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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. LARSEN of Washington).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 20, 2010.

I hereby appoint the Honorable RICK LARSEN 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.

GOLDMAN SACHS: CLEARLY WRONG AND THEY SAID SO

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

Mr. STEARNS. Mr. Speaker, last Friday, the Securities and Exchange Commission (SEC) filed fraud charges against investment bank Goldman Sachs for misleading and defrauding investors through their selling of a complex financial product based on toxic subprime mortgages. These charges are serious, but the SEC should have been investigating the abusive practices that contributed to our financial crisis much sooner.

American taxpayers could see past Goldman Sachs' smoke and mirrors. American taxpayers could see past Lloyd Blankfein's defense of his company when he said such things as ''We're very important.'' He went on to say, ''I'm doing God's work.'' Americans could see that there were problems on Wall Street well before the SEC was willing to publicly acknowledge it.

Now, according to the SEC, Goldman Sachs was approached by one of the world's largest hedge funds, Paulson & Co., which asked the firm to create and market collateralized debt obligations (CDOs) whose values were linked to the value of toxic home loans. With billions being offered, Goldman Sachs obliged and created ABACUS, which the hedge fund then placed bets against, knowing that this new financial instrument was certain to lose value. Then, Goldman Sachs failed to tell ABACUS investors that the very hedge fund that helped to create and assemble the toxic CDOs, was betting against it.

''The product was new and complex but the deception and conflicts are old and simple.'' That's what the SEC's Director of Division Enforcement said. ''Goldman wrongly permitted a client that was betting against the mortgage market to heavily influence which mortgage securities to include in an investment portfolio, while telling other investors that the securities were selected by an independent, objective third party.''

The Goldman Sachs-Paulson & Co. deal closed on April 26, 2007, with the hedge fund paying Goldman Sachs $15 million for structuring and marketing ABACUS to unknowing investors. Unfortunately, however, by October 24 of that same year, 83 percent of the residential mortgage-backed securities in the ABACUS portfolio had been downgraded, and 17 percent were on negative watch. Less than a year later, on January 28, 2008, 99 percent of the ABACUS portfolio had been downgraded. Those who invested in ABACUS lost more than $1 billion.

Goldman Sachs' official statement that ''the SEC charges are completely unfounded in law and fact, and we will vigorously contest them and defend the firm and its reputation,'' contrasts greatly with the words of Goldman's CEO Lloyd Blankfein when he publicly apologized in November of last year for the bank's role in some of the activities leading up to the financial crisis. This is what he said: ''We participated in things that were clearly wrong and have reason to regret. We apologize.''

Unfortunately, however, it appears the senior leadership at Goldman Sachs knew months before they even marketed ABACUS to investors that the housing market was about to crash. Goldman's vice president, Fabrice Tourre, who was said to be the man who structured the toxic financial instrument, prepared the marketing materials, and communicated directly with investors, sent an e-mail stating, ''the whole building is about to collapse anytime now.'' He is now taking a break from his position at the firm.

The allegations against Goldman Sachs are very serious, and Goldman Sachs has the right to challenge the SEC's civil fraud charges. But the SEC also has a duty to American taxpayers to get the bottom of this and continue to investigate any abusive practices employed by all financial institutions, not just Goldman Sachs.

Mr. Speaker, the American people recall that Goldman Sachs was a TARP bailout recipient and one of the few big Wall Street banks that managed to not only benefit from the taxpayer bailout but also to emerge stronger than before. Goldman Sachs received $10 billion in TARP funds, was allowed to convert to a bank holding company in order to gain additional support from the Federal Reserve, and was one of the

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largest recipients from the $180 billion AIG bailout when it received 100 cents on the dollar in payouts in public funds from the insurance giant.

The American public is now an unwilling majority owner in AIG. And with Goldman having received a backdoor bailout with public funds through AIG, it would only be fair to make all of AIG's counterparties, including Goldman Sachs, buy back the CDOs at full price. Goldman Sachs could use the profits they gained from the AIG payments to pay down the billions in public debt still held by AIG.

If Goldman Sachs truly has regret for participating in activities leading up to the financial crisis that were ''clearly wrong'' as their CEO has said and apologized, then Goldman Sachs should step up to the plate and make reparations that are owed to American taxpayers.

EQUAL PAY DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO) for 5 minutes.

Ms. DELAURO. Mr. Speaker, among the many great benefits of the commonsense health reform package we passed last month is a guarantee that finally in America being a woman is no longer a preexisting condition. By bringing an end to discriminatory policies like gender rating and ensuring coverage for maternity, preventative, and wellness care, our legislation puts women's health on an equal footing at long last.

It is time now to do the same for women's earnings. I cannot think of a better way to follow our historic success on health care last month than finally signing the Paycheck Fairness Act into law.

In America today women now make up half of the workforce. Two-thirds of women are either the sole breadwinner or co-breadwinner in their family. Women are also more likely than men to graduate from college. They run more than 10 million businesses with combined annual sales of $1.1 trillion and are responsible for making 80 percent of the consumer buying decisions.

Yet right now in the 21st century, women make only 78 cents on the dollar as compared to men. Women of color are even worse off. African American women make 68 cents on the dollar compared to the highest earners, while Hispanic women make only 57 cents. Unmarried women, those who are single, widowed, divorced, or separated, have an average annual household salary that is almost $12,000 lower than unmarried men, and they make a paltry 56 cents on the dollar when compared to married men.

Over a lifetime these disparities take a huge toll on women. According to the National Committee for Pay Equity, women are losing out on between $400,000 and $2 million on average over the course of a lifetime. As a result, 70 percent of seniors living in poverty are women.

This pay disparity is particularly galling when you consider the current crisis in our labor markets. It is true that more men have lost jobs than women in this recent recession, mainly because of the industries affected. But that only means that more and more women are forced to take on the full burden of keeping their families afloat, making the problem about smaller paychecks even more acute.

The recession aside, this is not a new problem. In 1956 President Dwight Eisenhower told the Congress that ''legislation to apply the principle of equal pay for equal work without discrimination because of sex is a matter of simple justice.'' Seven years later under President Kennedy, the Congress passed the Equal Pay Act to end the ''serious and endemic problem'' of unequal wages. And 47 years later, all we know now is that the act is not working as intended in its current form. That is why we mark today Pay Equity Day, the day that a woman's 2009 earnings catches up with what men made last year. This is an occasion, quite frankly, I wish we no longer had to commemorate.

The good news is that conditions are finally right to achieve real pay equity in America. We in the House of Representatives have now passed the Paycheck Fairness bill twice, legislation that will give real teeth to the Equal Pay Act at last. It simply says men and women in the same job, in the same job, should get the same amount of wages. You would think that that is a no brainer, but the fact of the matter is whether you are a waitress, bus driver, engineer, university professor, news anchor, women are being paid less for the same job as their male counterparts. Those of us who serve in the House of Representatives, men and women, different parts of the country, different education, different skills, we all get paid the same amount of money. That is not true for most women in this Nation.

Now that we have passed this in the House, we wait only for the United States Senate to act. So we are on the cusp of achieving real economic security for American women. I urge my colleagues to impress upon the Senate the necessity of this legislation. We have a moral obligation to face this continuing pay equity head-on, and it is time to get it done.

Our passage of health reform last month has shown that the American government can still accomplish great things, that we can still make this country a fairer, more compassionate, and a more humane place for people to live. Now let us finally ensure that America's women, now half of this Nation's workforce, are treated as fairly and as equitably as the other half. Let's give real teeth to the Equal Pay Act at last and make sure that women are respected and valued for the job that they do and paid the same amount of money in the same job that any man may have. What we need to do is to make this one of the last ''Equal Pay Days'' in our history.

SENATE REGULATORY REFORM LEGISLATION INCLUDES PERMANENT, UNLIMITED BAILOUT AUTHORITY

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

Mr. SHERMAN. Mr. Speaker, I rise to comment on the regulatory reform bill pending before the Senate.

Senator DODD has brought a bill that will provide for consumer protection, higher capital requirements, and the regulation of derivatives. We need all that. But we have to ask the question, does the Senate draft increase or decrease the statutory authority of the executive branch to bail out Wall Street giants and their creditors and counterparties?

Unfortunately, the current draft of the Senate bill increases bailout authority. It provides, first, in Section 210, for the use of taxpayer money when an insolvent institution is to be liquidated in order to protect the counterparties and the creditors of that institution.

Now, Senator MCCONNELL has gone even further in the pro-bailout direction. He has criticized the fact that the Senate bill has a $50 billion advance fund collected from Wall Street which would be used before any amounts would be borrowed from the taxpayer. So Mr. MCCONNELL says do away with the fund but he barely comments on the taxpayer borrowing. The results will be that the Federal Government, when it liquidates one of these Wall Street giants, will be borrowing the first dollar from the taxpayer.

We certainly don't need a circumstance where we are lending money in order to bail out the creditors and counterparties of giant and improvident financial institutions and we haven't even collected any of that money in advance. The House bill provides strict dollar limits on the amount that can be borrowed from the Treasury and sunsets this borrowing authority in 2013.

Section 1155 of the Senate bill allows the executive branch to put unlimited taxpayer dollars at risk in order to guarantee the obligations of solvent banks. Now, the Senate bill does say that you can have this resolution of disapproval come before the Congress, but a resolution of disapproval is a phony device designed to give the illusion of congressional control. What it says is that in order to stop a hundred billion dollar transfer of our taxpayer money to Wall Street, you would need a vote in the House and a vote in the Senate; then it would be vetoed by the executive branch; then even if you had an overwhelming vote in the House, as long as 34 Senators were in favor of the

bailout, the bailout would go forward. A resolution of disapproval is the illusion of congressional control. Instead, we should follow the House approach by putting a dollar limit on this emergency financial stabilization, and we should sunset all authority under it in the year 2013.

□ 1245

Just as important is the existing Section 13–3 of the Federal Reserve Act. Since 1935, the Federal Reserve has had the power, and this is enormous, to lend any amount of money to just about anybody so long as they think they have adequate security.

Now, the Fed has already used this statutory authority to lend upwards of $2 trillion. So if we're against bailouts, we've got to ask, what limits does the Senate bill place on Section 13–3 authority? It provides only some minimal limits, requiring that that authority be used not to bail out just one company on Wall Street, but to be systemwide.

Instead, the Senate can learn from the House bill to put dollar restrictions on this authority, and to provide that the security must be so good that we have a 99 percent likelihood of repayment.

Even better yet, we ought to simply repeal Section 13–3.

Finally, ''too big to fail'' is too big to exist. In the House bill, we authorize the regulators to break up institutions that are too big to fail. The Senate, I believe, has basically ignored this House provision. They should not only embrace it, they should go much further. They should require the break-up of any institutions whose liabilities to American persons exceeds 1 percent of the U.S. GDP.

There is no reason that a bank has to be over $140 billion in size. And if they are, they ought to be at least as smart as an amoeba. When an amoeba gets too big, it divides itself into two separate cells. Banks can do the same.

In conclusion, the people of this country want to give the executive branch the power to nail Wall Street firms, to require regulations of derivatives, higher capital requirements, and to liquidate them when they get themselves into trouble and pose a risk to the entire economy.

But the American people don't want to bail. So let's provide nail authority without bail authority.

$800 BILLION IN TAX CUTS

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

Mr. CONNOLLY of Virginia. Mr. Speaker, thanks to this Congress, hundreds of millions of Americans have received hundreds of billions of dollars in tax cuts, in fact, more than $800 billion.

If that sounds like an astounding number, it is. It astounded President Reagan's Domestic Policy Advisor, Republican Bruce Bartlett, who said ''Federal taxes are very considerably lower by every measure since Obama became President.''

The proof of these tax cuts is clearly evident in the latest tax refund data: The average refund in America increased by 10 percent this year, to a record $3,000. Thanks to the tax cuts passed by this Congress, we've returned more money to American taxpayers than ever before.

The Recovery Act we passed last year was enacted to stabilize the economy. It created 25 separate tax cuts now benefiting 95 percent of all Americans. While they haven't received the same level of attention as the jobs and infrastructure we worked on in that bill, the tax cuts actually make up the largest component of that act. More than 241,000 families in my district, the 11th District of Virginia, benefited from Making Work Pay tax cuts that provided $400 to individuals and $800 to every family.

The Act also included a tax credit of $250 for Social Security recipients, providing some relief to 79,000 seniors in my district, and to 1.3 million Virginia seniors throughout the Commonwealth.

We prevented 26 million Americans from being subjected to the AMT tax. We expanded the child tax credit to families of 16 million children. In total, the Recovery Act was a $288 billion tax cut bill.

In addition to expanding health care coverage and lowering insurance premiums, the recently passed health insurance reform will provide billions of dollars in tax relief. It provides $40 billion in tax cuts for small businesses to help them afford health insurance. Currently, only 43 percent of those companies are able to afford that coverage. Eight percent of companies that do provide insurance said that without reform they'd have to cut health insurance this year. The new law provides billions of dollars in tax credits to those small businesses, the engine of economic growth and job creation in America, so that they can provide necessary health care coverage to their employees.

Small businesses are the Nation's job creator, and represent the backbone of our economy. Congress has provided billions of dollars of tax relief to these small businesses. We expanded business deductions, increased the loss-carryback ratio, and provided greater deductions for research and development. In addition, the HIRE Act provided businesses with tax incentives to hire new employees throughout the country. A full economic recovery will depend on the expansion of the private sector, and the HIRE Act is a way of incentivizing through tax cuts those businesses to make those hires.

We also extended tax cuts for homebuyers to encourage demand and stabilize the housing market, thereby safeguarding the equity of existing homeowners. Homeowners making their residence more energy efficient received tax cuts as well, enabling them to benefit from lower taxes along with the lower energy bills they got. Car buyers also received tax cuts through a sales tax deduction in last year's Recovery Act.

That's just a sampling, Mr. Speaker, of how the more than $800 billion in tax cuts are benefiting the American people.

But we're not done. We've got at least another $285 billion in proposed tax cuts. For example, the House passed a revised estate tax that will dramatically lower taxes starting next year, and we now await Senate action. In addition, the House and Senate are finalizing the American Workers, State, and Business Relief Act that would allow individuals to continue to deduct State and local taxes from their Federal taxes, preserve the standard deduction for State and local real property taxes, and expand additional business taxes cuts.

And I have introduced bipartisan legislation, I might add, to completely eliminate the antiquated telephone excise tax that was first implemented to fund the Spanish American War. This bill provides millions of dollars in tax relief, especially to our seniors.

Mr. Speaker, perhaps you're wondering why we don't hear the other side of the aisle touting these tax cuts. Maybe it's because not a single one of them voted for the 25 tax cuts provided in the Recovery Act. Not one voted for the small business tax cuts of the HIRE Act. Not one voted for the Estate Tax Relief Act.

These are real tax cuts that have put real money back in the hands of America and into the hands of working Americans and seniors, back into the hands of America's small business owners. That is the leadership of this Congress, and this leadership will continue providing strength to strengthen our families, our small businesses and our economy through additional tax relief.

WASHINGTON MUTUAL—FRIENDS OF THE FAMILY NO MORE

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

Mr. LARSEN of Washington. Mr. Speaker, last week's Senate hearings on the failure of Washington Mutual painted a picture of a bank that sold risky mortgages to unsuspecting homeowners in order to rake in huge profits. Federal regulators turned a blind eye to these risky practices and allowed Washington Mutual to gamble with our future.

Now, when I grew up in Arlington, Washington, Washington Mutual was known as a friend of the family. But their reckless behavior at the expense of consumers helped bring about the greatest financial crisis of our time. It was the largest bank failure in U.S. history and resulted in thousands of job losses in Northwest Washington State. Friend of the family no more.

Federal regulators as well were asleep at the switch while Washington Mutual made tens of thousands of risky loans. Consumers suffered as big banks put the interests of big profits and big bonuses ahead of working families.

Now, last week, we hear that the Securities and Exchange Commission filed a lawsuit against Goldman Sachs alleging misdealings in the mortgage securities collateralized debt obligation market. And today the House holds hearings on the fall of Lehman Brothers and the huge negative impact on middle class families from whom the risk seemed to be hidden.

These revelations and the Washington Mutual hearings and the Inspectors General report provide a sobering reminder of the urgent need for financial regulatory reform. We must prevent a crisis like this from happening again by imposing strong oversight of financial firms like Washington Mutual, and protecting American consumers and American taxpayers from unfair and abusive financial products like those in Washington Mutual's risky mortgages.

So I urge the Senate to act quickly and pass financial regulatory reform so that the House and the Senate can get together to come up with an even stronger bill, and so that financial firms like Washington Mutual, that, in the future, if they want to drive off the cliff, they may be free to do so, but no longer will American families be trapped in the car as an innocent passenger.

RECESS

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

Accordingly (at 12 o'clock and 55 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

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

Lord our God, continuing the work of Your creation, You shape our history and establish Your realm of equality and justice.

The beauty of spring puts to rest our fears that winter would last forever. The movement of the moon and the stars removes the season of dark memories. Nature commands us to adapt to an ever-changing world of light and hope.

Not called to master other peoples or the currents of time; not called to master nature but only uncover its secrets; not called to master other nations we will find peace.

Created in Your image and likeness, Lord, we struggle to be unique persons of distinct integrity. Finding ourselves in the land of freedom, we are ever-learning how to live in community.

Simply called by Your wisdom and grace, we are to master only ourselves both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Missouri (Mr. CLEAVER) come forward and lead the House in the Pledge of Allegiance.

Mr. CLEAVER 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.

HONORING THE LIFE AND LEGACY OF DR. DOROTHY I. HEIGHT

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

Mr. COHEN. Madam Speaker, today America mourns the loss of Dr. Dorothy Height, a civil rights pioneer, Presidential adviser, and woman's rights activist. For many years, this Freedom Fighter served as president of the National Council of Negro Women, the Young Women's Christian Association, and Delta Sigma Theta Sorority, Incorporated.

Dr. Height was the backbone of the civil rights movement and worked alongside Dr. Martin Luther King, Jr., Whitney Young, A. Phillip Randolph, Roy Wilkins, and our own JOHN LEWIS. During the March on Washington, she was the only African American woman on the speaker's platform during Dr. King's historic ''I Have a Dream'' speech.

In 1994, President Clinton awarded Dr. Height the Presidential Medal of Freedom for her selfless service to others. In 1995, in my hometown of Memphis, Tennessee, she received the National Civil Rights Museum's Freedom Award. In 2004, President Bush presented her with the Congressional Gold Medal. During Dr. Height's lifetime, the freedom gates were half ajar, yet she fought to open them full and wide for everybody.

Our Nation mourns the loss of a great woman, a great African American leader, a great civil rights leader. Hers was a life well lived.

HOUSTON'S FINEST—OFFICER TIMOTHY ABERNETHY

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

Mr. POE of Texas. Mr. Speaker, this week is Victims' Rights Week. Today I honor the life of Houston Police Officer Timothy Abernethy.

For Officer Abernethy, fighting crime was more than an occupation, it was his personal calling. He bravely dedicated his life to keeping the peace on the streets of Houston, Texas, until he was murdered on December 7, 2008, by a cowardly killer. The murder was cruel and it was calculated. After shooting Officer Abernethy once in the neck, the assassin calmly walked up and put the gun close to the back of the officer's head and fired again.

Recently, a jury in Houston convicted Mabry Landor, III, of capital murder of a police officer. This week the Texas jury sentenced the outlaw to death.

Officer Timothy Abernethy served the people of Houston for 11 years. He was married to Stephanie, and had children. He, like so many before him, put his life between the people and the lawless.

We as a Nation need to remember peace officers sometimes become victims of crime while taking care of the rest of us.

And that's just the way it is.

HONORING ROY ISOM

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

Mr. COSTA. Mr. Speaker, I rise today to honor the life and the career of Roy Isom, a broadcasting legend in the San Joaquin Valley from California. Known as the Voice of Agriculture for over 40 years, Roy was a force in the broadcasting industry, relentless in reporting on issues that mattered the most to our communities.

Roy began his career at KFSN channel 30 and KYNO radio before moving to KMJ radio, where he spent the last 28 years. He was known as a workhorse, and his colleagues fondly remembered how he would begin his days at 1 a.m., getting ready for the farm report. Roy's hard work translated into stories and reports that were critical to making sense of what was going on in our valley and the Nation.

Whether it was reporting the first lunar landing or breaking down the agriculture news of the region, Roy's style and ethics serve as a role model to our younger generation of reporters and broadcasters because he was. Today, Roy is remembered by his family and friends and colleagues. Everyone who new Roy, including myself, had a tremendous respect with him. I join with all the people of our valley in celebrating Roy's life and contributions to broadcasting.

TEA PARTY VIEWS ILLEGAL IMMIGRATION AS A SERIOUS PROBLEM

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

Mr. SMITH of Texas. Mr. Speaker, a New York Times/CBS News poll of supporters of the Tea Party movement revealed that 97 percent of Tea Partiers view illegal immigration as a serious problem.

The result is not surprising considering that jobs and the economy are top priorities of Tea Party backers. More than 15 million Americans are unemployed, and more than 8 million illegal immigrants are in the U.S. labor force. It makes no sense whatsoever to force citizens and legal immigrants to compete with illegal immigrants for scarce jobs.

Furthermore, the National Research Council found that an illegal immigrant without a high school diploma—about two-thirds of all illegal immigrants—imposes a net cost on taxpayers of $89,000 during their lifetime. Multiply that by millions of illegal immigrants, and that is a multibillion-dollar burden on American taxpayers.

BERNARD BARUCH, STATESMAN OF SOUTH CAROLINA

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

Mr. WILSON of South Carolina. Mr. Speaker, Bernard Baruch was born near Columbia in historic Camden, South Carolina. The world-acclaimed financier and benefactor was an adviser to Presidents since the days of Woodrow Wilson, who also was raised in Columbia.

Last week, April 16, marked the day in 1947 that Bernard Baruch made history when he coined the term ''Cold War'' to describe the relations between the United States and the Soviet Union.

