. So with these factors in mind for our own economic and national security, Americans must become the world leader in adopting clean energy and creating homegrown jobs.

The story must be told that clean energy is one of the greatest economic opportunities of the 21st century. Fortunately, that is a promise we can meet as the global demand for clean energy is growing by $1 trillion every year. Let me say that again—$1 trillion every year. And what excites me about this bill, like many measures currently being debated here in our Chamber, is that it will create jobs for Americans in every neighborhood where these community solar projects are developed.

This bill reduces many of the barriers which currently prevent Americans from adopting solar energy, opens up new markets and creates a simple structure to allow people to utilize clean energy for their home.

As I close, I can tell you there is nothing more thrilling than making electricity, which I do in my own home. And then, when you need to use it at your home, you use it there. And also, when it is not needed, you send it back on the grid for your neighbors to use. So I urge my colleagues in both parties to join me in supporting this legislation.

I thank the Presiding Officer for his attention.

I yield the floor.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS ERIC D. CURRIER

Mrs. SHAHEEN. Mr. President, I rise today with a heavy heart to pay tribute to the life and service of Marine PFC Eric D. Currier of Londonderry, NH. This young soldier died from wounds inflicted by an enemy sniper in Helmand Province, Afghanistan, on February 17, 2010. Private First Class Currier was just 21 years old at the time of his death. A rifleman, he was a member of the 3rd Battalion, 6th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force based at Camp Lejeune, NC, and was deployed to Afghanistan in January.

Eric was born in Massachusetts but moved to my home State of New Hampshire when he was in the eighth grade. He continued his schooling in Londonderry and graduated from Londonderry High School in 2007. Like many in northern New England, Eric was an avid outdoorsman. He began fishing with his grandfather at the age of three. He enjoyed camping trips with his brothers and was a skilled hunter. He spent many summer days boating, fishing and swimming while staying with his grandparents on Plum Island in Massachusetts. Eric even met his future wife, Kaila Parkhurst, while canoeing on the Saco River as a teenager. He was a fine young man, friendly and

outgoing, who cared deeply for his family. Army PVT Brent Currier, Eric's brother, describes him as the hero of his seven siblings.

Eric enlisted in the Marine Corps in March 2009 with a desire to serve an important cause and make his family proud. He most certainly accomplished those goals. Private First Class Currier selflessly joined the men and women of our armed services who give of themselves each day so that we, as a nation, might enjoy freedom and security. He has earned our country's enduring gratitude and recognition. While Eric's life may have ended too soon, his legacy lives on through the people who loved him and through all of us, who are forever indebted to him.

No words of mine can diminish the pain of losing such a young soldier, but I hope Eric's family can find solace in knowing that all Americans share a deep appreciation of his service. Daniel Webster's words, first spoken during his eulogy for Presidents Adams and Jefferson in 1826, are fitting: ''Although no sculptured marble should rise to their memory, nor engraved stone bear record of their deeds, yet will their remembrance be as lasting as the land they honored.'' I ask my colleagues and all Americans to join me in honoring Eric's life, service and sacrifice.

Private First Class Currier is survived by his wife Kaila; his father Russell Currier; his mother Helen Boudreau and her husband Kevin; siblings Brent, Dylan, Kevin, Melana, Cassie, Jake and Alyssa; as well as grandparents, in-laws, and others. I offer my deepest sympathies to his entire family for their loss, and my sincere thanks for their loved one's service. This young marine will be dearly missed; his death while deployed far from home is another painful loss for our small State and for this Nation. It is my sad duty to enter the name of PFC Eric Currier in the RECORD of the U.S. Senate in recognition of his sacrifice for this country and his contribution to freedom and lasting peace.

VOTE EXPLANATION

Mr. TESTER. Mr. President, due to mechanical trouble that delayed my travel to the Senate on March 15, 2010, I regret I was unable to make the vote on the motion to invoke cloture on the motion to concur in the House amendment to the Senate amendment to the House amendment to the Senate amendment to H.R. 2847, the legislative vehicle of the HIRE Act. If present I would have voted aye.

TAIWAN SELF-DEFENSE REQUIREMENTS

Mr. CORNYN. Mr. President, Taiwan is a steadfast ally in a very turbulent region of the world. On January 29, the State Department approved a $6.4 billion arms package to Taiwan that includes 114 Patriot missiles, 60 Black Hawk helicopters, Harpoon antiship training missiles, and Osprey-class minehunter ships.

I am pleased that the administration is taking this important step toward fulfilling the United States' commitment to Taiwan under the Taiwan Relations Act, TRA, which requires us to make available to Taiwan such defense articles and defense services ''as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.'' However, despite the billions of dollars worth of weapons involved in this sale, it represents little more than a half step in providing Taiwan the defensive arms that it needs—and that we are obligated by law to provide it—to protect itself against rapidly increasing air- and sea-based threats from China. What Taiwan has repeatedly requested—and what was not in the arms package—are new fighter aircraft.

Since 2006, the Taiwanese have made clear their desire to purchase 66 F–16 C/Ds to augment an air fleet that is bordering on obsolescence. On April 22, 2009, Taiwanese President Ma Ying-jeou reiterated Taiwan's commitment to request the F–16C/Ds from the Obama Administration. And, in a December 29, 2009, letter to Senate and House leaders, members of Taiwan's Parliament stated, ''Though economic and diplomatic relations with the People's Republic of China's Communist Party are improving, we face a significant threat from the People's Liberation Army Air Force. Our military must be able to defend our airspace as a further deterioration in the air balance across the Strait will only encourage PRC aggression.''

On January 21, the U.S. Defense Intelligence Agency, DIA, completed a report on the current condition of Taiwan's air force. This formal assessment was required under a provision that I authored in the fiscal year 2010 National Defense Authorization Act, NDAA, which received bipartisan support. The report's findings are grim.

The unclassified version of the report concludes that, although Taiwan has an inventory of almost 400 combat aircraft, ''far fewer of these are operationally capable.'' It states that Taiwan's 60 U.S.-made F–5 fighters have already reached the end of their operational service, that its 126 locally produced Indigenous Defense Fighter aircraft lack ''the capability for sustained sorties,'' and that its 56 French-made Mirage 2000–5 fighter jets ''require frequent, expensive maintenance'' while lacking required spare parts. Furthermore, the report found that although some of Taiwan's 146 F–16 A/Bs may receive improvements to enhance avionics and combat effectiveness, the ''extent of the upgrades, and timing and quantity of aircraft is currently unknown.''

In the past, what has kept Taiwan free and allowed its democracy and free enterprise system to flourish has been a qualitative technological advantage in military hardware over Chinese forces. In simple terms, it would have been too costly for Beijing to contemplate an attack on Taiwan. This in and of itself created a stabilizing effect that promoted dialogue and negotiations. Yet due to the massive, nontransparent increase in China's defense spending, the past 10 years have seen a dramatic erosion in this cornerstone of Taiwan's defense strategy. A gauge of how quickly this tide has turned can be found in the Department of Defense's Annual Report on the Military Power of the People's Republic of China. The 2002 version of this report concluded that Taiwan ''has enjoyed dominance of the airspace over the Taiwan Strait for many years.'' The DOD's 2009 Report now states this conclusion no longer holds true.

Taiwanese defense officials have also recognized this alarming trend, predicting that, in the coming decade, they will completely lose their qualitative edge. Beijing will have an advantage in both troops and arms. This imminent reality holds critical consequences for both our ally Taiwan and the United States. If China becomes emboldened, it might be tempted to try to take Taiwan through outright aggression or cow Taiwan into subservience through intimidation.

How would the U.S. react in the face of Chinese belligerence towards Taiwan? Would we deploy our ships and aircraft to ward off Chinese aggression? Would we decide to counter force with force? These are difficult and tough questions, and the soundest policy option is to ensure they never have to be answered. We know a Taiwan that is properly defended and equipped will raise the stakes for China, and that would serve as the best defense against belligerent acts.

Strategically, assisting Taiwan in maintaining a robust defense capability will help keep the Taiwan Strait stable. We should remember that, in 1996, Beijing rattled its Chinese saber and launched ballistic missiles off Taiwan's coast and initiated amphibious landing training exercises. This prompted President Clinton to dispatch two carrier battle groups as a show of strength. President Ma recently commented on the latest weapons sale by stating, ''The more confidence we have and the safer we feel, the more interactions we can have with mainland China. The new weapons will help us develop cross-strait ties and ensure Taiwan maintains a determined defense and effective deterrence.'' During the Reagan years, we knew this common-sense strategy as ''Peace Through Strength.''

The benefits of an F–16 sale to Taiwan are not limited to national security—this sale also stands to benefit the American economy during a difficult period. The F–16, one of the world's finest tactical aircraft, is proudly assembled in Fort Worth, TX. The overall production effort involves hundreds of suppliers and thousands of workers across the United States. The

sale of 66 aircraft to Taiwan would be worth approximately $4.9 billion and guarantee U.S. jobs for years to come. The ripple effects of this sale through our economy would be significant, especially for workers in states where the recession has hit hard. This sale will also be a shot in the arm to America's defense industrial base, where constructing and equipping the F–16 means high-paying jobs for Americans.

The Obama administration has indicated that it intends to further review Taiwan's request for F–16s. Yet, the time for a decision regarding this sale draws near, and this review cannot be allowed to continue indefinitely. Taiwan needs these F–16 C/D aircraft now. What's more, the F–16 production line is approaching its end, after having manufactured these world-class aircraft for decades and having equipped 25 nations with more than 4,000 aircraft. If hard orders are not received for Taiwan's F–16s this year, the U.S. production line will likely be forced to start shutting down. Once the line begins closing, personnel will be shifted to other programs, inventory orders will be cancelled, and machine tools will be decommissioned. When the F–16 line eventually goes ''cold,'' it is not realistic to expect that it would be restarted. At the same time, through economic and diplomatic threats, China has effectively cut off all other countries from selling arms to Taiwan.

In the months leading up to the administration's recent arms sales announcement, the administration took great pains to telegraph to Beijing their intention that the sale would provide only defensive arms to Taiwan. Nevertheless, China has responded to the sale by threatening U.S. companies, cancelling high-level meetings with U.S. officials, and launching verbal assaults against our country. Beijing's blustering is clearly intended to intimidate the United States and dissuade us from selling new F–16s to Taiwan. This is unacceptable. The United States must not allow Beijing to dictate the terms of any future U.S. arms sales or other support for Taiwan.

President Ma and Taiwan parliamentarians have been clear and direct in their request for these aircraft. It is my hope that they will redouble their efforts here in Congress, as well as with the administration, to make the case and demonstrate the urgent need for the sale of these F–16C/Ds. This is a telling moment for the Obama administration. Our allies are watching carefully, and so are our potential adversaries. Without question, the path of least resistance for the administration would be to not move forward with the sale of F–16s, under the guise of continued analysis of the proposal. Then, once the F–16 production line had shut down, the proposed sale would be a moot issue for the administration. However, that path would ultimately leave Taiwan—and U.S. interests in the region—dangerously exposed. The sale of these F–16s to Taiwan would send a powerful message that the U.S. will stand by our allies, both in the Taiwan Strait and in other parts of the world.

I urge the President to move forward expeditiously with the sale of F–16s to Taiwan. I hope he will do so, and I know that many of my colleagues on both sides of the aisle share this sentiment.

RECONCILIATION

Mr. SPECTER. Mr. President, I seek recognition today to address the subject of reconciliation.

I have previously spoken about gridlock in Congress and the negative impact it is having on our stature internationally. We are unable to confirm judicial and executive nominations which is paralyzing the work of the Senate and putting the government's ability to confront the Nation's challenges at risk. It slows the judicial process and leaves many posts empty, including those in defense and national security.

The most central issue at the moment, however, is health care reform. Health care reform passed both the House of Representatives and the Senate. In the Senate, it passed by a supermajority vote of 60–39. The only issue before us now is aligning the already-passed Senate version with the already-passed House version. Despite its passage by 60–39, Republicans are still trying to stop this bill by threatening to filibuster the amendments needed to bring it into a condition that will pass the House of Representatives.

These tactics, which amount to a minority of Senators halting a bill that has overwhelming support, can be overcome by the often used reconciliation process. The reconciliation process is an optional procedure that operates as an adjunct to the budget resolution process established by the Congressional Budget Act of 1974. The reconciliation process has been used by nearly every Congress since its enactment to pass a vast array of legislation.

In their endless efforts to circumvent the will of the majority and thwart the passage of much needed and much supported health care legislation, the Republicans have launched a campaign against the reconciliation process, making it out to be an illegitimate tactic that the Democrats have invented to pass health care legislation. That is simply untrue.

A look back in time, however, shows that the very same Republicans who are now denouncing the use of reconciliation were the very same Republicans who were defending its use not too long ago.

When he was chair of the Budget Committee, Senator JUDD GREGG, in defending the use of reconciliation to try to pass an amendment allowing oil drilling in the Arctic National Wildlife Refuge in 2005 said, ''Reconciliation is a rule of the Senate set up under the Budget Act. It has been used before for purposes exactly like this on numerous occasions. The fact is all this rule of the Senate does is allow a majority of the Senate to take a position and pass a piece of legislation, support that position. Is there something wrong with 'majority rules'? I don't think so.''

When using reconciliation to pass Medicare spending, Senator GREGG said, ''You can't get 60 votes because the party on the other side of the aisle simply refuses to do anything constructive in this area.'' Senator CHUCK GRASSLEY, when defending the use of reconciliation to pass the Bush tax cuts, said that reconciliation was ''the way it will have to be done in order to get it done at all.''

Last year Republican Congressman PAUL RYAN said of Democrats using reconciliation, ''It's their right. They did win the election. We don't like it because we don't like what looks like the outcome.''

Republicans are implying that reconciliation is a new idea, and has never been used to pass significant legislation. The fact is, since 1980, Congress has sent 22 reconciliation bills to the President. Of those, 16 enacted into law occurred under Republican majority control.

The 16 reconciliation bills created with a Republican majority included:

FY	Majority	Resultant reconciliation act(s)	Veto?
1981	Republican	Omnibus Budget Reconciliation Act of 1980 (P.L. 96–499)	None.
1982	Republican	Omnibus Budget Reconciliation Act of 1981 (P.L. 97–35)	None.
1983	Republican	Tax Equity and Fiscal Responsibility Act of 1982 (P.L. 97–248)	None.
	Republican	Omnibus Budget Reconciliation Act of 1982 (P.L. 97–253)	None.
1984	Republican	Omnibus Budget Reconciliation Act of 1983 (P.L. 98–270)	None.
1986	Republican	Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99–272)	None.
1996	Republican	Balanced Budget Act of 1995	Vetoed by Clinton.
1997	Republican	Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104–193).	None.
1998	Republican	Balanced Budget Act of 1997 (P.L. 105–33)	None.
	Republican	Taxpayer Relief Act of 1997 (P.L. 105–34)	None.
2000	Republican	Taxpayer Refund and Relief Act of 1999 (H.R. 2488)	Vetoed by Clinton.
2001	Republican	Marriage Tax Relief Reconciliation Act of 2000 (H.R. 4810)	Vetoed by Clinton.
2002	Republican	Economic Growth and Tax Relief Reconciliation Act of 2001 (P.L. 107–16)	None.
2004	Republican	Jobs and Growth Tax Relief Reconciliation Act of 2003 (P.L. 108–27)	None.
2006	Republican	Deficit Reduction Act of 2005 (P.L. 109–171)	None.
	Republican	Tax Increase Prevention and Reconciliation Act of 2005 (P.L. 109–222)	None.

The six reconciliation bills created with a Democratic majority included:

Fiscal year	Majority	Resultant reconciliation act(s)	Veto?
1987	Democrat	Omnibus Budget Reconciliation Act of 1986 (P.L. 99–509)	None.
1988	Democrat	Omnibus Budget Reconciliation Act of 1987 (P.L. 100–203)	None.
1990	Democrat	Omnibus Budget Reconciliation Act of 1989 (P.L. 101–239)	None.
1991	Democrat	Omnibus Budget Reconciliation Act of 1990 (P.L. 101–508)	None.
1994	Democrat	Omnibus Budget Reconciliation Act of 1993 (P.L. 103–66)	None.
2008	Democrat	College Cost Reduction and Access Act of 2007 (P.L. 110–84)	Vetoed by Clinton.

This could not be further from the truth. The new Reagan administration and Republican majority in 1981 that first used reconciliation to pass major legislation—Reagan's tax cuts—and used it again in 1982 to cut spending and roll back some tax cuts. A Republican-controlled Senate also used reconciliation to pass the 1996 welfare overhaul, the Children's Health Insurance Program, Medicare Advantage and COBRA.

Republicans have used reconciliation many times to pass partisan bills. For example, the 1995 Balanced Budget Act, the 2001 Bush tax cuts, the 2003 Bush tax cuts, the 2005 Deficit Reduction Act, and the 2006 Tax Relief Extension Act were all passed in reconciliation and with small vote margins. Two of these passed only with the tie-breaking intervention of Vice President Dick Cheney, and Democrats got more votes for the health bill than any of these measures received.

Republicans have also complained that reconciliation is not proper for a health care bill. However, over the past 20 years, reconciliation has been used to pass almost all major pieces of health care legislation, including COBRA; the Children's Health Insurance Program; the Emergency Medical Treatment and Active Labor Act, which requires hospitals that take Medicaid and Medicare to treat anyone entering an ER; and welfare reform, which disentangled Medicaid from welfare.

Further, the health care bill has already passed with 60 votes. It is only the amendments that need to pass via reconciliation. The 2009 budget resolution instructed both Houses of Congress to enact health care reform. Again, comprehensive health legislation has already passed both Chambers, garnering a majority in the House and a supermajority in the Senate. Since the House and the Senate versions are slightly different, using reconciliation to implement the budget resolution by reconciling the two bills follows established procedure. Reconciliation will be used only to pass a small package of fixes to the original health bills that are necessary to align the House and Senate versions. This is actually less ambitious than the usual reconciliation process, which usually applies to entire bills, not just small fixes.

RADIO SPECTRUM INVENTORY ACT

Mr. CONRAD. Mr. President, I express my support for S. 649, the Radio Spectrum Inventory Act. I am joining as a cosponsor of this legislation because it is important to complete a comprehensive assessment of how we use our radio spectrum before we make decisions about how we want to use it in the future.

As the FCC submits the Nation's first broadband plan to Congress, we have heard much about the need for allocating additional spectrum for the expansion of mobile broadband service. There is little question that rapidly expanding these networks is of critical importance—especially in rural States like North Dakota, which rely on 21st-century technology like mobile broadband to stay competitive.

However, without a thorough understanding of how our public airwaves are currently being used, making a plan to reallocate spectrum would be putting the cart before the horse. For that reason, I strongly believe that the Congress should pass this legislation and policymakers should wait to review the results of the inventory it requires before decisions are made about how or where spectrum should be distributed for the expansion of mobile broadband services. This will allow us to shape spectrum policy in a more thoughtful manner.

Just as the National Broadband Plan gives us for the first time a comprehensive plan for broadband deployment and use, the Radio Spectrum Inventory Act will provide for the first time a comprehensive map of how the public airwaves are used—for radio broadcasts, over-the-air television, mobile phones, public safety, and mobile broadband. There are too many users involved to move forward in a piecemeal way. Ultimately, spectrum reallocation is too important to rush.

TRIBUTE TO GREG KENDALL

Mr. GREGG. Mr. President, I rise today on behalf of myself and my wife Kathy to pay tribute to Officer Greg Kendall of Rye, NH, who retired on January 1, 2010, after 50 years of service as an educator and law enforcement officer. It is important for us to take a moment to recognize and honor Officer Kendall's long career as a dedicated public servant. Citizens like Greg Kendall ensure that our communities remain great places to live, work, and raise a family. The outstanding community service demonstrated by him is what inspires people to leave behind a better society than they found, and contribute to the betterment of their local community.

Greg, whom Rye Police Chief Kevin Walsh describes as ''irreplaceable,'' is both well known and highly respected throughout New Hampshire's Seacoast community, where he has served on the Rye police force and as an educator in the Rye and Seabrook school districts. Starting out on summer beach patrol in 1960 as a full-time officer, Greg continued to serve as a police officer on weekends while also beginning his career in education as a full-time sixth grade teacher at Rye Junior High School. Upon finishing graduate studies at the University of New Hampshire and the University of Maine, he became the principal at Rye Junior High School, where he continued to guide and shape the education and character of a generation of young students over the next 16 years. Following that, Greg taught in Seabrook for an additional 13 years, all while serving nights and weekends as a special officer in Rye. Since 2001, Greg has also been animal control officer, performing his duties with the same compassion, calm demeanor, and professionalism that he always brought to his shifts on patrol or lessons in the classroom.

On a personal note, I had the pleasure of serving with Greg when, in the summer of 1968, I worked as a special officer on the Rye Police Force. The town of Rye, the people of the region and the State of New Hampshire are all better off for Greg's wisdom, skills, and experience. He is a friend and someone whose sense of humor, expertise and dedication I have always admired. Kathy and I join Greg's friends and neighbors in Rye in honoring him as an officer of the law, an educator of youth, and a motivator for us all. Thank you, Greg Kendall. We wish you the best in all your future endeavors; may they be as rewarding as those of the last 50 years.

MESSAGE FROM THE HOUSE

At 10:54 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2377. An act to direct the Secretary of Education to establish and administer an awards program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2377. An act to direct the Secretary of Education to establish and administer an

awards program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education; to the Committee on Health, Education, Labor, and Pensions.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2314. An act to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5034. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''The Emergency Food Assistance Program: Amendments to Requirements Regarding the Submission of State Plans and Allowability of Certain Administrative Costs'' (RIN0584–AD94) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5035. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (4) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5036. A communication from the Director, Pentagon Renovation and Construction Program Office, Department of Defense, transmitting, pursuant to law, the Office's Annual Report for the year ending March 1, 2010; to the Committee on Armed Services.

EC–5037. A communication from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a biennial report entitled ''Implementation of the Deep Sea Coral Research and Technology Program''; to the Committee on Commerce, Science, and Transportation.

EC–5038. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; (Birmingham, Alabama)'' (MB Docket No. 10–21) received in the Office of the President of the Senate on March 11, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5039. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Port Angeles, Washington)'' (MB Docket No. 08–228) received in the Office of the President of the Senate on March 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5040. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Inseason Closure of the Recreational Fishery for Greater Amberjack in Federal Waters of the Gulf of Mexico'' (RIN0648–XS50) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5041. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Minimum Atlantic Surfclam Size Limit for Fishing Year 2010'' (RIN0648–XS18) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5042. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment 15B to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region'' (RIN0648–AW12) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5043. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Correcting Amendment to Implement Recordkeeping and Reporting Revisions'' (RIN0648–AY37) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5044. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Reopening of the Commercial Fishery for Gulf Group King Mackerel in the Florida East Coast Subzone for the 2009–2010 Fishing Year'' (RIN0648–XU38) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5045. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Coast Groundfish; Biennial Specifications and Management Measures; Inseason Adjustments'' (RIN0648–AY40) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5046. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Trade Regulation Rule Relating to Power Output Claims for Amplifiers Utilized in Home Entertainment Products'' (RIN3084–AB09) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5047. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Pot Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XU65) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5048. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Closed Directed Fishing for Pacific Cod, Jig and Hook-and-Line Vessels, Bering Sea, Bogoslof Area'' (RIN0648–XU64) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5049. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Closed Directed Fishing for Pacific Cod, Offshore Component, Central Gulf of Alaska, A Season'' (RIN0648–XU63) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5050. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Closed Directed Fishing for Pacific Cod, Non-American Fisheries Act Crab Vessels, Offshore Component, Western Gulf of Alaska'' (RIN0648–XU62) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5051. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Correction'' (RIN0648–XU17) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5052. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Public Assistance Eligibility'' ((44 CFR Part 206)(Docket No. FEMA–2006–0028)) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5053. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64)(Docket No. FEMA–2008–0020)) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5054. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Australia; to the Committee on Banking, Housing, and Urban Affairs.

EC–5055. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program for Certain Commercial and Industrial Equipment: Test Procedure for Metal Halide Lamp Ballasts (Active and Standby Modes) and Proposed Information Collection; Comment Request; Certification, Compliance, and Enforcement Requirements for Consumer Products and Certain Commercial and Industrial Equipment; Final Rule and Notice'' (RIN1904–AB87) received in the Office of the President of the Senate on March 12, 2010; to the Committee on Energy and Natural Resources.

EC–5056. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Weatherization Assistance for Low-Income Persons: Maintaining the Privacy of Applicants for and Recipients of Services'' (RIN1904–AC16) received in the Office of the President of the Senate on March 12, 2010; to the Committee on Energy and Natural Resources.

EC–5057. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Topeka, Kansas, Flood Risk Management Project; to the Committee on Environment and Public Works.

EC–5058. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of Phalanx Close-In Weapon System Block 1B Baseline 1 systems, including spare and repair parts, installation, and maintenance to the United Arab Emirates in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–5059. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan relative to the design, manufacture, and repair of the Long Range Chinook Helicopter Variants (CH–47JA+) and the modification of CH–47JA helicopters in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–5060. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to overseas surplus property; to the Committee on Foreign Relations.

EC–5061. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Classification of Benzoyl Peroxide as Safe and Effective and Revision of Labeling to Drug Facts Format; Topical Acne Drug Products for Over-The-Counter Human Use; Final Rule'' ((RIN0910–AG00)(Docket Nos. FDA–1981–N–0114 and FDA–1992–N–0049)) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–5062. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Part 4022) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–5063. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''USERRA Benefits Under Title IV of ERISA'' (RIN1212–AB19) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–5064. A communication from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Executive Officer of the Corporation for National and Community Service, received in the Office of the President of the Senate on March 11, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–5065. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Fiscal Year 2009 Performance and Accountability Report; to the Committee on Homeland Security and Governmental Affairs.