As the Politico newspaper highlighted, Baruch first used the phrase in a speech to the South Carolina House of Representatives as a portrait was dedicated in his honor. In his speech, Baruch said, ''Let us not be deceived. We today are in the midst of a cold war. Our enemies are to be found abroad and at home. Let us never forget this: our unrest is the heart of their success. The peace of the world is the hope and goal of our political system; it is the despair and defeat of those who stand against us. We can depend only on ourselves.''

Today we remember the South Carolina statesman who so aptly described the chilly relations between America and the Soviet Union, which led ultimately to the victory of democracy over Communism.

In conclusion, God bless our troops and we will never forget September 11th in the Global War on Terrorism.

Congratulations, Jim Furyk on your Heritage Golf Classic victory at Hilton Head Island.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. DRIEHAUS) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC., April 20,2010.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following messages from the Secretary of the Senate on April 20, 2010 at 10:12 a.m.:

That the Senate passed without amendment H.R. 4360.

That the Senate agreed to without amendment H. Con. Res. 243.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 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 after 6:30 p.m. today.

DEPOSIT RESTRICTED QUALIFIED TUITION PROGRAMS ACT OF 2009

Mr. CLEAVER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4178) to amend the Federal Deposit Insurance Act to provide for deposit restricted qualified tuition programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4178

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 ''Deposit Restricted Qualified Tuition Programs Act of 2009''.

SEC. 2. DEPOSIT RESTRICTED QUALIFIED TUITION PROGRAMS.

Section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828) is amended by adding at the end the following new subsection:

''(y) DEPOSIT RESTRICTED QUALIFIED TUITION PROGRAMS.—

''(1) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

''(A) DEPOSIT RESTRICTED QUALIFIED TUITION PROGRAM.—The term 'deposit restricted qualified tuition program' means a qualified tuition program in which—

''(i) the cash provided by a contributor to such a qualified tuition program may be invested only in deposits insured by the Corporation;

''(ii) the contributor may become a participant in the program by depositing funds through the program into an account at a depository institution participating in the program; and

''(iii) the program may include multiple depository institutions, subject to the requirements of section 529 of the Internal Revenue Code of 1986, as amended.

''(B) QUALIFIED TUITION PROGRAM.—The term 'qualified tuition program' has the same meaning as in section 529 of the Internal Revenue Code of 1986, as amended.

''(2) TREATMENT.—Notwithstanding any other provision of the law, the following provisions shall apply with respect to any deposit restricted qualified tuition program:

''(A) A deposit restricted qualified tuition program shall be deemed to be an 'identified banking product' (as defined in Section 206 of the Gramm-Leach-Bliley Act of 1999) for purposes of the Securities Exchange Act of 1934.

''(B) None of the following shall be treated as a security, as defined in section 2(a)(1) the Securities Act of 1933, section 3(a)(10) of the Securities Exchange Act of 1934, or section 2(a)(36) of the Investment Company Act of 1940:

''(i) The deposits of cash at an insured depository institution relating to a deposit restricted tuition program.

''(ii) Any certificate of deposit or other instrument of an insured depository institution evidencing any such deposit.

''(iii) The rights and obligations of participants in a deposit restricted qualified tuition program arising from section 529 of the Internal Revenue Code, as amended.

''(C) In no event shall a deposit restricted qualified tuition program, the State entity designated by statute to oversee such program, the administrator appointed to operate the program on behalf of the State or a participating depository institution, be deemed to be an issuer of a security or to be an investment company (as defined in section 3(a) of the Investment Company Act of 1940).''.

SEC. 3. BUDGET COMPLIANCE.

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 Committee on the Budget of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLEAVER) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLEAVER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

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

Mr. Speaker, today we are taking up H.R. 4178, the Deposit Restricted Qualified Tuition Programs Act of 2009. This

bill establishes an avenue for those wanting to save for the college education of a child, grandchild, or other related individual, to do so in a Federal Deposit Insurance Corporation, FDIC-insured, deposit.

At the present time, savers can only access the 529 College Savings Program through a securities-based plan, and my bill would not change this avenue. However, following the recent crash of the stock market, many savers saw their accounts drop in value by 50 percent or more, and as such, are reluctant to place any more money in a securities-based plan. Furthermore, many small savers can find investing in securities-based products both complex and intimidating. An FDIC-insured deposit option would provide guaranteed principal return and a guaranteed return on the deposit, all from a commercial bank with which the saver likely has a relationship.

This proposed legislation will help families across the United States save in a safe, sound, and simple manner for their children and grandchildren's college education. This bill does not make any changes to the current 529 College Savings Program nor the current delivery system of the program through a securities-based plan, nor the tax treatment of the 529 plans. It simply adds another 529 College Savings Program delivery option through an FDIC-insured deposit.

This is a bipartisan bill. It has both the chairman and the ranking Republican member of the House Financial Services Committee as cosponsors, among other Republicans and Democrats. At a time when our Nation is concerned about congressional quarreling based on political party affiliation, it is refreshing that both parties can support this bill.

Currently, section 529 programs are established and maintained by the States, who in turn generally contract out with securities firms and others to administer the programs. Investors may go through a State agency to invest in a 529 or, in many cases, through a securities dealer. Many States typically offer a number of investment options or portfolios, including ones that minimize the potential loss of invested principal. The bill is intended to encourage States to offer, among the options they provide investors, deposit-restricted qualified tuition programs.

The bill will not be independent of, nor compete with, the current State programs. In order to qualify as a 529 program under section 529 of the Internal Revenue Code, the program must be established and maintained by a State. Therefore, this program would be a State program, and the laws of the various States would have to be adapted to establish such a program.

In my home State of Missouri, the law which has already been adopted establishes a deposit-only program as separate from the securities-based program. The State would still generally hire a third party to administer the program. The third party could be the same one that manages the securities program or it could be a different third party. I do have a letter of support from our State Treasurer asking that this bill be approved.

H.R. 4178 does not create a State program. The bill is intended to provide States another option to offer investors this deposit-restricted qualified tuition program.

□ 1415

Total 529 savings plans assets were $117 billion at the end of the fourth quarter of 2009, reflecting a 6 percent increase from third quarter 2009 assets of $110.5 billion.

My office asked the FDIC for statistical information on 529 plans and deposit insurance programs. The FDIC provided the following information: ''Currently seven States offer 529 plans that include an option to invest in an insured deposit either as part of a broader investment strategy or as a sole investment. All of these plans are open to nonresidents, although the Ohio plan requires nonresidents to go through a broker to access the plan. Two of the States have offered the insured deposit option since 1998. Three of the States recently added the insured deposit option to their plans. States offering an insured deposit investment option are Arizona, Colorado, Montana, Ohio, Utah, Virginia, and Wisconsin. Information gathered from five of these States indicates that at the end of 2009, there was approximately $670 million invested in FDIC-insured deposit options of their plans. For these States approximately $207 million was added to the FDIC-insured option in 2009. Three of the responding States were able to identify whether the funds invested in their FDIC-insured option represented new money or a transfer of funds from another option in an already established 529 plan. For these States approximately 47 percent of the funds placed in the FDIC-insured option in 2009 were transferred from other 529 options, representing approximately $82 million of the approximately $173 million added to the FDIC-insured option in these States.''

Additionally, the FDIC has already said they will insure 529 deposited accounts at the regular insured rate of $250,000, which we raised. The Congressional Budget Office and the Joint Committee on Taxation have completed the review of the budgetary impact of H.R. 4178, the Deposit Restricted Qualified Tuition Programs Act of 2009. They determined that by enacting this legislation, it would affect revenues but estimate that the reduction in revenues would not be significant over the 2010–2020 period. Similarly, implementing the bill could affect direct spending, but the net impact of such spending would be negligible over the next 10 years.

Mr. Speaker, in particular I would like to congratulate the Missouri Bankers Association president, Max Cook, for bringing this needed bill to my attention. The Missouri Bankers Association moved a bill in the Missouri legislature several years ago to allow the FDIC-insured 529 deposit accounts because they thought it would be helpful to Missouri college students and parents who were saving for them.

For the RECORD, I would like to submit records of support from the Missouri Bankers Association, the Missouri Independent Bankers Association, the Office of the Missouri State Treasurer, the Independent Community Bankers Association, and the American Bankers Association. Although the support letters are written in support of H.R. 3599, H.R. 4178 is identical to H.R. 3599 except for some small technical changes and more cosponsors.

I am pleased this Congress will address H.R. 4178 and move the legislation forward. This is a bill all Members can support. I strongly urge all Members to vote for H.R. 4178.

MISSOURI BANKERS ASSOCIATION,
Jefferson City, MO, Nov. 3, 2009.

Hon. EMANUEL CLEAVER II,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE CLEAVER: I am writing today on behalf of the three hundred twenty-five Missouri Bankers Association member banks and savings and loans to express our exuberant support for H.R. 3599, The Deposit Restricted Qualified Tuition Programs Act of 2009.

As you know, this legislation establishes a means for thousands and thousands of Americans wanting to save for the college education of a child, grandchild or other related person and to do so in a Federal Deposit Insurance Corporation (FDIC) insured deposit. At the present time, savers can only access the 529 college savings program through a securities based plan. This legislation leaves that in place and adds the FDIC insured deposit option.

After the recent crash of the stock market, many savers saw their 529 accounts drop in value by as much as fifty percent or more and as such are reluctant to place any more monies in a securities based plan. Furthermore, many small savers can find investing in securities based products both complex and intimidating. A FDIC insured deposit option would provide guaranteed principal return and a guaranteed return on the deposit, all from a commercial bank that the saver likely has a relationship with. This proposed legislation will help families across the United States save in a safe, sound and simple manner for their children and grandchildren's college education.

We sincerely thank you for your sponsorship of this legislation and look forward to its swift passage in the House.

Sincerely,

MAX COOK,
President and CEO.

NOVEMBER 2, 2009.

Hon. EMANUEL CLEAVER,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE CLEAVER: It was a pleasure meeting with you in Kansas City on October 13. We appreciate your interest in all subjects pertaining to community banking, and we thank you for your efforts on their behalf. We also commend your efforts in the passing of H.R. 3599, the Deposit Restricted Qualified Tuition Programs Act of 2009, which the House of Representatives will take

up this week. The Missouri Independent Bankers Association, like our national affiliate, the Independent Community Bankers of America (ICBA), support H.R. 3599 and look forward to its successful passage.

We strongly support your effort to allow more banks to better assist families saving for college through the popular 529 program. H.R. 3599 would allow an avenue for consumers wanting to save for the college education of a child, grandchild or other related individual, to do so in a Federal Deposit Insurance Corporation (FDIC) insured deposit. At the present time, consumers can only access the 529 college savings program through a securities based plan. This bill would not affect those individuals that want to continue to use a securities based plan.

Due to the distressed economy and equity markets, many consumers saw their savings drop in value. These consumers should have full access to a safe FDIC insured deposit option for their education savings through their local banks. ICBA supports H.R. 3599 because it gives community bank customers both increased options and peace of mind that their savings will be protected by FDIC insurance.

Thank you very much for your leadership on this proposal. We urge all members of the House to vote yes on H.R. 3599.

Sincerely,

JERRY SAGE,
Executive Director.

OFFICE OF THE MISSOURI STATE TREASURER,
Jefferson City, MO, November 19, 2009.

Hon. EMANUEL CLEAVER II,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN CLEAVER: I am writing to you to express my support for H.R. 3599, the Deposit Restricted Qualified Tuition Programs Act of 2009.

As you know, this legislation is important to families wishing to save for college. It would provide, for the first time on a broad basis, for certificates of deposit and other savings products insured by the Federal Deposit Insurance Corporation (FDIC) to help families save on a tax-free basis for college expenses. This is tremendously important for promoting higher education, and is consistent with the goals of the White House Task Force on Middle Class Families headed by Vice President Biden. That task force is responsible for making recommendations on how to make college more accessible and affordable for lower- and middle-class families. Providing FDIC-insured investment options is a clear cut way to doing so.

Furthermore, H.R. 3599 would greatly expand the use of FDIC-insured 529-qualified savings products because it would make it easier for community banks across the country to offer them. Presently, only a few states offer a bank product within their 529 plans and due to current regulations, these products are primarily offered by only a few larger institutions. By extending the use of 529-qualified savings products to a greater number of banks, I believe this product will reach new groups of investors that previously have been reluctant to invest in securities-dominated 529 investment options. Additionally, the legislation would provide for a no-risk investment option for current 529 investors, something I believe is needed and will spur additional savings.

I appreciate your sponsorship of this important legislation, and am willing to help you in any way to secure its passage.

Sincerely,

CLINT ZWEIFEL.

INDEPENDENT COMMUNITY BANKERS OF AMERICA,
Washington, DC, November 2, 2009.

Hon. EMANUEL CLEAVER,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE CLEAVER: On behalf of the Independent Community Bankers of America (ICBA) and the 5,000 community banks that we represent around the nation, we want to thank you for your leadership on H.R. 3599, the Deposit Restricted Qualified Tuition Programs Act of 2009, which the House of Representatives will take up this week.

We strongly support your effort to allow more banks to better assist families saving for college through the popular 529 program. H.R. 3599 would allow an avenue for consumers wanting to save for the college education of a child, grandchild or other related individual, to do so in a Federal Deposit Insurance Corporation (FDIC) insured deposit. At the present time, consumers can only access the 529 college savings program through a securities based plan. This bill would not affect those individuals that want to continue to use a securities based plan.

Due to the distressed economy and equity markets, many consumers saw their savings drop in value. These consumers should have full access to a safe FDIC insured deposit option for their education savings through their local banks. ICBA supports H.R. 3599 because it gives community bank customers both increased options and peace of mind that their savings will be protected by FDIC insurance.

Thank you very much for your leadership on this proposal. We urge all members of the House to vote yes on H.R. 3599.

Sincerely,

CAMDEN R. FINE,
President and CEO.

AMERICAN BANKERS ASSOCIATION,
Washington, DC, November 4, 2009.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.

Hon. EMANUEL CLEAVER II,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN FRANK AND REPRESENTATIVE CLEAVER: On behalf of the members of the American Bankers Association (ABA), I am writing in strong support of H.R. 3599, the Deposit Restricted Qualified Tuition Programs Act of 2009. The legislation would provide families the opportunity to save for college tuition and other education expenses using deposits insured by the Federal Deposit Insurance Corporation (FDIC). Designed after 529 plans, the Deposit Restricted Qualified Tuition Program is a safe and secure way to protect education contributions up to $250,000.

Under H.R. 3599, contributions to the Program would be banking products, and not securities. Traditionally, 529 plans, while widely available, have primarily been used by higher-income investors. By making the education tuition savings program available through insured deposits, lower and middle income families will have a greater opportunity to plan for the future of their children. Moreover, the change would increase deposit activity in our nation's banks, particularly smaller community banks.

FDIC-insured banking deposits can be a safe alternative to investments made through the financial markets. H.R. 3599 would protect the future education of American families while also strengthening the banking system.

We look forward to working with you to have H.R. 3599 enacted into law as quickly as possible.

Sincerely,

FLOYD E. STONER.

I reserve the balance of my time.

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

Mr. Speaker, I rise today to express my strong support for H.R. 4178 and to commend the sponsor of this measure, the gentleman from Missouri (Mr. CLEAVER), for his thoughtful efforts to encourage Americans to save for their children's college education.

529 plans have been around for many years and have become common vehicles for saving and investment; however, given recent market volatility, some families are understandably hesitant to save in these securities-based plans. Therefore, for the first time, H.R. 4178 provides an option for States to expand their 529 programs. The bill allows community banks, which are FDIC-insured institutions, to directly offer consumers a college savings plan. At the same time, savers in these new deposit-based plans will be able to benefit from all of the traditional tax incentives of existing securities-based 529s.

As an added benefit, this legislation will protect accounts under the FDIC's insurance fund up to $250,000 per account. For those families seeking lower-risk alternatives, the FDIC-insured college savings plan would provide a guaranteed return. By expanding the options available to those saving for an education, this simple step will help more families prepare for their children's future and provide added financial security in today's difficult economic climate.

Again, I thank Mr. CLEAVER and his staff for their hard work on this bipartisan measure, and I urge my colleagues to support it.

Ms. JACKSON LEE of Texas. Mr. Speaker, today I rise in support of H.R. 4178—The Deposit Restricted Qualified Tuition Programs Act. As co-chair of the Congressional Children's Caucus, I support this legislation because I believe that it is an important measure to help families pay for higher education. A quality education continues to be the best pathway to social and economic mobility in this country, and this legislation will enable such paths. I want to thank my colleague, EMANUEL CLEAVER, for introducing this important legislation.

Today, Americans are simultaneously faced with rising higher education costs and a difficult economy. Families across Texas are sending their children to college and when they graduate, they should not be saddled with debt. Democrats pledged to make a college education more affordable, and this legislation makes good on our promise. This legislation is evidence that the Democratic-led Congress is committed to working on a bipartisan basis, and with this President, to address the key concerns of America's families.

During these tough economic times, many Americans saving for college saw their accounts drop over 50 percent in value and are now reluctant to invest in a securities-based

plan. During the past year, many parents who contributed to a 529 college savings plan—an investment vehicle where earnings grow tax free—saw those savings take a hit. Many 529 plans were heavily invested in stocks, though their beneficiaries were just a few years away from attending college. This is a big blow to the 63 percent of parents who are saving for college expenses, according to a September 2009 Fidelity survey, and who must now manage a wide array of expenses with less money and security.

H.R. 4178 establishes an avenue for those wanting to save for the college education of a child, grandchild or other related individual, in a Federal Deposit Insurance Corporation, FDIC, insured deposit. Today, savers can only access the 529 college savings program through a securities-based plan, and this plan would offer another option. H.R. 4178 amends the Federal Deposit Insurance Act to prescribe requirements for deposit restricted qualified tuition programs which are exempt from Federal income tax. It also declares that in no event shall a deposit restricted qualified tuition program, the State entity designated by statute to oversee such program, or the administrator appointed to operate it on behalf of the State or a participating depository institution, be deemed to be an issuer of a security or an investment company. This bill does not make any changes to the current 529 college savings program nor the current delivery system of the program through a securities based plan. It simply adds another 529 college savings program delivery option through an FDIC insured deposit.

The Congressional Budget Office and the Joint Committee on Tax have completed a review of the budgetary impact of H.R. 4178, the Deposit Restricted Qualified Tuition Programs Act of 2009. They determined that by enacting this legislation it would affect revenues, but estimate that the reduction in revenues would not be significant over the 2010–2020 period. Similarly, implementing the bill could affect direct spending but the net impact of such spending would be negligible over the next 10 years.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLEAVER) that the House suspend the rules and pass the bill, H.R. 4178, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

INDIAN VETERANS HOUSING OPPORTUNITY ACT OF 2009

Mr. CLEAVER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3553) to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3553

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 ''Indian Veterans Housing Opportunity Act of 2009''.

SEC. 2. EXCLUSION FROM INCOME.

Paragraph (9) of section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(9)) is amended by adding at the end the following new subparagraph:

''(C) Any amounts received by any member of the family as disability compensation under chapter 11 of title 38, United States Code, or dependency and indemnity compensation under chapter 13 of such title.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLEAVER) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLEAVER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

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

Mr. Speaker, according to the most recent U.S. census data from 2003, there are 561 federally recognized tribes, which include Native American Indian tribes and Alaska Native villages. More than three-quarters of a million Native Americans live on reservations or in other tribal areas, and another 1.68 million live outside tribal areas. Furthermore, a total of 34 percent of the Native population resides in rural areas, where many reservations are located.

It has become clear that much of the housing in tribal areas lack adequate housing compared to the general U.S. population. According to the 2000 Census Bureau report, 14.7 percent of homes in tribal areas are overcrowded, compared to 5.7 percent of homes of the general U.S. population. On Native American lands, 11.7 percent of residents lack complete plumbing facilities, compared to 1.2 percent of the general U.S. population. Furthermore, according to a 2005 Government Accounting Office report, 11 percent of residents lack kitchen facilities, compared to merely 1 percent of the general U.S. population.

This situation is even more dire for those in need of housing on tribal lands. In total, approximately 90,000 Native American families are homeless or underhoused and an estimated 200,000 housing units are needed immediately in Indian Country, according to a 2003 report from the U.S. Commission on Civil Rights.

However, Native Americans have the highest rate of serving in the military, making them more likely to serve of any ethnic group. According to the U.S. Department of Veterans Affairs, 22 percent, 22 percent, of Native Americans are currently serving in the military. It is appalling that although Native Americans are the most likely to serve of any ethnic group, little has been provided to ensure adequate and sufficient housing for the brave veterans who have served our Nation. Furthermore, with the total number of disabled veterans in the United States currently at 24 million and 3.1 million veterans receiving service-connected disability benefits, it is also evident that many Native American veterans are also struggling with disabilities.

The Native American Housing Assistance and Self-Determination Act of 1996, or NAHASDA, was established through the Department of Housing and Urban Development to provide housing services to Native Americans based on a needs-based formula. Unfortunately, under the current calculation, Native American veterans and their families and survivors are often disqualified from this program.

By calculating disability payments and survivor benefits into the family's income, the family will often exceed the 80 percent area median income threshold required under this program's regulations, thereby disqualifying the family from the program.

Mrs. KIRKPATRICK's bill, H.R. 3553, will correct this provision by amending the definition of ''income'' in NAHASDA to exclude payments for disability and service-related injuries. By doing so, disabled Native American veterans, their families, and their survivors will be able to qualify for this program. This bill will do much to help ensure that all citizens are adequately served in government housing programs, especially those who have served our Nation bravely.

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

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

Mr. Speaker, I rise to express my support of H.R. 3553, the Indian Veterans Housing Opportunity Act of 2009.

This bill would amend the Native American Housing Assistance and Self-Determination Act, also called NAHASDA, so that a disability income is not counted against Native American veterans when determining eligibility for NAHASDA housing benefits.

Currently, Native American households with incomes below 80 percent of an area's median income are eligible for housing assistance under this program. Unlike similar programs for non-Native American households, NAHASDA counts Veterans Affairs disability payments or survivor benefits as income when determining eligibility for housing assistance. As a result,

many Native American families of disabled veterans can lose their eligibility for housing aid if their disability benefits place them beyond the 80 percent threshold.

Interestingly, the Internal Revenue Service does not consider disability payments as income. Yet without changes included in this bill before us, Native American veterans who have been left disabled as a result of their service to our country will remain limited in their access to affordable housing on the reservation.

H.R. 3553 simply amends the definition of ''income'' under the law to exclude payments for disability compensation. The bill would not affect any tribe's current funding under NAHASDA, and the Congressional Budget Office has said that there is no cost to this bill.

Mr. Speaker, we must meet our commitments to our troops both in the field and when they return home. This legislation will help extend existing housing resources to Native American veterans, allow them to return to the reservation, and will provide their families with access to stable housing.

I urge my colleagues to support this bill.

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

Mr. CLEAVER. Mr. Speaker, I yield 6 minutes to the gentlewoman from Arizona (Mrs. KIRKPATRICK), the sponsor of this legislation.

Mrs. KIRKPATRICK of Arizona. I wish to extend my thanks to Mr. CLEAVER for the opportunity to address my bill, H.R. 3553, the Indian Veterans Housing Opportunity Act. And I also want to thank Chairman FRANK and Ranking Member BACHUS for their support of this. I especially want to thank Chairwoman MAXINE WATERS and her staff, Jeff Riley and Keo Chea, who traveled the long distance to Window Rock, Arizona, to have a field hearing on April 10 on this bill.

□ 1430

Mr. Speaker, growing up in Indian Country, I learned at an early age the long history of Native Americans sacrificing in service to our country. This history includes Indian scouts assisting United States units throughout the American West. It includes the best known example, the brave and honorable service of the Navajo code talkers who saved the lives of countless Americans in World War II and the Korean War by using Dine to transmit sensitive military communications. And it continues to this very day as Native Americans serve proudly and honorably in Iraq, Afghanistan, and around the world.

Today, the Department of Housing Affairs estimates that 20 percent of Native Americans are veterans or are currently serving. That's the most of any ethnic group.

Despite this honorable service, far too many Native American veterans return home to tribal land to face extraordinary challenges in finding safe, quality, affordable housing. Service-disabled veterans returning to Indian Country face the added challenge of having to make every dollar of their disability compensation count as they deal with circumstances unique to tribal land, including very long distances to VA medical centers and under-improved surfaces, we call them washboard roads, that accelerate wear on prosthetics and wheelchairs.

I am a member of the House Committee on Veterans' Affairs, where we have taken a number of steps to keep our promises to all veterans. We remedied budget shortfalls in veterans health care and benefits to address an aging vets population and returning Iraq and Afghanistan veterans.

We helped finally pass a law that veterans service organizations have been pushing for years, a law to require Congress to approve the VA health care budget 1 year in advance to ensure timely, sufficient funding of these necessary programs.

However, we can and must do more to ensure that Native American veterans are not allowed to slip through the cracks, even as we make broad advances to better serve these veterans, and Native Americans in general.

The Native American Housing Assistance and Self-determination Act of 1996 was a monumental step forward in helping tribes provide safe, quality, affordable housing for thousands of low income Native American families across the country.

This assistance can come in the form of down payment assistance, property acquisition, new construction, and housing rehabilitation, and is limited to families making less than 80 percent of the median income in their area. This income limit contains one important flaw. The act treats compensation, either paid to veterans with service-related disabilities, or for the families of those killed in service, as income. As a result, these benefits can push veterans and survivor families above the limit, making them ineligible, and costing them assistance that they badly need.

In fact, when we had the field hearing in Window Rock, I met with many families who told me because of this flaw they had to move in with their children because they couldn't qualify for their own home. This flaw has caused disabled veterans, their families and survivors to be denied help because that extra income has pushed them over the allowable limit.

My bill would fix this flaw by changing the definition of income to explicitly exclude veterans disability and survivor compensation, ending this unfair practice and lifting the burden from Native American veterans.

Native American veterans have sacrificed so much for this country, and neither they nor their surviving families should be punished for receiving the compensation they have earned. It is long past time to right this wrong and ensure that this Nation keeps its sacred promise to its native veterans.

Thank you again for the opportunity to address H.R. 3553.

Ms. RICHARDSON. Mr. Speaker, as a proud member of the Native American Caucus, I rise today in strong support of H.R. 3553, the Indian Veterans Housing Opportunity Act, which will address a critical need in tribal lands.

First, I would like to acknowledge Speaker PELOSI, Majority Leader HOYER, Chairman RAHALL, and Congresswoman KIRKPATRICK for their leadership in bringing this important bill to the floor. My colleague Congresswoman KIRKPATRICK, the author of this legislation, has worked hard to ensure that underserved communities, including tribal lands, have the housing necessary to support our growing population.

H.R. 3553, the Indian Veterans Housing Opportunity Act, makes an important fix to the existing bill for providing Native American housing. The Native American Housing Assistance and Self-Determination Act (NAHASDA) is the foundation for providing housing assistance to low-income Native American families on Indian reservations, in Alaska Native villages, and on Native Hawaiian Homelands.

In California, the State I represent, there are over 100 Native American tribes, many of varying levels of economic success. Based on the 2000 Census, the Department of Housing and Urban Development (HUD) has determined that nationwide, almost 543,000 American Indian and Alaska Native households have ''severe housing needs,'' meaning they live in conditions that are overcrowded, substandard, or cost-burdensome.

To complicate matters further, the NAHASDA statute does not contain an income exception for service-disabled veterans or families of soldiers killed in action. The Indian Veterans Housing Opportunity Act remedies this situation by revising the definition of income for NAHADA to exclude payments for service-related disability, dependence, or indemnity. Veterans are especially likely to fall into these categories, which is unacceptable considering the role they have played in the defense of our country. Native Americans have the highest rate of enlistment in our armed services out of any group of Americans, and they deserve our support. Therefore, as a long time friend and supporter of the Native American community, I am so pleased to champion a bill such as H.R. 3553, which provides the housing this community needs.

In conclusion, Mr. Speaker, I support H.R. 3553 because it ensures that Native American veterans do not face extraordinary obstacles when procuring or financing housing after serving this country. The Native American servicemen and women benefiting from H.R. 3553 deserve our full support. I am proud to work with my colleagues to ensure that they are not overlooked.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 3553.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr.

CLEAVER) that the House suspend the rules and pass the bill, H.R. 3553.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL FINANCIAL LITERACY MONTH, 2010

Mr. HINOJOSA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1257) supporting the goals and ideals of National Financial Literacy Month, 2010, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1257

Whereas personal financial literacy is essential to ensure that individuals are prepared to make informed financial choices so that they can become successful heads of households, investors, entrepreneurs, and business leaders;

Whereas financially informed individuals are better able to take control of their circumstances, improve their quality of life, and plan for their financial future;

Whereas personal financial management skills and lifelong habits begin to develop during childhood, making it all the more important to support youth financial education;

Whereas financial education is the first line of defense against financial fraud;

Whereas the results of the National Foundation for Credit Counseling's fourth annual Consumer Financial Literacy Survey suggest that while many United States adults are improving how they manage their money, and more consumers now have a budget and nonretirement savings, many Americans continue to struggle with their finances, especially young adults and minorities;

Whereas the Federal Deposit Insurance Corporation's ''National Survey of Unbanked and Underbanked Households, December 2009'' found that approximately 60,000,000 people in the United States are either unbanked or underbanked;

Whereas almost 54 percent of Black households, 44.5 percent of American Indian/Alaskan households, and 43.3 percent of Hispanic households are either unbanked or underbanked;

Whereas personal saving as a percentage of disposable personal income was 3.1 percent in February 2010, compared with 3.4 percent in January 2010, and a reduction from a 12-month average of 4.1 percent in 2009, according to the Bureau of Economic Analysis;

Whereas public, community-based, and private sector organizations throughout the United States are working to increase financial literacy rates for Americans of all ages and walks of life through a range of outreach efforts, including media campaigns, Web sites, and one-on-one financial counseling for individuals;

Whereas the National Endowment for Financial Education provides consumers with the tools necessary to manage their money wisely and empower them to turn their financial education into action;

Whereas bankers across the United States will teach savings skills to young people on April 27, 2010, during ''Teach Children to Save Day'', which was launched by the American Bankers Association Education Foundation in April 1997 and has now helped more than 80,000 bankers teach savings skills to more than 3,200,000 young people;

Whereas staff from America's credit unions will focus on the financial needs of young people, provide financial literacy education, and teach youth under the age of 18 the benefits of saving and goal setting during ''National Credit Union Youth Week'', April 18–24, 2010;

Whereas more than 100 Federal agencies have collaborated on a Web site, www.consumer.gov, which helps consumers shop for a mortgage or auto loan, understand and reconcile credit card statements and utility bills, choose savings and retirement plans, compare health insurance policies, and understand their credit report and how it affects their ability to get credit and on what terms;

Whereas Members of the United States House of Representatives established the Financial and Economic Literacy Caucus in February 2005 to provide a forum for interested Members of Congress to review, discuss and recommend financial and economic literacy policies, legislation, and programs; to collaborate with the private sector, and nonprofit and community-based organizations; and to organize and promote financial literacy resolutions, legislation, seminars, and events, such as ''Financial Literacy Month'' in April 2010, and the annual ''Financial Literacy Day Fair'' on April 27, 2010; and

Whereas the Council for Economic Education, its State Councils and Centers for Economic Education, the Jump$tart Coalition for Personal Financial Literacy, its State affiliates, and its partner organizations, and JA Worldwide have designated April as Financial Literacy Month to educate the public about the need for increased financial literacy for youth and adults in the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of Financial Literacy Month, including raising public awareness about financial education;

(2) recognizes the importance of managing personal finances, increasing personal savings, and reducing personal debt in the United States; and

(3) requests that the President issue a proclamation calling on the Federal Government, States, localities, schools, nonprofit organizations, businesses, other entities, and the people of the United States to observe the month with appropriate programs and activities with the goal of increasing financial literacy rates for individuals of all ages and walks of life.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HINOJOSA) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HINOJOSA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Mr. HINOJOSA. Mr. Speaker, I yield myself as much time as I may need.

Mr. Speaker, I rise in strong support of House Resolution 1257, Supporting the Goals and Ideals of National Financial Literacy Month, 2010, and for other purposes. I will enter into today's RECORD President Barack Obama's National Financial Literacy Month proclamation, which I hold in my hands.

Mr. Speaker, it gives me great pride to bring this important resolution to the floor of the U.S. House of Representatives. It contains some very important data on financial literacy and economic education. Unfortunately, I'm sad to have to report again this year that the surveys and the studies we reviewed while drafting this resolution indicate that the majority of Americans remain financially illiterate and are in desperate need of financial education.

I represent the 15th Congressional District of Texas, which includes Hidalgo County, one of the poorest counties in the whole country. It is 89 percent Hispanic and contains over 900 colonias. Many of the residents do not speak English fluently, and several speak English as a second language.

They tend to purchase refrigerators, washing machines, automobiles, televisions, and electronic equipment in cash. One of the reasons for this aberration is a question of trust. Another is that lower-income Americans are not aware of the benefits conveyed when they open a bank account at a mainstream financial institution.

A more pervasive problem is that mainstream financial institutions tend not to open branches in the neighborhoods in which these constituents live. Consequently, these residents are left to rely on non-mainstream financial servicers such as payday lenders, such as check cashers and other predatory entities.

For these reasons, I was not surprised by the findings of the FDIC's December 2009 national survey of unbanked and under-banked households. It revealed that approximately 60 million people in our United States are either unbanked or under-banked.

It is for situations such as this that Congresswoman JUDY BIGGERT and I began collaborating on financial literacy and economic education starting in 2003. Two years later, in 2005, we co-founded and currently co-chair the Financial Economic Literacy Caucus. I'm very pleased and grateful that she and I and the members of this caucus have worked together on a bipartisan basis on financial literacy and economic education over the years.

This year, 2010, the caucus has coordinated with several different associations on financial literacy events, including the National Consumer Protection Week Fair, America Saves Week, and the release of the National Foundation for Credit Counseling's, better known as the NFCC, their fourth annual consumer financial literacy survey.

On April 27th of this year, the Congresswoman and I are coordinating on the Annual Financial Literacy Day Fair with Senator DANIEL AKAKA from

Hawaii, with the Jumpstart Coalition for Personal Financial Literacy, with the Junior Achievement, and the Council for Economic Education. This fair, on April 27, will be held in the Senate Hart Building from noon to 3 p.m. I encourage you and all my colleagues to attend this special event. If you are unable to attend due to conflicts in your schedule, you might consider sending one of your staff in the Senate Hart Office building.

America Saves Week, the National Consumer Protection Week Fair, and the Financial Literacy Day Fair, as well as the resolutions Congresswoman BIGGERT and I introduce every year to support their goals and ideals, are substantive and an important statement of Congress' commitment to improving the financial literacy and economic education of all Americans.

The financial literacy fairs are very comprehensive and concrete. Agency staff are on hand at these events to provide our staff with the materials they need to hold events in our districts to help arm our constituents with the information and guidance they need to become more confident, savvy, and safe in the marketplace.

The NFCC's, which is the National Federation for Credit Counseling's, fourth annual consumer literacy survey indicates that a larger percentage of Americans, more than two in five adults, now keep close track of their spending. However, more than half still do not have a budget, and more than 11 million adults fail to monitor their overall spending.

Nearly 64 million adults admit to not paying all of their bills on time. Though 67 percent of adults say they pay for most purchases with cash or with a debit card, approximately 41 percent report that their household carries credit card debt, and more than 11 million say they carry $10,000 or more in credit card debt from month to month.

Approximately 100 million people currently have a home mortgage, and of those, one in three say that the terms of their mortgage somehow turned out to be different than they and their family expected.

Eighty percent of adults feel there are situations where it is acceptable to default on a mortgage, and two of the top three most justifiable circumstances place the blame on the lender.

Despite all this negative data, the proportion of adults who have non-retirement savings has increased from 63 percent in 2007 to 67 percent this year.

So, Mr. Speaker, as you can tell, we have far to go to improve the financial literacy rate of all Americans across the United States during all stages of life. One of the ways that our caucus has moved the financial literacy cause forward is coordinating with several Federal agencies on the National Consumer Protection Week I mentioned earlier.

On a positive note, several Members of Congress have introduced comprehensive and beneficial legislation that will help Americans become financially literate and provide them with the necessary consumer protections.

One such legislation is the Credit Card Reform Act. Authored by my good friend and colleague from New York, Congresswoman CAROLYN MALONEY, it was signed into law by President Barack Obama in 2009. Congresswoman MALONEY could not be with us on the floor for this debate, but her presence is felt here and throughout the United States, and especially in the wallets of most Americans.

Her legislation takes financial literacy and economic education 10 steps forward. It requires issuers that extend credit to young consumers under the age of 21 to obtain an application that contains the following: The signature of a parent, guardian, or other individual 21 years or older who will take responsibility for the debt; or that person who signs is proof that the applicant has an independent means of repaying any credit extended.

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It limits prescreened offers of credit to young consumers and prohibits increases in the credit limit on accounts where a parent, legal guardian, spouse or other individual is jointly liable unless the individual who is jointly liable approves the increase. This law increases the protections for students against aggressive card marketing and increases transparency of affinity arrangements between the credit card company and university. I commend her for her dedication to financial literacy and for managing to pass that legislation.

I coauthored the Student Aid and Fiscal Responsibility Act that passed both Houses and was signed into law recently by President Barack Obama. That law invests $750 million in the College Access Challenge Grant Program. These formula grants to States help organizations provide services such as financial literacy and debt management skills that increase the number of low-income students who are prepared to enter and succeed in college and manage their student loans.

This Congress is also considering legislation that will establish an office of financial literacy that I requested in the Financial Services Committee. Other financial literacy proposals are being reviewed, including establishing financial literacy centers across the United States.

Mr. Speaker, financial literacy and economic education are both a life skill and a key component of financial and economic stability and development. It is imperative that we pay more attention to the financial literacy rates of our citizens from prekindergarten all the way to retirement. The sooner a person begins to learn good saving habits, the better off he or she will be in the future.

I urge my colleagues to support this resolution and join the Financial and Economic Literacy Caucus.

THE WHITE HOUSE

Office of the Press Secretary

[For Immediate Release—April 2, 2010]

NATIONAL FINANCIAL LITERACY MONTH, 2010

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

In recent years, our Nation's financial system has grown increasingly complex. This has left too many Americans behind, unable to build a secure financial future for themselves and their families. For many, financial literacy can mean economic prosperity and protection against fraud and predatory banking practices. During National Financial Literacy Month, we recommit to teaching ourselves and our children about the basics of financial education.

Our recent economic crisis was the result of both irresponsible actions on Wall Street, and everyday choices on Main Street. Large banks speculated recklessly without regard for the consequences, and other firms invented and sold complex financial products to conceal risks and escape scrutiny. At the same time, many Americans took out loans they could not afford or signed contracts without fully understanding the terms. Ensuring this crisis never happens again will require new rules to protect consumers and better information to empower them.

The new Consumer Financial Protection Agency I have proposed will ensure ordinary Americans get clear and concise financial information. We must put an end to confusing loan contracts, hidden fees attached to mortgages, and unfair penalties that appear without warning on bank statements. The Credit Card Accountability Responsibility and Disclosure Act of 2009 began reining in some of these deceptive tactics when it recently took effect. The President's Advisory Council on Financial Capability is also looking for new ways to help individuals make informed decisions and to educate our children on core financial competencies.

While our Government has a critical role to play in protecting consumers and promoting financial literacy, we are each responsible for understanding basic concepts: how to balance a checkbook, save for a child's education, steer clear of deceptive financial products and practices, plan for retirement, and avoid accumulating excessive debts. To learn more, visit: MyMoney.gov or call toll-free 1–888–MyMoney for helpful guidance and resources.

Our Nation's future prosperity depends on the financial security of all Americans. This month, let us each take time to improve our own financial knowledge and share that knowledge with our children. Together, we can prevent another crisis and rebuild our economy on a stronger, more balanced foundation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2010 as National Financial Literacy Month. I call upon all Americans to observe this month with programs and activities to improve their understanding of financial principles and practices.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of April, in the year of our Lord two thousand ten, and of the Independence of the United States of America the two hundred and thirty-fourth.

BARACK OBAMA

I reserve the balance of my time.

Mrs. BIGGERT. I yield myself such time as I may consume.

Mr. Speaker, I rise today as a cosponsor of House Resolution 1257, which recognizes April as Financial Literacy Month, and I would strongly urge my colleagues to support it.

I would like to begin by thanking my good friend and fellow chair of the House Financial and Economic Literacy Caucus, Mr. HINOJOSA, for sponsoring this legislation and for his continuing efforts to improve financial literacy rates in America.

Since 2005, when Mr. HINOJOSA and I formed the caucus, financial literacy has grown from an interesting offshoot of economic education to a key element in numerous efforts on and off the Hill to protect consumers, improve financial security, help manage debt, assist in retirement planning, and prepare our children to prosper in today's sophisticated marketplace.

We've also seen financial literacy programs become successful centerpieces of campaigns to bring independence and family security to impoverished and underserved populations, women, minorities, and even victims of hurricanes or domestic violence.

For example, with help from the Allstate Foundation and the National Network to End Domestic Violence, thousands of abuse victims nationwide have benefited from the Economic Empowerment for Domestic Violence Survivors program. It empowers victims of domestic violence with a financial strategy to escape abusive households and help provide them with resources and training to achieve independence.

Mr. Speaker, Financial Literacy Month is a chance to recognize and support the work of countless organizations like these around America—and the leadership of groups like the Jumpstart Coalition, Junior Achievement, and the Council for Economic Education—for all they do to educate American consumers and, most importantly, our children.

It's also an opportunity to recognize how much more work remains to be done. According to the FDIC, as was mentioned, approximately 60 million people in the United States are either unbanked or underbanked. Sixty percent of preteens do not even know the difference between cash, credit cards, and checks, and yet only 26 percent of new students are actively learning financial planning from their parents.

And according to the national Foundation for Credit Counseling's latest consumer survey, one-third of adults, or more than 75 million people, are not putting any part of their income towards retirement, up from 28 percent in 2008. These are troubling numbers. And in today's economic climate, the financial challenges and choices facing consumers have only grown.

That's why, as Congress reviews our national education guidelines and takes up far-reaching changes to our country's regulations, we must keep in mind one of the most important benefits of financial literacy as expressed in this resolution today before us: Financial education is the first line of defense against financial fraud.

When it comes to preparing against economic uncertainty, recognizing deceptive practices, building credit, or making dozens of other day-to-day financial decisions, nothing protects consumers and their financial security more effectively than arming them, even as young students, with a sound foundation in financial literacy.

Consumers benefit most from more financial options, not fewer, and with the right information and education, individual Americans are best equipped to avoid financial pitfalls, analyze risk, and make financial decisions that hold the greatest benefit for their future and that of their families.

With that, I would just like to once again thank my good friend and colleague, Mr. HINOJOSA, for bringing this resolution to the floor, and I would like to also recognize the hard work of his dedicated staff, especially Greg Davis, for all their efforts.

And finally, Mr. Speaker, I would like to encourage all of my colleagues and their staffs to attend this year's financial literacy day fair on Capitol Hill. As Mr. HINOJOSA mentioned, but I think it bears repeating, it's going to be held next Tuesday, April 27, where Members will be able to find a broad array of financial education materials and ideas for reaching out to constituents on this important issue. This year, it is being hosted on the Senate side, in Hart 902, by Senators AKAKA and ENZI, and invitations should be arriving soon to each office.

Mr. Speaker, I urge my colleagues to support House Resolution 1257, and I reserve the balance of my time.

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

Mrs. BIGGERT. Mr. Speaker, at this time, I would like to yield as much time as she may consume to my friend and colleague in the Financial Services Committee, Ms. JENKINS of Kansas.

Ms. JENKINS. Mr. Speaker, I rise today to support this resolution supporting the goals and ideals of Financial Literacy Month, and I commend the gentleman from Texas and the gentlelady from Illinois for introducing this resolution and for their commitment to financial literacy.