EC–5066. A communication from the Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Privacy Office Fourth Quarter Fiscal Year 2009 Report to Congress''; to the Committee on Homeland Security and Governmental Affairs.

EC–5067. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Office of Community Oriented Policing Services (COPS Office) Annual Report for Fiscal Year 2009; to the Committee on the Judiciary.

EC–5068. A communication from the Director of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''VA Acquisition Regulation: Supporting Veteran-Owned and Service-Disabled Veteran-Owned Small Businesses'' (RIN2900–AM92) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Veterans' Affairs.

EC–5069. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone of Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XU73) received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–90. A message from the Secretary-General of the United Nations petitioning support for Nuclear Disarmament and Non-Proliferation; to the Committee on Foreign Relations.

THE SECRETARY-GENERAL,
FEBRUARY 26, 2010.

Mr. JOSEPH R. BIDEN, Jr.
President, Senate, United States of America, Washington, DC.

DEAR MR. JOSEPH R. BIDEN, JR., We stand at a watershed moment for the achievement of international security through a world free of nuclear weapons. For several years now, momentum has been building towards this goal, due in no small part to the diligent efforts of civil society and parliamentarians.

I have tried to do my part to revitalize the peace and disarmament agenda. In October 2008, I presented a five-point proposal for nuclear disarmament. Greatly encouraged by the support that has been expressed for my initiative, I welcomed, in particular, the call by the Inter-Parliamentary Union in April 2009 for parliaments to instruct their Governments to support this proposal. I salute the Parliamentary Network for Nuclear Non-Proliferation and Disarmament for its related efforts and for its work towards building support for a nuclear weapon convention.

Since 2008, we have seen progress. The Russian Federation and the United States have negotiated on further reductions of their strategic nuclear arsenals. The Security Council held a historic summit on nuclear disarmament and non-proliferation. Treaties establishing nuclear-weapon-free zones have entered into force in Africa and Central Asia. Calls for global nuclear disarmament have emanated from many quarters and detailed plans have been proposed containing practical ideas to achieve the goal of global zero.

In order to sustain this momentum ahead of the 2010 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons, I have proposed an Action Plan on Nuclear Disarmament and Non-Proliferation. My plan is founded on a fundamental principle: nuclear disarmament and nuclear non-proliferation are mutually reinforcing and inseparable. In my action plan, I promised to explore ways to encourage greater involvement by civil society and parliamentarians.

Parliamentarians and parliaments play a key role in the success of disarmament and non-proliferation efforts. Parliaments support the implementation of treaties and global agreements contributing to the rule of law and promoting adherence to commitments. They adopt legislation that increases transparency and accountability, thus building trust, facilitating verification and creating conditions that are conducive to the further pursuit of disarmament.

At a time when the international community is facing unprecedented global challenges, parliamentarians can take on leading roles in ensuring sustainable global security, while reducing the diversion of precious resources from human needs. As parliaments set the fiscal priorities for their respective countries, they can determine how much to invest in the pursuit of peace and cooperative security. Towards this end, parliaments can establish the institutional infrastructures to support the development of necessary practical measures.

I would therefore like to take this opportunity to encourage all parliamentarians to join in efforts to achieve a nuclear-weapon-free world. In particular, I call upon parliamentarians to increase their support for peace and disarmament, to bring disarmament and non-proliferation treaties into force, and to start work now on the legislative agendas needed to achieve and sustain the objective of nuclear disarmament.

I look forward to opportunities to work with you to advance global nuclear disarmament and non-proliferation.

Yours sincerely,

BAN KI-MOON.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with amendments:

H.R. 885. A bill to elevate the Inspector General of certain Federal entities to an Inspector General appointed pursuant to section 3 of the Inspector General Act of 1978.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

*Jessie Hill Roberson, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2013.

*Joseph F. Bader, of the District of Columbia, to be a Member of the Defense Nuclear

Facilities Safety Board for a term expiring October 18, 2012.

*Peter Stanley Winokur, of Maryland, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2014.

Air Force nomination of Brig. Gen. Byron C. Hepburn, to be Major General.

Air Force nomination of Col. Robert R. Redwine, to be Brigadier General.

Army nomination of Lt. Gen. James D. Thurman, to be General.

Army nomination of Lt. Gen. Jack C. Stultz, Jr., to be Lieutenant General.

Army nomination of Maj. Gen. John W. Morgan III, to be Lieutenant General.

Army nomination of Lt. Gen. David M. Rodriguez, to be Lieutenant General.

Navy nomination of Vice Adm. Paul S. Stanley, to be Vice Admiral.

Marine Corps nomination of Maj. Gen. Walter E. Gaskin, Sr., to be Lieutenant General.

Marine Corps nomination of Brig. Gen. Melvin G. Spiese, to be Major General.

Marine Corps nomination of Col. Vaughn A. Ary, to be Major General.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Elwood M. Barnes and ending with Rex A. Williams, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Air Force nominations beginning with Calvin N. Anderson and ending with Roger M. Welsh, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Air Force nominations beginning with Brian L. Bengs and ending with Lisa F. Willis, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Air Force nominations beginning with Donnette A. Boyd and ending with Paul D. Sutter, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Air Force nominations beginning with Richard S. Beyea III and ending with Travis C. Yelton, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Air Force nominations beginning with Afsana Ahmed and ending with Reggie D. Yager, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Army nominations beginning with Douglas R. Dixon and ending with Vicki J. Wyan, which nominations were received by the Senate and appeared in the Congressional Record on February 1, 2010.

Army nominations beginning with Romney C. Andersen and ending with D002085, which nominations were received by the Senate and appeared in the Congressional Record on February 1, 2010.

Army nominations beginning with Charles E. Bane and ending with D003028, which nominations were received by the Senate and appeared in the Congressional Record on February 1, 2010.

Army nominations beginning with Richard Acevedo and ending with D005704, which nominations were received by the Senate and appeared in the Congressional Record on February 1, 2010.

Army nominations beginning with Joseph C. Alexander and ending with Don H. Yamashita, which nominations were received by the Senate and appeared in the Congressional Record on February 1, 2010.

Army nominations beginning with David A. Allen and ending with Young J. Yauger, which nominations were received by the Senate and appeared in the Congressional Record on February 1, 2010.

Army nominations beginning with Matthew H. Adams and ending with Matthew H. Watters, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Marine Corps nominations beginning with Henry C. Bodden and ending with David M. Sousa, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2010.

Marine Corps nominations beginning with James R. Reusse and ending with Jeffrey P. Wooldridge, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2010.

Marine Corps nominations beginning with Anthony Redman and ending with Gary J. Spinelli, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2010.

Marine Corps nominations beginning with Mark E. Dumas and ending with James Smiley, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2010.

Marine Corps nominations beginning with Steven S. Devost and ending with William E. Lanham, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2010.

Marine Corps nominations beginning with Tony C. Armstrong and ending with Shelton Williams, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2010.

Marine Corps nominations beginning with Charles R. Baughn and ending with John P. Mullery, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2010.

Marine Corps nominations beginning with Randall E. Davis and ending with Brian L. White, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2010.

Marine Corps nominations beginning with Brent L. English and ending with Anthony C. Lyons, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2010.

Marine Corps nominations beginning with Robert Boyero and ending with Andrew R. Strauss, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2010.

Marine Corps nomination of Dennis L. Parks, to be Lieutenant Colonel.

Marine Corps nominations beginning with Steve K. Braund and ending with Steven E. Sprout, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Marine Corps nominations beginning with Charles E. Daniels and ending with Jay A. Rogers, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Marine Corps nominations beginning with Timothy L. Collins and ending with Steven J. Lengquist, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Marine Corps nominations beginning with Michael R. Glass and ending with Donald L. Hultz, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Marine Corps nominations beginning with Steven M. Dotson and ending with James I. Saylor, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Marine Corps nominations beginning with Jack G. Abate and ending with Jason A. Higgins, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2010.

Navy nominations beginning with Craig E. Bundy and ending with Yaron Rabinowitz, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2010.

Navy nomination of Michael C. Biemiller, to be Commander.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. KERRY:

S. 3118. A bill to amend title 38, United States Code, to provide that monetary benefits paid to veterans by States and municipalities shall be excluded from consideration as income for purposes of pension benefits paid by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND (for herself, Mr. LIEBERMAN, Mr. DODD, and Mr. SCHUMER):

S. 3119. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship; to the Committee on Environment and Public Works.

By Mr. SPECTER (for himself and Mr. DURBIN):

S. 3120. A bill to encourage the entry of felony warrants into the National Crime Information Center database by States and provide additional resources for extradition; to the Committee on the Judiciary.

By Mr. BURR (for himself and Mrs. HAGAN):

S. 3121. A bill to amend title 10, United States Code, to authorize the Secretary of the Army to lease portions of the Airborne and Special Operations Museum facility to the Airborne and Special Operations Museum Foundation to support operation of the Museum; to the Committee on Armed Services.

By Mr. ENSIGN (for himself, Mr. RISCH, Mr. VITTER, Mr. BARRASSO, Mr. BENNETT, and Mr. ENZI):

S. 3122. A bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. HARKIN, Mr. BENNET, Mrs. SHAHEEN, Mr. CASEY, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. BROWN of Ohio, Mr. UDALL of New Mexico, Mr. DURBIN, Mrs. MURRAY, Mr. SCHUMER, and Mr. SANDERS):

S. 3123. A bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to carry out a

program to assist eligible schools and nonprofit entities through grants and technical assistance to implement farm to school programs that improve access to local foods in eligible schools; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. KLOBUCHAR (for herself and Mr. HARKIN):

S. 3124. A bill to amend the Richard B. Russell National School Lunch Act to improve child health and nutrition and reduce administrative burdens for child care sponsors and providers; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON of Florida:

S. 3125. A bill to amend the Internal Revenue Code of 1986 to extend the financing of the Superfund; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 3126. A bill to amend the Richard B. Russell National School Lunch Act to promote the health and wellbeing of schoolchildren in the United States through effective local wellness policies, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 3127. A bill to amend the Child Nutrition Act of 1966 to require regular updating of the supplemental foods provided under the special supplemental nutrition program for women, infants, and children; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 3128. A bill to amend the Richard B. Russell National School Lunch Act to ensure the categorical eligibility of foster children for free school lunches and breakfasts; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 3129. A bill to amend the Child Nutrition Act of 1966 to allow States to certify children for participation in special supplemental nutrition program for women, infants, and children for a period of 1 year; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BENNET:

S. 3130. A bill to provide that, if comprehensive health care reform legislation provides Americans access to quality, affordable health care is not enacted by June 30, 2010, then Members of Congress may not participate or be enrolled in a Federal employees health benefits plan under chapter 89 of title 5, United States Code; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WEBB (for himself and Mr. WARNER):

S. Res. 456. A resolution congratulating Radford University on the 100th anniversary of the university; considered and agreed to.

ADDITIONAL COSPONSORS

S. 132

At the request of Mrs. FEINSTEIN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 132, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 259

At the request of Mr. BOND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 259, a bill to establish a grant program to provide vision care to children, and for other purposes.

S. 493

At the request of Mr. CASEY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 565

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 565, a bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes.

S. 700

At the request of Mr. BINGAMAN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 700, a bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for Medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes.

S. 730

At the request of Mr. ENSIGN, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 730, a bill to amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain footwear, and for other purposes.

S. 752

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 1102

At the request of Mr. LIEBERMAN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1102, a bill to provide benefits to domestic partners of Federal employees.

S. 1492

At the request of Ms. MIKULSKI, the names of the Senator from Illinois (Mr. BURRIS) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1619

At the request of Mr. DODD, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1639

At the request of Mr. BINGAMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1639, a bill to amend the Internal Revenue Code of 1986 to improve and extend certain energy-related tax provisions, and for other purposes.

S. 1660

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mrs. BOXER) 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. 1683

At the request of Mr. BENNET, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1683, a bill to apply recaptured taxpayer investments toward reducing the national debt.

S. 1764

At the request of Mr. LAUTENBERG, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1764, a bill to clarify the application of section 14501(d) of title 19, United States Code, to prevent the imposition of unreasonable transportation fees.

S. 1789

At the request of Mr. DURBIN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1789, a bill to restore fairness to Federal cocaine sentencing.

S. 2870

At the request of Mr. INOUYE, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2870, a bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 2975

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2975, a bill to prohibit the manufacture, sale, or distribution in commerce of children's jewelry containing cadmium, barium, or antimony, and for other purposes.

S. 3003

At the request of Mr. DODD, the name of the Senator from Indiana (Mr. BAYH)

was added as a cosponsor of S. 3003, a bill to enhance Federal efforts focused on public awareness and education about the risks and dangers associated with Shaken Baby Syndrome.

S. 3027

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 3027, a bill to prevent the inadvertent disclosure of information on a computer through certain ''peer-to-peer'' file sharing programs without first providing notice and obtaining consent from an owner or authorized user of the computer.

S. 3035

At the request of Mr. BAUCUS, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 3035, a bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3065

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as ''Don't Ask, Don't Tell'', with a policy of nondiscrimination on the basis of sexual orientation.

S. 3084

At the request of Ms. KLOBUCHAR, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 3084, a bill to increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in interstate and global commerce, foster job creation in the United States, and assist United States businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, and for other purposes.

S. 3113

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Hawaii (Mr. AKAKA) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. 3113, a bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture.

S. RES. 204

At the request of Mr. VITTER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 204, a resolution designating March 31, 2010, as ''National Congenital Diaphragmatic Hernia Awareness Day''.

S. RES. 412

At the request of Mrs. GILLIBRAND, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. Res. 412, a resolution designating September 2010 as ''National Childhood Obesity Awareness Month''.

S. RES. 447

At the request of Ms. MIKULSKI, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 447, a resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease.

S. RES. 452

At the request of Mr. JOHANNS, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 452, a resolution supporting increased market access for exports of United States beef and beef products to Japan.

AMENDMENT NO. 3453

At the request of Mr. SESSIONS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of amendment No. 3453 proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3456

At the request of Mr. LIEBERMAN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of amendment No. 3456 proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3458

At the request of Mr. VITTER, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 3458 proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3484

At the request of Mr. LAUTENBERG, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 3484 intended to be proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3493

At the request of Ms. CANTWELL, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 3493 intended to be proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3497

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 3497 proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3523

At the request of Ms. CANTWELL, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of amendment No. 3523 intended to be proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER (for himself and Mr. DURBIN):

S. 3120. A bill to encourage the entry of felony warrants into the National Crime Information Center database by States and provide additional resources for extradition; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President, I am now introducing the Fugitive Information Networked Database Act of 2010.

On December 12 of last year, the Philadelphia Inquirer began a series of articles that served as a blistering indictment of the Philadelphia criminal justice system. The Inquirer described it as ''a system that too often fails to punish violent criminals, fails to protect witnesses, fails to catch thousands of fugitives, fails to decide cases on their merits, and fails to provide justice.'' The Inquirer article 3 days later elaborated on the fugitive problem, noting that as of November 2009, there were almost 47,000 long-term fugitives at large.

The warrant situation in Philadelphia is complicated by the fact that the Philadelphia Police Department only enters into the national database a few hundred bench warrants deemed by the district attorney's office to concern extraditable offenses. Those who abscond from criminal proceedings in Philadelphia and flee to other States likely will not be captured because the information for their warrants is not automatically entered into the NCIC database.

The legislation I am introducing today, along with Senator DURBIN, builds on legislation previously entered by then-Senator BIDEN and Senator DURBIN. The proposed legislation will provide substantial Federal funding to assist the States in tracking and returning these fugitives.

Mr. President, I ask unanimous consent that the full text of my statement which I have just summarized and the

text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATOR SPECTER'S STATEMENT UPON INTRODUCING THE FUGITIVE INFORMATION NETWORKED DATABASE ACT OF 2010, THE FIND ACT

Mr. President, I have sought recognition to introduce the Fugitive Information Networked Database Act of 2010, the FIND Act. On December 12, 2009, the Philadelphia Inquirer began a series of articles that served as a blistering indictment of the Philadelphia criminal justice system. The Inquirer described it as ''a system that all too often fails to punish violent criminals, fails to protect witnesses, fails to catch thousands of fugitives, fails to decide cases on their merits—fails to provide justice.'' (Craig R. McCoy, Nancy Phillips, and Dylan Purcell, Justice: Delayed, Dismissed, Denied, Philadelphia Inquirer, Dec. 12, 2009). Three days later, on December 15, 2009, the Philadelphia Inquirer elaborated on the fugitive problem noting that as of November 2009, ''there were 46,801 long-term fugitives—suspects generally on the run for at least a year. The bulk of these fugitives date from this decade and the last.'' (Dylan Purcell, Craig R. McCoy, and Nancy Phillips, Violent Criminals Flout Broken Bail System, Tens of Thousands of Philadelphia Fugitives are on the Streets, Abetted by the City's Deeply Flawed Program, Philadelphia Inquirer, Dec. 15, 2009). The article reported that Philadelphia ''[f]ugitives now owe taxpayers a whopping $1 billion in forfeited bail, according to court officials who computed the figure . . .'' (Id.). Despite the obvious incentive to recapture those funds in this era of budget shortfalls, the article noted, that the ''Clerk of Quarter Sessions Office . . . has never kept a computerized list of the debtors.''

These problems warranted Senate hearings and in my capacity as the Chairman of the Judiciary Subcommittee on Crime and Drugs, I held a field hearing in Philadelphia titled, ''Exploring Federal Solutions to the State and Local Fugitive Crisis,'' on January 19, 2010. What we learned was that Philadelphia's fugitive problem, though serious in scope, is not just a local problem but is in fact a significant national problem.

Nationwide, there are an estimated 2.7 million active Federal, State, and local outstanding felony warrants. Many of these fugitives commit additional crimes. Every day large numbers of fugitives evade capture because state and local law enforcement authorities have insufficient resources to find and arrest them. And even if found, state and local law enforcement authorities often do not have the funds to pay for the fugitive's extradition to face trial. Shockingly, many fugitives are released without prosecution.

The nationwide database operated by the FBI's National Crime Information Center (''NCIC'') is missing over half of the country's 2.7 million felony warrants, including warrants for hundreds of thousands of violent crimes. Fugitives who have fled to another state will not be caught—even if they are stopped and questioned by the police on a routine traffic stop—because their warrants have not been entered into the NCIC database.

In early 2008, the St. Louis Post Dispatch published a series of articles—affirmed by the Department of Justice documenting law enforcement's widespread failure to find and arrest fugitives. For purposes of the series, ''fugitive'' included un-arrested suspects with pending warrants that law enforcement cannot find, and those who cannot be found after violating the rules of their pre-trial detention, probation, or parole. The articles revealed that the reach of this national problem is extensive and cited federal estimates from two years ago that as many as an estimated 800,000 to 1.6 million outstanding state or local warrants are inaccessible to law enforcement outside the state or locality in which they were issued because the information about the warrants had not been entered into the NCIC database.

In Philadelphia, while all warrants, including bench warrants, are entered into a state database, only a small fraction of these warrants is entered into the NCIC database. The Philadelphia Police Department only enters into the NCIC database a few hundred bench warrants deemed by the District Attorney's Office to concern extraditable offenses and surprisingly the Police Departments makes these entries manually and not by automatic computer transfers. Thus, those who abscond from criminal proceedings in Philadelphia and flee to other states likely will not be captured because information from their warrants is not automatically entered into the NCIC database.

Last Congress, on June 16, 2008, then-Senator Biden introduced the FIND Act (S. 3136), that sought to address similar problems. At the time, Senator Biden said, ''Too often, State and local law enforcement agencies enter warrants into the State and local databases, but not into the national database.'' His statement was prescient then and is still true now. By September 2008, Senator Biden had been joined by Senators Clinton and Durbin as cosponsors and the bill had passed the Judiciary Committee.

Today I take up Vice President Biden's mantle and, along with Senator Durbin, introduce the ''Fugitive Information Networked Database Act of 2010,'' the FIND Act. This bill directs the Attorney General to make a total of $10 million in grants each fiscal year 2011 through 2015 to states and Indian tribes for use in developing and implementing or upgrading secure electronic warrant management systems for the preparation, submission, and validation of state felony warrants that are interoperable with the NCIC database. A portion of these grant funds can be used to hire additional personnel to validate warrants entered into the NCIC database. The bill also directs the Attorney General to make a total of $30 million in grants each fiscal year 2011 to 2015 to states and Indian tribes for extraditing fugitives for prosecution and encourages their participation in the U.S. Marshal's Justice Prisoner and Alien Transportation Service (''JPATS'') program. The bill directs the Comptroller General to submit a statistical report to the House and Senate Judiciary Committees on felony warrants issued by state, local, and tribal governments and entered into the NCIC database and on the apprehension and extradition of persons with active felony warrants.

Finally, in an enhancement of the prior FIND Act, this new bill requires any state seeking a grant renewal to file public reports with the Attorney General and within its own county clerk's offices indicating (i) the number of defendants assessed or interviewed for pretrial release; (ii) the number of indigent defendants included in (i); (iii) the total number of failures to appear for all defendants released; and (iv) the number and type of infractions committed by defendants while on pretrial release.

I urge my colleagues to support this important legislation which is designed to facilitate state and local data entry into the NCIC database through grants, increase the extradition of fugitives travelling in interstate commerce and to ascertain whether our pretrial release programs are operating effectively. The fugitive problem is national in scope, involves individuals travelling in interstate commerce, and requires federal solutions. By enacting this bill, we take an important first step.

S. 3120

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 ''Fugitive Information Networked Database Act of 2010'' or the ''FIND Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Nationwide, there are an estimated 2,700,000 active Federal, State, and local warrants for the arrest of persons charged with felony crimes.

(2) State and local law enforcement authorities have insufficient resources to devote to searching for and apprehending fugitives. As a result, large numbers of fugitives evade arrest. State and local law enforcement authorities also lack resources for extraditing fugitives who have been arrested in other States. As a result, such fugitives frequently are released without prosecution.

(3) Increasing the resources available for conducting fugitive investigations and transporting fugitives between States would increase the number of fugitives who are arrested and prosecuted.

(4) The United States Marshals Service (referred to in this Act as the ''USMS'') plays an integral role in the apprehension of fugitives in the United States, and has a long history of providing assistance and expertise to Federal, State, and local law enforcement agencies in support of fugitive investigations, including through 82 District Task Forces, and through the 7 Regional Fugitive Task Force Programs that have partnered with Federal, State and local law enforcement agencies to locate and apprehend fugitives.

(5) The USMS utilizes the Justice Prisoner and Alien Transportation Service (referred to in this Act as the ''JPATS'') to transport Federal detainees and prisoners. It also makes JPATS available to State and local law enforcement agencies on a reimbursable, space-available basis for the purpose of transporting a fugitive from the place where the fugitive was arrested to the jurisdiction

that issued the warrant for the arrest of the fugitive. Through JPATS, these agencies are able to reduce the cost of extradition significantly.

(6) Expanding the availability of JPATS to State and local law enforcement agencies would lower the cost of transporting fugitives for extradition and lead to the prosecution of a greater number of fugitives.

(7) Since 1967, the Federal Bureau of Investigation has operated the National Crime Information Center, which administers a nationwide database containing criminal history information from the Federal Government and the States, including outstanding arrest warrants. The National Crime Information Center database allows a law enforcement officer who stops a person in 1 State to obtain information about a warrant for that person issued in another State. It contains approximately 1,700,000 felony and misdemeanor warrants. It is missing nearly half of the 2,800,000 to 3,200,000 of the felony warrants issued across the Nation, including warrants for hundreds of thousands of violent crimes.

(8) The failure of a State to enter a warrant into the National Crime Information Center database enables a fugitive to escape arrest even when the fugitive is stopped by a law enforcement officer in another State, because the officer is not aware there was a warrant issued for the fugitive. Many of such fugitives go on to commit additional crimes. In addition, such fugitives pose a danger to law enforcement officers who encounter them without knowledge of the pending charges against the fugitives or their record of fleeing law enforcement authorities.

(9) All warrants entered into the National Crime Information Center database must be validated on a regular basis to ensure that the information in the warrant is still accurate and that the warrant is still active.

(10) Improving the entry and validation of warrants in the National Crime Information Center database would enable law enforcement officers to identify and arrest a larger number of fugitives, improve the safety of these officers, and better protect communities from crime.

(11) Federal funds for State and local law enforcement are most effective when they do not supplant, but rather supplement State and local funds.

SEC. 3. DEFINITIONS.

In this Act:

(1) ACTIVE WARRANT.—The term ''active warrant'' means a warrant that has not been cleared. A warrant may be cleared by arrest or by the determination of a law enforcement agency that a warrant has already been executed or that the subject is deceased.

(2) FELONY WARRANT.—The term ''felony warrant'' means any warrant for a crime that is punishable by a term of imprisonment exceeding 1 year.

(3) INDIAN COUNTRY.—The term ''Indian country'' has the meaning given the term in section 1151 of title 18, United States Code.

(4) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(5) NATIONAL CRIME INFORMATION CENTER DATABASE.—The term ''National Crime Information Center database'' means the computerized index of criminal justice information operated by the Federal Bureau of Investigation under section 534 of title 28, United States Code, and available to Federal, State, and local law enforcement and other criminal justice agencies.

(6) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

(7) UNIT OF LOCAL GOVERNMENT.—The term ''unit of local government''—

(A) means—

(i) any city, county, township, borough, parish, village, or other general purpose political subdivision of a State; or

(ii) any law enforcement district or judicial enforcement district that is established under applicable State law and has the authority to, in a manner independent of other State entities, establish a budget and impose taxes;

(B) includes law enforcement agencies, courts, and any other government agencies involved in the issuance of warrants; and

(C) in the case of Indian tribes, includes tribal law enforcement agencies, tribal courts and any other tribal agencies involved in the issuance of warrants.