During my service as Kansas State Treasurer, I was proud to partner with financial institutions across our great State to increase financial literacy for Kansans of all ages. As a certified public accountant, I'm committed to this cause and believe it is critical to equip our students with good financial habits at a very young age. The lesson that must be learned as our Nation emerges from this financial crisis is that additional regulation is meaningless if personal responsibility is not our primary objective.

I urge all of my colleagues to support this resolution and to support increased financial literacy—not just this month, but always.

Mr. DREIER. Mr. Speaker, I rise in strong support of H. Res. 1257, supporting the goals and ideals of Financial Literacy Month. I would also like to commend the gentleman from Texas, Mr. HINOJOSA, and the gentlelady from Illinois, Mrs. BIGGERT, the co-chairs of the Financial Literacy Caucus, for all of their hard work on this important issue.

In today's 21st century economy, in which Americans have access to a wide variety of financial products, a greater understanding of finance is critically important to our economy. As we all know, the roots of the financial meltdown can be traced to a number of factors, including unscrupulous lenders who took advantage of consumers, irresponsible homeowners who borrowed more than they could afford and reckless speculators who gambled on bad financial bets.

Last year, we enacted into law a credit card reform bill to crack down on abusive lending practices. This law also requires credit lenders to provide borrowers with clear information on lending terms, such as the consequences of making only the minimum monthly payment, late payment deadlines, penalties and interest rate changes. We must hold creditors accountable and ensure full transparency in their lending practices; at the same time, borrowers must carefully review this information and use it to make sound financial decisions.

Mr. Speaker, we must all do our part to enhance financial literacy. A strong foundation in financial literacy will help Americans meet today's needs, prepare for the unexpected and plan for future goals. This week, the Credit Union National Association is holding its annual National Credit Union Youth Week to highlight the importance of financial literacy for our children. In addition, on April 27, the American Bankers Association Education Foundation will be holding their annual Teach Children to Save Day. Since 1997, 80,000 bank volunteers have participated to teach 3.4 million children about basic spending and savings decisions.

A solid understanding of sound financial principles can also help families trim their expenses and reduce debt. The Financial Literacy Education Commission's website, *www.mymoney.gov,* has helpful tools, resources and savings tips from a number of federal agencies to help consumers make informed personal finance choices, whether shopping for loans, reducing household costs, planning for savings and retirement, or understanding credit card terms.

Mr. Speaker, financial literacy is about opportunity. It is about empowering individuals and families to take control of their finances and effectively plan for the future. Working together, we can encourage Americans to enhance their understanding of personal finance, which will ultimately help to strengthen our financial system and economy. I urge my colleagues to support this important resolution.

Mr. SENSENBRENNER. Mr. Speaker, I rise today in support of House Resolution 1257, and I support the goals of Financial Literacy Month. I recognize the importance of encouraging Americans to educate themselves on financial responsibility.

However, the irony of this legislation is not lost on me. If April is to be recognized as Financial Literacy Month, might I suggest that Congress take the time to educate itself on fiscal responsibility and restraint? Last year, the federal deficit reached $1.4 trillion, undoubtedly an unsustainable figure. Additionally, as

the House considers this resolution, the chairman of the Budget Committee ponders whether to forgo a budget resolution for the next fiscal year.

While Americans across the country evaluate their priorities and make tough choices to responsibly adhere to their budgets, Congress ought to do likewise. When times get tough, it's not the American way to stick our head in the sand, but to address our issues head-on.

This resolution ''recognizes the importance of managing personal finances, increasing personal savings, and reducing personal debt in the United States,'' yet this Congress has consistently operated counter to the principles of managing, saving, and reducing debt. I encourage my colleagues to heed the advice we are giving the American people, and take a serious look at our finances. I believe the time has come for Congress to manage our nation's finances, increase our national savings, and reduce our national debt.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H. Res. 1257, supporting the goals and ideals of National Financial Literacy Month, 2010. The resolution recognizes the importance of managing personal finances, increasing personal savings, and reducing personal debt in the United States.

Creating a national culture of financial responsibility is incredibly important in these difficult economic times. I believe that a financially literate public is a key component to having a strong and robust economy. Resolutions like the National Financial Literacy Month help to promote broad-based financial literacy initiatives that are absolutely essential for the well-being of our country.

A recent survey done by the National Foundation for Credit Counseling has shown that more than 60 million adults admit to not paying all of their bills on time; approximately 150 million people report that they have not ordered their credit report in the last year, and more than 75 million people are not putting any part of their income toward retirement.

I am always surprised to hear statistics like this, and it is alarming because there are very simple things people can do to save money and lead more financially stable lives. We must do whatever is necessary to educate the public on financial matters and develop unbiased financial literacy training programs within our communities.

I want to acknowledge the vigorous efforts of Congressman RUBÉN HINOJOSA and Congresswoman JUDY BIGGERT, co-chairs of the Financial and Economic Literacy Caucus, to improve the overall economic situation of all those residing in the United States. I would also like to acknowledge Greg Davis and Zachary Cikanek for their endless work and dedication to financial education.

Mr. Speaker, I believe that together we can continue to make a difference and help empower people to take control of their financial lives. I encourage my colleagues to support this resolution.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 1257, ''Supporting the goals and ideals of National Financial Literacy Month, 2010, and for other purposes.'' Let me begin by thanking my colleague Representative RUBÉN HINOJOSA from my home state of Texas for introducing this legislation into the House of Representatives as it is important that we continually promote and encourage honest and thrifty financial decision making abilities in our citizens.

Considering the current state of our economy, Mr. Speaker, it is critically important that we begin raising public awareness about financial education. A recent study put forth by the Federal Deposit Insurance Corporation (FDIC) stated that approximately 54 percent of Black households, 44.5 percent of American Indian/Alaskan households, and 43.3 percent of Hispanic households either have no checking or savings accounts or have used non-bank money orders, non-bank check-cashing services, payday loans, rent-to-own agreements, or pawn shops at least once or twice a year.

This statistic is alarming to many in our nation, Mr. Speaker, and it highlights an increasing lack of financial awareness in our nation. By educating our citizens on the proper use of checking and savings accounts as well as educating citizens of other financial instruments we will seek to see a reduction in the use of payday loans, pawn shops and other predatory financial transactions in our nation.

Furthermore, according to the Bureau of Economic Analysis the U.S. aggregate personal savings rate as a percentage of disposable personal income dropped 0.3 percent between January and February of this year. In February the aggregate personal savings rate as a percentage of disposable personal income was 3.1, as compared with 3.4 percent in January 2010.

Still further, troubled loans, mortgages and toxic assets are still plaguing our economy and making it increasingly difficult for the average person to make sound financial decisions.

This is why it is critically important that we help give people the tools needed to manage their personal finances. Some of the basic encouragements we can pass along to our citizens through education programs would be to increase personal savings, and reduce personal debt.

Helping our citizens to become economically empowered and in control of their personal finances is also essential toward the recovery of our national economy. By giving our citizens the ability to plan for their financial future and by giving our citizens the ability to make important investment and entrepreneurial decisions, we will help to improve the quality of life of all Americans through the next generation.

While it is important to focus on educating adults in the areas of thrift and finance, it is even more important that we educate our youth about the importance of making sound economic and financial decisions. These types of financial decision making habits—whether they be wise or careless—are often developed during childhood and usually become lifelong tendencies.

An added benefit that would come from increasing our nation's financial literacy and providing financial education programs for our citizens would be the additional protection against financial fraud that would be created. Giving people the resources to understand and control their own finances and to understand potential risks and hazards would empower people against identity theft and other financial schemes that attempt to do them harm.

I ask my colleagues for their support of H. Res. 1257, as well as their continued support for the economically downtrodden in this nation. By increasing the capacity of our citizens to make prudent economic decisions, I am sure that we will see a return to American prosperity that will last for generations to come.

I would like to again thank my colleague Representative RUBÉN HINOJOSA for his leadership in introducing his bill as well as for his support of the American people and our economy.

Mr. Speaker, I strongly support H. Res. 1257 and ask for its immediate adoption.

Mrs. BIGGERT. I would urge all of our 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 gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and agree to the resolution, H. Res. 1257.

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. HINOJOSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

HONORING THE LIFE AND ACHIEVEMENTS OF REV. BENJAMIN LAWSON HOOKS

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1271) honoring the life and achievements of Rev. Benjamin Lawson Hooks.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1271

Whereas Benjamin Lawson Hooks, a native Memphian, was the fifth out of seven children born to Robert B. and Bessie Hooks;

Whereas his grandmother, Julia Britton Hooks, was the second African-American female college graduate in the Nation, graduating from Berea College in Kentucky in 1874;

Whereas Dr. Hooks studied prelaw at LeMoyne College in Memphis and continued his studies at Howard University in Washington, DC, and at Depaul University Law School in Chicago, Illionois;

Whereas Dr. Hooks was a member of Omega Psi Phi Fraternity;

Whereas after college, he then served in the United States Army during World War II and had the job of guarding Italian prisoners who were able to eat in restaurants that were off limits to him, an experience that he found humiliating and that deepened his determination to do something about bigotry in the South;

Whereas in 1949, Dr. Hooks met teacher Frances Dancy and the couple married in 1952;

Whereas the couple had a daughter, Patricia Gray;

Whereas from 1949 to 1965 he was one of the few African-Americans practicing law in Memphis, Tennessee;

Whereas in 1954, Dr. Hooks served on a roundtable with Thurgood Marshall and

other Southern African-American attorneys to formulate a possible litigation strategy days before the Supreme Court decision in Brown v. Board of Education of Topeka was handed down;

Whereas Dr. Hooks served as assistant public defender of Shelby County, Memphis, from 1961 to 1965;

Whereas in 1965, he was appointed by Tennessee Governor Frank G. Clement to serve as a criminal judge in Shelby County becoming the first African-American criminal court judge in the State of Tennessee;

Whereas Dr. Hooks was also a Baptist minister who pastored at the Greater Middle Baptist Church in Memphis, Tennessee, and the Greater New Mount Moriah Baptist Church in Detroit, Michigan;

Whereas he joined the Southern Christian Leadership Conference of Reverend Martin Luther King in 1956;

Whereas from 1972 to 1977, President Richard Nixon appointed Rev. Hooks to the Federal Communications Commission, making him the first African-American appointed commissioner;

Whereas from 1977 to 1992, Rev. Hooks was the Executive Director and CEO of the National Association for the Advancement of Colored People (NAACP);

Whereas under his leadership, the NAACP fought for affirmative action, led efforts to end apartheid in South Africa, and addressed racism in sports and in the Rodney King trial;

Whereas Rev. Hooks was awarded the Spingarn Medal in 1986 from the NAACP;

Whereas Dr. Hooks served as chairman of the board of directors of the National Civil Rights Museum in Memphis;

Whereas he taught at the University of Memphis, and the Benjamin L. Hooks Institute for Social Change was established at the University in 1996;

Whereas on March 24, 2001, Rev. Hooks and his beautiful wife Frances renewed their wedding vows for the third time, after nearly 50 years of marriage;

Whereas in 2002, Dr. Hooks founded the Children's Health Forum to protect the most vulnerable children from preventable disease;

Whereas Dr. Hooks received the Presidential Medal of Freedom from President George W. Bush at a White House ceremony in November 2007;

Whereas Rev. Hooks gave one of his last lectures on civil rights and social justice as part of the premier lecture series of the Benjamin Hooks Institute for Social Change in the Judiciary Committee Room of the Rayburn House Office Building in Washington, DC, on October 6, 2009;

Whereas he was one of the greatest civil rights icons of United States history and a community leader in Memphis; and

Whereas Rev. Benjamin L. Hooks was one of the golden-throated warriors of the spoken word, and one of the few silver-tongued giants of oratory: Now, therefore, be it

Resolved, That the House of Representatives honors the life and achievements of Dr. Benjamin Lawson Hooks, for his commitment to justice on the bench in Memphis, Tennessee, for his strong work with the National Association for the Advancement of Colored People to formulate strategies for eliminating barriers to civil rights, and for his leadership in promoting equal opportunity for all.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, with the news today of Dorothy Height's passing, we have now lost two significant civil rights leaders in less than 1 week. Today in Memphis, Memphians and others throughout the country will have the opportunity to pay respects to Reverend Benjamin Hooks during a viewing at Greater Middle Baptist Church where he pastored for 52 years. Yesterday in Detroit, Michigan, Reverend Hooks was honored at Greater New Mount Moriah Baptist Church where he also pastored for some 40 years in the Detroit area.

A native Memphian, Reverend Hooks was one of the golden-throated warriors of the spoken word and one of the few silver-tongued giants of oratory. Dr. Hooks was born in 1925 and was the fifth of seven children born to Robert B. and Bessie Hooks.

His grandmother, Julia B. Hooks, was the second African American female college graduate in the Nation after graduating from Berea College in Kentucky in 1874.

Following in her footsteps, Dr. Hooks attended Le Moyne College in Memphis, where he studied pre-law. He continued to study at Howard University here in Washington, and later at DePaul University Law School in Chicago, Illinois, where he received a law degree. It was unfortunate that when he decided to go to law school, there was not a law school in Tennessee that accepted African Americans, and for that reason, Dr. Hooks traveled to Chicago.

After graduation from college but before law school, he entered the Army during World War II, and he had a job guarding Italian prisoners. The prisoners were able to eat in restaurants that were off limits to him because he was African American. He found this experience to be humiliating, and it deepened his determination to do something about bigotry not just in the South but in our country, as our Armed Forces were segregated and our African American soldiers fighting for our freedoms were not allowed freedoms that prisoners of war enjoyed.

Dr. Hooks returned to Memphis after being discharged from the war with the rank of staff sergeant. He began practicing law in Memphis in 1949, one of the few African Americans practicing law in Memphis. In 1954, he appeared on a roundtable with late Justice Thurgood Marshall and other southern African American attorneys to formulate a possible litigation strategy days before the Supreme Court decision in Brown v. Board of Education of Topeka was handed down, the landmark case that ended separate but equal and started the end of segregation in our Nation.

Dr. Hooks served as assistant public defender of Shelby County from 1961 to 1965, and in 1965, he was appointed by Governor Frank Clement to serve as criminal court judge in Shelby County. And he became the first African American criminal court judge in the State of Tennessee.

In 1956, while serving in the Baptist ministry at Greater Middle Baptist Church in Memphis, he joined the Southern Christian Leadership Conference with Dr. Martin Luther King, Jr., about the time that Dr. King in Montgomery was starting the boycotts of the downtown stores in Montgomery and working with Rosa Parks and boycotting the busses, leading to the great civil rights uprisings and movement in the South that made our Nation a more perfect Union.

□ 1500

President Nixon appointed Dr. Hooks to the Federal Communications Commission in 1972, and he served from 1972 to 1977 and was the first African American appointed commissioner, and there he wanted to make sure that African Americans had the opportunity to have ownership interest in radio and television and other opportunities that they didn't previously have.

In 1977 when he left the Federal Communications Commission, he did so to become executive director and the chief executive officer of the NAACP, the National Association for the Advancement of Colored People. In 1977, at that same time, Dr. Hooks' nephew, Michael Hooks, and I were serving on the Tennessee State Constitutional Convention, and we drafted a resolution to invite Dr. Hooks to address the Tennessee Constitutional Convention, limited convention, of 1977, the first African American ever asked to address the joint legislative body in the State of Tennessee.

While Dr. Hooks served as executive director of the NAACP, he fought for affirmative action, led efforts to end apartheid in South Africa, and addressed racism in sports and dealt with the Rodney King trial in Los Angeles. He was awarded the Spingarn Medal from the NAACP, its highest honor.

Reverend Hooks served as chairman of the board of directors of the National Civil Rights Museum in Memphis, my hometown and his as well. He taught at the University of Memphis, where the Benjamin L. Hooks Institute for Social Change was established in his honor in 1976. He made a significant personal financial contribution to that particular institute and commented to me one time that it was appropriate and right and proper that when African Americans have been able to secure monies and savings that they make contributions to their society, and he was able to do that, a first generation of wealth that was able to contribute

to civic causes. And he was proud to be a leader in that cause as well.

I was present in 2007 and honored to be in the White House when President Bush awarded Dr. Hooks the Presidential Medal of Freedom.

Most recently he gave one of his last lectures on civil rights and social justice as part of the premier lecture series of the Benjamin L. Hooks Institute for Social Change of the University of Memphis here in our Judiciary Committee room in the Rayburn House Office Building. It was October 6, 2009. Several Members of Congress were present and other interested parties in D.C. and on the Hill, and he was accompanied on that occasion, as he was on so many occasions, by his beautiful and jovial bride, Frances.

Frances Dancy was a teacher. She met Ben Hooks at a Shelby County fair. Ben Hooks was a lucky man because he found the perfect bride. Frances was by his side and gave up her career as a teacher. She gave up that career to be first lady of the church, whether it was Mount Moriah, Greater New Mount Moriah in Detroit or Greater Middle Baptist in Memphis, whether on Lamar or on Knight-Arnold.

They were married in 1952. They renewed their vows for the third time after nearly 50 years of marriage on March 24, 2001. She has encouraged him in all of his endeavors, and she will see that his memory is maintained and preserved in an appropriate fashion.

Dr. Hooks was one of the greatest civil rights icons in American history and a community leader in Memphis and a friend of many in this Congress. He is survived by his beautiful and devoted wife, Frances, his daughter Patricia Gray, grandchildren and a nephew, in particular Michael Hooks, who served in public office and a great grandnephew, Michael Hooks, who also served in a public office.

His funeral will be tomorrow in Memphis, Tennessee, at Bountiful Blessings, the flagship Church of God in Christ in Memphis, Superintendent Hawkins presides. His was a life well lived.

I reserve the balance of my time.

Mr. POE of Texas. I yield myself such time as I may consume.

Mr. Speaker, I want to commend Chairman CONYERS and Ranking Member SMITH for so quickly sponsoring this resolution and bringing it to the House floor.

I support House Resolution 1271, and this resolution honors the life and achievements of Dr. Benjamin Lawson Hooks for his commitment to justice and his work with the NAACP to eliminate barriers to civil rights and his leadership in promoting equal opportunity for everybody.

He was born in Memphis in 1925. His family inspired him to study diligently in school and go to college, from which he graduated in 1944. After service in the United States Army, he went to law school at DePaul University. He graduated in 1948 and went back home to Memphis, Tennessee.

From 1949 to 1965 he was one of a handful of African Americans practicing law in Memphis. In his law practice, Dr. Hooks was determined to combat segregation. Days before the United States Supreme Court decision in Brown v. Board of Education in 1954, Dr. Hooks joined Thurgood Marshall and other attorneys at a roundtable to consider litigation strategies to challenge Jim Crow laws. Dr. Hooks was a pioneer in restaurant sit-ins and other boycotts sponsored by the NAACP. Throughout the 1960s he worked with the NAACP on several civil rights protests and marches throughout the United States.

Throughout this time period, however, Dr. Hooks fulfilled a long desire and he entered the Christian ministry. In 1956, he was an ordained Baptist minister and preached regularly and contributed in many ways to churches which he served. It was his ministry and his law degree working together that gave him the deep conviction to fight for civil rights.

This deeper yearning surely influenced the power and scope of all of his civil rights work. He ran unsuccessfully for the State legislature in 1954; and as a juvenile court judge in 1959 and 1963, he became well-known in Tennessee politics and the Governor tapped him to fill a vacancy in Shelby County criminal court, and in 1965 he became the first African American in criminal court as a criminal court judge in the State of Tennessee.

When President Nixon appointed him to the Federal Communications Commission in 1972 through 1977, he was also the first African American appointed to the FCC. And from 1972 to 1992, 20 years, he served as executive director for and CEO of the National Association for the Advancement of Colored People.

Then in 2007, in recognition of his life's work and commitment to the ideal that all people are created equal, Dr. Hooks received the Presidential Medal of Freedom from President George W. Bush.

I urge my colleagues to join me in supporting this resolution.

I yield back the balance of my time.

Mr. COHEN. Mr. Speaker, I would just like to comment, I appreciate Representative POE's comments. He was a former criminal court judge and like Judge Hooks was a criminal court judge, they share that experience.

I keep under the glass on my desk a picture that was taken of Benjamin Hooks as a lawyer with Russell Sugarman, A.W. Willis, I believe it was A.A. Latting and S.A. Wilbun, and appearing in city court in Memphis and defending individuals in Memphis charged with the violations of the law that were Jim Crow laws. It's a historic picture that people in Memphis know well; they stood up in a courtroom with just about a predominance of policemen around there and white visitors in the courtroom, but they stood for justice and they stood up.

Leaders in Memphis like Maxine Smith and Russell Sugarman are getting older, but they continue the fight as Reverend Hooks has. He had a difficult last few days, but he knew his time had come and he was at peace. He tried to make it to the inaugural to see the inauguration of the first African American President, Barack Obama. He was here. I think the weather was such and the conditions that he wasn't able to make it to the inauguration, but he made a point of coming in here and wanted to participate.

He was bipartisan. He came of an era when many African Americans in the South, if not most, were members of the Republican Party, the party of Lincoln. And he maintained a Republican allegiance through his appointments by President Nixon and a closeness to Senator Baker and others, but also had Democratic roots.

President Bush recognized his talents, as has President Obama and President Clinton. He supported Hillary Clinton for President because he had been close to the Clinton family. But he was happy to see America come to the time when an African American could be elected President, as Dr. King had wanted that time to come, that people were judged by the content of their character and not the color of their skin. We saw part of that resolution in 2008, and Ben Hooks was pleased to be able to see it.

As I said, he will be buried tomorrow at Bountiful Blessings where G.E. Patterson served as bishop of COGIC, and I know there will be many other people from around the world there to honor him.

I would like to thank my friend JOHN CONYERS, the chairman of the Judiciary Committee, who worked with me on this resolution and is unfortunately absent because of other commitments. He was close to Reverend Hooks in Detroit and other places fighting for civil rights over the years. I would also like to commend the ranking member of the Judiciary Committee, LAMAR SMITH, for joining me in cosponsoring this resolution.

I yield as much time as he may consume to Chairman TOWNS of New York.

Mr. TOWNS. Let me thank the gentleman from Memphis for yielding to me, because I had an opportunity to work very closely with Dr. Hooks. I recall we moved the NAACP to Brooklyn, and he was the president of NAACP at the time we moved them to Brooklyn. I was always impressed with his dedication and commitment to people.

Dr. Hooks was really committed to change in a positive way; and, of course, having the opportunity to work very closely with him, I had the opportunity to observe him as he moved with people. He had just a way of bringing about coalitions where people would disagree with each other, but Dr. Hooks could pull them together and some way or another get them to begin to talk and work together. He is going to be truly missed. He was a person

that has truly made a difference in this world as a result of his attitude and what he has done on behalf of the people.

So may I say to his family, you have my deepest, deepest sympathy; but, here again, we can be thankful that we had an opportunity to live during Dr. Hooks' lifetime. There is no question about it, he made this world a better place for all of us to live.

Mr. COHEN. I thank the gentleman for joining and relating those parts of Dr. Hooks' life.

He was, as I said, a great orator who took the Southern tradition of politics and the ministry and wove it into a manner of speech that was unrivaled and to his last days could deliver a sermon or a speech that was unparalleled. He will be buried tomorrow at Elmwood Cemetery, where my father is buried and where I suspect I will be buried, and we will spend eternity together.

I urge my colleagues to support this important resolution.

Mr. CONYERS. Mr. Speaker, this resolution honors the life and achievements of my dear friend, the late Dr. Benjamin Lawson Hooks.

With Dr. Hooks's passing last week, our nation lost a champion for justice and an iconic figure of the Civil Rights Movement.

Personally, I will never forget the genuine spirit and talent Dr. Hooks had in inspiring every individual he encountered. This spirit of Dr. Hooks is what we celebrate today.

In addition to being a dedicated civil rights advocate, Dr. Hooks was an accomplished attorney and judge, a government servant, and a respected Minister of the Gospel.

He served as the Executive Director of the NAACP for fifteen years. He was also the first African-American appointed as Commissioner of the Federal Communications Commission, and the first African-American criminal court judge in Tennessee.

Dr. Hooks was the founder of the Benjamin L. Hooks Institute for Social Change at the University of Memphis. He also founded the Children's Health Forum in 2002.

And the list of his accomplishments goes on.

Today, I would like to touch on three significant points.

First, Dr. Hooks's leadership in the Civil Rights Movement was shaped by his firm belief that education and non-violent activism could lift the oppressed.

He once said: "There are a lot of ways an oppressed people can rise. One way to rise is to study, to be smarter than your oppressor. The concept of rising against oppression through physical contact is stupid and self-defeating . . . the most enduring contributions made to civilization have not been made by brawn, they have been made by brain."

Dr. Hooks's own life was a testament to the power of education to overcome racism and oppression. He studied pre-law at Lemoyne-Owen College in Memphis, TN. While in college, Dr. Hooks was required to use segregated lunch counters, water fountains, and restrooms.

But he was not deterred by these daily reminders of inequality—he finished his college education, and joined the U.S. Army in 1944.

Even in the Army, Dr. Hooks was subjected to discrimination—he found that prisoners of war were often given better eating accommodations than African-American soldiers.

Dr. Hooks's pursuit of a legal education was also full of obstacles, because no law school in his native State of Tennessee would admit him.

However, he persevered, and obtained his Juris Doctorate degree from DePaul University College of Law in Illinois.

And he pledged to use his hard-earned legal education to further the Civil Rights Movement.

On my second point, Dr. Hooks's life's work resulted in the acceleration of significant changes towards equality in America.

It has been written that "Often in the past, Benjamin Hooks's words have been heeded by his fellow Americans and have been turned into national policies that have benefitted the whole society."

The Civil Rights Movement is woven from the work of many people who have tirelessly campaigned to end discrimination and racism in all its forms.

Dr. Hooks was a central thread in the patchwork of great civil rights leaders. His leadership in NAACP sit-ins and boycotts helped further the cause through non-violence.

And he applied his hard-earned education in his work with Thurgood Marshall and members of the Regional Council of Negro Leadership to create strategies in the wake of the Supreme Court's decision in Brown v. Board of Education.

It is with great pride that I remember Dr. Hooks's fifteen years of leadership with the National Association for the Advancement of Colored People (NAACP). I attribute the success and the turn-around of the NAACP to my friend, Dr. Hooks.

His tailored focus on empowering black Americans, and his call to all Americans to continue pressing for equality, helped the NAACP combat racism, fight apartheid, and defend affirmative action.

Finally, I would like to celebrate my dear friend's commitment to public service, and to lifting up people from all walks of life.

Dr. Hooks never strayed from his focus on securing equality for all Americans.

In 1972, he became the first African-American to be appointed to the Federal Communications Commission. He used his tenure in this distinguished government position to actively promote the employment of African-Americans and other minorities in the broadcast industry.

Dr. Hooks saw his own success as an opportunity to help further the cause of equality and justice. He once said, "Black men who have succeeded have an obligation to serve as role models for young men entrapped by a vicious cycle of poverty, despair, and hopelessness."

I would like to commend my colleagues for their sponsorship of this resolution.

In particular, I would like to thank my good friend from Memphis, Tennessee, STEVE COHEN, for working with me on this important resolution.

I would also like to commend the Ranking Member of the Judiciary Committee, LAMAR SMITH, for joining me in co-sponsoring it.

I urge my colleagues to support this important resolution.

Mr. JOHNSON of Georgia. Mr. Speaker, rise today to express my strong support for H. Res. 1271, honoring the life and achievements of Dr. Benjamin Lawson Hooks. I would also like to commend the Chairman of the Judiciary Committee, JOHN CONYERS Jr., and Chairman STEVE COHEN, the sponsors of this resolution, for their commitment to preserving the accomplishments of Dr. Hooks.

Dr. Hooks had a legendary career and truly exemplifies the quintessential renaissance man. He was an inspirational speaker, defender of minorities and the poor, and a well-known director of the National Association for the Advancement of Colored People (NAACP). Dr. Hooks was a lawyer and a Baptist minister best known for boosting membership in the NAACP and making it relevant in today's political times. After a lifetime of advocacy for the oppressed, he was awarded the Presidential Medal of Freedom in 2007.

Dr. Hooks was born in Memphis, Tennessee, and took pre-law courses in his home town from LeMoyne College; after graduating in 1944 he joined the Army. During the Second World War, Hooks found himself in the position of guarding Italian prisoners who were allowed to eat in restaurants that were off limits to him. The experience helped to deepen his resolve to do something about bigotry in the South. After his wartime service, he was promoted to the rank of staff sergeant. Hooks went north to Chicago to study law at DePaul University because no law school in Tennessee would admit him. He completed his Juris Doctor Degree in 1948. Upon graduation, Hooks went into private practice in Memphis from 1949–1965. While in private practice he became an ordained Baptist minister in 1956 and began to preach regularly at the Middle Baptist Church in Memphis, while continuing his busy law practice. He served as a public defender in Shelby County. From 1964 to 1968 he was a county criminal judge. Benjamin Lawson Hooks was nominated as a member to the Federal Communications Commission by President Richard M. Nixon in 1972. Shortly thereafter the United States Senate confirmed the nomination, and thus Mr. Hooks became the first African American to be appointed to the Commission. He served as a member of the Federal Communications Commission until 27 July 1977.

During his term on the Commission, Hooks actively promoted the employment of African Americans and other minorities in the broadcast industry as well as at the Federal Communications Commission offices. He also encouraged minority ownership of broadcast properties. Hooks supported the Equal Time provision and the Fairness Doctrine, both of which he believed were among the few avenues available to minorities for gaining access to the broadcast media.

The nomination and confirmation of Hooks to the Federal Communications Commission represented the efforts by African American organizations such as Black Efforts for Soul on Television to have an African American appointed to one of the seven seats on the Commission. Before Hooks' appointment there had been no minority representation on the Commission and only two women, Frieda Henncock and Charlotte Reid, had been appointed up to that time. Additionally, for 15 years Hooks presided over America's largest and most influential organization for blacks, the National Association for the Advancement of Colored People.

Dr. Hooks once said "A good history covers not only what was done, but the thought that

went into the action. You can read the history of a country through its actions.'' Dr. Hooks would be proud on this day. Today, the United States House of Representatives recognizes his travail and hard work through the years. History will judge us by our actions.

As a member of the Judiciary, Subcommittee Chairman on Courts and Competition Policy, and a former judge myself, I recognize the importance of leaders such as Dr. Benjamin Lawson Hooks. I am proud to be a legacy of Dr. Hooks' work. He symbolized the epitome of what lawyers and judges strive to be, the character that all of us should strive to show. Please join me and support this resolution to honor Dr. Benjamin Lawson Hooks.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H. Res. 1271, which remembers Rev. Benjamin Hooks, who passed away last Thursday at the age of 85, and honors this heroic figure's life and achievements. This important measure is a deserving tribute to Rev. Hooks, a true champion of justice and equality. Rev. Hooks fought tirelessly for civil rights and, in doing so, made our country a better place for all Americans.

Rev. Benjamin Hooks was a critical figure in the fight for civil rights in the United States. He fought segregation through his many successful careers as a businessman, lawyer, judge, minister, and public servant. Rev. Hooks was the first African-American criminal court judge in Tennessee and the first African-American commissioner of the Federal Communications Commission.

Rev. Benjamin Hooks is most well known for his work with the National Association for the Advancement of Colored People (NAACP). Rev. Hooks was a pioneer of the NAACP-sponsored restaurant sit-ins and boycotts in the early years of the Civil Rights Movement. In 1976, the NAACP elected Rev. Hooks as the executive director of the organization. Rev. Hooks reenergized the NAACP, increased its enrollment dramatically, and enhanced the group's effectiveness. At a time when the Civil Rights Movement was widely considered to have ended, Rev. Hooks recognized that much work was left to be done and recommitted the NAACP to tirelessly fighting for the rights of disadvantaged communities across the United States. Rev. Hooks guided the NAACP through decades of activism and oversaw the constant modernization and adaptation of the organization to respond to the new challenges of changing times.

Rev. Benjamin Hooks was a giant in the fight for civil rights in America over the last 60 years. Even as he and his family were targeted in bombings against civil rights leaders in the 1990s, his resolve and commitment to an equitable society never faltered. In characteristic modesty, Rev. Hooks often referred to himself as ''just a poor little old country preacher,'' but the truth is that he was much more than that. He left an indelible mark on American society and helped improve the lives of countless Americans. Rev. Hooks was honored for his life of service with the Presidential Medal of Freedom, which President George W. Bush presented to him in 2007.

I extend my deepest condolences to the family and friends of Rev. Benjamin Hooks as they grieve the loss of this truly special individual. Rest in peace, Rev. Hooks—''there is a balm in Gilead.''

Mr. COHEN. Mr. Speaker, I rise today to honor a great lion, a leader, one of the golden throated warriors of the spoken word and one of the few silver tongued giants of oratory, and a great civil rights icon, Benjamin Hooks. He passed away in Memphis, Tennessee, on Thursday, April 15, 2010. Dr. Hooks was the fifth child out of seven born to Robert and Bessie Hooks. His grandmother, Julia B. Hooks was the second African-American female college graduate in the nation after graduating from Berea College in Kentucky in 1874. Following in her footsteps, Dr. Hooks attended LeMoyne College in Memphis where he studied pre-law. He continued his studies at Howard University in Washington, D.C. and at DePaul University Law School in Chicago, Illinois. He was a member of Omega Psi Phi Fraternity.

After graduating from college, Dr. Hooks served in the Army during World War II and had the job of guarding Italian prisoners who were able to eat in restaurants that were off limits to him. He found this experience to be humiliating and it deepened his determination to do something about bigotry in the South. Dr. Hooks returned to Memphis after being discharged at the end of the war with the rank of staff sergeant.

Dr. Hooks began practicing law in 1949 becoming one of the few African-Americans to practice in Memphis. In 1954, he appeared on a roundtable with Thurgood Marshall and other Southern African-American attorneys to formulate a possible litigation strategy days before the Supreme Court decision in Brown vs. Board of Education of Topeka was handed down. Dr. Hooks served as assistant public defender of Shelby County from 1961–1965 until being appointed by Tennessee Governor Frank G. Clement to serve as a criminal judge in Shelby County, Memphis—becoming the first African-American criminal court judge in the State of Tennessee.

Rev. Benjamin Hooks was also the pastor at Greater Middle Baptist Church in Memphis and Greater New Mount Moriah Baptist Church in Detroit, Michigan. In 1956, while serving in the Baptist ministry, he joined the Southern Christian Leadership Conference of Dr. Martin Luther King, Jr.

President Richard Nixon appointed Dr. Hooks to the Federal Communications Commission, making him the first African-American appointed commissioner. He served in this position from 1972 to 1977. From 1977 to 1992, Dr. Hooks was the Executive Director and CEO of the National Association for the Advancement of Colored People (NAACP). Under his leadership, the NAACP fought for affirmative action, led efforts to end apartheid in South Africa and addressed racism in sports and the Rodney King trial. He was awarded the Spingarn Medal in 1986 from the NAACP.

Rev. Hooks served as chairman of the board of directors of the National Civil Rights Museum in Memphis. He also taught at the University of Memphis where the Benjamin L. Hooks Institute for Social Change was established in 1996.

Dr. Benjamin Hooks was awarded the Presidential Medal of Freedom from President George W. Bush at a White House ceremony in November 2007. Most recently, he gave one of his last lectures on civil rights and social justice as part of the premier lecture series of the Benjamin Hooks Institute for Social Change in the Judiciary Committee Room of the Rayburn House Office Building in Washington, DC, on October 6, 2009.

Always by his side was his beautiful and jovial wife, Frances. They were married in 1952 and renewed their vows for the third time after nearly 50 years of marriage on March 24, 2001.

Dr. Benjamin Hooks was one of the greatest civil rights icons in American history and a community leader in Memphis. His commitment to justice on the bench in Memphis, his strong work with the NAACP to formulate strategies for eliminating barriers to civil rights and his leadership in promoting equal opportunity for all will always be remembered by the countless number of lives he touched. Rev. Benjamin L. Hooks is survived by his devoted wife Frances, daughter Patricia Gray, grandchildren and nephew Michael Hooks. His was a life well lived. Thank you for coming our way, Benjamin Hooks.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H. Res. 1271, ''Honoring the life and achievements of Dr. Benjamin Lawson Hooks'' introduced by my distinguished colleague from Michigan, Representative CONYERS.

Dr. Benjamin Lawson Hooks was a civil rights leader and served as the Executive Director of the National Association for the Advancement of Colored People (NAACP) from 1977 to 1992. Dr. Hooks graduated with a bachelor's degree from Howard University, a juris doctor degree from DePaul University College of Law, and received an honorary doctorate from Central Connecticut State University. He held professional memberships with the American Bar Association, National Bar Association, Tennessee Bar Association, Southern Christian Leadership Conference, the Tennessee Council on Human Relations, and Omega Psi Phi Fraternity, Inc. After passing the Tennessee Bar, he established his own law practice.

Dr. Hooks served as a distinguished adjunct professor for the Political Science Department at the University of Memphis. In 1996, the Benjamin L. Hooks Institute for Social Change was established at the University of Memphis. The Benjamin L. Hooks Institute is a public policy research center supporting the urban research mission, and honoring Hooks' many years of leadership in the American Civil Rights Movement. The Hooks Institute also emphasizes social movements, race relations, strong communities, public education, effective public participation, and social and economic justice.

Dr. Hooks was ordained as a Baptist minister in 1956, and he preached regularly at the Greater Middle Baptist Church in Memphis. He joined the Southern Christian Leadership Conference along with Dr. Martin Luther King, Jr. Dr. Hooks became a pioneer of NAACP-sponsored restaurant sit-ins and other boycotts of consumer items and services.

In 1965, Dr. Hooks was appointed by Governor Frank G. Clement as the first African American criminal court judge in the Shelby Criminal Court. In 1966, he would later campaign for and win a full term to the same judicial office that he had been appointed to due to a vacancy. In 1972, President Richard Nixon appointed Dr. Hooks to be one of the five commissioners to the Federal Communications Commission (FCC). As a member, he addressed the lack of minority ownership of television and radio stations, the minority employment statistics for the broadcasting industry, and the image of African Americans in

mass media. Dr. Hooks served as a producer and host for several local television shows in Memphis.

Dr. Hooks' honors and awards include the NAACP Spingarn Medal for outstanding achievements made by an African American, receiving the Presidential Medal of Freedom from President George W. Bush in November of 2007, and he was inducted into the International Civil Rights Hall of Fame at the Dr. Martin Luther King, Jr. National Historic Site on January 12, 2008. The Memphis Library Branch is also named in his honor. The NAACP later created the Benjamin L. Hooks Distinguished Service Award, which is awarded to persons for their efforts in implementing policies and programs which promote equal opportunity.

So it is with great pride and admiration that we honor Dr. Benjamin Lawson Hooks as a great civil rights leader, and as a successful businessman, judge, lawyer, and minister. He has fought triumphantly for the rights of African Americans and made great contributions to the African American community.

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor the life and the legacy of Rev. Benjamin Lawson Hooks, who passed away April 15, 2010, at the age of 85. Rev. Hooks was more than just an accomplished man; he was a modern-day pioneer who overcame modern-day struggles. No matter the obstacle, Rev. Hooks continued to fight for equal rights, always believing that tomorrow will be better.

In fact, Rev. Hooks was often quoted as saying, ''you have to believe that tomorrow somehow can be, and will be, better than today.'' His mission in life was to make this belief a reality. As the first African-American commissioner of the Federal Communications Commission, a member of the Southern Christian Leadership Conference, Tennessee's first African-American criminal court judge, and, finally, as the Executive Director of the National Association for the Advancement of Colored People (NAACP) from 1977 to 1992, Rev. Hooks worked tirelessly to make America a fairer, and more just, nation.

Under his leadership of the NAACP, he brought this storied civil rights organization from the brink of financial collapse. Rev. Hooks returned it to stability, increased membership, and created programs such as the NAACP ACT-SO (Academic, Cultural, Technological and Scientific Olympics) competitions, a major youth talent and skill initiative, and Women in the NAACP.

Rev. Hooks also was a stalwart in the face of adversity. In 1989, there were several gasoline bomb attacks in the South, resulting in the murder of a federal judge in Alabama and an African-American civil rights lawyer in Georgia. NAACP leaders were threatened with violence as well. Rev. Hooks responded to these acts of violence by saying, ''We believe that this latest incident is an effort to intimidate our association, to strike fear in our hearts. It will not succeed.''

This remarkable American lived a life of honor and purpose, leaving behind a legacy of equality and justice. Our nation is so much better for his dedication to the idea that ''all men are created equal.'' Rev. Hooks is an inspirational figure to us all, and we must continue to strive to ensure that tomorrow will continue to be better than today.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong support of H.R. 1271 to honor the life and achievements of Dr. Benjamin Lawson Hooks who passed away on April 15, 2010. Dr. Hooks served as the Executive Director of the National Association for the Advancement of Colored People, and wads a great civil rights leader.

Born in Memphis, Tennessee as the fifth of seven children, Dr. Hooks faced numerous racial barriers growing up in the segregated South. He graduated from Howard University in 1944, and after serving in the army during World War II, he completed a law degree from DePaul University in 1948. Upon graduation, he returned to Memphis where he opened his own law practice. Although faced with relentless discrimination in the legal field, Dr. Hooks managed to make a reputation for himself. In 1965 he was appointed to fill a vacancy in the Shelby County criminal court making him the first black criminal court judge in Tennessee history. Later, in 1972, he became the first African-American member of the Federal Communications Commission where he developed a reputation as a champion for minority owned television and radio stations.

In 1976, Dr. Hooks became the Executive Director of the National Association for the Advancement of Colored Peoples. His tenure saw an increase in membership and revenue, and additionally, he was influential in the national recognition of Martin Luther King, Jr. Day.

Mr. Speaker, Dr. Benjamin Hooks was an unyielding advocate for African-American civil rights, and he will be greatly missed. I ask my fellow colleagues to join me today in recognizing this remarkable leader who worked diligently for the black community and was a stalwart champion of fairness and equality for all.

Mr. COHEN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the resolution, H. Res. 1271.

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. COHEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SUPPORTING THE MISSION AND GOALS OF 2010 NATIONAL CRIME VICTIMS' RIGHTS WEEK

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1104) supporting the mission and goals of 2010 National Crime Victims' Rights Week to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States, no matter their country of origin or their creed, and to commemorate the National Crime Victims' Rights Week theme of ''Crime Victims' Rights: Fairness. Dignity. Respect.''

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1104

Whereas over 25,000,000 individuals in the United States are victims of crime each year, including over 6,000,000 individuals who are victims of violent crime;

Whereas a just society acknowledges the impact of crime on individuals, families, neighborhoods, and communities by ensuring that rights, resources, and services are available to help rebuild the lives of victims;

Whereas although our Nation has steadily expanded rights, protections, and services for victims of crime, too many victims are still not able to realize the hope and promise of these expanded rights, protections, and services;

Whereas despite impressive accomplishments over the past 40 years in crime victims' rights and services, there remain many challenges to ensuring that all victims—

(1) are treated with fairness, dignity, and respect;

(2) are offered support and services regardless of whether they report the crimes committed against them to law enforcement; and

(3) are recognized as key participants in our system of justice when such crimes are reported;

Whereas justice systems in the United States should ensure that services are available for all victims of crime, including victims from underserved communities of our Nation;

Whereas observing victims' rights and treating victims with fairness, dignity, and respect serve the public interest by engaging victims in the justice system, inspiring respect for public authorities, and promoting confidence in public safety;

Whereas individuals in the United States recognize that our homes, neighborhoods, and communities are made safer and stronger by identifying and meeting the needs of crime victims and ensuring justice for all;

Whereas treating victims of crime with fairness, dignity, and respect, as encouraged and expressed by the theme of 2010 National Crime Victims' Right Week, ''Crime Victims' Rights: Fairness. Dignity. Respect.'', costs nothing more than taking time to identify victims' needs and concerns, and effective collaboration among justice systems to meet such needs and concerns; and

Whereas 2010 National Crime Victims' Rights Week, April 18 through April 24, 2010, provides an opportunity for justice systems in the United States to strive to reach the goal of justice for all by ensuring that all victims are afforded legal rights and provided with assistance as they face the financial, physical, spiritual, psychological, and social impact of crime: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the mission and goals of 2010 National Crime Victims' Rights Week to increase public awareness of—

(A) the impact on victims and survivors of crime; and

(B) the constitutional and statutory rights and needs of such victims and survivors;

(2) recognizes that fairness, dignity, and respect comprise the very foundation of how victims and survivors of crime should be treated; and

(3) directs the Clerk of the House of Representatives to transmit an enrolled copy of this resolution to the Office for Victims of Crime within the Office of Justice Programs of the Department of Justice.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr Cohen) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, House Resolution 1104 supports the goals and mission of National Crime Victims' Rights Week, celebrated this week, April 18 through 24.