SEC. 4. GRANTS TO ENCOURAGE STATES TO ENTER FELONY WARRANTS.

(a) AUTHORIZATION OF GRANTS.—

(1) IN GENERAL.—The Attorney General shall make grants to States or Indian tribes in a manner consistent with the National Criminal History Improvement Program, which shall be used by States or Indian tribes, in conjunction with units of local government, to—

(A)(i) develop and implement secure, electronic State, local or tribal warrant management systems that permit the prompt preparation, submission, and validation of warrants and are compatible and interoperable with the National Crime Information Center database to facilitate information sharing and to ensure that felony warrants entered into warrant databases by State, local and tribal government agencies can be automatically entered into the National Crime Information Center database; or

(ii) upgrade existing State, local or tribal electronic warrant management systems to ensure compatibility and interoperability with the National Crime Information Center database to facilitate information sharing and to ensure that felony warrants entered into warrant databases by State, local and tribal government agencies can be automatically entered into the National Crime Information Center database; and

(B) ensure that all State, local, and tribal government agencies that need access to the National Crime Information Center database for criminal justice purposes can access the database.

(2) DURATION.—A grant awarded under this section shall be—

(A) for a period of 1 year; and

(B) renewable at the discretion of the Attorney General if the State seeking renewal submits an application to the Attorney General that demonstrates compliance with subsection (b)(2).

(3) HIRING OF PERSONNEL.—Not more than 5 percent of the grant funds awarded under this section to each State and Indian tribe may also be used to hire additional personnel, as needed, to validate warrants entered into the National Crime Information Center database.

(4) SET-ASIDE.—Not more than 5 percent of the total funds available to be awarded under this section may be reserved for Indian tribes.

(b) ELIGIBILITY.—

(1) IN GENERAL.—In order to be eligible for a grant authorized under subsection (a), a State or Indian tribe shall submit to the Attorney General—

(A) a plan to develop and implement, or upgrade, systems described in subsection (a)(1);

(B) a report that—

(i) details the number of active felony warrants issued by the State or Indian tribe, including felony warrants issued by units of local government within the State or Indian tribe;

(ii) describes the number and type of active felony warrants that have not been entered into a State, local, or tribal warrant database or into the National Crime Information Center database;

(iii) explains the reasons State, local, and tribal government agencies have not entered active felony warrants into the National Crime Information Center database; and

(iv) demonstrates that State, local, and tribal government agencies have made good faith efforts to eliminate any such backlog; and

(C) guidelines for warrant entry by the State or Indian tribe, including units of local government within the State or Indian tribe, that—

(i) ensure that felony warrants issued by the State or Indian tribe, including units of local government within the State or Indian tribe, will be entered into the National Crime Information Center database; and

(ii) include a description of the circumstances, if any, in which, as a matter of policy, certain such warrants will not be entered into the National Crime Information Center database.

(2) DEPOSIT BAIL AND CITIZENS RIGHT TO KNOW.—A State that submits a grant renewal application under subsection (a)(3)(B) shall require that each unit of local government or State pretrial services agency in such State that has recieved grant funds under this section file with the Attorney General and the appropriate county clerk's office of jurisdiction the following public reports on defendants released at the recommendation or under the supervision of the unit of local government or State pretrial services agency:

(A) An annual report specifying—

(i) the number of defendants assessed or interviewed for pretrial release;

(ii) the number of indigent defendants included in clause (i);

(iii) the number of failures to appear for a scheduled court appearance; and

(iv) the number and type of program noncompliance infractions committed by a defendant released to a pretrial release program.

(B) An annual report at the end of each year, setting forth the budget of the unit of local government or State pretrial services agency for the reporting year.

(c) REPORT TO THE ATTORNEY GENERAL.—A State or Indian tribe that receives a grant under this section shall, 1 year after receiving the grant, submit a report to the Attorney General that includes—

(1) the number of active felony warrants issued by that State or Indian tribe, including units of local government within that State or Indian tribe;

(2) the number of the active felony warrants entered into the National Crime Information Center database; and

(3) with respect to felony warrants not entered into the National Crime Information Center database, the reasons for not entering such warrants.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General $10,000,000 for each of the fiscal years 2011 through 2015 for grants to carry out the requirements of this section.

SEC. 5. FEDERAL BUREAU OF INVESTIGATION COORDINATION.

The Federal Bureau of Investigation shall provide to State, local, and tribal government agencies the technological standard to ensure the compatibility and interoperability of all State, local, and tribal warrant

databases with the National Crime Information Center database, as well as other technical assistance to facilitate the implementation of automated State, local, and tribal warrant management systems that are compatible and interoperable with the National Crime Information Center database.

SEC. 6. REPORT REGARDING FELONY WARRANT ENTRY.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the House and Senate Committees on the Judiciary a report regarding—

(1) the number of active felony warrants issued by each State and Indian tribe, including felony warrants issued by units of local government within the State or Indian tribe;

(2) the number of the active felony warrants that State, local, and tribal government agencies have entered into the National Crime Information Center database; and

(3) for the preceding 3 years, the number of persons in each State with an active felony warrant who were—

(A) apprehended in other States or in Indian Country but not extradited; and

(B) apprehended in other States or in Indian Country and extradited.

(b) ASSISTANCE.—To assist in the preparation of the report required by subsection (a), the Attorney General shall provide the Comptroller General of the United States access to any information collected and reviewed in connection with the grant application process described in section 4.

(c) REPORT BY ATTORNEY GENERAL.—On an annual basis, the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report containing the information received from the States and Indian tribes under this section.

SEC. 7. EXTRADITION ASSISTANCE.

(a) GRANT ASSISTANCE.—

(1) AUTHORIZATION OF GRANT ASSISTANCE.—

(A) IN GENERAL.—The Attorney General shall, subject to paragraph (4), make grants to States and Indian tribes for periods of 1 year which shall be used by States and Indian tribes, including units of local government within the State or Indian tribe, to extradite fugitives from another State or Indian country for prosecution.

(B) SET ASIDE.—Not more than 5 percent of the grant funding available under this section may be reserved for Indian tribal governments, including tribal judicial systems.

(2) MATCHING FUNDS.—The Federal share of a grant received under this section may not exceed 80 percent of the costs of a program or proposal funded under this section unless the Attorney General waives, wholly or in part, the requirements of this paragraph in the event of extraordinary circumstances.

(3) GRANT APPLICATIONS.—A State or Indian tribe seeking a grant under this subsection shall submit an application to the Attorney General that—

(A) describes the process and any impediments to extraditing fugitives apprehended in other States or in Indian Country after being notified of such fugitives' apprehension;

(B) specifies the way in which grant amounts will be used, including the means of transportation the State or Indian tribe, or unit of local government within the State or Indian tribe, intends to use for extradition and whether the State or Indian tribe or unit of local government will participate in the JPATS program, as well as whether it has participated in that program in the past;

(C) specifies the number of fugitives extradited by all jurisdictions within that State or Indian tribe for each of the 3 years preceding the date of the grant application; and

(D) specifies the total amount spent by all jurisdictions within that State or Indian tribe on fugitive extraditions for each of the 3 years preceding the date of the grant application.

(4) ELIGIBILITY.—

(A) IN GENERAL.—In determining whether to award a grant under this section to a State or Indian tribe, the Attorney General shall consider the following:

(i) The information in the application submitted under paragraph (3).

(ii) The percentage of felony warrants issued by the State or Indian tribe, including units of local government within the State or Indian tribe, that were entered into the National Crime Information Center database, as calculated with the information provided under subsection (b) and, beginning 1 year after the date of enactment of this Act, whether the State or Indian tribe has made substantial progress in improving the entry of felony warrants into the National Crime Information Center database.

(iii) For grants issued after an initial 1 year grant, whether the State or Indian tribe, including units of local government within the State or Indian tribe, has increased substantially the number of fugitives extradited for prosecution.

(B) PREFERENCES.—In allocating extradition grants under this section, the Attorney General should give preference to States or Indian tribes that—

(i) 3 years after the date of enactment of this Act, have entered at least 50 percent of active felony warrants into the National Crime Information Center database;

(ii) 5 years after the date of enactment of this Act, have entered at least 70 percent of active felony warrants into the National Crime Information Center database; and

(iii) 7 years after the date of enactment of this Act, have entered at least 90 percent of active felony warrants into the National Crime Information Center database.

(5) USE OF FUNDS.—States and Indian tribes, including units of local government within the State or Indian tribe, receiving a grant under this section may use grant monies to credit the costs of transporting State and local detainees on behalf of such State to the Justice Prisoner and Alien Transportation System.

(6) RECORD KEEPING.—States and Indian tribes, including units of local government within the State or Indian tribe, that receive a grant under this section shall maintain and report such data, records, and information (programmatic and financial) as the Attorney General may require.

(7) AUDIT.—

(A) IN GENERAL.—The Attorney General shall conduct an audit of the use of funds by States and Indian tribes receiving grants under this section 18 months after the date of the enactment of this Act and biennially thereafter.

(B) INELIGIBILITY.—A State or Indian tribe, or unit of local government within a State or Indian tribe, that fails to increase substantially the number of fugitives extradited after receiving a grant under this section will be ineligible for future funds.

(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $30,000,000 for each of fiscal years 2011 through 2015.

(b) ACTIVE FELONY WARRANTS ISSUED BY STATES AND INDIAN TRIBES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter on a date designated by the Attorney General, to assist the Attorney General in making a determination under subsection (a)(4) concerning eligibility to receive a grant, each State and Indian tribe applying for a grant under this section shall submit to the Attorney General—

(A) the total number of active felony warrants issued by the State or Indian tribe, including units of local government within the State or Indian tribe, regardless of the age of the warrants; and

(B) a description of the categories of felony warrants not entered into the National Crime Information Center database and the reasons for not entering such warrants.

(2) FAILURE TO PROVIDE.—A State or Indian tribe that fails to provide the information described in paragraph (1) by the date required under such paragraph shall be ineligible to receive any funds under subsection (a), until such date as it provides the information described in paragraph (1) to the Attorney General.

(c) ATTORNEY GENERAL REPORT.—

(1) IN GENERAL.—Not later than January 31 of each year, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report—

(A) containing the information submitted by the States and Indian tribes under subsection (b);

(B) containing the percentage of active felony warrants issued by those States and Indian tribes that has been entered into the National Crime Information Center database, as determined under subsection (a)(4)(A)(ii);

(C) containing a description of the categories of felony warrants that have not been entered into the National Crime Information Center database and the reasons such warrants were not entered, as provided to the Attorney General under subsection (b)(1);

(D) comparing the warrant entry information to data from previous years and describing the progress of States and Indian tribes in entering active felony warrants into the National Crime Information Center database;

(E) containing the number of persons that each State or Indian tribe, including units of local government within the State or Indian tribe, has extradited from other States or in Indian country for prosecution and describing any progress the State or Indian tribe has made in improving the number of fugitives extradited for prosecution; and

(F) describing the practices of the States and Indian tribes regarding the collection, maintenance, automation, and transmittal of felony warrants to the National Crime Information Center, that the Attorney General considers to be best practices.

(2) BEST PRACTICES.—Not later than January 31 of each year, the Attorney General shall provide the information regarding best practices, referred to in paragraph (1)(F), to each State and Indian tribe submitting information to the National Crime Information Center.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. HARKIN, Mr. BENNET, Mrs. SHAHEEN, Mr. CASEY, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. BROWN of Ohio, Mr. UDALL of New Mexico, Mr. DURBIN, Mrs. MURRAY, Mr. SCHUMER, and Mr. SANDERS):

S. 3123. A bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to carry out a program to assist eligible schools and nonprofit entities

through grants and technical assistance to implement farm to school programs that improve access to local foods in eligible schools; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. LEAHY. Mr. President, I rise today to introduce my Growing Farm to School Programs Act of 2010. This important proposal will support grassroots efforts all across our Nation to improve the health and well-being of children while supporting local farmers and bolstering local economies.

I am pleased to have 13 of my respected Senate colleagues from across the country join with me today as original cosponsors of this bill. Farm to School is a proven, common-sense, community-driven approach to incorporate farm fresh local food into school meals. Schools nationwide understand the many benefits of farm to school but often lack the startup funding and the technical capacity to plan and implement the program. This bill will provide the important seed money and technical assistance needed to enable our schools to teach children about good nutrition and show them the importance of agriculture while also supporting local farms.

It is amazing how far some farm products travel to get to our school cafeterias, and how heavily processed it is when it arrives. While our Nation's schools should provide an enormous market for our struggling small and mid-sized farmers, for far too long the products grown by our family farms have largely been absent from school lunch trays. We should not be surprised that many kids today do not understand the link between the food they eat and farms on which it is raised. By offering our children local, fresh, less-processed choices, and a chance to learn how and where their food is grown we can also provide economic benefits for small, local farms and keep food dollars within the community.

Communities and schools all across our Nation are beginning to link farms and school with great success. In my home State of Vermont, from rural towns across the state to the city of Burlington, many of our schools have integrated school meals with classroom learning and local agriculture. As more schools create these important connections, neighboring communities are often also eager to start similar programs. Unfortunately many of these schools do not have sufficient staff, expertise, equipment, or funding to start a Farm to School program on their own. The Growing Farm to Schools Programs Act will provide the small amount of funding and technical assistance that these schools need to create a program. Once in place, these programs can be expected to be self-sustaining.

In introducing the Growing Farm to School Programs Act of 2010, I am hoping that we will be able to provide more communities, schools, and farmers the opportunity to grow and cultivate Farm to School programs. I thank my 13 co-sponsors and urge my other colleagues to join us in support of this exciting initiative.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3123

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 ''Growing Farm to School Programs Act of 2010''.

SEC. 2. ACCESS TO LOCAL FOODS: FARM TO SCHOOL PROGRAM.

Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended—

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

(2) in subsection (g), by striking ''(g) ACCESS TO LOCAL FOODS AND SCHOOL GARDENS.—'' and all that follows through ''(3) PILOT PROGRAM FOR HIGH-POVERTY SCHOOLS.— '' and inserting the following:

''(g) ACCESS TO LOCAL FOODS: FARM TO SCHOOL PROGRAM.—

''(1) DEFINITION OF ELIGIBLE SCHOOL.—In this subsection, the term 'eligible school' means a school or institution that participates in a program under this Act or the school breakfast program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

''(2) PROGRAM.—The Secretary shall carry out a program to assist eligible schools, State and local agencies, Indian tribal organizations, agricultural producers or groups of agricultural producers, and nonprofit entities through grants and technical assistance to implement farm to school programs that improve access to local foods in eligible schools.

''(3) GRANTS.—

''(A) IN GENERAL.—The Secretary shall award competitive grants under this subsection to be used for—

''(i) training;

''(ii) supporting operations;

''(iii) planning;

''(iv) purchasing equipment;

''(v) developing school gardens;

''(vi) developing partnerships; and

''(vii) implementing farm to school programs.

''(B) REGIONAL BALANCE.—In making awards under this subsection, the Secretary shall, to the maximum extent practicable, ensure—

''(i) geographical diversity; and

''(ii) equitable treatment of urban, rural, and tribal communities.

''(C) MAXIMUM AMOUNT.—The total amount provided to a grant recipient under this subsection shall not exceed $100,000.

''(4) FEDERAL SHARE.—

''(A) IN GENERAL.—The Federal share of costs for a project funded through a grant awarded under this subsection shall not exceed 75 percent of the total cost of the project.

''(B) FEDERAL MATCHING.—As a condition of receiving a grant under this subsection, a grant recipient shall provide matching support in the form of cash or in-kind contributions, including facilities, equipment, or services provided by State and local governments, nonprofit organizations, and private sources.

''(5) CRITERIA FOR SELECTION.—To the maximum extent practicable, in providing assistance under this subsection, the Secretary shall give the highest priority to funding projects that, as determined by the Secretary—

''(A) benefit local small- and medium-sized farms;

''(B) make local food products available on the menu of the eligible school;

''(C) serve a high proportion of children who are eligible for free or reduced price lunches;

''(D) incorporate experiential nutrition education activities in curriculum planning that encourage the participation of school children in farm and garden-based agricultural education activities;

''(E) demonstrate collaboration between eligible schools, nongovernmental and community-based organizations, agricultural producer groups, and other community partners;

''(F) include adequate and participatory evaluation plans;

''(G) demonstrate the potential for long-term program sustainability; and

''(H) meet any other criteria that the Secretary determines appropriate.

''(6) EVALUATION.—As a condition of receiving a grant under this subsection, each grant recipient shall agree to cooperate in an evaluation by the Secretary of the program carried out using grant funds.

''(7) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance and information to assist eligible schools, State and local agencies, Indian tribal organizations, and nonprofit entities—

''(A) to facilitate the coordination and sharing of information and resources in the Department that may be applicable to the farm to school program;

''(B) to collect and share information on best practices; and

''(C) to disseminate research and data on existing farm to school programs and the potential for programs in underserved areas.

''(8) FUNDING.—

''(A) IN GENERAL.—On October 1, 2010, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this subsection $50,000,000, to remain available until expended.

''(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this subsection the funds transferred under subparagraph (A), without further appropriation.

''(h) PILOT PROGRAM FOR HIGH-POVERTY SCHOOLS.—

''(1) IN GENERAL.—''; and

(3) in subsection (h) (as redesignated by paragraph (2))—

(A) in subparagraph (F) of paragraph (1) (as so redesignated), by striking ''in accordance with paragraph (1)(H)'' and inserting ''carried out by the Secretary''; and

(B) by redesignating paragraph (4) as paragraph (2).

SEC. 3. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 456—CONGRATULATING RADFORD UNIVERSITY ON THE 100TH ANNIVERSARY OF THE UNIVERSITY

Mr. WEBB (for himself and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 456

Whereas Radford University was chartered on March 10, 1910, by the Commonwealth of Virginia as the State Normal and Industrial School for Women at Radford;

Whereas Radford University was chartered to prepare teachers to educate the people of the United States;

Whereas Radford University has grown substantially in scope and quality since the day on which the university was chartered;

Whereas Radford University was renamed the Radford State Teachers College in 1924 and the Women's Division of Virginia Polytechnic Institute in 1944, respectively;

Whereas Radford University was renamed Radford College in 1964 when the relationship between the Virginia Polytechnic Institute and Radford University ended;

Whereas Radford College was renamed Radford University in 1979;

Whereas, since the founding of the university, Radford University has provided thousands of students with the benefits of a Radford education;

Whereas Radford University graduates have made meaningful and lasting contributions to society through service, including service in—

(1) education;
(2) the sciences;
(3) business;
(4) health and human services;
(5) government;
(6) the arts and humanities; and
(7) other endeavors;

Whereas Radford University is a productive and vital academic community with thousands of students;

Whereas the students of Radford University approach university life with an enthusiasm for learning and personal development;

Whereas the brilliant faculty of Radford University is committed to the highest ideals of academic scholarship and the advancement of society;

Whereas the devoted administrators and staff members of Radford University strive to foster an environment that supports the noble work of the university;

Whereas the centennial of Radford University is an appropriate time for faculty, staff, students, alumni, and friends—

(1) to unite in recognition of the past achievements Radford University with pride; and

(2) to consider ways to create an even more successful university during the century ahead;

Whereas Radford University celebrates the culture of service of the university through a program entitled ''Centennial Service Challenge'' that invites every member of the campus and extended university community to engage in, and document community service in honor of, the centennial; and

Whereas Radford University will observe a Centennial Charter Day Celebration on March 24, 2010, and host numerous other academic programs and arts and cultural events throughout 2010 to commemorate the event: Now, therefore, be it

Resolved, That the Senate commends Radford University on the 100th anniversary of the university.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3524. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3512 submitted by Ms. CANTWELL and intended to be proposed to the amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table.

SA 3525. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3526. Mr. BROWN, of Ohio submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3527. Mr. MCCAIN proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3528. Mr. MCCAIN (for himself, Mr. REID, Mr. KYL, and Mr. ENSIGN) proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3529. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3530. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3531. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3532. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3533. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3534. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3535. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3536. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3537. Mr. BROWN, of Ohio (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3538. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3539. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3540. Mr. WHITEHOUSE proposed an amendment to the bill S. 1782, to provide improvements for the operations of the Federal courts, and for other purposes.

SA 3541. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3524. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3512 submitted by Ms. CANTWELL and intended to be proposed to the amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

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

SEC. 7___. PROMOTION OF JOB CREATION AND TOURISM IN GATEWAY COMMUNITIES AND NATIONAL PARKS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(2) GATEWAY COMMUNITY.—The term ''gateway community'' means a community near or within a unit of the national park system that facilitates visitation, tourism, promotion, and conservation of the park.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) STUDY OF PROMOTION OF JOB CREATION AND TOURISM IN GATEWAY COMMUNITIES .—

(1) IN GENERAL.—The Secretary shall conduct a study of job creation and tourism promoted by the National Park Service in gateway communities, including job creation and tourism through—

(A) hunting and shooting sports;
(B) motorized recreation;
(C) search and rescue operations;
(D) security;
(E) highways; and
(F) aviation.

(2) TECHNICAL ASSISTANCE.—If the Secretary identifies aviation or aircraft as 1 of the sources of job creation and tourism promotion in the study, the Administrator shall provide technical assistance to the Secretary to carry out the study with respect to aviation or aircraft, respectively.

(c) STUDY OF NATIONAL PARK SERVICE METHODS OF PROMOTING JOB CREATION AND TOURISM IN GATEWAY COMMUNITIES.—The Secretary, in coordination with the Administrator, shall conduct a study of National Park Service methods of promoting job creation and tourism in gateway communities, including job creation and tourism through—

(1) hunting and shooting sports;
(2) motorized recreation;
(3) search and rescue operations;
(4) security;
(5) highways; and
(6) aviation.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) describes the results of the studies conducted under subsections (b) and (c); and

(2) includes any recommendations that the Secretary determines to be appropriate.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SA 3525. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

Beginning on page 71, strike line 8 and all that follows through line 8 on page 74, and insert the following:

(a) OPERATION EVALUATION PARTNERSHIP AIRPORT PROCEDURES.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall publish a report, after consultation with representatives of appropriate Administration employee groups, airport operators, air carriers, aircraft manufacturers, and third parties that have received letters of qualification from the Federal Aviation Administration to design and validate required navigation performance flight paths for public use (in this section referred to as ''qualified third parties''), that includes the following:

(A) RNP/RNAV OPERATIONS.—With respect to area navigation and required navigation performance operations, the following:

(i) Which of the 35 Operational Evolution Partnership airports identified by the Federal Aviation Administration would benefit from implementation of area navigation procedures alone and which would benefit from implementation of both area navigation and required navigation performance procedures.

(ii) The required navigation performance and area navigation operations, including procedures to be developed, certified, and published, necessary to maximize the efficiency and capacity of NextGen commercial operations at each of those airports.

(iii) The air traffic control operational changes, which connect the terminal environment and en route airspace, necessary to maximize the efficiency and capacity of NextGen commercial operations at each of those airports.

(iv) The number of potential required navigation performance procedures at each of those airports.

(v) Of the number of required navigation performance procedures identified under clause (iv) for an airport—

(I) the number of such procedures that would be an overlay of an existing instrument flight procedure and supporting analysis;

(II) the number of such procedures that would enable greater use of continuous descent arrivals; and

(III) an assessment of the priority for implementation of each such procedure.

(vi) The timeline for the Federal Aviation Administration to certify required navigation performance as a precision approach.

(B) COORDINATION AND IMPLEMENTATION ACTIVITIES.—With respect to the coordination and implementation of required navigation performance procedures, the following:

(i) A description of the activities and operational changes and approvals required from the Federal Aviation Administration to coordinate and utilize required navigation performance procedures at the 35 Operational Evolution Partnership airports identified by the Federal Aviation Administration.

(ii) A description of the software and database information, such as a current version of the Noise Integrated Routing System or the Integrated Noise Model, that the Administration will need to make available to qualified third parties to enable those third parties to design procedures that will meet the broad range of requirements of the Administration.

(C) IMPLEMENTATION PLAN.—A plan for implementing the required navigation performance procedures identified under subparagraph (A) that establishes—

(i) a clearly defined budget, schedule, project organization, and leadership requirements;

(ii) specific steps for implementation and transition;

(iii) coordination and communications mechanisms with qualified third parties;

(iv) specific procedures for engaging the appropriate Administration employee groups to ensure that human factors, training, and other issues surrounding the adoption of required navigation performance procedures in the en route and terminal environments are addressed;

(v) a plan for lifecycle management of required navigation performance procedures—

(I) developed by the Administration; and

(II) developed by qualified third parties;

(vi) an expedited validation process that allows an air carrier using a required navigation performance procedure validated by the Administration at an airport for a specific model of aircraft to transfer all of the information associated with the use of that procedure to another air carrier for use at the same airport for the same model of aircraft; and

(vii) baseline and performance metrics for measuring the Administration's progress in implementing the plan, including the percentage utilization of required navigation performance in the National Airspace System.

(D) INTERNAL RESOURCE ANALYSIS.—An assessment of the internal capabilities of the Federal Aviation Administration with respect to designing and validating required navigation performance procedures, including—

(i) the number of staff working either full or part time on designing required navigation performance procedures;

(ii) the number of available staff that can be trained to design required navigation performance procedures, the training required, and the length of that training; and

(iii) the number of staff designing and validating required navigation performance procedures that are full-time employees and the number employed through term appointments.

(E) COST/BENEFIT ANALYSIS FOR THIRD-PARTY USAGE.—An assessment of the costs and benefits of using third parties to assist in the development of required navigation performance procedures.