This year's National Crime Victims' Rights Week theme is ''Crime Victims' Rights: Fairness. Dignity. Respect.''

Every April individuals in communities across the country, with the support of the Department of Justice's Office of Victims of Crime, observe National Crime Victims' Rights Week. Rallies, candle-light vigils and many other commemorative events honor crime victims during this observance of victims' rights.

National Crime Victims' Rights Week is observed to highlight the special needs of more than 21 million victims of crime and survivors of crime each year, including over 5 million victims of violent crime. Although the number of murder victims in 2008 fell by almost 4 percent from the previous year, we must remain vigilant in this fight against violent crime.

During this week in April, we take time out to ensure that resources and services are available to help crime victims rebuild their lives and to acknowledge the impact of crime on individuals, families, and communities.

Crime victims suffer not only from the losses that directly result from the crime, but also from the emotional trauma of being victimized. In 2007, total economic loss to victims across the country was $2 billion for violent crime and $16 billion for property crime. This week is also a time to make a commitment to providing more resources to victims of crimes committed in the workplace, in schools, and on college campuses.

□ 1515

In addition, we should pay special attention to children and elderly victims of crime.

National Crime Victims' Rights Week is an occasion to support crime victims. If we don't make a commitment to treating victims with the fairness, dignity, and respect they deserve, it makes it even more difficult for them to heal.

For all these important reasons, I urge my colleagues to support this important resolution.

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

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

Mr. Speaker, I am pleased to join my colleague and friend from California (Mr. COSTA) as original cosponsors of this resolution to recognize and support the mission and goals of National Crime Victims' Rights Week.

I want to thank Mr. COSTA for his work on the Victims' Rights Caucus. California, from where he comes, is the State that started the victims rights movement. While Mr. COSTA was in the California legislature, he presented and sponsored the Three Strikes law and also victim notification in that State. He and I are co-chairs of the Victims' Rights Caucus, and this caucus is comprised of 62 members from both sides of the aisle who are dedicated to protecting the interests and needs of crime victims in our Nation. Crime issues are not partisan issues, they are people issues. They don't recognize borders or district boundaries. They affect everybody in this country.

National Crime Victims' Rights Week began in 1980, when President Reagan first called for a national observance to recognize and honor the millions of crime victims and survivors in our country. Victims' Rights Week also pays tribute to the thousands of victim service providers and professionals who provide critical support to victims throughout our country every day. The theme of this year's National Crime Victims' Rights Week is ''Crime Victims' Rights: Fairness. Dignity. Respect.''

Mr. Speaker, crime touches all of us and all of our friends and all of our neighbors. It happens in every State and every district. It has many forms. In 2008, 21 million crimes were committed in the United States. Of these, 5 million were violent crimes, 16 million were property crimes, and there were over 11,000 alcohol-impaired driving fatalities in 2006. In 2008, the incidence of identity fraud rose for the first time in nearly 5 years to 10 million victims here in the United States.

Crime victims are not just statistics, they are real people, real men, women and children, their families, their loved ones. What are we doing to help them? Well, we are raising awareness and highlighting issues important to victims. We are also protecting critical programs that are already in existence. Many of these programs were created by the landmark bill passed in 1984 called the Victims of Crime Act, or VOCA. This law created the VOCA fund. It's a novel concept where criminals who are convicted and sent to our Federal penitentiaries donate into a fund. That fund then is used for crime victims and crime-victim-related organizations throughout the United States.

This fund requires criminals to pay for the crimes they have committed. This money then pays for the rent on the courthouse, so to speak, pays for medical expenses of the victim, and sometimes it covers the victims' funeral costs. This is money that is funded solely by criminals, it is not taxpayer money, and the money should be always used for victims of crime.

VOCA is the only Federal fund that caters to the needs of victims. Each year, over 4,400 agencies, 10,000 victim assistance programs, and about 4 million victims receive support and financial compensation from this fund whose coffers are filled by criminals who are sent to our penitentiaries.

The Office of Management and Budget estimates that the Crime Victims Fund in 2011 will have $4.3 billion, with an additional $1 billion to be deposited during the year of 2011. This money is solely for the victims of crime, funded with money paid by criminals who cause criminal conduct. We should make sure that this money stays with the victims and is not taken by our Federal bureaucrats and used for other pet projects.

Mr. Speaker, crime victims are real people who have survived sometimes gruesome acts of violence. Their voices must not be excluded from our criminal justice system. The criminal justice system should be justice not only for defendants of crime, but victims of crime as well.

As we take the opportunity to honor victims and their courage and their memories, we renew our commitment to protect the rights of crime victims and provide them with effective assistance programs. We also commend the countless professionals and volunteers who have dedicated their lives to help crime victims and survivors of crime.

I urge support of this resolution, and I reserve the balance of my time.

Mr. COHEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California, my colleague in the National Conference of State Legislatures and my colleague here in Congress and the author of this resolution, Mr. COSTA.

Mr. COSTA. I want to thank the gentleman from Tennessee, my colleague and good friend, Representative COHEN, for his hard work not only on behalf of the people of Tennessee, but our Nation, in ensuring that good work is done. I do appreciate serving with you.

Mr. Speaker, I rise today in support of House Resolution 1104, to honor the National Crime Victims' Rights Week, which occurs this week from April 18 through April 24.

As a founder and co-chair of the Congressional Victims' Rights Caucus, Congressman TED POE—who just spoke and really stated it very clearly. He, who in a previous life served as a judge in Texas, saw firsthand the challenges of trying to ensure that justice was served, not just to the criminals, but to ensure that the victims of those crimes, as he sat and listened in his court on a daily basis, were understood and that in ways that justice needs to, that they were reached out to. I want to congratulate my colleague, Congressman Ted Poe, for his previous service and his service today on behalf of not just Texans, but all Americans and those who care deeply about the

impacts of crime and the victims that those crimes have created.

This year, the theme is Fairness, Dignity, and Respect, three things which all victims deserve; fairness, dignity and respect. Last week, the Victims Rights Caucus hosted—Congressman POE and I and other members—the Victims Rights Caucus Award ceremony to honor six individuals throughout the country for their outstanding accomplishments in the field of victim services and victim advocacy.

The National Crime Victims' Rights Week helps us all to be more aware and to acknowledge and to celebrate all the providers who are there for victims of crime, and to support the criminal justice professionals who provide critical assistance to victims all across our Nation.

I know, having been involved in California—as all of my colleagues in their own respective States—that these professionals, each day, on a 24/7 basis throughout the week, see the horrific impacts of these crimes.

Crime knows no bounds, and crime victims deserve our support and services to help them cope. They are our neighbors, they are our friends, they are our family members, those who are victims of crimes. And as was noted earlier by my colleagues, the VOCA fund that was created by Congress in 1984 and signed into law by President Reagan has for decades now reached out and provided necessary funds for over 4,000 organizations throughout our country to provide support for those victims of crime.

So I want to encourage my colleagues to support this resolution to show crime victims that we stand together in a bipartisan fashion for that fairness, for that dignity, and for that respect, and that we will continue to be supportive of commonsense approaches to assisting these individuals in their time of need.

Mr. POE of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ROYCE), who also, being from California, helped sponsor and did sponsor the stalking awareness law in the State of California and has brought that concept to Congress as well.

Mr. ROYCE. I thank the gentleman for yielding.

When we talk about the 5 million violent crimes that occur in this country every year, we should be mindful of what that means in terms of the shattered lives of the victims, those who survive and those who don't survive; their families are shattered by this experience.

I want to take a moment and recognize someone who did a lot in California to help change many of the laws in our State, and that is Colleen Thompson Campbell, who lost not only her son to violent crime, but also, in a separate case, lost her brother and sister-in-law to murder as well.

I have had the opportunity to work with Colleen over the years. She formed an organization called MOVE, Memories of Victims Everywhere. One of the concepts that she had was to try, in State law, to overturn some of the worst decisions made by the then Rose Bird Court, which we did with Proposition 115. I was the author of that legislation. We could not get that legislation to try to restore rights between the victims of crime and the accused through the State legislature, so she went out and pounded the pavement with victims' rights groups across the State. And after gaining 1 million signatures, on the third try we were able to pass it overwhelmingly in the State of California. But that proposition, the Crime Victims/Speedy Trial Initiative, gave victims the right to a speedy trial, it gave those victims an opportunity to testify, it increased sentences, it increased punishment, it required reciprocal discovery of evidence, tried to right that balance, it allowed the family members of those victims to stay in the courtroom and follow these proceedings and not be dismissed, and allowed them also to go to the sentencing. I testified before the House Constitution Subcommittee here some years later when we had an opportunity to mold legislation based on what we had done in California, the victims' rights bill that became law, codifying crime victims' rights here at the Federal level.

I would also just like to recognize another individual who was affected by crime, Kathleen Baty. She never even knew that the man stalking her really had existed when she was in high school and went to UCLA. She was running on campus, she was participating in sports. She did not know that this individual—who she had never met—had become obsessed with her and would take it upon himself over the next 10 years to follow her and stalk her relentlessly and threaten her and attempt to abduct her. It is phenomenal that it took legislation to actually prevent this crime of stalking, but that's where the concept came from, from this case and the case of four young women in my county of Orange County who all died within a span of 6 weeks. Everyone had gone to law enforcement and been told there is nothing we can do despite you being stalked until you are attacked physically. So we passed the Anti-Stalker law—with her testifying—at the State level, and later she came back here and helped us with the Federal law as well.

Why with the Federal law? Because the first thing we tell victims is to get away from your stalker. And when he gets out, or slips—as with the case of her stalker, he cut off his ankle bracelet after he was finally apprehended. By the way, he was apprehended on her doorstep after a 10-hour standoff with a knife to her throat, but he had not dragged her more than the required 1,000 feet, so it was not kidnapping.

This is why we needed the Anti-Stalker Act, why we passed it at the Federal level, why we have to be aware of the rights and the needs and the concerns of victims of crime because these are the types of laws that now we have been able to pass, as I say, in Japan and overseas as well, in Europe. But if we look at the effect on these lives—and I remember Kathleen Baty coming back here to tell me about how she was never able to shake this individual—now we have the Federal law so that if the victim crosses State lines, the perpetrator cannot cross those State lines to pursue them.

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

Mr. POE of Texas. I yield the gentleman 1 additional minute.

Mr. ROYCE. I will also mention the legislation that I authored in California to put fines on those who are convicted of crimes and fund programs in the State for victims, and we have done this at the Federal level as well.

We need to do more to right the scales of justice; we need to do more to balance the rights of crime victims; and lastly, what this particular resolution here today does, we need to do more to make the public aware of just how out of balance these scales are to the 5 million victims of crime every year in the United States.

□ 1530

Mr. COHEN. I would just like to say I appreciate Mr. ROYCE's comments.

Mr. Speaker, in Tennessee, I worked to pass an antistalking law and was successful in doing it. They are important. Whether it's Kathleen in southern California or Victoria in Texas, they need to be protected, and we need to make sure we have such laws.

I yield such time as he may consume to the gentleman from New York (Mr. TOWNS) to address this subject.

Mr. TOWNS. I would like to thank the gentleman from Memphis, Tennessee, for yielding to me.

Mr. Speaker, I rise today in support of H. Res. 1104, commemorating National Crime Victims' Rights Week and its theme, ''Fairness. Dignity. Respect.'' I would also like to reflect upon a topic that is of deep concern to me: violence against women.

Domestic violence has a profound psychological impact on victims and survivors. There has been a 35 percent increase in domestic violence shelter bed use since 2002. Increased shelter utilization is evidence of the displacement and psychological havoc that domestic violence wreaks on families. We must put a stop to this.

Nationally, one-half to two-thirds of residents in domestic violence shelters are children. In fact, on one day in 2007, 13,485 children were living in a domestic violence shelter or in a transitional housing facility. Another 5,526 sought services within nonresidential programs. Children who experience or who witness domestic violence are more likely to become abusers or victims, themselves.

Beyond the home, violence in the form of sexual assault carries with it similar lasting psychological and sociological effects. According to data

provided by the Rape, Abuse and Incest National Network, 60 percent of cases are never even reported to the police. We know that one in six women and one in 33 men will be sexually assaulted in their lifetimes, with college-aged women four times more likely to be sexually assaulted.

Both domestic violence and sexual assault have lasting implications on the lives of victims, survivors and their families. It is important, Mr. Speaker, while working towards crime prevention, that we continue to treat victims and survivors of sexual assault and of domestic violence with fairness, dignity, and respect. We must work together as a Nation to bring awareness to these important issues so that we may prevent further abuse.

I thank the gentleman from Memphis, Tennessee (Mr. COHEN) for granting me the time.

Mr. POE of Texas. I yield myself such time as I may consume.

Mr. Speaker, during this debate, on which we agree this legislation should be passed, we have talked a lot about victims. The victims that we have talked about are more than statistics. They are real people.

Before I came to Congress, I spent over 20 years on the criminal court bench in Houston, Texas. I saw about 25,000 people come to the courthouse who were charged with the most serious crimes in our society. Along with those defendants came other people who didn't want to be at the courthouse either, but they were there because they were chosen by defendants to be prey, in many cases, and those were victims of crime. They came to the courthouse. They were all races, all ages, of both sexes, and of all philosophies, but crime does not discriminate against who the victim may be.

Before I became a judge, I was a prosecutor in Houston, Texas. I spent my last year prosecuting capital cases. In my office across the street, I have a lot of photographs of my kids, of my four kids and of my eight grandkids, but I also have two other photographs that have been in my office ever since I was at the courthouse in Houston, first as a prosecutor and then as a judge.

This is a photograph of Kevin Wanstrath. He was born the same year as my son Kurt, but Kevin didn't have the fortune of living very long. This photograph was taken just a few days before he was murdered.

Kevin didn't have a lot going for him when he was born. He was born in Biloxi, Mississippi. His mother didn't want him, so she threw him in a Dempsey Dumpster. A homeless guy found him, turned him over to Catholic charities, and he was taken care of in that orphanage. A couple in Houston, Texas, by the name of John and Diana Wanstrath, a married couple, couldn't have children. They found Kevin. They adopted him, and they made Kevin Wanstrath their child.

Unbeknownst to them, there was a relative who was plotting to kill John and Diana Wanstrath. Under Texas law, if the parents die, the child gets everything. On a summer night in Houston, Texas, two individuals posing as real estate agents came to the front door of John and Diana Wanstrath. They first shot John in the head and then shot Diana in the head. Then while Kevin Wanstrath was asleep in his baby bed and was curled up to his favorite little teddy bear—he had blue terry cloth pajamas on—he was shot in the back of the head. He was assassinated on the altar of greed.

There were four henchmen involved in that murder. It turned out that, during the trial, we proved that there was another homicide, that Diana Wanstrath's mother was also murdered by these henchmen.

That was a long time ago. Two of the killers received the death penalty. Two others went to prison for a long time. But I've always wondered what Kevin Wanstrath would turn out to be. He was 14 months old in this photograph. He didn't get to live very long, but he was a victim.

Today, we've talked about victims of crime, but they were and they are, Mr. Speaker, real people, people who just wanted to live, to grow up, to play in their backyards with their dads—things that never happened for Kevin, for a lot of other kids in our culture and for a lot of adults, too.

We as a Nation must understand that violence against people in this country has to end and that people who commit crimes against children and others, violent crimes, must be held accountable under our laws for the choices that they make. We as a society and we as a culture are not judged by the way we treat the rich, the famous, the powerful, the important, the politicians. We are judged by the way we treat the weak, the elderly, the children. That is how we are judged.

That's why this resolution and other resolutions which talk about victims are important, so I urge all of my colleagues to support this resolution and to remember that victims are people, too. And that's just the way it is.

I yield back the balance of my time.

Mr. COHEN. I appreciate the remarks of Congressman POE, which were obviously heartfelt.

Mr. Speaker, I think there is bipartisanship within this House in looking out for the victims of crime and in trying to see that there aren't more victims. Sometimes you hear speeches on the floor which are written or which are, maybe, not as personal in nature, but what Mr. POE said was personal. His experience as a prosecutor and as a criminal court judge came through, and I am privileged to have listened to that and to be able to join in his thoughts of: That's just the way it is.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H. Res. 1104, supporting the mission and goals of 2010 National Crime Victims' Rights Week to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States,'' introduced by my distinguished colleague from California, Representative COSTA.

The 2010 National Crime Victims' Rights Week, April 18 through April 24, 2010, will provide an opportunity for justice systems in the United States to strive to reach the goal of justice for all by ensuring that all victims are afforded legal rights and provided with assistance as they face the financial, physical, spiritual, psychological, and social impact of crime. The theme for 2010 is, ''Crime Victims'' Rights: Fairness. Dignity. Respect.''

Although our Nation has steadily expanded rights, protections, and services for victims of crime, too many victims are still not able to recognize the hope and promise of these expanded rights, protections, and services. Over 25,000 individuals in the United States are victims of crime each year, including over 6,000,000 individuals who are victims of violent crime.

Despite impressive accomplishments over the past 40 years in crime victims' rights and services, there remain many challenges to ensuring all victims—(1) treated with fairness, dignity, and respect; (2) are offered support and services regardless of whether the crimes committed against them to law enforcement; and (3) are recognized as key participants in our system of justice when such crimes are reported.

Observing victims' rights and treating victims with fairness, dignity, and respect serve the public interest by engaging victims in the justice system, inspiring respect for public authorities, and promoting confidence in safety. Justice systems in the United States should ensure that services are available for all victims of crime, including victims from underserved communities of our Nation.

A just society acknowledges the impact of crime on individuals, families, neighborhoods, and communities by ensuring that rights, resources, and services available to help rebuild the lives of victims. Individuals in the United States recognize that our homes, neighborhoods, and communities are made safer and stronger by identifying and meeting the needs of crime victims and ensuring justice for all. Treating victims' of crime with fairness, dignity, and respect costs nothing more than taking time to identify victims' needs and concerns, and effective collaboration among justice systems to meet such needs and concerns.

I urge my colleagues to support H. Res. 1104 in increasing the public awareness of the impact on victims' and survivors of crime and the constitutional and statutory rights and needs of victims' and survivors. We all have an obligation in protecting the rights of all people and ensuring that they receive the respect and dignity they deserve.

Mr. COHEN. I ask that all of my colleagues join me in supporting this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the resolution, H. Res. 1104.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. POE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 40 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. QUIGLEY) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 1257, and House Resolution 1271, both by the yeas and nays.

Proceedings on House Resolution 1104 will resume later in the week.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL FINANCIAL LITERACY MONTH, 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1257, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and agree to the resolution, H. Res. 1257.

The vote was taken by electronic device, and there were—yeas 397, nays 4, not voting 29, as follows:

[Roll No. 212]

YEAS—397

Ackerman
Aderholt
Adler (NJ)
Akin
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bishop (NY)
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
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
Filner
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 (NY)
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
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
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
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, 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)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
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)
Young (FL)

NAYS—4

Broun (GA)
Burgess
Flake
Paul

NOT VOTING—29

Alexander
Barrett (SC)
Berry
Bilirakis
Bishop (GA)
Blumenauer
Blunt
Boccieri
Boehner
Boustany
Capps
Clarke
Conyers
Davis (AL)
Diaz-Balart, L.
Fattah
Gohmert
Hoekstra
Honda
Johnson, E. B.
Kilpatrick (MI)
Kirk
Langevin
McGovern
Murphy (NY)
Ruppersberger
Souder
Sutton
Wamp

□ 1859

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. CAPPS. Mr. Speaker, on rollcall No. 212, H.R. 1257, had I been present, I would have voted "yes."

Mr. MURPHY of New York. Mr. Speaker, on rollcall No. 212, H.R. 1257, had I been present, I would have voted "yes."

Mr. BILIRAKIS. Mr. Speaker, on rollcall No. 212, I was unavoidably detained. Had I been present, I would have voted "yes."

HONORING THE LIFE AND ACHIEVEMENTS OF REV. BENJAMIN LAWSON HOOKS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1271, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the resolution, H. Res. 1271.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 23, as follows:

[Roll No. 213]

YEAS—407

Ackerman
Aderholt
Adler (NJ)
Akin
Altmire
Andrews
Arcuri
Austria
Baca

Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
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 (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeGette
Delahunt
DeLauro
Dent
Deutch
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 (NY)
Hall (TX)
Halvorson
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kingston
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, 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)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
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)
Young (FL)

NOT VOTING—23

Alexander
Barrett (SC)
Bishop (GA)
Blumenauer
Blunt
Boccieri
Boehner
Boustany
Broun (GA)
Davis (AL)
DeFazio
Diaz-Balart, L.
Gohmert
Hare
Hoekstra
Honda
Johnson, E. B.
Kilpatrick (MI)
Kirk
Miller (NC)
Ruppersberger
Souder
Wamp

□ 1908

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, I was unavoidably absent for two votes today. Had I been present, I would have voted ''aye'' on final passage of H. Res. 1257 and ''aye'' on final passage of H. Res. 1271.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on Tuesday, April 20, 2010, I requested and received a leave of absence.

For the information of our colleagues and my constituents, had I been present, on the following votes I missed during this time period.

On rollcall 212, Supporting the goals and ideals of National Financial Literacy Month, 2010 (H.R. 1257), I would have voted ''yes.''