(F) ADDITIONAL PROCEDURES.—A process for the identification, certification, and publication of additional or modified required navigation performance and area navigation procedures that may be required at the 35 Operational Evolution Partnership airports identified by the Federal Aviation Administration in the future.

(2) IMPLEMENTATION SCHEDULE.—The Administrator shall certify, publish, and implement—

(A) 30 percent of the required navigation performance procedures identified under paragraph (1)(A) within 18 months after the date of the enactment of this Act;

(B) 60 percent of such procedures within 36 months after the date of the enactment of this Act; and

(C) 100 percent of such procedures before January 1, 2014.

(b) EXPANSION OF PLAN TO OTHER AIRPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall publish a report, after consultation with representatives of appropriate Administration employee groups, airport operators, air carriers, and qualified third parties, that includes a plan for applying the procedures, requirements, criteria, and metrics described in subsection (a)(1) to other airports across the United States.

(2) SURVEYING OBSTACLES SURROUNDING REGIONAL AIRPORTS.—Not later than 1 year after the date of the enactment of this Act, the Administrator, in consultation with the Secretary of State and the Secretary of Transportation, shall identify options and possible funding mechanisms for surveying obstacles in the areas around regional airports that can be used as an input to future required navigation performance procedures.

(3) IMPLEMENTATION SCHEDULE.—The Administrator shall certify, publish, and implement—

(A) 25 percent of the required navigation performance procedures included in the plan required by paragraph (1) at such other airports before January 1, 2015;

(B) 50 percent of such procedures at such other airports before January 1, 2016;

(C) 75 percent of such procedures at such other airports before January 1, 2017; and

(D) 100 percent of such procedures before January 1, 2018.

SA 3526. Mr. BROWN of Ohio submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 86, strike lines 4 through 8, and insert the following:

(b) TEST SITE CRITERIA.—In determining where the test sites to be established under the pilot project required by subsection (a)(1) are to be located, the Administrator shall—

(1) take into consideration geographical and climate diversity; and

(2) select one such site, subject to approval by the Secretary of the Air Force, that is located in proximity to principal Air Force research and acquisition functions to take advantage of Air Force instrumented radars and related research equipment and current defense science, research, and development activities in unmanned aerial systems.

SA 3527. Mr. MCCAIN proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; as follows:

On page 84, between lines 21 and 22, insert the following:

SEC. 319. REPORT ON FUNDING FOR NEXTGEN TECHNOLOGY.

Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to Congress a report that contains—

(1) a financing proposal that—

(A) uses innovative methods to fully fund the development and implementation of technology for the Next Generation Air Transportation System in a manner that does not increase the Federal deficit; and

(B) takes into consideration opportunities for involvement by public-private partnerships; and

(2) recommendations with respect to how the Administrator and Congress can provide operational benefits, such as benefits relating to preferred airspace, routings, or runway access, for air carriers that equip their aircraft with technology necessary for the operation of the Next Generation Air Transportation System before the date by which the Administrator requires the use of such technology.

SA 3528. Mr. MCCAIN (for himself, Mr. REID, Mr. KYL, and Mr. ENSIGN) proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 723. OVERFLIGHTS IN GRAND CANYON NATIONAL PARK.

(a) DETERMINATIONS WITH RESPECT TO SUBSTANTIAL RESTORATION OF NATURAL QUIET AND EXPERIENCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, for purposes of section 3(b)(1) of Public Law 100–91 (16 U.S.C. 1a–1 note), the substantial restoration of the natural quiet and experience of the Grand Canyon National Park (in this subsection referred to as the ''Park'') shall be considered to be achieved in the Park if, for at least 75 percent of each day, 50 percent of the Park is free of sound produced by commercial air tour operations that have an allocation to conduct commercial air tours in the Park as of the date of the enactment of this Act.

(2) CONSIDERATIONS.—

(A) IN GENERAL.—For purposes of determining whether substantial restoration of the natural quiet and experience of the Park has been achieved in accordance with paragraph (1), the Secretary of the Interior (in this section referred to as the ''Secretary'') shall use—

(i) the 2–zone system for the Park in effect on the date of the enactment of this Act to assess impacts relating to subsectional restoration of natural quiet at the Park, including—

(I) the thresholds for noticeability and audibility; and

(II) the distribution of land between the 2 zones; and

(ii) noise modeling science that is—

(I) developed for use at the Park, specifically Integrated Noise Model Version 6.2;

(II) validated by reasonable standards for conducting field observations of model results; and

(III) accepted and validated by the Federal Interagency Committee on Aviation Noise.

(B) SOUND FROM OTHER SOURCES.—The Secretary shall not consider sound produced by sources other than commercial air tour operations, including sound emitted by other types of aircraft operations or other noise sources, for purposes of—

(i) making recommendations, developing a final plan, or issuing regulations relating to commercial air tour operations in the Park; or

(ii) determining under paragraph (1) whether substantial restoration of the natural quiet and experience of the Park has been achieved.

(3) CONTINUED MONITORING.—The Secretary shall continue monitoring noise from aircraft operating over the Park below 17,999 feet MSL to ensure continued compliance with the substantial restoration of natural quiet and experience in the Park.

(4) DAY DEFINED.—For purposes of this subsection, the term ''day'' means the hours between 7:00 a.m. and 7:00 p.m.

(b) REGULATION OF COMMERCIAL AIR TOUR OPERATIONS.—Commercial air tour operations over the Grand Canyon National Park Special Flight Rules Area shall continue to be conducted in accordance with subpart U of part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act), except as follows:

(1) CURFEWS FOR COMMERCIAL FLIGHTS.—The hours for the curfew under section 93.317 of title 14, Code of Federal Regulations, shall be revised as follows:

(A) ENTRY INTO EFFECT OF CURFEW.—The curfew shall go into effect—

(i) at 6:00 p.m. on April 16 through August 31;

(ii) at 5:30 p.m. on September 1 through September 15;

(iii) at 5:00 p.m. on September 16 through September 30;

(iv) at 4:30 p.m. on October 1 through October 31; and

(v) at 4:00 p.m. on November 1 through April 15.

(B) TERMINATION OF CURFEW.—The curfew shall terminate—

(i) at 8:00 a.m. on March 16 through October 15; and

(ii) at 9:00 a.m. on October 16 through March 15.

(2) MODIFICATIONS OF AIR TOUR ROUTES.—

(A) DRAGON CORRIDOR.—Commercial air tour routes for the Dragon Corridor (Black 1A and Green 2 routes) shall be modified to include a western ''dogleg'' for the lower ⅓ of the Corridor to reduce air tour noise for west rim visitors in the vicinity of Hermits Rest and Dripping Springs.

(B) ZUNI POINT CORRIDOR.—Commercial air tour routes for the Zuni Point Corridor (Black 1 and Green 1 routes) shall be modified—

(i) to eliminate crossing over Nankoweap Basin; and

(ii) to limit the commercial air tour routes commonly known as ''Snoopy's Nose'' to extend not farther east than the Grand Canyon National Park boundary.

(C) PERMANENCE OF BLACK 2 AND GREEN 4 AIR TOUR ROUTES.—The locations of the Black 2 and Green 4 commercial air tour routes shall not be modified unless the Administrator of the Federal Aviation Administration determines that such a modification is necessary for safety reasons.

(3) SPECIAL RULES FOR MARBLE CANYON SECTOR.—

(A) FLIGHT ALLOCATION.—The flight allocation cap for commercial air tour operations in Marble Canyon (Black 4 route) shall be modified to not more than 5 flights a day to preserve permanently the high level of natural quiet that has been achieved in Marble Canyon.

(B) CURFEW.—Commercial air tour operations in Marble Canyon (Black 4 route) shall be subject to a year-round curfew that enters into effect one hour before sunset and terminates one hour after sunrise.

(C) ELIMINATION OF COMMERCIAL AIR TOUR ROUTE.—The Black 5 commercial air tour route for Marble Canyon shall be eliminated.

(4) CONVERSION TO QUIET AIRCRAFT TECHNOLOGY.—

(A) IN GENERAL.—All commercial air tour aircraft operating in the Grand Canyon National Park Special Flight Rules Area shall be required to fully convert to quiet aircraft technology (as determined in accordance with appendix A to subpart U of part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act)) by not later than the date that is 15 years after the date of the enactment of this Act.

(B) INCENTIVES FOR CONVERSION.—The Secretary and the Administrator of the Federal Aviation Administration shall provide incentives for commercial air tour operators that convert to quiet aircraft technology before the date specified in subparagraph (A), such as—

(i) reducing overflight fees for those operators; and

(ii) increasing the flight allocations for those operators.

(5) HUALAPAI ECONOMIC DEVELOPMENT EXEMPTION.—The exception for commercial air tour operators operating under contracts with the Hualapai Indian Nation under section 93.319(f) of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act) may not be terminated, unless the Administrator of the Federal Aviation Administration determines that terminating the exception is necessary for safety reasons.

(c) FLIGHT ALLOCATION CAP.—

(1) PROHIBITION ON REDUCTION OF FLIGHT ALLOCATION CAP.—Notwithstanding any other provision of law, the allocation cap for commercial air tours operating in the Grand Canyon National Park Special Flight Rules Area in effect on the day before the date of the enactment of this Act may not be reduced.

(2) RULEMAKING TO INCREASE FLIGHT ALLOCATION CAP.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a notice of proposed rulemaking that—

(A) reassesses the allocations for commercial air tours operating in the Grand Canyon National Park Special Flight Rules Area in light of gains with respect to the restoration of natural quiet and experience in the Park;

(B) makes equitable adjustments to those allocations, subject to continued monitoring under subsection (a)(3); and

(C) facilitates the use of new quieter aircraft technology by allowing commercial air tour operators using such technology to petition the Federal Aviation Administration to adjust allocations in accordance with improvements with respect to the restoration of natural quiet and experience in the Park resulting from such technology.

(3) INTERIM FLIGHT ALLOCATIONS.—

(A) IN GENERAL.—Until the Administrator issues a final rule pursuant to paragraph (2), for purposes of the allocation cap for commercial air tours operating in the Grand Canyon National Park Special Flight Rules Area—

(i) from November 1 through March 15, a flight operated by a commercial air tour operator described in subparagraph (B) shall count as ½ of 1 allocation; and

(ii) from March 16 through October 31, a flight operated by a commercial air tour operator described in subparagraph (B) shall count as ¾ of 1 allocation.

(B) COMMERCIAL AIR TOUR OPERATOR DESCRIBED.—A commercial air tour operator described in this subparagraph is a commercial air tour operator that—

(i) operated in the Grand Canyon National Park Special Flight Rules Area before the date of the enactment of this Act; and

(ii) operates aircraft that use quiet aircraft technology (as determined in accordance with appendix A to subpart U of part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act)).

(d) COMMERCIAL AIR TOUR USER FEES.—Notwithstanding section 4(n)(2)(A) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–6a(n)(1)(2)(A)), the Secretary—

(1) may establish a commercial tour use fee in excess of $25 for each commercial air tour aircraft with a passenger capacity of 25 or less for air tours operating in the Grand Canyon National Park Special Flight Rules Area in order to offset the costs of carrying out this section; and

(2) if the Secretary establishes a commercial tour use fee under paragraph (1), shall develop a method for providing a significant discount in the amount of that fee for air tours that operate aircraft that use quiet aircraft technology (as determined in accordance with appendix A to subpart U of

part 93 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act)).

SA 3529. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 723. POLLOCK MUNICIPAL AIRPORT, LOUISIANA.

(a) FINDINGS.—Congress finds that—

(1) Pollock Municipal Airport located in Pollock, Louisiana (in this section referred to as the ''airport''), has never been included in the national plan of integrated airport systems established pursuant to section 47103 of title 49, United States Code, and is therefore not considered necessary to meet the current or future needs of the national aviation system; and

(2) closing the airport will not adversely affect aviation safety, aviation capacity, or air commerce.

(b) REQUEST FOR CLOSURE.—

(1) APPROVAL.—Notwithstanding any other provision of law, requirement, or agreement and subject to the requirements of this section, the Administrator of the Federal Aviation Administration shall—

(A) approve a request from the town of Pollock, Louisiana, to close the airport as a public airport; and

(B) release the town from any term, condition, reservation, or restriction contained in a surplus property conveyance or transfer document, and from any order or finding by the Department of Transportation on the use and repayment of airport revenue applicable to the airport, that would otherwise prevent the closure of the airport and redevelopment of the facilities to nonaeronautical uses.

(2) CONTINUED AIRPORT OPERATION PRIOR TO APPROVAL.—The town of Pollock shall continue to operate and maintain the airport until the Administrator grants a request from the town for closure of the airport under paragraph (1).

(3) RELOCATION OF AIRCRAFT.—Before closure of the airport, the town of Pollock shall provide adequate time for any airport-based aircraft to be relocated.

(c) REPAYMENT OF CERTAIN FEDERAL FUNDS.—Upon closing the airport pursuant to subsection (b), the town of Pollock shall return to the Federal Aviation Administration any amounts remaining from amounts provided by the Administration for airport operating expenses.

SA 3530. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 279, after line 24, add the following:

SEC. 723. PROHIBITION ON FUNDING OF EAS AIRPORTS WHERE OPERATING AIR CARRIERS RECEIVE SUBSIDIES AT RATES EXCEEDING $200 PER PASSENGER.

The Administrator of the Federal Aviation Administration may not make any amount available under subchapter I of chapter 471 of title 49, United States Code, for a project relating to an airport—

(1) that is an eligible place, as such term is defined in section 41731 of such title; and

(2) in which an air carrier operates and receives compensation under subchapter II of chapter 417 of such title at a rate that exceeds $200 per passenger.

SA 3531. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 114, strike line 8 and all that follows through page 116, line 6 and insert the following:

SEC. 414. CONVERSION OF FORMER EAS AIRPORTS.

(a) IN GENERAL.—Section 41745 is amended to read as follows:

''§ 41745. Conversion of lost eligibility airports

''(a) IN GENERAL.—The Secretary shall establish a program to provide general aviation conversion funding for airports serving eligible places that the Secretary has determined no longer qualify for a subsidy.

''(b) GRANTS.—A grant under this section—

''(1) may not exceed twice the compensation paid to provide essential air service to the airport in the fiscal year preceeding the fiscal year in which the Secretary determines that the place served by the airport is no longer an eligible place; and

''(2) may be used—

''(A) for airport development (as defined in section 47102(3)) that will enhance general aviation capacity at the airport;

''(B) to defray operating expenses, if such use is approved by the Secretary; or

''(C) to develop innovative air service options, such as on-demand or air taxi operations, if such use is approved by the Secretary.

''(c) AIP REQUIREMENTS.—An airport sponsor that uses funds provided under this section for an airport development project shall comply with the requirements of subchapter I of chapter 471 applicable to airport development projects funded under that subchapter with respect to the project funded under this section.

''(d) LIMITATION.—The sponsor of an airport receiving funding under this section is not eligible for funding under section 41736.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 417 is amended by striking the item relating to section 41745 and inserting the following:

''41745. Conversion of lost eligibility airports.''.

SA 3532. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 250, strike line 12 and all that follows through page 251, line 18, and insert the following:

(e) COLLECTION OF FEES FROM AIR TOUR OPERATIONS.—

(1) IN GENERAL.—The Secretary of the Interior shall assess a fee in an amount determined by the Secretary under paragraph (2) on a commercial air tour operator conducting commercial air tour operations over a national park.

(2) AMOUNT OF FEE.—In determining the amount of the fee assessed under paragraph (1), the Secretary shall collect sufficient revenue, in the aggregate, to pay for the expenses incurred by the Federal Government to develop air tour management plans for national parks.

(3) EFFECT OF FAILURE TO PAY FEE.—The Administrator of the Federal Aviation Administration shall revoke the operating authority of a commercial air tour operator conducting commercial air tour operations over any national park, including the Grand Canyon National Park, that has not paid the fee assessed by the Secretary under paragraph (1) by the date that is 180 days after the date on which the Secretary determines the fee shall be paid.

(f) FUNDING FOR AIR TOUR MANAGEMENT PLANS.—The Secretary of the Interior shall use the amounts collected under subsection (e) to develop air tour management plans under section 40128(b) of title 49, United States Code, for the national parks the Secretary determines would most benefit from such a plan.

SA 3533. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 10, after the matter following line 5, insert the following:

(c) INSPECTOR GENERAL AUDIT.—

(1) IN GENERAL.—The Inspector General of the Department of Transportation shall conduct an audit of every airport in the United States that reported between 10,000 and 15,000 passenger enplanements during each of the 2 most recent years for which such data is available.

(2) AUDIT OBJECTIVES.—In carrying out the audits under paragraph (1), the Inspector General shall analyze the method used by each subject airport to reach the 10,000 passenger enplanement threshhold, including whether airports subsidize commercial flights to reach such threshhold.

(3) REPORT.—The Inspector General shall submit a report to Congress and to the Secretary of Transportation that contains the results of the audits conducted under this subsection.

(4) RULEMAKING.—After reviewing the results of the audits under paragraph (1), the Secretary of Transportation shall promulgate regulations for measuring passenger enplanements at airports that—

(A) include the method for determining which airports qualify for Federal funding under the Airport Improvement Program (AIP);

(B) exclude artificial enplanements resulting from efforts by airports to trigger increased AIP funding; and

(C) sets forth the consequences for tampering with the number of passenger enplanements.

SA 3534. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 246, strike lines 16 through 18 and insert the following:

(D) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A)—

(aa) by striking '', in cooperation with'' and inserting ''and''; and

(bb) by striking ''The air tour'' and all that follows; and

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

(III) by inserting after subparagraph (A) the following:

''(B) PROCESS AND APPROVAL.—The establishment of air tour management plans shall be a fully cooperative process between the Administrator and the Director. The Administrator shall be responsible for ensuring the safety of America's airspace and the Director shall be responsible for protecting park resources and values. Each air tour management plan shall be—

''(i) developed through a public process that complies with paragraph (4); and

''(ii) approved by the Administrator and the Director.''; and

(IV) by adding at the end the following:

''(D) EXCEPTION.—An application to begin commercial air tour operations at any unit of the national park system that did not have air tour operations in effect, as of the date of the enactment of the FAA Air Transportation Modernization and Safety Improvement Act, may be denied, without the establishment of an air tour management plan, if—

''(i) the Administrator determines that such operations would create a safety problem for the airspace over the park; or

''(ii) the Director determines that such operations would unacceptably impact park resources or visitor experiences.''; and

(ii) in paragraph (4)(C), by striking ''National Park Service'' and inserting ''Department of the Interior''.

SA 3535. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC.——. FINANCIAL INCENTIVES FOR NEXTGEN EQUIPAGE.

(a) IN GENERAL.—The Secretary of Transportation may make grants or loans, execute agreements, and engage in other transactions authorized under section 106(1)(6) of title 49, United States Code, to accelerate the transition to the Next Generation Air Transportation System by mitigating the costs of equipping aircraft with communications, surveillance, navigation, and other avionics to enable NextGen air traffic control capabilities.

(b) MATCHING REQUIREMENT.—In making grants, contracts, leases, cooperative agreements, other transactions, or credit instruments available under subsection (a), the Secretary shall require that not less than 50 percent of the costs of the activity funded come from non-Federal sources.

(c) FUNDING.—In carrying out subsection (a), the Secretary may use the authority under section 106(1)(6) of title 49, United States Code, as provided by appropriations Acts, for not more than $50,000,000 for all fiscal years combined.

(d) REPORT.—Within 180 days after the date of enactment of this Act, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the potential for a program of grants, low-interest loans, and other incentives for equipping general aviation aircraft with NextGen avionics.

SA 3536. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 233, line 12, strike ''system;'' and insert ''system and the installation of weather radars supporting that system;''.

On page 233, line 17, after ''aides'' insert ''and weather radars''.

On page 235, line 7, after ''Security,'' insert ''Commerce,''.

On page 235, line 11, strike ''infrastructure'' and insert ''infrastructure, including surveillance and weather radars,''.

On page 235, line 19, after ''Services,'' insert ''the Senate Committee on Commerce, Science, and Transportation,''.

On page 236, line 8, after ''systems,'' insert ''weather radars,''.

SA 3537. Mr. BROWN of Ohio (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

Strike section 319 and insert the following:

SEC. 319. UNMANNED AERIAL SYSTEMS.

(a) IN GENERAL.—Within 1 year after the date of enactment of this Act, the Administrator shall develop a plan to accelerate the integration of unmanned aerial systems into the National Airspace System that—

(1) creates a pilot project to integrate such vehicles into the National Airspace System at 5 test sites in the National Airspace System by 2012;

(2) creates a safe, non-exclusionary airspace designation for cooperative manned and unmanned flight operations in the National Airspace System;

(3) establishes a process to develop certification, flight standards, and air traffic requirements for such vehicles at the test sites;

(4) dedicates funding for unmanned aerial systems research and development to certification, flight standards, and air traffic requirements;

(5) encourages leveraging and coordination of such research and development activities with the National Aeronautics and Space Administration and the Department of Defense;

(6) addresses both military and civilian unmanned aerial system operations;

(7) ensures the unmanned aircraft systems integration plan is incorporated in the Administration's NextGen Air Transportation System implementation plan; and

(8) provides for verification of the safety of the vehicles and navigation procedures before their integration into the National Airspace System.

(b) TEST SITE CRITERIA.—In determining where the test sites to be established under the pilot project required by subsection (a)(1) are to be located, the Administrator shall—

(1) take into consideration geographical and climate diversity; and

(2) select one such site, subject to approval by the Secretary of the Air Force, that is located in proximity to principal Air Force research and acquisition functions to take advantage of Air Force instrumented radars and related research equipment and current defense science, research, and development activities in unmanned aerial systems.

SA 3538. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 10, after the matter following line 5, insert the following:

(c) INSPECTOR GENERAL AUDIT.—

(1) IN GENERAL.—The Inspector General of the Department of Transportation shall conduct an audit of every airport in the United States that reported between 10,000 and 15,000 passenger enplanements during each of the 2 most recent years for which such data is available.

(2) AUDIT OBJECTIVES.—In carrying out the audits under paragraph (1), the Inspector General shall analyze the method used by each subject airport to reach the 10,000 passenger enplanement threshold, including whether airports subsidize commercial flights to reach such threshold.

(3) REPORT.—The Inspector General shall submit a report to Congress and to the Secretary of Transportation that contains the results of the audits conducted under this subsection.

(4) RULEMAKING.—After reviewing the results of the audits under paragraph (1), the Secretary of Transportation shall promulgate regulations for measuring passenger enplanements at airports that—

(A) include the method for determining which airports qualify for Federal funding under the Airport Improvement Program (AIP);

(B) exclude artificial enplanements resulting from efforts by airports to trigger increased AIP funding; and

(C) sets forth the consequences for tampering with the number of passenger enplanements.

(d) PROPORTIONAL APPORTIONMENTS.—Section 47114(c)(1) is amended to read as follows:

''(1) PRIMARY AIRPORTS.—The Secretary shall apportion to the sponsor of each primary and non-primary airport for each fiscal year an amount that bears the same ratio to the amount subject to apportionment for fiscal year 2009 as the number of passenger boardings at the airport during the prior calendar year bears to the aggregate of all passenger boardings at all primary airports during that calendar year.''.

SA 3539. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

Beginning on page 34, strike line 8 and all that follows through page 36, line 4, and insert the following:

(i) PROPORTIONAL APPORTIONMENTS.—Section 47114(c) is amended by striking paragraph (1) and inserting the following:

''(1) PRIMARY AIRPORTS.—The Secretary shall apportion to the sponsor of each primary and non-primary airport for each fiscal year an amount that bears the same ratio to the amount subject to apportionment for fiscal year 2009 as the number of passenger boardings at the airport during the prior calendar year bears to the aggregate of all passenger boardings at all primary airports during that calendar year.''.

SA 3540. Mr. WHITEHOUSE proposed an amendment to the bill S. 1782, to provide improvements for the operations of the Federal courts, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Judiciary Administrative Improvements Act of 2010''.

SEC. 2. SENIOR JUDGE GOVERNANCE CORRECTION.

Section 631(a) of title 28, United States Code, is amended in the first sentence by striking ''(including any judge in regular active service and any judge who has retired from regular active service under section 371(b) of this title, when designated and assigned to the court to which such judge was appointed)''.

SEC. 3. REVISION OF STATUTORY DESCRIPTION OF THE DISTRICT OF NORTH DAKOTA.

Chapter 5 of title 28, United States Code, is amended by striking section 114 and inserting the following:

''§ 114. North Dakota

''North Dakota constitutes one judicial district.

''Court shall be held at Bismarck, Fargo, Grand Forks, and Minot.''.

SEC. 4. SEPARATION OF THE JUDGMENT AND STATEMENT OF REASONS FORMS.

Section 3553(c)(2) of title 18, United States Code, is amended by striking ''the written order of judgment and commitment'' and inserting ''a statement of reasons form issued under section 994(w)(1)(B) of title 28''.

SEC. 5. PRETRIAL SERVICES FUNCTIONS FOR JUVENILES.

Section 3154 of title 18, United States Code, is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following:

''(14) Perform, in a manner appropriate for juveniles, any of the functions identified in this section with respect to juveniles awaiting adjudication, trial, or disposition under chapter 403 of this title who are not detained.''.

SEC. 6. STATISTICAL REPORTING SCHEDULE FOR CRIMINAL WIRETAP ORDERS.

Section 2519 of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''Within thirty days after the expiration of an order (or each extension thereof) entered under section 2518, or the denial of an order approving an interception, the issuing or denying judge'' and inserting ''In January of each year, any judge who has issued an order (or an extension thereof) under section 2518 that expired during the preceding year, or who has denied approval of an interception during that year,'';

(2) in paragraph (2), by striking ''In January of each year'' and inserting ''In March of each year''; and

(3) in paragraph (3), by striking ''In April of each year'' and inserting ''In June of each year''.

SEC. 7. THRESHOLDS FOR ADMINISTRATIVE REVIEW OF OTHER THAN COUNSEL CASE COMPENSATION.

Section 3006A of title 18, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (2)—

(i) in subparagraph (A), in the second sentence, by striking ''$500'' and inserting ''$800''; and

(ii) in subparagraph (B), by striking ''$500'' and inserting ''$800''; and

(B) in paragraph (3), in the first sentence, by striking ''$1,600'' and inserting ''$2,400''; and

(2) by adding at the end the following:

''(5) The dollar amounts provided in paragraphs (2) and (3) shall be adjusted simultaneously by an amount, rounded to the nearest multiple of $100, equal to the percentage of the cumulative adjustments taking effect under section 5303 of title 5 in the rates of pay under the General Schedule since the date the dollar amounts provided in paragraphs (2) and (3), respectively, were last enacted or adjusted by statute.''.

SA 3541. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. 564. STUDY OF AIR QUALITY IN AIRCRAFT CABINS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall conduct a study of air quality in aircraft cabins to—

(1) assess bleed air quality on the full range of commercial aircraft operating in the United States;

(2) identify oil-based contaminants, hydraulic fluid toxins, and other air toxins that appear in cabin air and measure the quantity and prevalence of those toxins through a comprehensive sampling program;

(3) determine the specific amount of toxic fumes present in aircraft cabins that constitutes a health risk to passengers;

(4) develop a systematic reporting standard for smoke and fume events in aircraft cabins;

(5) evaluate the severity of symptoms among individuals exposed to toxic fumes during flight;

(6) determine the extent to which the installation of sensors and air filters on commercial aircraft would provide a public health benefit; and

(7) make recommendations for regulatory or procedural changes to reduce the adverse health effects of poor air quality in aircraft cabins, including recommendations with respect to the appropriateness and public health benefits of a requirement to install sensors and air filters on all aircraft or all new aircraft.

(b) AUTHORITY TO MONITOR AIR IN AIRCRAFT CABINS.—For purposes of conducting the study required by subsection (a), the Administrator of the Federal Aviation Administration shall require domestic air carriers to allow air quality monitoring on their aircraft.

(c) REGULATIONS.—If the Administrator makes recommendations under subsection (a)(7) for regulations to reduce the adverse health effects associated with poor air quality in commercial aircraft cabins, the Administrator shall—

(1) issue a notice of proposed rulemaking with respect to such regulations not later than 18 months after the date of the enactment of this Act; and

(2) issue final rules with respect to such regulations not later than 36 months after the date of the enactment of this Act.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on March 18, 2010 at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing to examine Bureau of Indian Affairs and tribal police recruitment, training, hiring, and retention.

Those wishing additional information may contact the Indian Affairs Committee at 202–224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 16, 2010, at 9:30 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 16, 2010, at 9:30 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 16, 2010, at 2:30 p.m.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on March 16, 2010, at 2 p.m. to conduct a hearing entitled, ''Assessing Foster Care and Family Services in the District of Columbia: Challenges and Solutions.''

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

SUBCOMMITTEE ON WATER AND POWER

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power be authorized to meet during the session of the Senate on March 16, 2010, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that Scott Glick, a member of Senator WARNER's staff, be granted the privilege of the floor during the pendency of morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE—H.R. 2847

Mr. KAUFMAN. Mr. President, I ask unanimous consent that when the Senate resumes consideration of the House message with respect to H.R. 2847,

there be 10 minutes of debate time, with the time equally divided and controlled between Senators GREGG and SCHUMER or their designees, at which time Senator GREGG is expected to make a budget point of order and Senator SCHUMER would move to waive any relevant points of order; that if the waiver is successful, then no further debate or motions be in order, and the Senate proceed to vote on the DURBIN motion to concur; further, that the order with respect to the DEMINT motion to suspend be vitiated; that upon disposition of the House message, the Senate then resume consideration of H.R. 1586, and any other provisions with respect to the House message remaining in effect.

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

COMMEMORATING THE 45TH ANNIVERSARY OF BLOODY SUNDAY

Mr. KAUFMAN. I ask unanimous consent the Judiciary Committee be discharged from further consideration of H. Con. Res. 249 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 249) commemorating the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. KAUFMAN. I ask unanimous consent the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statement be printed in the RECORD.

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

The resolution (H. Con. Res. 249) was agreed to.

The preamble was agreed to.

CONGRATULATING RADFORD UNIVERSITY ON ITS 100TH ANNIVERSARY

Mr. KAUFMAN. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 456, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 456) congratulating Radford University on the 100th anniversary of the university.

There being no objection, the Senate proceeded to consider the resolution.

Mr. KAUFMAN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 456) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 456

Whereas Radford University was chartered on March 10, 1910, by the Commonwealth of Virginia as the State Normal and Industrial School for Women at Radford;

Whereas Radford University was chartered to prepare teachers to educate the people of the United States;

Whereas Radford University has grown substantially in scope and quality since the day on which the university was chartered;

Whereas Radford University was renamed the Radford State Teachers College in 1924 and the Women's Division of Virginia Polytechnic Institute in 1944, respectively;

Whereas Radford University was renamed Radford College in 1964 when the relationship between the Virginia Polytechnic Institute and Radford University ended;

Whereas Radford College was renamed Radford University in 1979;

Whereas, since the founding of the university, Radford University has provided thousands of students with the benefits of a Radford education;

Whereas Radford University graduates have made meaningful and lasting contributions to society through service, including service in—

(1) education;
(2) the sciences;
(3) business;
(4) health and human services;
(5) government;
(6) the arts and humanities; and
(7) other endeavors;

Whereas Radford University is a productive and vital academic community with thousands of students;

Whereas the students of Radford University approach university life with an enthusiasm for learning and personal development;

Whereas the brilliant faculty of Radford University is committed to the highest ideals of academic scholarship and the advancement of society;

Whereas the devoted administrators and staff members of Radford University strive to foster an environment that supports the noble work of the university;

Whereas the centennial of Radford University is an appropriate time for faculty, staff, students, alumni, and friends—

(1) to unite in recognition of the past achievements Radford University with pride; and

(2) to consider ways to create an even more successful university during the century ahead;

Whereas Radford University celebrates the culture of service of the university through a program entitled ''Centennial Service Challenge'' that invites every member of the campus and extended university community to engage in, and document community service in honor of, the centennial; and

Whereas Radford University will observe a Centennial Charter Day Celebration on March 24, 2010, and host numerous other academic programs and arts and cultural events throughout 2010 to commemorate the event: Now, therefore, be it

Resolved, That the Senate commends Radford University on the 100th anniversary of the university.

FEDERAL JUDICIARY ADMINISTRATIVE IMPROVEMENTS ACT OF 2009

Mr. KAUFMAN. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1782 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1782) to provide improvements for the operations of the Federal courts, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that a Whitehouse substitute amendment which is at the desk be agreed to; the bill, as amended, be read a third time and passed; the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The amendment (No. 3540) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Judiciary Administrative Improvements Act of 2010''.

SEC. 2. SENIOR JUDGE GOVERNANCE CORRECTION.

Section 631(a) of title 28, United States Code, is amended in the first sentence by striking ''(including any judge in regular active service and any judge who has retired from regular active service under section 371(b) of this title, when designated and assigned to the court to which such judge was appointed)''.

SEC. 3. REVISION OF STATUTORY DESCRIPTION OF THE DISTRICT OF NORTH DAKOTA.

Chapter 5 of title 28, United States Code, is amended by striking section 114 and inserting the following:

''§ 114. North Dakota

''North Dakota constitutes one judicial district.

''Court shall be held at Bismarck, Fargo, Grand Forks, and Minot.''.

SEC. 4. SEPARATION OF THE JUDGMENT AND STATEMENT OF REASONS FORMS.

Section 3553(c)(2) of title 18, United States Code, is amended by striking ''the written order of judgment and commitment'' and inserting ''a statement of reasons form issued under section 994(w)(1)(B) of title 28''.

SEC. 5. PRETRIAL SERVICES FUNCTIONS FOR JUVENILES.

Section 3154 of title 18, United States Code, is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following:

''(14) Perform, in a manner appropriate for juveniles, any of the functions identified in this section with respect to juveniles awaiting adjudication, trial, or disposition under chapter 403 of this title who are not detained.''.

SEC. 6. STATISTICAL REPORTING SCHEDULE FOR CRIMINAL WIRETAP ORDERS.

Section 2519 of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''Within thirty days after the expiration of an order (or each extension thereof) entered under section 2518, or the denial of an order approving an interception, the issuing or denying judge'' and inserting ''In January of each year, any judge who has issued an order (or an extension thereof) under section 2518 that expired during the preceding year, or who has denied approval of an interception during that year,'';

(2) in paragraph (2), by striking ''In January of each year'' and inserting ''In March of each year''; and

(3) in paragraph (3), by striking ''In April of each year'' and inserting ''In June of each year''.

SEC. 7. THRESHOLDS FOR ADMINISTRATIVE REVIEW OF OTHER THAN COUNSEL CASE COMPENSATION.

Section 3006A of title 18, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (2)—

(i) in subparagraph (A), in the second sentence, by striking ''$500'' and inserting ''$800''; and

(ii) in subparagraph (B), by striking ''$500'' and inserting ''$800''; and

(B) in paragraph (3), in the first sentence, by striking ''$1,600'' and inserting ''$2,400''; and

(2) by adding at the end the following:

''(5) The dollar amounts provided in paragraphs (2) and (3) shall be adjusted simultaneously by an amount, rounded to the nearest multiple of $100, equal to the percentage of the cumulative adjustments taking effect under section 5303 of title 5 in the rates of pay under the General Schedule since the date the dollar amounts provided in paragraphs (2) and (3), respectively, were last enacted or adjusted by statute.''.

The bill, as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ORDERS FOR WEDNESDAY, MARCH 17, 2010

Mr. KAUFMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, March 17; that following the prayer and the 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 resume consideration of the House Message on H.R. 2847, as provided for under the previous order. Finally, I ask that the Senate recess from 12:30 to 2 p.m. for a special Democratic caucus.

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

PROGRAM

Mr. KAUFMAN. Mr. President, Senators should expect two rollcall votes in relation to the HIRE Act beginning around 9:45 a.m. Upon disposition of the HIRE Act, the Senate will resume consideration of the FAA reauthorization legislation. Rollcall votes in relation to amendments to the FAA bill are expected to occur throughout the day.

As a reminder, at 2 o'clock tomorrow there will be a live quorum and the Senate will receive the managers appointed by the House of Representatives for the purpose of presenting and exhibiting Articles of Impeachment against G. Thomas Porteous, Jr., judge of the United States for the Eastern District of Louisiana. As a reminder, once the House managers are received, Senators will be sworn in and required to sign the Secretary's oath book.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. KAUFMAN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 8:36 p.m., adjourned until Wednesday, March 17, 2010, at 9:30 a.m.

EXTENSIONS OF REMARKS

TRIBUTE TO DR. GEORGE W. DAVIS

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Ms. PELOSI. Madam Speaker, I rise today to pay tribute to Dr. George W. Davis, a highly esteemed and beloved community leader and senior advocate who passed away on March 8 after a long illness. His legacy of service will endure for many generations.

Dr. Davis was a compassionate leader, always working on behalf of the San Francisco community. He worked tirelessly, as a gerontologist and community activist, to make life better for the underserved, especially elderly African Americans in San Francisco's Bayview Hunters Point neighborhood.

For 32 years, Dr. Davis served as Executive Director of Bayview Hunters Point Multipurpose Senior Center. He made it a welcoming gathering place and a compassionate environment where seniors could receive the therapeutic, social, recreational and health services that are so vital to their well-being. The programs and services provide the quality health care seniors need, as well as support their independence and preserve their dignity.

In 1999 Dr. Davis launched the first initiative in the United States to help formerly incarcerated seniors re-enter the community. His program provides transitional support and health care, including mental health and addiction counseling, and a myriad of services to ensure a successful new start.

Thirty years ago Dr. Davis founded the Black Cuisine Cook-Off, to be celebrated in conjunction with Black History Month every March. This soul food festival encourages a strong sense of community, bridges generations, and reminds us of the richness that is the diversity of our city and our nation. Dr. Davis attended his final cook-off this year, just a few days before he died.

Dr. Davis was sustained by his faith, and in 2000 Dr. Davis was ordained as a minister. He served as Associate Pastor of the Metropolitan Missionary Baptist Church in San Francisco.

Above all, Dr. Davis loved his family. His wife and partner Cathy is the beneficiary of his extraordinary legacy and will carry on his work as Executive Director of the Multipurpose Center. I extend my deepest condolences to Cathy and to his brother Wesley Davis, his children LolaGerine Allen, William George Davis II, Tonya Davis, Kristy Davis, Matthew Davis, Teri Jordan and his grandchildren, nieces and nephews. I hope it is a comfort to his loved ones that many mourn his passing and are praying for them at this sad time.

HONORING DAVID WAYNE ROMICK FOR HIS SERVICE

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. GRIJALVA. Madam Speaker, I rise today to recognize a constituent from Tucson, Arizona.

David Wayne Romick joined the U.S. Army on October 20, 1963, and was discharged on June 22, 1966. When discharged, he was awarded the Army's Good Conduct Medal (AGCM), but never received the award for his honorable service during the Vietnam War.

After waiting 44 years, David contacted my Tucson District office in December of last year for help in getting this award. At my urging, the U.S. Army reviewed David's records and concluded that he was not presented with the AGCM as per his DD–214. The Army admitted its error and on Friday, March 12, 2010, I had the honor and privilege of presenting this long overdue honor to David Romick.

Madam Speaker, I want to thank Mr. Romick for his service to our country and the U.S. Army for correcting this error.

CELEBRATING THE FESTIVAL OF HOLI

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. ISRAEL. Madam Speaker, I rise today to join the people of India and the Indian Diaspora as they celebrate Holi, the Festival of Colors.

Holi is a time when communities come together after a long winter to welcome the spring harvest. It is a visually stunning event with thousands of people tossing colored powders in the air and using dyed water in an atmosphere where culture, camaraderie and oneness are celebrated. In the evening, community bonfires are lit to signify triumph over divisiveness and negativity. It is one of the largest festivals in the world, with over one billion Hindus, Sikhs, Jains and Buddhists participating throughout India, Nepal, the United States and many other nations.

As a member of the Congressional Caucus on India and Indian Americans, I would like to commend the Hindu American Foundation for educating Americans about Holi and the Hindu faith and join them in recognizing this year's Festival of Colors.

HONORING MR. STEPHEN KEEFE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. HIGGINS. Madam Speaker, I rise today to pay tribute to the years of service given to the people of Chautauqua County by Mr. Stephen Keefe. Mr. Keefe served his constituency faithfully and justly during his tenure as a member of the Chautauqua County Legislature, serving district 25.

Public service is a difficult and fulfilling career. Any person with a dream may enter but only a few are able to reach the end. Mr. Keefe served his term with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the people of Chautauqua County.

We are truly blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Mr. Keefe is one of those people and that is why, Madam Speaker, I rise in tribute to him today.

IN HONOR AND REMEMBRANCE OF POLICE OFFICER THOMAS F. PATTON II

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of Cleveland Heights Police Officer Thomas F. Patton II, who courageously and selflessly rose to the call to duty and made the ultimate sacrifice on behalf of our community.

Being a police officer was Officer Patton's childhood dream. He was a nine-year veteran of the Cleveland Heights Police Department, and served every minute on duty with excellence, expertise, unwavering dedication and integrity. Officer Patton's kind heart and good-natured personality easily drew others to him, and his loyalty to fellow police officers, to the citizens of Cleveland Heights, and to his family, reflected every day of his life.

Officer Patton's passion and energy for police work was unmistakable, yet his greatest joy in life centered around his family and friends. I extend my deepest condolences to his family, friends and fellow police officers. He was a loving partner to fiancé Tricia Sindelar, loving new father of seven-month-old daughter, Kayleigh Evelyn Patton; beloved son of State Senator Thomas F. Patton and the late Evelyn Patton; beloved brother to Shannon, Erin, Meghan, Brigid, and Kathleen; beloved brother-in-law of Duke, Michael and Anthony; adored grandson of Rita Patton and Joan Kessler; beloved uncle of Owen and Colin Southworth; much loved cousin and nephew; and beloved close friend to many.

Madam Speaker, and colleagues, please join me in honor and remembrance of Police Officer Thomas F. Patton—gone far too soon. Officer Patton's professional excellence, commitment to protecting others, unwavering kindness, generous spirit and love for his family and friends, will be forever honored and remembered by our entire community.

AFGHANISTAN WAR POWERS RESOLUTION

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Ms. MCCOLLUM. Madam Speaker, I rise today in opposition to H. Con. Res. 248, a resolution that would require the President to precipitously withdraw American troops from Afghanistan by December 31, 2010. While I welcome today's robust debate on such a critical issue, there can be no doubt that abandoning Afghanistan and the region in this moment is against America's national interests.

I have supported America's engagement in Afghanistan since my vote in 2001 to authorize military action against those responsible for the terrorist attacks of September 11th. After years of inattentiveness by the Bush Administration, President Obama inherited a deteriorated security environment in Afghanistan. General Stanley McChrystal, the top U.S. commander in Afghanistan, completed a review in August 2009 that confirmed conditions to be rapidly declining, with the Taliban insurgency gaining ground and the allied NATO effort losing the support of the Afghan people.

Stability in Afghanistan and Pakistan directly impacts the safety of our citizens, and violent extremism poses a real and significant threat to global security. For this very reason, our efforts in Afghanistan have received overwhelming international support, with over 40 nations—NATO and non-NATO alike—contributing troops.

I support President Obama's strategy to provide our service men and women with the resources they need for success, to increase the commitment of our NATO allies through renewed engagement, and to build up the Afghan security forces so that our troops can come home. This work will not be quick, nor will it be easy. Still, one thing is clear: Afghanistan cannot be allowed to once again become a sanctuary for terror and extremism.

HONORING MR. JOHN FULLER

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. PALLONE. Madam Speaker, I rise today to honor John Fuller of Long Branch, New Jersey. Mr. Fuller will be honored as the 2010 Hibernian of the Year by the Monmouth County, New Jersey Division (2nd Division) of the Ancient Order of Hibernians. This prestigious honor is well-deserved in light of his tremendous contributions to the organization's continued efforts to preserve Irish culture in the United States, and its efforts to provide a continuing bridge with Ireland for those individuals of Irish origin who are generations removed from their ancestral homeland.

Mr. Fuller, a first generation Irish-American, has been a dedicated member of the Monmouth County Chapter of the Ancient Order of Hibernians (Div. 2) since 2003. He currently serves as the Chairman of the Commodore John Barry Committee of the AOH State Board. Furthermore, he is one of the founding members, and a current organizer, of the Annual Sea Girt Irish Festival. This festival has grown into one of the largest Irish cultural events in the State of New Jersey. With fellow AOH members, Mr. Fuller has been actively involved with St. Ann Church in Keansburg, New Jersey. As a career public servant, Mr. Fuller has worked tirelessly for Senator FRANK LAUTENBERG and other public servants across New Jersey on State and Federal issues that are important to the Irish-American community. His active participation with the Ancient Order of Hibernians–Division 2 serves to further preserve the Irish heritage in our culturally diverse State and Nation.

Madam Speaker, I sincerely hope that my colleagues will join me in congratulating Assistant Commissioner Fuller for his reception of the 2010 Hibernian of the Year recognition, and also for his leadership and service to the Irish-American community.

AFGHANISTAN WAR POWERS RESOLUTION

SPEECH OF

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. TIAHRT. Madam Speaker, I join my colleagues on both sides of the aisle in opposition to H. Con. Res. 248, The Afghanistan War Powers Resolution. This resolution calls for a premature withdrawal of our forces from Afghanistan, putting our service men and women and our Nation at risk. Make no mistake, we are in the midst of a very important war. We did not seek the Global War on Terror, but it is one we cannot abandon.

On September 11, 2001, we were attacked in the most horrifying way. 2,973 innocent people were killed. Nine buildings were destroyed. The Pentagon was hit and but for the bravery of the passengers of United Flight #93, our Capitol would have been destroyed as well.

This war, however, did not begin or end on that fateful day. Muslim extremists have been at war with America for years, but few people took notice until 2001.

In 1983, terrorists launched a suicide truck-bomb attack against the U.S. Marine Barracks in Beirut, Lebanon, killing 242 Americans.

In 1993, Islamic terrorists attacked the World Trade Center building in New York City, killing six people and injuring 1,000 more.

In 1998, Al-Qaeda bombed the U.S. embassies in Kenya and Tanzania, leaving 300 dead and injuring over 5,000 people.

In 2000, the U.S. Navy Destroyer USS *Cole* was attacked by followers of Usama bin Laden, killing 17 sailors and injuring 39.

In May 2001, just over three months before the attacks of September 11, the Muslim terrorist group Abu Sayyaf kidnapped 16 people including Kansas missionaries Martin and Gracia Burnham. While some escaped, four hostages were killed including Martin. Fortunately, Gracia survived this terrifying ordeal and is now living in Rose Hill, Kansas.

On September 11, Americans awoke to the reality that we could no longer ignore the growing threat of Muslim extremists. We had a choice: either wait for the next attack, or take the fight to the terrorists. The American people and Congress were unified in answering that we would fight terrorists before they reach American soil.

Today, the United States remains engaged in a global war against Muslim extremists. In order to protect our country, we must ensure that terrorists are not given safe haven in any nation. Most of the planning of training for the September 11, 2001 attacks took place in Afghanistan and terrorists continue to exploit vulnerabilities in Afghanistan today. Our troops have made tremendous progress in securing Afghanistan, but there is much more to do. Afghanistan needs our help to root out terrorists and ensure that terrorists no longer use their country to launch terrorist attacks around the world.

We are not naïve as to the cost of this war. Over 1,000 brave Americans have been killed in Afghanistan over the past eight years, and we mourn each one. Billions of dollars have been spent on this protracted effort. This has been a long and costly war, but it is not in vain.

The cost of this war does not negate the importance of this war. Afghanistan is the central front in the war against terror. Walking away from Afghanistan will not bring peace and security to our people. We have seen firsthand what happens when Afghanistan is a safe haven for terrorists. The consequences are too great for us to simply wait for the enemy to strike.

The question is not does this war exist? Though some are in denial, we are at war even if we do not want to be. Rather, the question is where will the battle be fought? In opposing this resolution, I vote to have that battle where every American carries a gun and wears body armor, not on the streets of Wichita.

We can not leave Afghanistan until the job is done. We owe it to the Marines killed in Lebanon, the sailors of the USS *Cole*, those murdered at the east African embassies, Martin and Gracia Burnham, all those who lost their lives on September 11, and to the troops who have died defending our freedom and security on the battlefields of the Global War on Terror. We must stay strong and finish the task at hand.

I look forward to the day when our troops come home in victory, and when our people can live in peace and security—free from the fear of a terrorist attack. But today is not that day. Today we must redouble our efforts to bring security to Afghanistan, which, in turn, will bring us one step closer to that day. I urge my colleagues to oppose this resolution.

IN HONOR AND RECOGNITION OF JUSTICE PETER KELLY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and recognition of Justice Peter Kelly, High Court Justice of Ireland, upon the occasion of his arrival to Cleveland, Ohio, on St. Patrick's Day, March 17, 2010.

During his studies at University College in Dublin, Ireland, Justice Peter Kelly became a member of the prestigious Honorable Society of the King's Inn. He was called to the Irish

Bar in 1973, the Bar of England and Wales in 1981, the Bar of Northern Ireland in 1983, and the Inner Bar of Ireland in 1986. Justice Kelly was appointed Judge of the High Court in 1996 and has led the Commercial Division of the High Court since its inception in 2004.

In addition to conducting a successful legal career, Justice Kelly is active in the community. He volunteers for several organizations and is a leader on numerous boards. He is the Director of the Dublin Choral Foundation and serves as Chair of the Commercial Law Centre in Dublin.

Justice Kelly comes to Cleveland on the occasion of our annual St. Patrick's Day Celebration. For thirty-one years, attorneys Tim Collins and Thomas Scanlon have organized Cleveland's St. Patrick's Day Party and Parade. This joyous event promotes and preserves the rich traditions of the Irish homeland. On March 17, our downtown streets will spring to life as a sea of green and the spirited sound of drums and bagpipes wind their way along Euclid Avenue.

Madam Speaker and Colleagues, please join me in honor and recognition of Justice Peter Kelly as we welcome him to Cleveland on St. Patrick's Day. Please also join me in recognition of Tim Collins and Thomas Scanlon for organizing the St. Patrick's Day Celebration.

"Ni dheanfaidh smaoineamh an treabhadh duit—You'll never plough a field by turning it over in your mind"—Old Irish Proverb.

A TRIBUTE TO JOHN MAUDLIN

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Ms. CORRINE BROWN of Florida. Madam Speaker, I rise today to congratulate and pay tribute to a fine American, John Maudlin, on an occasion when he and his business have received a prestigious honor: the International Circle of Excellence Award for 2009.

The Circle of Excellence, which is awarded by the International dealer organization of Navistar, Inc., honors International truck dealerships that achieve the highest level of dealer performance with respect to operating and financial standards, market representation, and most importantly, customer satisfaction. It is the highest honor a dealer principal can receive from the company. Under John's leadership, Maudlin International Trucks has grown into one of the preeminent truck dealerships in the Southeast and the entire nation, with 153 employees and five dealer locations in Orlando, Ocala, Jacksonville, Daytona Beach and Palm Bay. In 2007, the dealership also opened two parts and service locations. With this most recent award, Maudlin International has now received the Circle of Excellence Award a total of nine times.