On rollcall 213, Honoring the life and achievements of Dr. Benjamin Lawson Hooks (H.R. 1271), I would have voted ''yes.''

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1868

Mr. GARY G. MILLER of California. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 1868, a bill originally introduced by Representative Deal of Georgia, 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 California?

There was no objection.

PERSONAL EXPLANATION

Ms. JACKSON LEE of Texas. Mr. Speaker, last Thursday, April 15, 2010, I was away from this House on a matter dealing with constituency and official business regarding NASA, and I would like to submit into the RECORD the following votes if I had been present.

On rollcall vote 204, on agreeing to the resolution, H. Res. 1248. Had I been present, I would have voted ''aye.''

Rollcall vote 205, on a motion to suspend the rules on resolution, H. Res. 1062. Had I been present, I would have voted ''aye.''

Rollcall vote 206, on a motion to refer the resolution, H. Res. 1255. Had I been present, I would have voted ''aye.''

Rollcall vote 207, on agreeing to the amendment, H.R. 4715, the Shea-Porter of New Hampshire amendment. Had I been present, I would have voted ''aye.''

Rollcall vote 208, on a motion to recommit, to amend the Federal Water Pollution Control Act. Had I been present, I would have voted ''no.''

Rollcall vote 209, on the final passage of H.R. 4715, to amend the Federal Water Pollution Control Act. Had I been present, I would have voted ''aye.''

Rollcall vote 210, on a motion to suspend the rules and agree to resolution, H. Res. 1242, congratulating Duke University. Had I been present, I would have voted ''aye.''

Rollcall vote 211, H.R. 4851, on a motion to concur in the Senate amendment H.R. 4851, continuing the extension of unemployment benefits. Had I been present, I would have voted ''aye.''

Mr. Speaker, I rise to address the Chair regarding my absence from rollcall votes 204–211 on Thursday, April 15, 2010.

Mr. Speaker, I was not able to cast my votes during rollcall 204–211 on last Thursday because I was away working to save jobs for the American people. I would like to state for the record how I would have voted had I been present.

For rollcall vote 204, on agreeing to the resolution, H. Res. 1248, ''Providing for consideration of the bill (H.R. 4715), Clean Estuaries Act of 2010 and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules,'' I would have voted aye;

For rollcall vote 205, on motion to suspend the rules and agree as amended, H. Res. 1062, ''Recognizing the Coast Guard Group Astorias' more than 60 years of service to the Pacific Northwest, and for other purposes,'' I would have voted aye;

For rollcall vote 206, on motion to refer the resolution, H. Res. 1255, "Raising a question of the privileges of the House," I would have voted aye;

For rollcall vote 207, on agreeing to the amendment, H.R. 4715, "Shea-Porter of New Hampshire Amendment," I would have voted aye;

For rollcall vote 208, on motion to recommit with instructions, "To amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes," I would have voted no;

For rollcall 209 on passage of H.R. 4715, "To amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes," I would have voted aye;

For rollcall vote 210 on motion to suspend the rules and agree to H. Res. 1242, "Congratulating the Duke University men's basketball team for winning the 2010 NCAA Division I Men's Basketball National Championship," I would have voted aye;

For rollcall vote 211, H.R. 4851 on motion to concur in the Senate Amendment H.R. 4851, "Continuing Extension Act," I would have voted aye.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. FLAKE. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my 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.

□ 1915

VETERANS' LEGISLATION

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

Mr. MCNERNEY. Mr. Speaker, I rise in strong support of our Nation's veterans and to thank Chairman FILNER for his leadership on veterans' issues. Tomorrow, the House is expected to consider S. 1963, major legislation to improve the VA which includes legislation I introduced, the Caring for Veterans with Traumatic Brain Injury Act.

In order to meet the treatment and rehabilitation needs of veterans suffering from traumatic brain injury, my bill establishes a Committee on Care of Veterans with TBI, which has become the signature wound of the wars in Afghanistan and Iraq.

We must continue our efforts to provide veterans and their families with the best possible health care. The Committee on Care of Veterans with Traumatic Brain Injury will help provide improved TBI education and training programs for VA health professionals which will benefit our men and women returning from combat.

I want to thank all of the men and women serving in our Armed Forces as well as our Nation's veterans.

JERUSALEM

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

Ms. ROS-LEHTINEN. Mr. Speaker, we should not be doubling down on a failed Middle East policy by pressuring Israel to make further concessions, including on Jerusalem, Israel's undivided capital.

Holocaust survivor and Nobel Peace Prize winner Elie Wiesel recently wrote:

"Jerusalem is above politics. It belongs to the Jewish people, and it is much more than a city. It is what binds one Jew to another in a way that remains hard to explain. Today, for the first time in history, Jews, Christians and Muslims all may freely worship at their shrines. And, contrary to certain media reports, Jews, Christians and Muslims are allowed to build their homes anywhere in the city. The anguish over Jerusalem is not about real estate but about memory."

What is the solution, Mr. Speaker? Well, certainly not more pressure on our friend and our trusted ally Israel, while not holding others accountable for their actions.

HONORING ELK COUNTY COMMUNITY FOUNDATION

(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. Mr. Speaker, back in March a small foundation in Elk County, Pennsylvania gave its millionth dollar to a local organization and celebrated its 10th year of existence.

The Elk County Community Foundation has grown during its 10 years to encompass 68 permanent charitable funds. By managing these funds, the foundation improves the quality of life in Elk County and the surrounding area. The revenues earned by the various funds provide grants and scholarships to nonprofit organizations and to individuals.

On their anniversary, the foundation celebrated at the Central Hose Company in Ridgway, where the Ridgway Volunteer Fire Department recently received a grant to help with the purchase of new equipment for its tanker truck.

It is this type of generosity for which the foundation is known. Paula Fritz-Eddy, foundation executive director,

says that every fund has a story—from nursing to music to rewarding scholarship.

I would like to commend foundation president Judith Manno Stager and all associated with the foundation for their phenomenal work in helping both donors and recipients.

I wish them another productive 10 years of service.

RULEMAKING REGARDING HEALTH CARE LEGISLATION

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

Mr. BURGESS. Mr. Speaker, tomorrow we were to have a hearing in my Committee on Energy and Commerce about the companies in the United States that restated their earnings as a result of us passing the misguided health care bill last month. These companies were performing under requirements of the Securities and Exchange Commission and under the Federal Accounting Standards Board.

Some of the restatement of earnings you see here on this poster, the chairman of the Committee on Energy and Commerce thought that these restatement of earnings were simply done to embarrass the President on the signing of the bill. In fact, this was a loophole that was closed by a Senator on Christmas Eve and the loophole was to undo the Federal Government and these companies partnering together in order to prevent retirees from losing prescription drug benefits. It was a win-win situation for the employer and for the retiree.

Unfortunately, there are many things like this in this health care bill that are going to be coming forward. This hearing was canceled after it was pointed out to the chairman that in fact these companies were just simply restating earnings as they were required to do under the law. But many of the other provisions in this bill are going to be coming out over the next several months. We're just now entering into phase B, the rulemaking part, over at Health and Human Services.

It behooves this Congress to exercise its oversight authority over the Department of Health and Human Services as these rules are written.

RECOGNIZING ISRAEL IN HONOR OF HER 62ND BIRTHDAY

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

Mr. PAULSEN. Mr. Speaker, I rise tonight to recognize our great ally, Israel, on the 62nd anniversary of their nation.

As the standard bearer for democracy in the Middle East, Israel is of critical importance to the United States. Since the declaration of the State of Israel in 1948, they have consistently shown the power of democracy in a very volatile part of the world.

Their achievements cannot be understated. The per capita annual GDP in Israel is nearly $30,000 and the average life span is over 80 years. Israel consistently keeps its citizens safe, despite the security threats that occur on a daily basis. The fact that Israel continues to grow in population at an annual increase of 1.8 percent is a strong signal of the nation's strength.

So today let us recognize Israel and their many achievements and let us always remember the unending bond between the United States and Israel that must continue to be protected.

HONORING THE SERVICE OF WEST FORK FIRE CHIEF MITCH McCORKLE

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

Mr. BOOZMAN. Mr. Speaker, I rise today to honor Mitch McCorkle, who has devoted his life to protecting the citizens of West Fork, Arkansas and is now retiring after 50 years of serving as the only fire chief in West Fork.

During his time as fire chief, Mitch has demonstrated his ability to innovate time and time again by building fire trucks that are uniquely suited to the landscape of northwest Arkansas. The longest serving fire chief in all of Arkansas, Mitch was a visionary in terms of what can be done with a volunteer department. Mitch's pride in doing his job and serving his community is an example to be followed and has made West Fork a better place.

West Fork will undoubtedly be losing an amazing fire chief. I commend Mitch for his service as the fire chief of West Fork, his passion for protecting our citizens, and his continued commitment to our safety. I wish him continued success in his endeavors and today I ask my colleagues to join me in honoring Mitch McCorkle, a fire chief whose continued devotion to the Third District of Arkansas has not gone unnoticed and will never be forgotten.

REGARDING THE HEALTH CARE REFORM BILL

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I asked if I could borrow this display here which really should have minuses in front of all these numbers because essentially these companies had to file in their financial reports the losses that they will incur immediately as a result of the passage and signing into law of the health care reform bill.

Now that's bad enough, but even worse was the initial response by this House to them following the law. And it was to receive a letter commanding their CEOs come before a committee of this House, a subcommittee of this House, with all of their internal documents as to how they could come up with this position.

Now think about it. This is one of the concerns many of us expressed about having the government take over medical care in this country to the extent this bill allows it: if you criticize the government, you will be called to heel before a committee of the House.

Now it is true that that call has been removed, but they have received a letter which told them the Congress will continue watching. This is not democracy. This is not independence. This is what we fought against.

SPECIAL ORDERS

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

A ''NEW START'' TOWARD A NUCLEAR WEAPON-FREE WORLD

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

Ms. WOOLSEY. Mr. Speaker, for those of us who want to live in a world without nuclear weapons, there was very little good news, very little to celebrate over the last decade or so. The previous administration showed barely any interest in eradicating the nuclear threat. But now finally, with the recently signed START treaty between the United States and Russia, there is cause for optimism and hope for further progress.

In negotiating this agreement, I am pleased that President Obama has embraced the principles of the ''no-nukes'' resolution, House Resolution 333 that I have introduced in the Congress, and the SMART Security approach I've championed for years.

Much of the attention paid to arms control issues focuses on North Korea and the looming possibility of a nuclear threat from Iran. And of course these are gravely important matters to grapple with. But the fact is that more than 90 percent of the world's nuclear capability rests with the two Cold War superpowers. So a serious commitment to nonproliferation must begin with a bilateral U.S.-Russia approach.

This pact, the New START, mandates a 30 percent reduction in the allowed number of deployed strategic warheads, from a maximum of 2,200 down to 1,550 for each country, the most significant step toward disarmament in years. The treaty is far from perfect. In fact, I am disappointed that it places no restrictions on the development of missile defense programs which have delivered little bang for the taxpayer buck over the last several decades. But it is crucial that our Senate colleagues move quickly to ratify this treaty. Hopefully the partisan obstructionism that we've seen over and over again on the other

side of the aisle will be laid aside on this vital matter of national security.

We now have momentum on this issue. The President seized it this week with important breakthroughs at the Nuclear Security Summit he hosted in Washington. Tomorrow, the House Committee on Foreign Affairs will convene an important hearing to discuss stopping the spread of nuclear weapons and combating nuclear terrorism.

We cannot let up, Mr. Speaker, because there is difficult work ahead, and because the New START treaty with Russia really doesn't go far enough. We can't be satisfied with incremental steps. 1,550 nuclear warheads is still 1,550 too many. Just one of them has the power to leave carnage so devastating it would make 9/11 look like a minor traffic accident.

In an op-ed written for the Tampa Tribune, the leaders of the group Physicians for Social Responsibility reminded us in vivid terms what a nuclear strike would mean, and I quote:

''A single Hiroshima-sized bomb detonated by terrorists in New York City could kill over 250,000 people and cause somewhere between $2 trillion and $10 trillion in damage.''

They continue:

''A large-scale nuclear exchange with Russia would kill more than 100 million Americans in the first half-hour. Clouds of dust and soot would block out the sun, and in a matter of days the average temperature across the globe would plummet 18 degrees Fahrenheit, to levels not seen on Earth since the depth of the last ice age. In this nuclear winter, agriculture would cease to exist throughout the northern hemisphere, and billions of people would starve in the following months.''

□ 1930

Mr. Speaker, nothing less than the future of the human race hangs in the balance here. That's why the New START must be the start and not the end of our commitment to eliminate nuclear weaponry once and for all.

MEXICAN MILITARY HELICOPTER INCURSIONS INTO U.S.

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. I bring you news from the third front, that being the southern border with our neighbor Mexico, the first front being Iraq, the second front being Afghanistan. We are engaged in three conflicts, three wars. And the third front is the conflict on our border, the border war with the drug cartels.

The $40 billion-a-year illicit drug trade in Mexico has resulted in a vicious wave of violence in northern Mexico and the United States. President Calderon of Mexico has said in the last few years 23,000 Mexicans have been killed and murdered on the streets of Mexico. To put it in perspective, that is over twice the murder homicide rate in the United States.

Recently, there were two incursions by Mexican military helicopters across the Texas-Mexico border into the United States, and their intentions are still unknown. Those incursions were about 3 weeks apart. Some here in Washington questioned whether these astonishing reports of Mexican military helicopters actually were true.

Well, here is a photograph, Mr. Speaker, that was taken by some individuals in Zapata County, Texas. That is on the border with Mexico. This is an RV park. And this is one of those Mexican military helicopters. It is a Russian-made, built helicopter. It has the word ''Marine'' on the side, that being the Mexican Navy's helicopter. And this photograph was taken by more than one individual. Photographs of the first incursion were also taken. And the question remains why is the Mexican military helicopter coming into the United States, and why is our government silent about their intention? We do not know.

The international criminal drug cartels are just that: they are international. They are connected to terrorist organizations worldwide, and they make money selling drugs to fund their narcoterrorism. Which begs the question, Why are Americans allowing Mexican military helicopters to invade our airspace? I wish we had an answer from our government. Are they protecting drug shipments into the United States? We don't know. Are they doing something else? We don't know.

This photograph, by the way, this helicopter is over two miles into the United States. The Texas-Mexico border is not like Arizona and New Mexico and California. There is a river in between. It's hard to miss the river when you fly over it. So it's obviously not a mistake on the part of whoever is flying this helicopter.

You know, the primary duty of government is to protect the people. But the Federal Government, our government, has gotten so big and stuck its nose in so many places it doesn't belong it's no longer, in my opinion, performing its primary duty, protecting the people. Congress seems to be a little bit more concerned about steroids in baseball than they are concerned about protecting our border from people who come across without permission.

At the El Paso sector of the Border Patrol in Texas, our agents now are being targeted by the Azteca hitmen of the Juarez drug cartel. What that means is this: the Juarez drug cartel is bringing dope into the United States. Our Border Patrol is doing an excellent job, best that we will let them do, of preventing that from occurring. So they have hired their own hitmen, the Azteca hitmen to target our Border Patrol agents. Our Border Patrol agents have a $250,000 bounty on their heads for being Border Patrol agents, for trying to do their job. And they are being targeted for kidnappings or murder. It makes no difference. I think that ought to upset some of us here in Washington, D.C.

You know, the Azteca gang works for the Juarez drug cartel. They protect drug shipments that are brought into the United States. It gets bad down in Texas on the Texas-Mexico border. I recently asked a Texas Ranger, I said, What's it like after dark on the Texas-Mexico border? And he made this comment: It gets western. That's right, Mr. Speaker, it gets western. It's like the old West shootouts. You know, we have heard about all the shootings in northern Mexico. And it's only a matter of time before they shoot their way across the border into the United States.

This is serious. This is violent. And it's being perpetrated by the drug cartels against Americans both in Mexico and the United States, but it's also being perpetrated against Mexican nationals that live in Mexico.

You know, we shouldn't wait until something worse happens before we do something about it. It's important that we protect the dignity of our Nation because it's the first duty of government to protect the people of the United States. We should be sending the National Guard down to the border. This has been talked about before, yet nothing has happened. The Texas Governor and other State Governors have asked that the National Guard be deployed on the border. Why not?

It's interesting, Mr. Speaker, we protect the borders of other nations with our military, but we don't protect our own border with the National Guard. The question is, Why not? You know, it's time that we act, otherwise we delay at our own peril, Mr. Speaker.

And that's just the way it is.

ON THE PASSING OF DR. DOROTHY HEIGHT

Ms. LEE of California. Mr. Speaker, I ask that my comments on the passing of Dr. Dorothy Height be included with those of the Special Order that Congresswoman DIANE WATSON will be anchoring this evening.

The SPEAKER pro tempore. Without objection, the gentlewoman's 5-minute Special Order will appear in that portion of the RECORD.

There was no objection.

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

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

MEXICAN MILITARY HELICOPTER INCURSIONS INTO U.S.

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

Mr. BURTON of Indiana. Mr. Speaker, tonight I was going to talk about the health care bill, and how it's going to affect AT&T, $1 billion they are going to be out; John Deere, 150 million; Caterpillar, 100 million; Prudential a 100 million. All these companies, their bottom line is going to be reduced by all this money because of the health care bill that wasn't supposed to hurt our economy at all. But it's going to. It's going to hurt the bottom line of all these companies, and it's going to affect the people who work for them. They are going to be laying people off. They are going to be offshore many of these companies because of this. And it's something that wasn't talked about during the health care debate. The American people were against the bill. And if they knew this, they would really be against the bill.

But the thing I want to talk about tonight is my good friend, Congressman POE, was just down here. And usually when I come down here to give a talk at night, I have a subject like this I am going to talk about, but he said some things during his 5-minute Special Order that I wish all of my colleagues who may be watching back in their offices, and if I were talking to the American people, I would wish that they could hear what he had to say.

Mr. POE, did I understand you correctly when you said that there is a bounty of $250,000 on our Border Patrol agents down there by the drug cartels?

Mr. POE of Texas. Will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Texas.

Mr. POE of Texas. Yes, in the western part of Texas, near El Paso, the Juarez drug cartel operates bringing drugs into the United States. They have hitmen that are called the Azteca gang. And they have been specifically hired to target our Border Patrol agents, a $250,000 bounty on their head for kidnapping or murdering of them; that is correct.

Mr. BURTON of Indiana. I wasn't aware of that. And I doubt if any of our colleagues were aware of that. Are the sheriffs and all the law enforcement agencies down there, they are aware of it as well?

Mr. POE of Texas. Law enforcement is aware of the situation. All the law enforcement is aware.

Mr. BURTON of Indiana. Who in the world would want to be a Border Patrol agent or work on that border if they know that there is a $250,000 bounty on their head by the drug cartels?

Mr. POE of Texas. I don't know. They are amazing people, the law enforcement, all of them, the Federal agents, the State agents, the sheriffs, local law enforcement. They are amazing people who work on the border because they are outgunned, outmanned, and outfinanced by the drug cartels.

Mr. BURTON of Indiana. And you showed a helicopter, a Mexican helicopter that was in the United States airspace. And there is no explanation for that as well.

Mr. POE of Texas. That's right. That helicopter was in Zapata County, into the United States a mile and a half, two miles across the border, the river border, and we are yet to find out why that helicopter was there. Another one was in the United States about 3 weeks prior to this one.

□ 1945

Mr. BURTON of Indiana. And no American troops, National Guard or military of any kind is down there augmenting the border patrol agents that are risking their lives every day.

Mr. POE of Texas. That's correct. The border patrol are on their own working with the local sheriffs.

Mr. BURTON of Indiana. Well, you know, what I would like to do, Representative POE, under your leadership, I'd like to work with you to get a letter signed to the President of the United States talking about this bounty that's on our border patrol agents' heads, and ask him and the Governors of those States to do whatever is necessary to protect that border and to make sure that our border patrol agents aren't at risk like they are today. That's just terrible. I can't believe that. And if we could get a bunch of Members to sign a letter like that, maybe we could wake up the administration to the problem and get some additional help down there because, as you know, well, you of all people know, they're coming across in droves and they're using all kinds of methods to bring drugs into this country. And they're killing Americans. Wasn't there an American killed a couple of miles inside the border just a week or two ago?

Mr. POE of Texas. Yes, in Arizona a rancher was killed by people crossing the border into the United States, people illegally in the United States.

Mr. BURTON of Indiana. Well, I will be glad to work with you, if you would like to, to draft a letter to make sure that everybody knows in this body and the President knows that there is a bounty to kill American border patrol agents or to kidnap them and do whatever they do to them by the drug cartels. This is something that the American people need to know about. And I'm so happy that you brought this up tonight, and I'm going to do everything I can to work with you to make sure we do something to stop it. And I want to go down to the border with you to see this thing firsthand, and we'll be doing that pretty quick.

Mr. POE of Texas. Be glad to work with you. Appreciate it. Be glad to work with you on that.

Mr. BURTON of Indiana. Everybody in this body owes you a debt of gratitude.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

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

WALL STREET VS. MAIN STREET

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

Ms. KAPTUR. Mr. Speaker, Wall Street speculation and the disaster it caused have been clear since the bailout in the fall of 2008. More foreclosures on Main Street, higher profits for Wall Street.

I fought against that bailout, and I continue to fight for Main Street and the people who are not high powered gamblers nor high paid investors nor the mega banks. My fight is for people to regain their jobs, for people to save their homes, and for people to have their hope restored.

I've been observing the U.S. Securities and Exchange Commission taking a baby step, long overdue, as watchdog of the markets that they are supposed to be regulating as enforcers of securities law.

As the New York Times reports today, rather than asserting that Goldman misrepresented a product it was selling, the most commonly used grounds for securities fraud, the Securities and Exchange Commission said in a civil lawsuit filed on Friday that the investment bank misled customers about how the product was created. In fact, the SEC can only file civil cases, so it's high time to look, rather, at the apparent criminal fraud involved in and around the hidden works of Wall Street and the financial crisis it precipitated.