John has achieved this level of accomplishment and recognition through many years of hard work and service to his industry and community. He serves the International dealer network as a member of its Sales, Marketing and Finance Dealer Advisory Board. He is a strong supporter of the Metro Orlando economy through not only his International dealership, but also his successful truck leasing business, Ideal Lease of Orlando. That leasing business is a multi-year winner of the Ideal Gold Award for Excellence. Maudlin International Trucks is also very active in service to the community, staging the holiday party for the kids at the Arnold Palmer Children's Hospital, and engaging in annual adopt-a-family programs with the Orlando Rescue Mission and the Seminole Party Fire Department. John is also a strong supporter of the First Presbyterian Church of Orlando—as well as a diehard University of Alabama football fan.

Through his commitment to hard work and outstanding customer service, he has built an economically vital business of which he can be justly proud. Madam Speaker, I ask you and my colleagues to join with me in congratulating John Maudlin for his record of accomplishment and for his many contributions to his community, State and Nation.

HONORING MR. RON STARK

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. PALLONE. Madam Speaker, I rise today to honor Mr. Ron Stark of Middletown, New Jersey. Mr. Stark will be honored as the "2010 Irishman of the Year" by the Monmouth County, New Jersey Division, 2nd Division, of the Ancient Order of Hibernians. This prestigious honor is well-deserved in light of his tremendous contributions to the organization's continued efforts to preserve Irish culture in the United States. The Ancient Order of Hibernians works tirelessly to connect those individuals of Irish origin who are generations removed from their ancestral homeland to Ireland.

As a member of Division 2 of the Ancient Order of Hibernians for the past twenty years, Mr. Stark has been actively involved in preserving Irish music through his participation in various bagpiping competitions. Mr. Stark began playing the bagpipe in 1997 and has competed as a Grade 4 Senior Soloist, and with a Grade 5 band which won 4th place in a 2001 competition. This achievement helped the band receive a Grade 4 upgrade from the Eastern United States Pipe Band Association. Mr. Stark has piped with fellow AOH members at various Hibernian functions over the years, and is now involved with a group of dedicated AOH members who are looking to form a Division 2 Bagpipe band. His achievements as a successful bagpiper serve to further preserve the Irish heritage in our culturally diverse state and nation.

Mr. Stark has also made great strides in bringing our Irish-American citizens closer to their ancestral homeland. During a 2004 trip to Ireland, he played the bagpipe during the St. Patrick's Day Parade in Galway City with his sons, Daniel and Liam, and met with extended family members who still live on the same land where his grandfather was born. His attempts to remain connected to his ancestral homeland help to foster American-Irish cooperation, and will help preserve the presence of Irish culture in the United States, which is important to millions of Irish-American citizens.

Madam Speaker, I sincerely hope that my colleagues will join me in congratulating Mr. Stark for his reception of the "2010 Irishman of the Year" recognition, and also for his leadership and service to the Irish-American community.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately last night I was unable to cast my votes on H. Res. 1145, H. Res. 1170, H. Res. 1163 and H. Res. 67. I was speaking at Mahomet-Seymour High School BullDog Pride Night at Mahomet-Seymour High School and I was unable to arrive in Washington, DC to cast my votes.

Had I been present on Roll Call #112 on suspending the rules and passing H. Res. 1145, Recognizing the University of Arizona's 125 years of dedication to excellence in higher education, I would have voted "aye."

Had I been present on Roll Call #113 on suspending the rules and passing H. Res. 1170, Congratulating the winners of the Voice of Democracy national scholarship program, I would have voted "aye."

Had I been present on Roll Call #114 on suspending the rules and passing H. Res. 1163, Recognizing Washington State University Honors College for 50 years of excellence, I would have voted "aye."

Had I been present on Roll Call #115 on suspending the rules and passing H. Res. 267, Recognizing the cultural and historical significance of Nowruz, expressing appreciation to Iranian-Americans for their contributions to society, and wishing Iranian-Americans and the people of Iran a prosperous new year, I would have voted "aye."

IN RECOGNITION OF THE 20TH ANNIVERSARY OF THE DEDICATION OF THE SCULPTURE OF HUNGARIAN STATESMAN LAJOS KOSSUTH, IN THE UNITED STATES CAPITOL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. KUCINICH. Madam Speaker and Colleagues, I rise today in honor and recognition of the 20th Anniversary of the ceremonial placing of the sculpture of Hungarian Statesman Lajos Kossuth, which occurred on March 15, 1990, in the United States Capitol Rotunda.

Lajos Kossuth is known as the Father of Hungarian Democracy. A lawyer and political columnist who was popular for his criticism of the government, he was imprisoned for his writings between 1837 and 1840. After his release, he worked to empower citizens and was a key leader during the 1848 Hungarian Revolution. Mr. Kossuth's activism on behalf of the people of Hungary resulted in the passage of the 'March Laws' that eradicated the privileges of nobles, freed the peasants, and established a legislature.

The 1990 dedication was made possible by legislation sponsored by my dear friend and colleague, the late Congressman Tom Lantos

of California. The dedication was attended by Interim President of the Republic of Hungary, Mr. Matyas Szuros, former House Speaker Thomas S. Foley, Secretary of Labor, Elizabeth Dole, Senate Republican Leader Robert Dole, Deputy Secretary of State of Lawrence Eagleburger, and several U.S Representatives and Senators.

Madam Speaker and colleagues, I am honored to commemorate the life of Freedom Fighter and Hungarian statesman, Lajos Kossuth, in collaboration with the Ambassador of the Republic of Hungary, Bela Szombati, Majority Leader STENY H. HOYER, and Mrs. Annette Lantos, Chairwoman of the Lantos Foundation for Human Rights and Justice. Mr. Kossuth, a man of courage and conviction, paved a path to freedom in Hungary. His life and works will forever live as a testament to the power of commitment to freedom.

"The time draws near, when a radical change must take place for the whole world in the management of diplomacy"—Lajos Kossuth.

AFGHANISTAN WAR POWERS RESOLUTION

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. ETHERIDGE. Mr. Speaker, I rise in opposition to this resolution.

As a proud veteran of the United States Army, I have always worked to serve our men and women in uniform, our veterans, military families and their communities. In the U.S. House, I have the honor of representing Fort Bragg and Pope Air Force Base.

I recently traveled to Afghanistan to visit our troops and get a firsthand view of the situation on the ground. I met with 82nd Airborne troops as well as those from the North Carolina National Guard. They are doing a great job under the most trying of circumstances, and they make us all proud.

After the end of the Soviet occupation of Afghanistan, the United States simply walked away from a failed state. We know the impact that that decision has had on our history. We cannot simply walk away again. We must empower the Afghan army, security forces and the Afghan people themselves to tend to their security needs and build functioning civil institutions. We must not allow the Taliban to return to power in Afghanistan and once again use that country to become a staging ground for Al Qaeda terrorists targeting America and our allies. And we must stabilize this fragile region that includes the nuclear armed republic in next door Pakistan. These are daunting challenges, but our military men and women and their civilian counterparts are making progress and deserve our support.

Mr. Speaker, we should give our troops all of the resources they need, and make sure that we keep them in our prayers and appreciation. I am sure that my colleagues will join me in expressing our thanks. I thank first and foremost the Americans serving in Afghanistan. I thank their families for their tremendous sacrifice at home. I thank our allies, who would be left with an overwhelming task should we neglect our national commitments and suddenly depart. I thank the vast majority of the Afghanis, who are working with us for their own futures in a functioning state. It is for their efforts, and all of their reasons for continuing to work tomorrow, that we should reject this resolution.

I urge my colleagues to join me in support of our troops and in opposition to this resolution.

HONORING THE LIFE OF K.D. KILPATRICK

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. ALEXANDER. Madam Speaker, I rise today to honor the life and achievements of Mr. K.D. Kilpatrick, who passed away on March 14, 2010.

Among his impressive list of endeavors, Mr. Kilpatrick was a prominent businessman and former state senator. He was the retired co-owner of Kilpatrick Funeral Homes, Inc., Central American Life Insurance Company, Inc., and Ashley Life Insurance Company.

He will surely be remembered by all as a loving husband and father, a successful businessman and an important part of the North Louisiana community. His legacy will continue to thrive in those who he leaves behind.

Mr. Kilpatrick was a friend to many, and deemed a gracious and hardworking person by all who knew him. I wish to express my deepest condolences to his family, and may God continue to bless the memory of a man who will truly be missed by his family, his friends and his community.

Madam Speaker, I ask my colleagues to join me in honoring the late K.D. Kilpatrick, a true representative of the spirit of North Louisiana.

HONORING SERGEANT GUSTAVO RODRIGUEZ

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Army Staff Sergeant Gustavo Rodriguez for his exceptional service to the United States Army, his fellow medics, and corpsmen.

A native of Harford County, Sergeant Rodriguez was inspired by his father, a Vietnam veteran, to join the military and become a combat medic. His 15 years of service include three tours to Iraq and the receipt of the Bronze Star.

Sergeant Rodriguez, nicknamed Doc by his fellow soldiers, provides exceptional medical care and serves as a mentor and comrade to his colleagues. For his dedication and stellar commitment to the service, the Armed Services YMCA will award Sergeant Rodriguez with the Angels of the Battlefield Award. His bravery and honorable service saves lives each and everyday on the battlefield.

Madam Speaker, I ask that you join with me today to honor Army Staff Sergeant Gustavo Rodriguez. His tremendous contributions to the United States military do not go unnoticed.

IN RECOGNITION OF WADLEY TOWN COUNCIL DECLARING ZULA BATTLE DAY TO COMMEMORATE HER 108TH BIRTHDAY

HON. MIKE ROGERS

OF ALAMABA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House's attention today to pay recognition to Ms. Zula Battle who is celebrating her 108th birthday on March 22. The Wadley Town Council in Randolph County has helped highlight this special occasion by declaring March 22 as Zula Battle Day. According to Mayor Jim Dabbs, Ms. Battle has had more birthdays than the town itself.

On March 19, Ms. Battle is planning to celebrate her birthday at the home of Tom Radney. Many local residents close to Ms. Battle are planning to be in attendance, and the invitation is open to everyone in town.

Ms. Battle's 108th birthday is such a remarkable event that deserves all the praise given. I wish Ms. Battle a very happy birthday, and a wonderful Zula Battle day.

INTRODUCTION OF THE ELECTRICITY CONSUMERS' RIGHT TO KNOW ACT

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. MARKEY of Massachusetts. Madam Speaker, information is the ultimate tool for empowering consumers. The more people know about the things they buy, the better able they are to match their needs and budget to the appropriate product and quantity of that product. This principle has been applied to help consumers make more fully-informed decisions on everything from corn flakes to cars, but never to electricity. Today I am introducing the Electricity Consumers' Right to Know Act (e–KNOW) to establish the consumers' right to access their electricity information. Encouraging energy efficiency and conservation in our homes and businesses is one of the easiest and most cost-effective ways to strengthen our energy security and reduce global warming pollution. e–KNOW is a simple way to ensure that electric utility consumers have access to free, timely, and secure data regarding their electricity prices and usage patterns so they can take charge of their energy use and save money on utility bills.

The Pacific Northwest National Lab has found convincing evidence that consumers will change their energy consumption behavior in response to feedback they get regarding prices and patterns of use. When people see just how expensive electricity is when demand peaks on a hot summer day, they find ways to conserve energy or defer usage to a later time. This saves consumers money directly and also reduces the need for utilities to build more power plants, thereby indirectly saving consumers money through avoided rate increases in the future.

Rapid developments in Smart Grid technologies are providing a golden opportunity to

bridge the consumer information gap, but without regulatory reforms to ensure customers and their third party designees can access their electricity information, the potential of these technology advances will not be fully realized. The Recovery Act provided $4.5 billion to accelerate standardization and deployment of the Smart Grid, including assistance in deploying millions of ''smart meters'' that can provide customers real-time usage and pricing information through two-way communications with the utility. The Electric Power Research Institute estimates that the U.S. will spend $165 billion over the next 20 years building the Smart Grid, and FERC estimates that smart meters deployments will rise ten-fold over the next decade, from 8 million today to 80 million in 2019.

With full roll-out of smart grid technologies, the Pacific Northwest National Lab estimates that conservation efforts resulting from consumers' access to information will reduce residential and commercial electricity demand by 6 percent. This would save businesses and consumers more than $15 billion annually and reduce carbon dioxide emissions significantly: 92 million metric tons annually in 2030, equal to the emissions of 16 large coal power plants. Providing customers with access to the data will not happen by itself. One recent study of a number of large utilities found that of the almost 17 million new meters being planned or deployed by respondents, only 35 percent had clear plans to provide customer access to the data. Less than 1 percent of these utilities' customers have real-time access to electricity data today.

States and utilities need not wait for full smart meter deployments to see benefits from adopting more transparent consumer data policies. Even without price incentives, simply providing consumers better information about their energy use has been shown to reduce total consumption by 5 to 15 percent, providing annual savings of $60 to $180 for the average American household. Even without smart meters, customers with access to historical electricity usage and price data can analyze their energy usage over time, evaluate prospective energy-efficiency investments, and compare electricity consumption against similarly sized houses. Improved access to this very basic data will also let new buyers of homes or buildings factor energy efficiency information into their purchase decisions.

Making energy data readily accessible to end-users will also open a whole new market and unleash massive innovation in the area of home and building energy management. Google and Microsoft are among the many innovators that have already released Internet-based visualization tools that are helping consumers better manage their energy use.

This legislation implements critical recommendations regarding increased consumer access to energy data that were included in the Federal Communications Commission's National Broadband Plan that was also released today. e–KNOW is critical to empowering energy consumers in the near-term, but it is also one part of an evolving national Smart Grid policy that will encourage entrepreneurs to use new technologies and business models to create a variety of energy management and information services over the longer-term. Making energy data available to electricity customers and their authorized third parties is fundamental to unleashing this vast potential for innovation.

The e–KNOW Act amends Title II of the Public Utility Regulatory Policies Act of 1978 by adding Section 215, Electric Consumer Right to Access Electric Energy Information.

Under this legislation, U.S. electricity consumers, and any third parties they designate, would have the right to access their electricity usage and pricing information from their retail electricity provider in a free, timely, and convenient manner that ensures privacy and data security. To help implement this consumer right of access, the Federal Energy Regulatory Commission (FERC), in consultation with State regulatory authorities, the Secretary of Energy, and other appropriate Federal agencies, would—within six months of the date of enactment—establish guidelines identifying minimum national standards that States and utilities could adopt to ensure customers this right. These standards would incorporate and build upon the pioneering work done in this area by innovative States, including California, Pennsylvania, and Texas, which have already adopted standards to ensure consumer access to electricity data.

If, one year after the promulgation of the FERC guidelines, a retail electric utility fails to uphold the minimum national standards for ensuring consumer access to electricity data, the State may bring a civil action against the utility on behalf of its electric consumers to ensure compliance with the Act. If no civil action is brought by a state authority, any electric consumer may bring a civil action against their retail electric provider to require compliance with the Act. Enforcement authorities would not apply against utilities that FERC has, within the most recent two years, determined have adopted and implemented a policy that complies with the minimum standards set forth by FERC.

A TRIBUTE TO BUDDY TUDOR

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. ALEXANDER. Madam Speaker, I rise today to pay tribute to the life and achievements of Robert ''Buddy'' Tudor, Jr., who passed away on March 14, 2010.

Buddy was a dedicated public servant, and it is his connection and involvement in his community for which he will always be remembered. After serving in the U.S. Army, Buddy went on to become a third-generation owner of Tudor Construction Company in Alexandria who later founded the statewide and regionally based Tudor Enterprises. Perhaps some of his most recognized properties include The Hotel Bentley, Jackson Place, The Commercial Building and the Diamond Grill restaurant.

An inspiration to all who knew him, Buddy was also a community leader, serving on the boards of numerous civic organizations. He was a past president of the Alexandria Rotary Club, the first chairman of the Rapides Area Planning Commission. Also among his impressive list of endeavors and recognitions, Buddy received the Louisiana Preservation Alliance Award for preservation of The Hotel Bentley and the National Trust for Historic Preservation Honor Award in 1986.

A man of many dimensions, Buddy was also devoted to his family and church. He is survived by his wife, Patsy, five children, three stepchildren, 19 grandchildren and one great-grandchild. Buddy served as a deacon and Sunday school teacher at Pineville's First Baptist Church.

It is my pleasure to honor the late Buddy Tudor, a man who served the people of Central Louisiana to his fullest capacity. Madam Speaker, I ask my colleagues to join me in honoring Mr. Buddy Tudor for his exceptional contributions to his community and unparalleled influence on those of us who were blessed to have known him.

TRIBUTE TO CAPTAIN JOSEPH GOULD FOR HIS SERVICE AND HIS POEM, OLD GLORY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. BONNER. Madam Speaker, I rise to pay tribute to United States Navy Captain Joseph Gould (Retired), who bravely served his country in time of war and continues to play a role in honoring America through his authorship of a much revered poem, Old Glory.

Captain Gould was born in Brunswick, Georgia, in 1920 and graduated from the United States Naval Academy in May of 1942 before being deployed in World War II.

Captain Gould's 23 years as a Navy officer include service as commander of the LSM449 Amphibious Ship, executive officer of the USS *Radford* Destroyer, commander of the USS *Silverstein* DE534 Destroyer Escort, and commander of 15 ocean mine sweepers. He concluded his military service assigned to the Pacific Fleet as a Fleet Intelligence Officer at Pearl Harbor, Hawaii. Captain Gould retired from the United States Navy on November 1, 1965.

A resident of Fairhope, Alabama, Captain Gould penned a patriotic poem, Old Glory, to honor our nation's flag. This inspiring tribute has been adopted by the Baldwin County Commission in its presentations to honor local World War II veterans.

I would like to include Captain Gould's poem in the RECORD, and on behalf of a grateful nation, I thank Captain Gould for his service to America.

OLD GLORY

(By Joseph Gould)

I have survived quite a lot of hype
Since Betsy Ross designed my prototype,
Some have been false, some have been true;
I've selected some pertinent facts for you.

I was with Paul Revere at the end of his ride;
The first man on the moon had me at his side.
I was with the lads at Bunker Hill,
Aboard ''Old Ironsides'' I'm flying still.
I went with George across the Delaware,
Inspired Francis Scott Key in the rockets' red glare.
Abe Lincoln flew me from a Gettysburg steeple
And ever since then I've been liberating people.
I stormed ashore with Marines at Guadalcanal,
Climbed Mount Suribachi with a G.I. pal.
I rode with Patton 'til we reached the Rhine,
And only stopped when the Allies drew the line.

I've seen our enemies brought to their knees
Including the Germans and Japanese.
I watched Ronald Reagan as he stood tall
and said, ''Mr. Gorbechev, tear down this wall!''
I've sailed the seven seas with the boys in Navy blue,
Made the journey to the North and South poles too.
I've basked in the sun on many a tropic isle;
I've marched city streets in grandiose style.
Today you can find me in the Middle East
Helping to suppress the Terrorist Beast
That hates and despises our way of life and
Continually causes much worldly strife.

Now that you've heard my story true
I have a request to make of you;
Promise that evermore I shall wave
Over the land of the free and home of the brave.

I am Old Glory, the Stars and Stripes—forever!

CHAPMAN UNIVERSITY MARCH 16, 2010

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. ROYCE. Madam Speaker, I rise today to commend the success of Chapman University and their commitment to Holocaust education. The Rodgers Center for Holocaust Education, The Stern Chair in Holocaust Education, and the Sala and Aron Samueli Holocaust Memorial Library were founded on the mission of educating, remembering, and inspiring.

These centers not only provide academic resources on this important topic, but also motivate students to stand up against racism, prejudice, and bias-related violence.

It will be my pleasure to join with Chapman as they host Nobel Peace Prize laureate Elie Wiesel on April 25th, 2010 to honor Professor Marilyn Harran for her exemplary dedication to Holocaust education, remembrance and witness. Chapman's Holocaust Art and Writing Contest, the Holocaust studies minor and the Sala and Aron Holocaust Memorial Library are just a few of the meaningful programs under her leadership.

I want to specifically recognize the leaders of these institutions and the event: Chapman University President James Doti; Dr. Marilyn Harran; Elie Wiesel; and Co-Chairs Nancy and Irving Chase, Rosemary and William Elperin, and Shelia and Mike Lefkowitz. Their commitment enlightens and empowers not only Chapman students but all who wish to bear witness to the tragedy of the Holocaust.

Madam Speaker, I am pleased to recognize Dr. Marilyn Harran and look forward to celebrating her achievements with the Chapman community.

IN RECOGNITION OF THE LIFE OF SPECIALIST LAKESHIA M. BAILEY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House's attention today to recognize the life of a proud American hero, Specialist Lakeshia M. Bailey.

Specialist Bailey, of Columbus, Georgia, died in Iraq on March 8, 2010, in service to our nation. She is survived by her husband and parents.

Like all those who have paid the ultimate sacrifice in this conflict, words cannot express the sense of sadness we have for her family, and the gratitude our country feels for her service. Specialist Bailey died serving the United States and the entire cause of liberty, on a mission to bring stability to a troubled region and liberty to a formerly oppressed people. She was a true patriot for serving our nation, and she will be missed.

We will forever hold her closely in our hearts, and remember her sacrifice and that of her family as a remembrance of her bravery and willingness to serve. Thank you, Madam Speaker, for the House's remembrance on this mournful day.

HONORING MRS. SYLVIA YVONNE DRAKEFORD

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. PALLONE. Madam Speaker, I rise today in commemoration of the life of Mrs. Sylvia Yvonne Drakeford. Mrs. Drakeford, a resident of Englewood, New Jersey, passed away on March 6, 2010 after decades of public service with the Englewood City Department of Education and Department of Recreation.

During the past 30 years, Mrs. Drakeford served as the playground supervisor for the Department of Recreation. As supervisor, she was instrumental in restructuring the city's camping trip program to include affordable, package deals for the city's children. Prior to her time at the Department of Recreation, Mrs. Drakeford served as a teacher's aide at Cleveland and Quarles Schools in the city of Englewood for 27 years. For 15 of these years, she spent the first half of the day educating school children, and the second half entertaining them as the coordinator of the schools' after-school program. Mrs. Drakeford's contributions to the city touched generations of Englewood residents.

Mrs. Drakeford leaves behind a loving and adoring family. Her son Teddy Drakeford, who I have known for nearly two decades, was a valued staffer in my office from 1996 until last year. He recently left my office to continue his mother's proud legacy of working with children.

Madam Speaker, I sincerely hope that my colleagues will join me in honoring Mrs. Drakeford for her lifetime of dedicated support to the children and residents of Englewood.

TRIBUTE TO GEORGE WERNETH, VETERAN MOBILE PRESS-REGISTER REPORTER

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. BONNER. Madam Speaker, on Sunday, January 24, 2010, George Werneth, a veteran reporter for the Mobile Press-Register in my congressional district passed away at that age of 65.

George Werneth was an institution in Mobile journalism, covering maritime operations and military news for approximately four decades before his retirement.

George had a reputation for sound reporting and fact checking as noted in the Press-Register's own story about his passing.

He was absolutely devoted to rooting out the truth and took great pains to verify all details. It was said that the newspaper never had to run a correction for any of his news stories: he was that reliable.

George was well known and respected by Mobile area veterans for his devotion to military news coverage, which was his beat for approximately half of his reporting career.

He loved the military and shared a bond with those who donned the uniform of our country.

In honor of his efforts, George was made an honorary member of the Marine Corps League at the American Legion Post 88 in Mobile. His departure from local reporting was keenly felt when he put down his pen and pad for retirement in November 2008.

George Werneth's absence in the lives of his family, friends, former colleagues—the community he loved—will be even more profoundly felt.

I offer my condolences and prayers to his family, including his son Joseph Carey Werneth, his brother Carey Werneth and his two grandsons, Skylar Carey Werneth and Dylan Mesean Werneth.

MARCH IS RED CROSS MONTH

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Ms. CLARKE. Madam Speaker, the American Red Cross has provided assistance and comfort to communities stricken by disasters large and small since it was founded in 1881 by Clara Barton. President Woodrow Wilson was the first to proclaim ''Red Cross Week'' in 1918, as a time for our citizens ''to give generously to the continuation of the important work of relieving distress.'' For over 100 years, the American Red Cross has continued to help ensure our communities are more ready and resilient in the face of future disasters. This March, I urge all Americans to not only recognize the depth and breadth of services offered by the American Red Cross, but to also join the effort and increase awareness of humanitarian work.

From rebuilding former adversaries after World War II, to combating HIV/AIDS in Africa, to saving lives after the tragic earthquake in Haiti, the American people have an unmatched tradition of responding to challenges at home and abroad with compassion and generosity. The American Red Cross has had an ongoing presence in Haiti since 2004 supporting local disaster preparedness, HIV education, malaria prevention and measles immunization initiatives. In just over one month since the earthquake, the Red Cross has provided assistance to more than 1.3 million people and will continue to aid hundreds of thousands more in the months ahead.

At home and abroad, one in five Americans is touched by the Red Cross every single year. The American Red Cross was instrumental in providing immediate response to the devastating earthquake that struck Haiti in January of this year. Currently, more than 100 people are representing the American Red Cross in Haiti. This includes 30 specialists providing relief distribution and telecommunications support and 14 employees, who were permanently based in Haiti prior to the earthquake and are helping to guide the response, in addition to over 50 Creole-speaking interpreters on the USNS *Comfort*. The American Red Cross is also responding to the 8.8 magnitude earthquake that struck Chile on February 27, making an initial $50,000 pledge from its International Response Fund for relief operations. In addition, the American Red Cross will continue to monitor the potential impacts of Saturday's tsunami and is prepared to help the people of Hawaii and the U.S. territories in the Pacific, if there is a need.

In addition to deploying relief workers and other disaster management specialists, the American Red Cross is providing relief supplies for 130,000 Haitians including blankets, kitchen sets, hygiene kits, water containers and mosquito nets. The Red Cross has also provided three million pre-packaged meals to the United Nations World Food Programme in Haiti as well as funding to help feed an additional 1 million people for a month. The organization has also partnered with Population Services International to provide more than 1 million water-purification sachets, to ensure that Haitian families have access to clean drinking water. The Red Cross has also provided nearly 750 units of blood for Haiti earthquake survivors. As of early February, the American Red Cross has received over $225 million for the Haiti relief and recovery effort, and 91 cents of every dollar is going directly to critical humanitarian services and programs. That is why I partnered with the Red Cross of Greater New York to help with Haiti response efforts.

Just one week after the 7.0 earthquake struck Haiti, the NY Red Cross, working in partnership with Local 1199SEIU, NAACP, Haitian Americans United for Progress, Councilman Mathieu Eugene and my office, was able to provide volunteer translators. The Red Cross of Greater New York has since deployed over forty Creole-speaking volunteers, to serve on the US Navy's hospital ship, the USNS *Comfort* anchored off the coast of Haiti. The Greater New York chapter has also helped thousands of Haitian Americans in my district connect with their family members in Haiti. Representing the second largest concentration for first and second generation Haitian immigrants, I applaud the Red Cross' Resorting Family Links programs, which has worked to register over 30,000 people affected by the earthquake. To date, the Red Cross of Greater New York has facilitated nearly 2,000 phone calls between earthquake survivors and their family abroad. Throughout the Greater New York region, the Red Cross provides invaluable services that protect the life and health of all New Yorkers.

The American Red Cross of Greater New York is a key humanitarian partner providing immediate aid to as many as 100,000 New Yorkers affected by local disasters each year. When disaster strikes a densely populated urban area, the emergency-care needs are huge and immediate. Recently in my district, the Red Cross of Greater New York launched their "March to 200" campaign with the goal of training 200 Red Cross volunteers in shelter leadership roles. It is this dedication to service and preparedness which makes the Greater New York Red Cross a valuable asset to all New Yorkers.

The Red Cross of Greater New York would not be what it is today without the priceless work of CEO Terry Bischoff. Her dedication and compassion have inspired us all, and her leadership has transformed the capacities of this organization. She will most certainly be missed, but the effects of her work will be lasting. Whether it is an earthquake or a single family home fire; a call for blood or a call for help, the American Red Cross is there. I ask all my colleagues join me today in applauding the hard work of the American Red Cross volunteers and celebrating March as American Red Cross Month.

THANKING THE PERSHING ELEMENTARY STUDENTS

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. SMITH of Nebraska. Madam Speaker, I would like to take a moment to recognize a group of Nebraskan students for doing their part to help in the Haiti relief efforts. Pershing Elementary students in Lexington, Nebraska decided to get involved and each class took part in a penny drive in order to provide money to the victims of the earthquake.

While the entire elementary school took part in the fundraiser, it was the third grade class which was the driving force behind raising money for Haiti. The students had seen images of the victims and the horrible destruction which took place on the island and they took it upon themselves to go classroom to classroom, raising $877. The third graders raised money so the victims could "buy supplies and build hospitals."

I am extremely proud of the elementary students in Lexington. Their efforts to help those in need are inspiring; and I thank them for helping spread Nebraska generosity. I am grateful to have such excellent students in my district.

HONORING GUEST CHAPLAIN, JOHN L. BEAVER, NATIONAL CHAPLAIN, THE AMERICAN LEGION

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. BONNER. Madam Speaker, I rise to personally welcome to the House, our guest chaplain, John L. Beaver of Mobile, who hails from the First Congressional District of Alabama.

John L. Beaver was appointed National Chaplain of The American Legion on August 17, 2009, during the closing session of the 91st National Convention in Louisville, KY.

A retired U.S. Air Force veteran with more than 20 years military service from the Vietnam War era to the time of the Lebanon/Grenada conflicts, Chaplain Beaver has performed religious duties at the local Post, District, State and National levels since joining the American Legion in 1989.

Chaplain Beaver is well known and respected in South Alabama for his humanitarian work with an emphasis on aiding homeless persons.

In the aftermath of the September 2005 crisis following Hurricane Katrina, Chaplain Beaver coordinated regional relief efforts on behalf of The American Legion, a fellow veterans' service organization and church organizations.

He was instrumental in the operation of supply depots and distribution sites to aid storm victims all along the stricken Gulf Coast.

A pastor assistant and Sunday school superintendent, Chaplain Beaver's primary ministry is the visitation of—and care for—shut-ins at area hospitals, assisted living facilities, veteran's homes and homeless shelters through the ministries of the Fowl River and Kingswood United Methodist Churches in the Mobile, Alabama area.

I join my colleagues in welcoming Chaplain Beaver to the U.S. House and in thanking him for his service to our veterans and our community.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $12,636,662,956,140.07.

On January 6, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $1,998,237,209,846.20 so far this Congress. The debt has increased $60,984,093,238.39 since just yesterday.

This debt and its interest payments we are passing to our children and all future Americans.

PERSONAL EXPLANATION

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. PENCE. Madam Speaker, I was absent from the House floor during Friday's three rollcall votes and Monday's four rollcall votes. Had I been present, I would have voted "no" on rollcall numbers 109 and 110, and "yes" on rollcall numbers 111 through 115.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2010 (H.R. 2701)

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Ms. MCCOLLUM. Madam Speaker, I rise today to join my colleagues in support of H.R.

2701, a bill to authorize appropriations for intelligence-related activities in fiscal year 2010. This bill strengthens the safety and security of every American family with targeted investments in our intelligence capabilities.

By containing not a single earmark, H.R. 2701 authorizes only essential spending to support our troops overseas and improve America's national security. I support this bill because it will prepare America for the threats of tomorrow, with strategic investments in our cybersecurity infrastructure here at home, and human intelligence gathering in emerging areas of concern such as Yemen and the Horn of Africa.

Most importantly, this bill will keep America safe without sacrificing American values. It prohibits private contractors from participating in CIA interrogations, requires the video recording of interrogations, and expands Congressional oversight of all intelligence activities to prevent the abuses of the past decade.

HONORING ROBERT E. DOYLE

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. MORAN of Virginia. Madam Speaker, I rise today to honor a lifetime of committed service to the United States of America and many of its critical federal agencies by a true public servant, Mr. Robert E. Doyle. This year, Mr. Doyle will retire following 36 years of dedicated civil service. Originally from Massachusetts, Doyle earned a Bachelor of Arts degree in Political Science from the College of the Holy Cross in 1971 and a Masters in Public Administration from Southern Methodist University in 1974. He also holds a certification in Financial Planning.

Mr. Doyle began his career in 1974 at the Department of Housing and Urban Development (HUD), where he worked his way up through the ranks within the management and administrative fields. After his successful tenure at HUD, Mr. Doyle changed agencies to work at the U.S. Bureau of Mines (USBM), under the Department of the Interior. There, he served as the Director for Finance and Administration for over 10 years. At the USBM, Robert aided in the protection of our nation's natural resources and worked to identify and develop new processes to improve the extraction of these national assets. After the USBM was restructured in 1995, Mr. Doyle is credited with making the transition to new positions within the government easier for his staff through his excellent guidance.

Mr. Doyle later moved on to the Bureau of Land Management, where he served as the Chief Financial Officer, and later, as the Assistant Director of Business and Fiscal Resources. As the Assistant Director, he led efforts to employ an integrated management system for improving the agency's performance and accountability. Under Mr. Doyle's leadership, the BLM was chosen as a finalist for the Presidents Fiscal Year 2002 Quality Award, recognizing budget and performance integration.

Robert's final stop on a distinguished trek through the civil service was with the U.S. Geological Survey (USGS), where, for almost 5 years, he served as the Chief Operating Officer and Deputy Director. During his time at the USGS, Robert provided key leadership to reorganize the agency's regional hubs and realigned operations to improve the structure of the agency's new Bureau for Science Strategy. Mr. Doyle also introduced a plan to open the USGS's huge store of satellite photography for public and commercial use. Additionally, he facilitated systematic and fundamental changes that restored financial integrity to the Federal Housing Insurance Fund through his extensive knowledge of finance systems and the mortgage insurance underwriting process.

Today, we honor Mr. Doyle's long, distinguished career and congratulate him on his retirement. Robert is the epitome of a true public servant. His service to the government has contributed immensely to our country. He has been a true model to others who wish to succeed in federal service.

TRIBUTE TO MONROE COUNTY COMMISSIONER CHARLIE McCORVEY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. BONNER. Madam Speaker, I rise out of sadness to note the recent passing of a good friend and a long-time public servant. Monroe County Commissioner Charlie McCorvey passed away at the age of 59 on February 24, 2010, after an extended illness.

Charlie McCorvey loved helping others and his many achievements are measured in the lives of the many students at Monroeville Middle School where he taught for 35 years, as well as in the support and respect he earned from the people of Monroe County who benefitted from his leadership as county commissioner for over two decades.

Commissioner McCorvey was native to Monroe County and South Alabama where he was dedicated to inspiring his students to reach for their dreams while he also labored hard in local government to improve the lives of all citizens.

A graduate of Hope College in Holland, Michigan, Charlie worked as a teacher in New York state before eventually returning to South Alabama.

Charlie was more than a passionate school teacher and public official, he was also among Monroe County's most noted ambassadors. For over 14 years, he traveled across the United States and around the world as a major cast member of the play "To Kill a Mockingbird," based on the book by another Monroe County native, Harper Lee.

Charlie portrayed the character of Tom Robinson with a style that mesmerized audiences of all ages.

Charlie was also an active member of the Alabama Education Association, serving as a state and national delegate. He also served as treasurer of the Monroe County Education Association and the Monroe County Democratic Conference. His volunteer activities included serving as a board member of the American Red Cross in Monroe County.

Commissioner McCorvey is survived by his partner, Sandra Farr and three children, Stephanie Lauren, Justin Ryan and Charles Quarles and nine brothers and sisters.

On behalf of the people of Monroe County, I extend my prayers and condolences to his family.

DOROTHY GOLUSH AND PEG HANNIGAN

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. FRANK of Massachusetts. Madam Speaker, I ask your indulgence and that of my colleagues to celebrate two wonderful events: the 90th birthdays of two extraordinary women, each of whom has been very important in my life. We spoke often here about some of the problems people face as we age, and it's appropriate for public policy to be focused on that. But that can lead to an unfortunate impression of older people as always the objects of other people's help, and of the difficulties that they face. There is of course another side to that story—the satisfaction that comes to people who have led loving, productive lives, in which they have been of great service to others, and who are now able to enjoy their years and look both back and around at the people they have loved and nurtured.

One of these two extraordinary women is Dorothy Golush, the widow of my Uncle Abe, who was one of my mother's older brothers. My mother was part of a remarkable family of three brothers and three sisters, children of immigrants, who created a warm, loving extended family. A few years ago, the four surviving siblings died within an eighteen month period, at ages ranging from ninety-two to one hundred and five. The one survivor of that generation, who is an inspiration for myself, my siblings and my cousins, is our Aunt Dot—who recently turned ninety. She is blessed with the vigor and acuity that has marked her life, and for me, it is a pleasure to come home after a long day here and pick up my phone and listen to a wonderful message of encouragement from her, after she's read about some particularly important piece of work that we have done.

Madam Speaker, I am very pleased to be able to offer a Happy Birthday to Dorothy Golush, on behalf of all of us in the generation after her, who have so benefitted from her life.

And while paying tribute to my aunt here, I also want, Madam Speaker, to pay tribute to a woman who is widely known in the Greater Newton area as "The Godmother." Peg Hannigan will turn ninety this month. I regret very much that I am unable to be at the celebration of this event at the Scandinavian Home where she now lives on March 25, so I am sending this along in my absence.

Peg Hannigan's political work began in 1947, when she got involved in John Kennedy's campaign for Congress. In the ensuing years she became an increasingly more important figure for those of us interested in political life. For cynics who believe that there is some conflict between political idealism and political practicality, Peg Hannigan is a living, breathing, absolute refutation. No one I have met in my own years in elected office has been more dedicated to the values of fairness that represent America at our best, and no one has been a more effective ally to those of

us seeking elected office to promote this. I share with former Governor Michael Dukakis, former Attorney General Frank Bellotti, my predecessor, the late Robert Drinan, and a number of other people in elected office the status of being very much in her debt.

Madam Speaker, I indulge myself personally by these comments, but they have a broader point as well: for young people who are skeptical that politics can be both a valuable and honorable way of spending one's time, Peg Hannigan's life is an extraordinarily valuable lesson and I hope that at least some people reading these words will be motivated to learn a little bit more about her, and even want to emulate her.

Madam Speaker, through you I wish a very Happy 90th Birthday to two wonderful women.

TRIBUTE TO FORMER STATE SENATOR BILL MENTON

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. BONNER. Madam Speaker, it is with genuine sadness that I rise to note the passing of former State Senator Bill Menton, of Irvington; a long-time public servant and beloved friend to many in South Alabama. He passed away on February 15, at the age of 90.

Bill Menton was a native of Paterson, NJ, coming to Mobile, Alabama after having been awarded multiple sports scholarships to Spring Hill College. After graduation, he coached at Spring Hill College and then UMS Preparatory School.

Senator Menton had a strong belief in our young people and is credited with helping to build the juvenile division of the Mobile County Sheriff's Department, where he served as a juvenile probation officer.

Continuing his interest in law enforcement, Mr. Menton later served as police chief of Bayou La Batre and separately worked for the Mobile County School System as a crime prevention officer.

He was the voice of the Mobile Bay Bears baseball team throughout the 1940s and 1950s and a popular host of a local radio football scoreboard program.

Bill Menton entered politics in 1982, winning a state senate seat representing Mobile County in Montgomery until 1988. In 1988, he came home to run in for the Mobile County Commission, a seat he won and held until 1992.

In 1996, he returned to support the profession he loved—law enforcement—by assuming the position as executive director of the Alabama Fraternal Order of Police.

Senator Menton also loved south Mobile County and he gave much of his life to making it a safer, better place to live. He dedicated an equal measure of devotion to bettering the lives of our young people, guiding many to learn from early mistakes in judgment and to take the path of responsible young adults.

I wish to offer my condolences to his wife of 65 years, Carmen Santana Menton; their eight children, Grace M. (Bob) Overmeyer, William J. (Pat) Menton, Jr., Mary Jane Menton, Edward C. (Brenda) Menton, Regina F. Menton, John Samuel (Janie) Menton, Thomas P. Menton and Charles M. "Chip" Menton; six grandchildren and four great grandchildren. Senator Menton's many contributions to our community will never be forgotten.

COMMENDING LANCE MACKEY ON WINNING A RECORD 4TH STRAIGHT IDITAROD TRAIL SLED DOG RACE

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. YOUNG of Alaska. Madam Speaker: Whereas Lance Mackey was born and raised in Alaska and currently resides in Fairbanks, Alaska; and

Whereas, Lance Mackey comes from a long line of successful mushers, including his father Dick and his brother Rick, each of who has won the Iditarod Trail Sled Dog Race; and

Whereas, Lance Mackey is married to his high school sweetheart Tonya, who is also a musher, and has three children: Amanda, Brittney and Cain and one new grandchild, born on the seventh day of the nine-plus Iditarod Trail Sled Dog Race; and

Whereas, Lance Mackey and his family run the Comeback Kennel in Fairbanks, Alaska; and

Whereas, Lance Mackey was diagnosed with throat cancer in 2001, took a year off from sled-dog racing to recover from the disease and is now cancer-free; and

Whereas, the Iditarod Trail Sled Dog Race, which has been called the "Last Great Race on Earth," is a grueling 1,150 mile sled dog race across Alaska's jagged mountain ranges, frozen rivers, dense forests, and windswept tundra; and

Whereas, running the Iditarod Trail Sled Dog Race is a year-long commitment to training and caring for one's sled dogs; and

Whereas, the Yukon Quest is an equally grueling 1,000 mile sled dog race from Fairbanks, Alaska to Whitehorse, Yukon; and

Whereas, Lance Mackey is the only 4-time consecutive Iditarod Trail Sled Dog Race Champion, the only 4-time Yukon Quest Race Champion and the only man to win both the Yukon Quest and Iditarod Trail Sled Dog Races in the same year, which he did in both 2007 and 2008; and

Whereas, Lance Mackey, guided by his two lead dogs "Maple" and "Rev," mushed his team of Alaskan Huskies along the path of the 38th Iditarod Trail Sled Dog Race from its start in Anchorage to the finish line in Nome in just 8 days, 23 hours and 59 minutes and nine seconds; and

Whereas, both "Maple" and "Rev" exemplify all the essential qualities for good lead dogs, including intelligence, initiative, common sense, and the ability to find a trail in bad conditions; and

Whereas, Lance Mackey, who despite retiring "Larry," the lead dog with whom Mackey won his first three Iditarod Trail Sled Dog Races, was still able to convincingly win his 4th consecutive Iditarod; and

Whereas, the Iditarod Trail, a National Historic Trail, is staffed by thousands of volunteers who monitor and assist all competitors; and

Whereas, each checkpoint along the Iditarod Trail has coordinators, health care professionals and licensed veterinarians who carefully monitor the health and safety of all dogs and mushers; now, therefore, be it

Resolved, That the House of Representatives—

(1) Commends Lance Mackey on his record-breaking 4th consecutive Iditarod victory during the 2010 Iditarod Trail Sled Dog Race.

(2) Applauds each and every musher who was courageous enough to compete in the 2010 Iditarod Trail Sled Dog Race.

(3) Expresses appreciation to all the volunteers and staff who help make this great Alaskan race possible each and every year.

THE USO

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. POE of Texas. Madam Speaker, I will never be able to express the gratitude I have for all of the brave men and women who have so proudly worn the military uniform. So today, I am humbled to honor the United Services Organizations for their 67 years of unrelenting service and dedication to our troops.

The United Service Organization was congressionally chartered before World War II on February 4, 1941, by former President Franklin Delano Roosevelt. The organization is a non-profit, private establishment set up to create a way for the American public to volunteer and provide a wide variety of support services for military members and their families.

What started as an idea has transformed into a conviction. Today, the U.S.O. has more than 130 centers all over the world and provides its programs to over 1.4 million active duty service members and 1.2 million National Guard and Reserves.

These soldiers give their heart and soul for our country and the U.S.O. understands how vital our servicemen and women are to this great nation. The U.S.O. provides unmatched morale, welfare, social and entertainment needs. They show respect for our troops, their families, and our community by conveying that the American people are forever indebted to their commitment and sacrifice in the continual fight for freedom.

The Second Congressional District of Texas commends the United Services Organization for bringing a piece of home to wherever our troops may be. The individuals who willingly participate in this remarkable group emulate integrity and pride that this nation deserves. Their efforts will never go unappreciated and their actions will always be cherished.

AMY SCHULZ CHILD ADVOCACY CENTER

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. SHIMKUS. Madam Speaker, I rise today to mark the 20th anniversary of the Amy Schulz Child Advocacy Center in Mount Vernon, Illinois.

The center was born from tragedy when, in 1987, 10-year-old Amy Schulz of Kell, Illinois,

was murdered. Her father, Dennis Schulz, was determined to do all he could to see that no other families had to face the kind of devastating tragedy like that which afflicted his family. Mr. Schulz lobbied legislators for greater protection of children from violent criminals and started the Amy Center to keep the advocacy work going.

Starting with just a one-room office twenty years ago, the Amy Center has expanded and helped more than 100,000 children in several counties in south-central Illinois. Its advocacy efforts and education programs have had a lasting, positive impact.

I stand before this House to thank Dennis and Esther Schulz for their determination to protect children from violence. I also commend Executive Director LaDonna Richards and the staff of the Amy Center, past and present, who have done so much good work for the children of south-central Illinois. Their positive efforts and big hearts have done much to make our community a better, safer place to live. I extend my appreciation on their 20 years of service.

IN MEMORY OF PFC JAICIAE PAULEY

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 2010

Mr. PENCE. Madam Speaker, I rise today with a heavy heart to pay tribute to the service and sacrifice of Private First Class Jaiciae Pauley, who lost his life on December 11, 2009, while serving this grateful Nation in Iraq.

PFC Pauley joined the United States Army in 2008 and served as a combat medic in HQ Company, 1st Battalion, 30th Infantry Regiment, 3rd Infantry Division based in Fort Stewart, Georgia. PFC Pauley was posthumously awarded the Army Commendation Medal and the Army Good Conduct Medal.

Born to Julia Caitlin Ramshaw of Fort Pierce, Florida and Roger Pauley of Muncie, Indiana on April 11, 1980, PFC Pauley leaves behind a legacy of dedication and service that ended far too soon.

Thanks to the bravery and courage of patriots like PFC Pauley and all those who have defended this country by donning the uniform, freedom and democracy continue to exist. As a Nation, we will forever owe a debt of gratitude to PFC Pauley and his family that can never be repaid.

As we mourn Private First Class Jaiciae Pauley's passing, let us remember his mother, Julia Caitlin Ramshaw; father Roger Pauley (wife, Teressa); grandparents, Marshall and Flossie Bias, and Harold Hale in our thoughts and prayers.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1565–S1632

Measures Introduced: Thirteen bills and one resolution were introduced, as follows: S. 3118–3130, and S. Res. 456. **Pages S1618–19**

Measures Reported:

H.R. 885, to elevate the Inspector General of certain Federal entities to an Inspector General appointed pursuant to section 3 of the Inspector General Act of 1978, with amendments. **Page S1617**

Measures Passed:

Commemorating the 45th Anniversary of Bloody Sunday: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 249, commemorating the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965, and the resolution was then agreed to. **Page S1631**

Radford University 100th Anniversary: Senate agreed to S. Res. 456, congratulating Radford University on the 100th anniversary of the university. **Page S1631**

Federal Judiciary Administrative Improvements Act: Committee on the Judiciary was discharged from further consideration of S. 1782, to provide improvements for the operations of the Federal courts, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S1631–32**

Kaufman (for Whitehouse) Amendment No. 3540, in the nature of a substitute. **Pages S1631–32**

Measures Considered:

Tax on Bonuses Received From Certain TARP Recipients—Agreement: Senate resumed consideration of H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients, taking action on the following amendments proposed thereto: **Pages S1582–S1607**

Adopted:

By 87 yeas to 11 nays (Vote No. 51), Feingold Modified Amendment No. 3470 (to Amendment No. 3452), to provide for the rescission of unused transportation earmarks and to establish a general reporting requirement for any unused earmarks. **Pages S1582, S1598–S1603**

Rockefeller (for Bennett/Hatch) Amendment No. 3462 (to Amendment No. 3452), to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the City of St. George, Utah, for airport purposes. **Page S1604**

Rockefeller (for Reid/Ensign) Amendment No. 3467 (to Amendment No. 3452), to authorize Clark County, Nevada, to permit the use of certain lands in the Las Vegas McCarran International Airport Environs Overlay District for transient lodging and associated facilities. **Page S1605**

McCain Amendment No. 3472 (to Amendment No. 3452), to prohibit the use of passenger facility charges for the construction of bicycle storage facilities. **Pages S1582, S1584, S1605**

Rockefeller (for Lautenberg) Modified Amendment No. 3473 (to Amendment No. 3452), to require a report on Newark Liberty Airport air traffic control. **Page S1605**

Rockefeller (for Barrasso) Modified Amendment No. 3474 (to Amendment No. 3452), to require the Administrator to prioritize the review of construction projects that are carried out in cold weather States. **Page S1605**

Rockefeller (for Durbin) Modified Amendment No. 3482 (to Amendment No. 3452), to require the Secretary of Transportation to conduct a study of airline and intercity rail codeshare arrangements. **Page S1605**

Rockefeller (for Schumer) Modified Amendment No. 3486 (to Amendment No. 3452), to impose an additional tax on bonuses received from certain TARP recipients. **Page S1605**

Rockefeller (for Bingaman) Amendment No. 3487 (to Amendment No. 3452), to preserve the essential air service program. **Page S1605**

Rockefeller (for Cardin) Amendment No. 3497 (to Amendment No. 3452), to extend the termination date for the final order with respect to determining mileage eligibility for essential air service. **Page S1605**

Rockefeller (for Menendez) Amendment No. 3503 (to Amendment No. 3452), to require an ongoing

monitoring of and report on the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign. **Page S1605**

Rockefeller (for Menendez) Amendment No. 3504 (to Amendment No. 3452), to require the Administrator of the Federal Aviation Administration to conduct a study of the safety impact of distracted pilots. **Page S1605**

Rockefeller (for Johanns) Amendment No. 3508 (to Amendment No. 3452), to require the Comptroller General of the United States to study the impact of increases in fuel prices on the long-term viability of the Airport and Airway Trust Fund and on the aviation industry in general. **Pages S1605–06**

Rockefeller (for Johanns) Amendment No. 3509 (to Amendment No. 3452), to require the Administrator of the Federal Aviation Administration to identify the benefits of ADS–B for small and medium-sized airports and general aviation users. **Page S1606**

Rockefeller (for Johanns) Amendment No. 3510 (to Amendment No. 3452), to extend conditionally the deadlines for equipping aircraft with ADS–B technology. **Page S1606**

Rockefeller (for Coburn) Amendment No. 3531 (to Amendment No. 3452), to discontinue a Federal program that has never been used since its creation in 2003. **Page S1606**

Rejected:

DeMint Amendment No. 3454 (to Amendment No. 3452), to establish an earmark moratorium for fiscal years 2010 and 2011. (By 68 yeas to 29 nays (Vote No. 50), Senate tabled the amendment.) **Pages S1582, S1602**

By 42 yeas to 55 nays (Vote No. 53), Lieberman Amendment No. 3456 (to Amendment No. 3452), to reauthorize the DC opportunity scholarship program. **Pages S1582, S1588–98, S1604**

Pending:

Rockefeller Amendment No. 3452, in the nature of a substitute. **Page S1582**

Sessions/McCaskill Modified Amendment No. 3453 (to Amendment No. 3452), to reduce the deficit by establishing discretionary spending caps. **Page S1582**

McCain/Bayh Amendment No. 3475 (to Amendment No. 3452), to prohibit earmarks in years in which there is a deficit. **Pages S1582, S1583–84**

McCain Amendment No. 3527 (to Amendment No. 3452), to require the Administrator of the Federal Aviation Administration to develop a financing proposal for fully funding the development and implementation of technology for the Next Generation Air Transportation System. **Pages S1582, S1584**

McCain Amendment No. 3528 (to Amendment No. 3452), to provide standards for determining whether the substantial restoration of the natural quiet and experience of the Grand Canyon National Park has been achieved and to clarify regulatory authority with respect to commercial air tours operating over the Park. **Pages S1582–83, S1584–88**

During consideration of this measure today, Senate also took the following action:

By 41 yeas to 57 nays (Vote No. 52), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, with respect to Vitter Modified Amendment No. 3458 (to Amendment No. 3452), to clarify application requirements relating to the coastal impact assistance program. Subsequently, the Chair sustained a point of order against Vitter Modified Amendment No. 3458 (to Amendment No. 3452), as being in violation of section 311(a)(2)(a) of the Congressional Budget Act of 1974, and the amendment thus fell. **Pages S1582, S1598, S1603–04**

A unanimous-consent agreement was reached providing for further consideration of the bill on Wednesday, March 17, 2010, upon disposition of the motion to concur in the House amendments to the Senate amendment to the House amendment to the Senate amendment to H.R. 2847. **Page S1632**

House Messages:

Commerce, Justice, Science, and Related Agencies Appropriations Act—House Message: A unanimous-consent-time agreement was reached providing that Senate resume consideration of the motion to concur in the amendments of the House to the amendment of the Senate to the amendment of the House to the amendment of the Senate to H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, at approximately 9:30 a.m., on Wednesday, March 17, 2010, there be 10 minutes of debate with the time equally divided and controlled between Senators Gregg and Schumer, or their designees; at which time Senator Gregg is expected to make a budget point of order, and Senator Schumer would move to waive any relevant points of order; that if the waiver is successful, then no further debate or motions be in order, and Senate vote on the Durbin motion to concur, further that the order with respect to DeMint motion to suspend be vitiated; that upon disposition of the House message, Senate resume consideration of H.R. 1586, and any other provisions with respect to the House message remaining in effect. **Pages S1630–31**

Messages from the House: **Page S1615**

Measures Referred: Pages S1615–16

Measures Placed on the Calendar: Pages S1565, S1616

Executive Communications: Page S1616

Petitions and Memorials: Page S1617

Executive Reports of Committees: Pages S1617–18

Additional Cosponsors: Pages S1619–20

Statements on Introduced Bills/Resolutions: Pages S1620–25

Amendments Submitted: Pages S1625–30

Notices of Hearings/Meetings: Page S1630

Authorities for Committees to Meet: Page S1630

Privileges of the Floor: Page S1630

Record Votes: Four record votes were taken today. (Total—53) Pages S1602–04

Adjournment: Senate convened at 10:15 a.m. and adjourned at 8:36 p.m., until 9:30 a.m. on Wednesday, March 17, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1632.)

Committee Meetings

(Committees not listed did not meet)

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine United States Special Operations Command and United States Central Command in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, after receiving testimony from Admiral Eric T. Olson, USN, Commander, United States Special Operations Command, and General David H. Petraeus, USA, Commander, United States Central Command, both of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Joseph F. Bader, of the District of Columbia, Jessie Hill Roberson, of Virginia, and Peter Stanley Winokur, of Maryland, all to be a member of the Defense Nuclear Facilities Safety Board, Department of Defense, and 802 nominations in the Army, Navy, Air Force, and Marine Corps.

WATER ACTS

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded an oversight hearing to examine the Bureau of Reclamation's implementation of the SECURE Water Act, (Title 9501 of Public Law 111–11) and the Bureau of Reclamation's WaterSMART program which includes the WaterSMART Grant Program, the Basin Study Program and the Title XVI Program, after receiving testimony from Michael L. Connor, Commissioner, Bureau of Reclamation, Department of the Interior; Melinda Kassen, Trout Unlimited, Boulder, Colorado; Dan Keppen, Family Farm Alliance, Klamath Falls, Oregon; John Entsminger, Southern Nevada Water Authority, Las Vegas; and Anthony J. Pack, Eastern Municipal Water District, Perris, California.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Robert Stephen Ford, of Maryland, to be Ambassador to the Syrian Arab Republic, after the nominee testified and answered questions in his own behalf.

FOSTER CARE AND FAMILY SERVICES IN D.C.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine assessing foster care and family services in the District of Columbia, focusing on challenges and solutions, after receiving testimony from Chief Judge Lee F. Satterfield, Superior Court of the District of Columbia, Roque R. Gerald, District of Columbia Child and Family Services Agency, Judith Meltzer, Center for the Study of Social Policy, Judith Sandalow, Children's Law Center, Sarah M. Ocran, Young Women's Project, and Dominique Davis, all of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced:— 16 public bills, H.R. 4849–4864; and 6 resolutions, H.J. Res. 81; H. Con. Res. 253; and H. Res. 1184–1187 were introduced. **Pages H1517–18**

Additional Cosponsors: **Pages H1518–19**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Watson to act as Speaker pro tempore for today. **Page H1443**

Recess: The House recessed at 10:59 a.m. and reconvened at 12 noon. **Page H1446**

Privileged Resolution—Intent to Offer: Representative Flake announced his intent to offer a privileged resolution. **Page H1474**

Suspensions: The House agreed to suspend the rules and agree to the following measures:

Expressing the support of the House of Representatives for the goals and ideals of Red Cross Month: H. Res. 311, to express the support of the House of Representatives for the goals and ideals of Red Cross Month, by a ⅔ yea-and-nay vote of 417 yeas with none voting "nay", Roll No. 117; **Pages H1474–76, H1481–82**

Recognizing the continued persecution of Falun Gong practitioners in China: H. Res. 605, amended, to recognize the continued persecution of Falun Gong practitioners in China on the 10th anniversary of the Chinese Communist Party campaign to suppress the Falun Gong spiritual movement and to call for an immediate end to the campaign to persecute, intimidate, imprison, and torture Falun Gong practitioners, by a ⅔ yea-and-nay vote of 412 yeas to 1 nay, Roll No. 118; and **Pages H1476–78, H1482–83**

Agreed to amend the title so as to read: "Recognizing the continued persecution of Falun Gong practitioners in China on the 11th anniversary of the Chinese Communist Party campaign to suppress the Falun Gong spiritual movement and calling for an immediate end to the campaign to persecute, intimidate, imprison, and torture Falun Gong practitioners.". **Page H1483**

Thanking Vancouver for hosting the world during the 2010 Winter Olympics and honoring the athletes from Team USA: H. Res. 1128, amended, to thank Vancouver for hosting the world during the 2010 Winter Olympics and to honor the athletes from Team USA, by a ⅔ yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 119. **Pages H1478–79, H1483**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated on Monday, March 15th:

Sergeant Christopher R. Hrbek Post Office Building Designation Act: H.R. 4628, to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building", by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 116. **Page H1481**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Recognizing the 150th anniversary of Augustana College: H. Res. 1089, amended, to recognize the 150th anniversary of Augustana College; **Pages H1484–85**

Expressing the support of the House of Representatives for the goals and ideals of Professional Social Work Month and World Social Work Day: H. Res. 1167, to express the support of the House of Representatives for the goals and ideals of Professional Social Work Month and World Social Work Day; and **Page H1485**

Congratulating the 2009–2010 University of Maryland Men's Basketball Team: H. Res. 1184, to congratulate the 2009–2010 University of Maryland Men's Basketball Team, Greivis Vasquez, and Coach Gary Williams on an outstanding season. **Pages H1485–87**

Senate Message: Message received from the Senate today appears on page H1446.

Senate Referrals: S. Con. Res. 53 was referred to the Committee on Energy and Commerce. **Pages H1446, H1516**

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H1481, H1481–82, H1482–83 and H1483. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 10:25 p.m.

Committee Meetings

FY 2011 BUDGET AND ECONOMIC OUTLOOK

Committee on Appropriations: Held a hearing on FY 2011 Budget and Economic Outlook. Testimony was heard from Peter R. Orszag, Director, OMB; Timothy F. Geithner, Secretary of the Treasury; and Christina Romer, Chair, Council of Economic Advisers.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Science, and Related Agencies held a hearing on Department of Justice FY 2011 Budget Overview. Testimony was heard from Eric H. Holder, Jr., Attorney General, Department of Justice.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on U.S. Central Command. Testimony was heard from GEN David H. Petraeus, USA, Commander, U.S. Central Command.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development and Related Agencies held a hearing on Department of Energy: Environmental Management, Legacy Management, 2011 Budget. Testimony was heard from the following officials of the Department of Energy: Ines Triay, Assistant Secretary, Environmental Management; and David Geiser, Acting Director, Office of Legacy Management.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on FY 2011 Citizenship and Immigration Services Budget. Testimony was heard from Alejandro ''Ali'' Mayorkas, Director, U.S. Citizenship and Immigration Service, Department of Homeland Security.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment and Related Agencies held a hearing on Preserving America's Culture and National Treasures: The National Park Service FY 2011 Budget Request. Testimony was heard from Jon Jarvis, Director, National Park Service, Department of the Interior.

TRANSPORTATION, HUD, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies held a hearing on Strengthening Intermodal Connections and Improving Freight Mobility: An Outside Perspective. Testimony was heard from Beverley K. Swaim-Staley, Secretary, Department of Transportation, State of Maryland; and public witnesses.

MILITARY SERVICES' OPERATION/ MAINTENANCE FUNDING

Committee on Armed Services: Subcommittee on Readiness held a hearing on FY 2011 National Defense Authorization Budget Request for the military services' operation and maintenance funding. Testimony was heard from the following officials of the Department of Defense: GEN Peter W. Chiarelli, USA, Vice Chief of Staff, USA; ADM Jonathan W. Greenert, USN, Vice Chief of Naval Operations, USN; GEN James F. Amos, USMC, Assistant Commandant, USMC; and GEN Carrol H. Chandler, USAF, Vice Chief of Staff, USAF.

U.S. STRATEGIC FORCES STATUS

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on status of United States strategic forces. Testimony was heard from the following officials of the Department of Defense: GEN Kevin P. Chilton, USAF, Commander, U.S. Strategic Command; and James N. Miller, Principal Deputy Under Secretary, Policy.

MODERNIZING OSHA PENALTIES

Committee on Education and Labor: Subcommittee on Workforce Protections held a hearing on Protecting America's Workers Act: Modernizing OSHA Penalties. Testimony was heard from David Michaels, Assistant Secretary, Occupational Safety and Health, Department of Labor; John C. Cruden, Deputy Assistant Attorney General, Environmental and Natural Resources Division, Department of Justice; and public witnesses.

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION ACT OF 2009

Committee on Energy and Commerce: Subcommittee on Health approved for full Committee action, as amended, H.R. 847, James Zadroga 9/11 Health and Compensation Act of 2009.

REBUILDING HAITI'S COMPETITIVENESS AND PRIVATE SECTOR

Committee on Financial Services: Subcommittee on International Monetary Policy, and Trade held a hearing entitled ''Rebuilding Haiti's Competitiveness

and Private Sector.'' Testimony was heard from public witnesses.

FEMA REGIONAL OFFICES RESOURCES

Committee on Homeland Security: Subcommittee on Emergency Communications, Preparedness and Response held a hearing entitled ''Ensuring Strong FEMA Regional Offices: An Examination of Resources and Responsibilities.'' Testimony was heard from the following officials of FEMA, Department of Homeland Security: David Garratt, Associate Administrator; and Tony Russell, Regional Administrator, FEMA Region 6; Brock Long, Director, Emergency Management Agency, State of Alabama; and a public witness.

HOMELAND SECURITY—SCIENCE AND TECHNOLOGY AUTHORIZATION

Committee on Homeland Security: Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology approved for full Committee action, as amended, H.R. 4842, Homeland Security Science and Technology Authorization Act of 2010.

DEMOCRACY RESTORATION ACT OF 2009

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Civil Liberties held a hearing on H.R. 3335, Democracy Restoration Act of 2009. Testimony was heard from public witnesses.

OVERSIGHT—FISHERMEN'S CATCH SHARES

Committee on Natural Resources: Subcommittee on Insular Affairs, Oceans and Wildlife held an oversight hearing on Catch Shares as a Management Option: Criteria for Ensuring Success. Testimony was heard from Eric Schwaab, Assistant Administrator, Fisheries, NOAA, Department of Commerce; and public witnesses.

FEDERAL EMPLOYEE WORKPLACE SECURITY

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, Postal Service, and the District of Columbia held a hearing entitled ''Federal Employee Workplace Security.'' Testimony was heard from Mark Goldstein, Director, Physical Infrastructure Issues, GAO; Steven Miller, Deputy Commissioner, Services and Enforcement. IRS, Department of the Treasury; the following officials of the Department of Homeland Security: Sue Armstrong, Acting Deputy Assistant Secretary, Office of Infrastructure Protection; and Gary Schenkel, Director, Federal Protective Service, National Protection and Programs Directorate; Guy Cottrell, Deputy Chief Postal Inspector, Postal Inspection Service, U.S. Postal Service; and public witnesses.

U.S. AID TO PAKISTAN

Committee on Oversight and Government Reform: Subcommittee on National Security and Foreign Affairs continued hearings entitled, ''U.S. Aid to Pakistan (Part II): Planning and Accountability.'' Testimony was heard from the following officials of the Department of State: Daniel Feldman, Deputy to the Special Representative for Afghanistan and Pakistan; and James A. Bever, Director, Afghanistan-Pakistan Task Force, and Deputy Assistant Administrator, Asia and Near East Bureau, U.S. Agency for International Development.

RARE EARTH MINERALS

Committee on Science and Technology: Subcommittee on Investigations and Oversight held a hearing on Rare Earth Minerals and 21st Century Industry. Testimony was heard from public witnesses.

SCIENCE-TECH-ENGINEERING-MATH EDUCATION

Committee on Science and Technology: Subcommittee on Research and Science Education held a hearing on Broadening Participation in STEM. Testimony was heard from public witnesses.

NATIONAL TAXPAYER ADVOCATE'S 2009 REPORT—PROBLEMS ENCOUNTERED BY TAXPAYERS

Committee on Ways and Means: Subcommittee on Oversight held a hearing on the National Taxpayer Advocate's 2009 Report to Congress on the most serious problems encountered by taxpayers. Testimony was heard from Nina E. Olson, Office of the National Taxpayer Advocate.

NATIONAL RECONNAISSANCE PROGRAM AND ORGANIZATION BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on National Reconnaissance Program/National Reconnaissance Organization Budget for FY 2011 Testimony was heard from GEN. Bruce Carlson, USAF, (ret.), Director, National Reconnaissance Organization.

BLACK CARBON POLLUTION

Select Committee on Energy Independence and Global Warming: Held a hearing entitled ''Clearing the Smoke: Understanding the Impacts of Black Carbon Pollution.'' Testimony was heard from Drew Shindell, Senior Scientist, NASA; and public witnesses.

Joint Meetings

U.S. POLICY REGARDING UKRAINE

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine Ukraine, focusing on the new challenges and prospects they face domestically and internationally and implications for United States policy, after receiving testimony from Daniel A. Russell, Deputy Assistant Secretary of State for Russia, Ukraine, Belarus, and Moldova; and Damon Wilson, Atlantic Council International Security Program, and Anders Aslund, Peterson Institute for International Economics, both of Washington, D.C.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 17, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the United States Forest Service, 10 a.m., SD–124.

Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Navy, 10:30 a.m., SD–192.

Committee on Armed Services: Subcommittee on Strategic Forces, to hold hearings to examine strategic forces programs in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; to be followed by a closed session at 4 p.m. in SVC–217 following the open session, 2:30 p.m., SR–232A.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine financial services and products, focusing on the role of the Federal Trade Commission in protecting consumers, part 2, 3 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the nomination of Jeffrey A. Lane, of Virginia, to be Assistant Secretary of Energy for Congressional and Intergovernmental Affairs, 9:30 a.m., SD–366.

Subcommittee on National Parks, to hold hearings to examine S. 553, to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along Lake Superior's north shore and in Superior National Forest and Chippewa National Forest, S. 1017, to reauthorize the Cane River National Heritage Area Commission and expand the boundaries of the Cane River National Heritage Area in the State of Louisiana, S. 1018, to authorize the Secretary of the Interior to enter into an agreement with Northwestern State University in Natchitoches, Louisiana, to construct a curatorial center for the use of Cane River Creole National Historical Park, the National Center for Preservation Technology and Training, and the University, S. 1537, to authorize the Secretary of the Interior, acting through the Director of the National Park Service, to designate the Dr. Norman E. Borlaug Birthplace and Childhood Home in Cresco, Iowa, as a National Historic Site and as a unit of the National Park System, S. 1629, to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the state of Illinois, S. 2892, to establish the Alabama Black Belt National Heritage Area, S. 2933, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio, as a unit of the National Park System, S. 2951, to authorize funding to protect and conserve lands contiguous with the Blue Ridge Parkway to serve the public, and H.R. 3804, to make technical corrections to various Acts affecting the National Park Service, to extend, amend, or establish certain National Park Service authorities, 3:30 p.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine the Government Accountability Office's investigation of the Environmental Protection Agency's (EPA's) efforts to protect children's health, 10:30 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the nomination of Mari Carmen Aponte, of the District of Columbia, to be Ambassador to the Republic of El Salvador, Department of State, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the Elementary and Secondary Education Act (ESEA) reauthorization, focusing on the Obama Administration's ESEA reauthorization priorities, 10 a.m., SH–216.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the lessons and implications of the Christmas day attack, focusing on intelligence reform and interagency integration, 10 a.m., SD–342.

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine bankruptcy reform, focusing on small business jobs, 10 a.m., SD–226.

Special Committee on Aging: to hold hearings to examine seniors, focusing on rising drug prices and the Part D program, 2:30 p.m., SD–562.

House

Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, on NOAA FY 2011 Budget, 10 a.m., H–309 Capitol, and on FBI FY 2011 Budget, 2 p.m., 2359 Rayburn.

Subcommittee on Defense, on Contingency Contracting, 1:30 p.m., H–140 Capitol.

Subcommittee on Energy and Water Development, and Related Agencies, on Department of Energy: Energy Efficiency and Renewable Energy, Fossil Energy, Electricity Delivery and Energy Reliability 2011 Budget, 10 a.m., 2362–B Rayburn.

Subcommittee on Financial Services and General Government, on FY 2011 Budget for the SEC, 10 a.m., 2359 Rayburn.

Subcommittee on Homeland Security, on Coast Guard FY 2011 Budget, 10 a.m., 2362–A Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on Bridging Cultures: The National Endowment for the Humanities FY 2011 Budget Request, 9:30 a.m., on Holocaust Memorial Museum, Eisenhower Memorial Commission, 10:30 a.m., and on FY 2011 Budget for the Fish and Wildlife Service: Sustainable Conservation; Species, Partnerships and Science, 3 p.m. B–308, Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Public Witnesses: Labor and Education Priorities/ESEA Reauthorization, 9:45 a.m., 2358–C Rayburn.

Subcommittee on Legislative Branch, on FY 2011 Budgets of the Government Accountability Office, the Congressional Budget Office and the Office of Compliance, 10:15 a.m., on FY 2011 Budget of the Architect of the Capitol and Infrastructure Needs 2 p.m., H–144 Capitol.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on Base Realignment and Closure (BRAC), 10 a.m., and on U.S. Central Command, 2:30 p.m., H–143 Capitol.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on Strengthening Intermodal Connections and Improving Freight Mobility (Including the FY 2011 Budget for FHWA, FMCSA, MARAD, and FRA), 10 a.m., 2358–A Rayburn.

Committee on Armed Services, hearing on FY 2011 National Defense Authorization Budget Requests from the U.S. Central Command, the U.S. Special Operations Command, and the U.S. Transportation Command, 10 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, hearing on military personnel legislative priorities, 2 p.m., 2118 Rayburn.

Subcommittee on Seapower and Expeditionary Forces and Subcommittee on Air and Land Forces, joint hearing on force protection equipment programs for operations in Iraq and Afghanistan, 2:30 p.m., 210 HVC.

Committee on Education and Labor, hearing with the U.S. Secretary of Education on ''The Obama Administration's Elementary and Secondary Education Act Reauthorization Blueprint,'' 2:30 p.m., 2175 Rayburn.

Committee on Financial Services, hearing entitled ''The Administration's Proposal to Revitalize Severely Distressed Public and Assisted Housing: The Choice Neighborhoods Initiative,'' 10 a.m., and a hearing entitled ''Examining the Link Between Fed Bank Supervision and Monetary Policy,'' 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Transatlantic Security in the 21st Century: Do New Threats Require New Approaches? 9:30 a.m., 2172 Rayburn.

Subcommittee on Asia, the Pacific and the Global Environment, hearing on U.S.-Japan Relations: Enduring Ties, Recent Developments, 2:30 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, hearing entitled ''Working with Communities to Disrupt Terror Plots,'' 10 a.m., 311 Cannon.

Subcommittee on Transportation Security and Infrastructure Protection, hearing entitled ''An Assessment of Checkpoint Security: Are Our Airports Keeping Passengers Safe?'' 2 p.m., 311 Cannon.

Committee on Natural Resources, hearing on H.R. 2099, Southeast Alaska Native Land Entitlement Finalization Act, 10 a.m., 1324 Longworth.

Subcommittee on Insular Affairs, Oceans and Wildlife, oversight hearing on the Proposed Virgin Islands Constitution from the Fifth Constitutional Convention, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, hearing entitled '' Legislative Hearing on H.R. 4735, To amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment,'' 2 p.m., 2154 Rayburn.

Committee on Rules, to consider a resolution providing for consideration of motions to suspend the rules, 3:15 p.m., H–313 Capitol.

Committee on Science and Technology, hearing on the Future of Manufacturing: What is the Role of the Federal Government in Supporting Innovation by U.S. Manufacturers? 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Business Incubators and Their Role in Job Creation,'' 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on FAA's Oversight of On-Demand Aircraft Operations, 2 p.m., 2167 Rayburn.

Subcommittee on Coast Guard and Maritime Transportation, hearing on Capacity of Vessels to Meet U.S. Import and Export Requirements, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, to markup the Small Business and Infrastructure Jobs Tax Act of 2010, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on CIA Programs Budget for FY 2011, 10 a.m., and, executive, briefing, on Department of Defense Quarterly Update, 3 p.m., 304 HVC.

Next Meeting of the SENATE

9:30 a.m., Wednesday, March 17

Senate Chamber

Program for Wednesday: Senate will resume consideration of the motion to concur in the amendments of the House to the amendment of the Senate to the amendment of the House to the amendment of the Senate to H.R. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act, with up to two roll call votes; following which, Senate will continue consideration of H.R. 1586, Tax on Bonuses Received From Certain TARP Recipients.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for a Democratic caucus.)

(Senators are urged to be in the chamber at 2 p.m. for a live quorum and to receive the House managers for the purpose of presenting and exhibiting articles of impeachment against G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana. Once the House managers are received, senators will be sworn in and then senators are required to sign the Secretary's oath book.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 17

House Chamber

Program for Wednesday: Consideration of the following suspensions: (1) H.R. 4192—Stornetta Public Lands Outstanding Natural Area Act; (2) H.R. 4825—To require any amounts remaining in a Member's Representational Allowance at the end of a fiscal year to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt; (3) H.R. ____—Directing the Clerk to create a separate section of the congressional record to provide for CBO scores; (4) H.R. 946—Plain Language Act of 2009; (5) H.R. 1320—Federal Advisory Committee Act Amendments of 2009; (6) H.R. 1387—Electronic Message Preservation Act; and (7) H.R. 4214—The "Roy Wilson Post Office" Designation Act.

Extensions of Remarks, as inserted in this issue

HOUSE

Alexander, Rodney, La., E386, E387
Bonner, Jo, Ala., E387, E388, E389, E390, E391
Brown, Corrine, Fla., E385
Clarke, Yvette D., N.Y., E388
Coffman, Mike, Colo., E389
Etheridge, Bob, N.C., E386
Frank, Barney, Mass., E390
Grijalva, Raúl M., Ariz., E383
Higgins, Brian, N.Y., E383
Israel, Steve, N.Y., E383
Johnson, Timothy V., Ill., E385
Kucinich, Dennis J., Ohio, E383, E384, E385
McCollum, Betty, Minn., E384, E389
Markey, Edward J., Mass., E386
Moran, James P., Va., E390
Pallone, Frank, Jr., N.J., E384, E385, E388
Pelosi, Nancy, Calif., E383
Pence, Mike, Ind., E389, E392
Poe, Ted, Tex., E391
Rogers, Mike, Ala., E386, E388
Royce, Edward R., Calif., E388
Ruppersberger, C.A. Dutch, Md., E386
Shimkus, John, Ill., E391
Smith, Adrian, Nebr., E389
Tiahrt, Todd, Kans., E384
Young, Don, Alaska, E391

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