Last year I introduced H.R. 3995, the 2008 Financial Crisis Investigation and Prosecution Act, authorizing the Director of the FBI to hire 1,000 additional agents and additional forensic accounting experts to probe down into the misdeeds that brought down the economy of our Nation.

Though the FBI is slightly beefing up their ranks on investigating fraud, during the savings and loan scandal of the late 1980s and early 1990s 1,000 agents, as well as forensic experts, exacted justice. Today, if there are even 300 over there doing part-time work on this, that would be a high number.

Back in the eighties and nineties, that savings and loan crisis cost the people of our country $170 billion placed right squarely on the back of our taxpayers. The 2008 financial crisis could cost our people trillions of dollars. So it must be the focus of the Department of Justice to find and fight the fraud in our financial system. And they simply need more financial white collar crime agents to do so.

Citizens following the law have nothing to fear. Those committing criminal acts should know they will be caught. That is why, in addition to authorizing more FBI agents, H.R. 3995 also authorizes the hiring of more prosecutors in the Department of Justice to take those cases to trial.

In addition, the SEC has an important role in enforcement, as shown on Friday of last week, and H.R. 3995 strengthens the SEC by authorizing the hiring of more investigators.

Many groups support this effort and recognize the necessity of ensuring our financial system is rid of these criminals, and also pointing out who's profited from the harm that has been caused to the American people through their moral hazards.

No one knows exactly how much the financial crisis of 2008 will cost our taxpayers, but one way to lessen that blow to them is to claw back to the assets of those who rigged the system to their benefit and our Republic's detriment. Our citizens want those who committed crimes to be held accountable, and H.R. 3995 supports the agencies who can work for real justice.

I ask my colleagues to support this bipartisan bill and work to support the agencies tasked with finding and fighting massive fraud in our financial system.

Furthermore, Congress should be assured that the Department of Justice is on task to find and fight this fraud.

The charges against Goldman Sachs, the speculators there, by the SEC have released a wave of response across this country. And in today's New York Times Letters to the Editor, Oliver Revell, who served for 30 years as Special Agent and Senior Executive of the FBI and as an Associate Deputy Director, wrote to the Times, ''It is clear to me that the SEC charges should be held in abeyance, and that the FBI and Justice Department should immediately open an investigation in the apparent fraud that occurred in this area.''

He states that out of concern that the SEC's civil charges might result in future criminal actions being impossible, as evidence in civil trials can be excluded as inadmissible from criminal trial if it is used first in a civil trial.

I agree. And I'm circulating a letter among my colleagues asking Attorney General Holder to investigate Goldman Sachs and other related cases to find and fight fraud in our financial system.

Many questions are yet to be answered and situations investigated. How much of this was under the watch of then CEO of Goldman Sachs, Henry Paulsen, the former Secretary of the Department of the Treasury, who then bailed out the big banks with which he was so intimately implicated?

AIG must be one of these cases since Goldman Sachs was the largest domestic recipient of counterparty payments through AIG. Goldman's excessive profits in this first quarter have gone up more than $3.5 billion. Imagine if you could borrow at one-half percent interest from the Federal Reserve and then lend that money out at 3.5 percent interest rate. You'd be making billions, too.

And it's not just all about Goldman Sachs. It's about Lehman Brothers, Washington Mutual, other banks, our speculative firms, hedge funds, mortgage companies. Fraud is against the law, and right now fraud appears to be rampant and getting away with it. We need to be investigating and catching the criminals and leaving those who abide the law alone.

I fought the bailout in part because I was concerned that rampant fraud was highly likely. And Congress needs to fight for Main Street and support those agencies that are responsible for fighting fraud in our system.

I ask my colleagues to join me by also signing the letter we have composed to Attorney General Holder asking for a criminal investigation with fraud related to these institutions; and also invite my colleagues to cosponsor H.R. 3995.

[From The New York Times, April 20, 2010]

THE UPROAR OVER GOLDMAN SACHS

To the Editor:

It is clear to me that the Securities and Exchange Commission charges should be held in abeyance and that the F.B.I. and the Justice Department should immediately open an investigation into the apparent fraud that occurred in this situation.

Goldman Sachs officials who approved of this insider manipulation, including Fabrice Tourre, the apparent creator of the Abacus 2007–AC1 fund, should be the immediate targets of this investigation, as should John A. Paulson, the apparent beneficiary of the fund.

If the S.E.C. proceeds with a civil case, much of the evidence may be inadmissible in a criminal proceeding because of Fifth Amendment issues. In my experience as an agent and former associate deputy director of the F.B.I. who was in charge of criminal investigations, this case should go to the top of the F.B.I.'s priority list. There should be an intensive investigation of all potentially criminal acts in this apparent scam.

Oliver Revell,

Zurich, April 17, 2010.

To the Editor:

Re ''S.E.C. Accuses Goldman of Fraud in Housing Deal'' (front page, April 17):

The securities fraud lawsuit against Goldman Sachs exposes a serious flaw in modern Western capitalism.

Adam Smith taught us that the point of a robust capital market is to direct capital to its best and highest use, where, combined with labor, it will produce the goods and services most valued by society. Asset bubbles are a problem, but at least mortgage-backed securities enabled people to live in their overvalued houses.

The Goldman ''Abacus'' transaction involved ''synthetic'' collateralized debt obligations, derivatives whose value rose and fell with the value of real C.D.O.'s elsewhere. It produced no goods or services, financed no consumption—nothing at all. Money that could, and should, have been used to add value to society was not invested; it was squandered as surely as if the parties had wagered on a horse race.

Legitimate hedging is one thing. Gambling with people's savings, university endowments and municipal funds, on the other hand, should be a crime.

Caroline Poplin,

Bethesda, Md., April 18, 2010.

To the Editor:

Goldman Sachs's ethical failures and hypocrisy are more important than whether it is legally guilty of fraud. Goldman presents itself as having higher standards than other Wall Street firms. It even posts ''Our Business Principles'' on its Web site, something most firms do not do. Among these are ''Our clients' interests always come first'' and ''Integrity and honesty are at the heart of our business.''

In the Abacus 2007–AC1 transaction, according to the Securities and Exchange Commission lawsuit, Goldman knowingly sold a product that was designed to fail, favoring its own interests and the interests of one client (John A. Paulson, a hedge fund manager) over the interests of other clients. Further, it failed to fully disclose how the Abacus portfolio was assembled. Goldman clearly did not adhere to its stated business principles in this deal.

Jeffrey Cohen,

Arroyo Seco, N.M., April 18, 2010.

To the Editor:

As a real estate agent on the North Fork of Long Island in the roaring housing market here from 1998 to 2005, I was puzzled by the willingness of banks to give ''no doc'' (no documentation) and ''liars'' (self-explanatory) bans. Some of these buyers were borrowing more than the cost of their new homes.

Today we can see why the banks were so generous. The Securities and Exchange Commission charges that at least one bank, Goldman Sachs, knowingly sold packages of subprime loans that were meant to fail so that a savvy investor could most profitably short a pool of them.

Some subprime mortgage borrowers who are underwater, owing more on their homes than they are worth, are walking away, leaving their homes and the payments they have already made to the banks.

These days the North Fork real estate sales market isn't roaring anymore, but many of those former homeowners are keeping the rental market purring.

Janice Keller,

Mattituck, N.Y., April 17, 2010.

To the Editor:

Re ''In a Rush to Judge Goldman?'' (column, April 17):

In questioning a rush to judgment against Goldman Sachs, William D. Cohan seemingly tries to turn the table by asking: if ''Goldman had lost billions instead of making billions, would the S.E.C. have filed a lawsuit against Abacus's investors?''

This ignores the fundamental issue in this case: fraud is fraud, whether the perpetrator profits from his misdeeds or not. The Securities and Exchange Commission is alleging that Goldman omitted material information from a prospectus that it was required by law to disclose so that the investors could make an informed decision about whether to buy the securities being offered.

Moreover, if Goldman did lose money—whether from the actual trades or the recent drop in share price—and the S.E.C. proved that Goldman had committed fraud, then Goldman's shareholders have been hurt by this activity and would have a right to sue to recoup their losses from those responsible.

James O. Chamberlain,

Forest Hills, Queens, April 17, 2010.

To the Editor:

Re ''So Many Ways to Almost Say I'm Sorry'' (Week in Review, April 18):

Its the ''say you're sorry'' season for highly compensated bankers, but the apologies ring hollow. An apology without a commitment to make amends by way of financial reparations is similar to the ''thank you'' note that arrives six months after the gift has been received.

It's better than nothing, but not by much.

Joan Evangelisti,

Racine, Wis., April 19, 2010.

[From the New York Times, April 19, 2010]

A DIFFICULT PATH IN GOLDMAN CASE

(By Binyamin Applebaum)

WASHINGTON.—In accusing Goldman Sachs of defrauding investors, regulators are not only taking aim at a company with deep pockets and a will to fight—they are also pursuing an unusual claim that could be difficult to prove in court, legal experts said.

Rather than asserting that Goldman misrepresented a product it was selling, the most commonly used grounds for securities fraud, the Securities and Exchange Commission said in a civil suit filed Friday that the investment bank misled customers about how that product was created.

It is the rough equivalent of asserting that an antiques dealer lied about the provenance, but not the quality, of an old table.

To a layperson, the case against Goldman may seem clear cut.

After all, investors did not know some information about the product that they might have considered vital, and they lost $1 billion in the end. But the rules that govern these kinds of transactions are not so plain.

Several experts on securities law said fraud cases like this one, which focuses on context rather than content, are generally more difficult to win, because it can be hard to persuade a jury that the missing information might have led buyers to walk away.

They added, however, that the strength of the S.E.C.'s case is impossible to gauge until the agency discloses more of the evidence it has assembled. So far it has provided only a sketch.

The stakes are huge. The S.E.C., battered by its failure to identify or prevent several major frauds in recent years, is eager to reestablish its credibility as an enforcer. But in choosing such a difficult battlefield, the commission also risks losing a case at a time when it is trying to re-establish its reputation as a tough watchdog.

Goldman's sterling reputation, a foundation of its financial success, is also on the line. Rather than settling with the government, it has so far chosen to fight back. The company says it provided its investors with all the information required by law. It has also stressed that it sold the securities to financial firms that were sophisticated investors.

The commission's core accusation is that while Goldman provided to those firms a detailed list of the assets contained in a security it built and sold in 2007, it concealed the role of John Paulson, a hedge fund manager who worked with Goldman to pick what assets went into the security. Mr. Paulson then placed bets that the security would lose value.

In essence, the buyers bet that housing prices would go up, while Mr. Paulson bet that prices would fall.

Goldman was not legally required to provide any information to the investors, because Goldman found the buyers without offering them on the open market. But for any information that Goldman chose to provide, it was required by law to give a complete and accurate account.

Goldman outlined its likely defense arguments in two letters sent to the S.E.C. in September in response to a notice from the agency that the company was under investigation and could be sued.

In the letters, Goldman's lawyers at Sullivan & Cromwell wrote that the company Goldman hired to manage the deal, ACA Management, was ''no mindless dupe that could be easily manipulated.'' Furthermore, the letters said that the downturn of the housing market was not a foregone conclusion, and that it was therefore misleading for the S.E.C. to consider the transaction through the lens of ''perfect hindsight.''

The letters went on to argue that, contrary to the S.E.C.'s assertions, Goldman disclosed all information about the deal that was material. In particular, the letters drew a sharp distinction between information about the security, which the company said it provided in full, and information about Mr. Paulson's role.

The second letter said, ''It is this concrete information on the assets—not the economic interest of the entity that selected them—that investors could analyze and use to inform their decisions.''

To win its case, the S.E.C. must prove that Goldman was not merely silent about Mr. Paulson's role but actually gave investors the wrong impression, experts in securities law said. Then it must prove that the missing information was material, a legal term meaning that investors armed with that knowledge might have decided not to buy the product from Goldman, or to do so at a lower price.

Allen Ferrell, a law professor at Harvard, said the suit rested on an unusual definition of material information.

''We normally think of material information as specific to the mortgages, not somebody's prediction about the future course of macroeconomic events,'' Professor Ferrell said. ''So who cares whether Paulson is bullish or bearish? Whatever his personal opinion is about the future course of housing prices, the question is, did the investors have access to the underlying mortgages?''

But Donald C. Langevoort, a law professor at Georgetown University, said the case was consistent with other government efforts in past years to broaden the definition of material information. ''The S.E.C. has long insisted that context is important,'' Professor Langevoort said. ''If you think of it more broadly in that way, this isn't an unprecedented case.''

Professor Langevoort cited as an example the commission's 2003 settlement with 10 investment banks over accusations that their research departments were providing recommendations to investors without disclosing that favorable reviews were used to attract underwriting business from the companies issuing the stock.

Adam C. Pritchard, a law professor at the University of Michigan, said that the S.E.C.'s focus on the construction of Goldman's security reflected the increased complexity of financial instruments. Construction has simply become a more important part of the process, he said. But he added, ''The basic idea that an undisclosed conflict of interest could be misleading is pretty much as old as stockbrokers.''

In pursuing a new twist on an old idea, however, the S.E.C. has deeply unsettled the financial markets, opening the way for investors to file claims against banks that sold similar products, and forcing firms to reconsider their own liability.

Richard W. Painter, a corporate law professor at the University of Minnesota, said the novel nature of the fraud charges made it important for the S.E.C. to disclose more details quickly, so that markets were not paralyzed by uncertainty over the boundaries.

''The S.E.C. needs to step to the plate with very specific facts and make it clear what they think Goldman did that was wrong,'' Professor Painter said.

[From the New York Times, April 20, 2010]

LETTERS

THE UPROAR OVER GOLDMAN SACHS

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Zurich, April 17, 2010

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Forest Hills, Queens,
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It's better than nothing, but not by much.

JOAN EVANGELISTI
Racine, Wis., April 19, 2010

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

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RECOGNIZING ''OUR KIDS OF MIAMI-DADE AND MONROE''

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise tonight to recognize the vital work of an important south Florida organization called ''Our Kids of Miami-Dade and Monroe.''

Since the year 2005, ''Our Kids'' has worked to ensure that at-risk, abused, abandoned and neglected children are afforded the opportunity to grow up in safe, permanent families.

As a grandmother and a former educator, I recognize the great opportunity that ''Our Kids'' has to fully support at-risk children.

Under the leadership of CEO Frances Allegra and Board Chairman Carlos de la Cruz, Jr., ''Our Kids'' has risen to the challenge and given direction to our local child protection system. Since 2005, ''Our Kids'' has created over 1,600 families through child-focused, family-centered adoptions. It has created an environment of seamless, cohesive, and comprehensive service that has led to a 15 percent increase in children who are adopted within 24 months of entering foster care. That means that today there are 36 percent fewer children in foster care in Miami and in the Florida Keys. This is a remarkable achievement in such a short time frame, and I applaud the progress.

There are too many children left to grow up without a strong family support system upon which they can rely. And sadly, it is more often than not those children who are most in need who are left to fend for themselves. Children who have experienced abuse and neglect are exceptionally vulnerable.

The safety and the development of our children must be our highest priority. We must ensure that all children have the chance, through guidance and support, to confidently build their lives, their families, their relationships. By matching kids to permanent, loving homes, or with caring foster parents, ''Our Kids'' is working to accomplish this worthy goal. ''Our Kids'' makes our community stronger and more supportive each and every day.

The men and women of ''Our Kids'' are selfless in their efforts to improve the lives of all of our children in South Florida. Every child ought to have a loving home, and it is our responsibility as a community and a Nation, to guarantee that no child is left alone.

On behalf of parents everywhere, Mr. Speaker, I again thank ''Our Kids of Miami-Dade and Monroe'' and look forward to all of their future accomplishments on behalf of all of our children.

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

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

THE ONGOING PLIGHT OF THE PEOPLE OF BURMA

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

Mr. ROHRABACHER. Mr. Speaker, I rise to draw attention to the ongoing plight of the people of Burma, now referred to as Myanmar. Shortly after the Second World War, Burma was granted its independence from Great Britain. With democratic institutions in place, rich natural resources and an educated population, it was expected that Burma would become a wealthy, stable and free country. Sadly, that country, with so much potential, has been dominated by corrupt tyrants. And despite its vast natural wealth, its people suffer in abject poverty.

Even worse, the people of Burma are actually losing their country to a foreign power. A Chinese power grab is not only depleting and stealing Burma's natural resources, but slowly and surely, Burma is being turned into a subservient province of Beijing. China is literally stealing Burma from its own people, and it is accomplishing this monumental crime with the assistance of Burmese Government officials whose lust for power is greater than any loyalty to their own national homeland.

The patriots and freedom-loving people of Burma will either join against tyranny and foreign domination, or their country will be lost for generations to come. If Burma is to be saved, there needs to be reconciliation between the Burmans and those ethnic peoples who make up half of that country's population.

In a decades-old insurgency, the ethnic fighters have been the primary source of opposition to Burma's iron-fisted dictatorship. Urban democratic leaders like Aung San Suu Kyi and other patriotic Burmans have been beaten down and repressed and imprisoned. These two elements must come together, the Burmans and the ethnic groups that are fighting the Burmese dictatorship. They must come together as one under a banner promising respect for the rights and traditions of various people, those various people who make up the wonderfully diverse nation of Burma.

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An opposition coalition must be joined also by patriots in the military, professional soldiers who seek to remake their army into a respected defender of the nation, not a tool of corruption and foreign domination. It is time for leaders in the army to join the people and build a new, prosperous and free and, yes, independent Burma.

In the blink of an eye, Burma—Myanmar—can reclaim its sovereignty and can be put on the path to national reconciliation, democracy, and, yes, prosperity. The military in a new Burma, as our professional armies throughout the democratic nations of the world, will be a respected institution, not a tool of foreign domination, repression, and corruption.

The time has come to choose. Let the Burmese, the ethnic people of Burma, the business and military leaders who long for a legitimate and honest government, and all of the other patriots there, let them have the courage to step forward and join together and retake their country. The time is now.

This is a great moment of opportunity. People of Burma, do not let this moment pass by. The world will

celebrate with you as you recapture your nation. We are on your side, to the people of Burma.

REMEMBERING DR. DOROTHY HEIGHT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, today a giant of a human being, a light at the end of the tunnel, a calm voice in the midst of a storm, but yet a woman who could create a storm around the issues of freedom and justice, passed away from this world and from our hearts. Dr. Dorothy Irene Height died today. And I want to join with my colleagues and, as well, the Honorable DIANE WATSON, who will have a special hour in tribute to Dr. Height tonight, but I wanted to take the time to make sure that every aspect of our RECORD today reflected on her loss.

We have lost, of course, Dr. Benjamin Hooks, who we have paid tribute to today as well.

But in this life, there are few giants who reach down to talk to those who are still learning. Dr. Dorothy Height was that woman. She was the only woman that was present at the 1963 historic and powerful March on Washington. She stayed steadfast in her meetings with Franklin Delano Roosevelt, and of course she was successor to the National Council of Negro Women.

The only building on Pennsylvania Avenue owned by African Americans, and in this instance African American women, is the Office of the National Council headed by Dr. Dorothy Height; a historic presence on Pennsylvania Avenue just a few blocks away from the White House. What a statement of power.

This afternoon as I landed here in Washington, I went to that building to pay respects. I just simply had to be in her presence in this building, to be able to see her pictures and her face and to see and hear those who were gathering to be able to honor her. The whole plaza is part of that building. And as I walked in, I heard the story that a homeless person came in the building to provide some flowers to say ''thank you'' to Dr. Height for taking care of them, the men and women that surrounded her building tragically who are homeless, but yet they knew of this giant of a woman who cared enough to let it be known that they were human beings.

For 33 years from 1944 through 1977, Dorothy Height served on the staff of the national board of the YWCA, and of course she continued her service through the National Council of Negro Women. I'm proud to be in the chapter, the Dorothy Height Chapter of the National Council of Negro Women in Houston, Texas.

In 1952, Dorothy Height lived in India, an African American women. She was at the Delhi School of Social Work. And of course, through her work with the YWCA, she worked in India and Burma and Ceylon.

Dorothy Height was subsequently elected the fourth national president of the National Council of Negro Women. In 1960, Dr. Height was a woman team member, leader in the united civil rights leadership along with Dr. Martin Luther King, Whitney H. Young, A. Philip Randolph, James Farmer, Roy Wilkins, and JOHN LEWIS, our colleague. But remember what I said, the only woman.

What I've come to know of Dr. Height as a Member of Congress and before is that she is a woman that can speak in a resonating fashion. At the drop of a hat, you can turn to her and say, Dr. Height, will you give us some remarks? And when she finishes, you feel like you can fly like the eagles fly. She has given you words that will capture your heart and your spirit, and you say, I will be a fighter for justice.

A distinguished woman, a hat-wearing woman, but one thing about Dr. Height, she was a woman of dignity, but she never ran away from a fight for justice. And she knew how to be an agitator and a protester, but she knew also how to be loving. So the many things that we can attribute to her include her work in the International Tribunal of the International Women's Year.

Mr. Speaker, she's won so many awards, but I wanted to come to this floor tonight to be able to say, Dr. Height, there will be many more words that will come on your passing, but all I can say tonight is we love you and may you rest in peace.

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

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

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

REMEMBERING DR. DOROTHY HEIGHT

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

Mr. RANGEL. I want to appreciate the remarks that SHEILA JACKSON LEE has just made, and I thank my colleagues for giving me this opportunity to speak out of order.

And the reason I rise is that there are very few people that have been active in the civil rights movement. They all came after Dorothy Height. She was there before Adam Powell, Martin Luther King, Jim Farmer, and all of the great civil rights leaders that have made the struggle. She's been made a confidante from Franklin Roosevelt to President Obama and all of the Presidents that have been in between.

She gave so much of herself without even talking about color, without just talking about women, but most of all in talking about humankind. She was a true believer that if America really did what it was supposed to do to the brothers and sisters and the citizens that made up this great country, then fairness and equity would determine that all people are truly treated equally.

And even though she wasn't born in the city of New York, we are so proud that she went to New York University—even though she was turned down with a scholarship at Barnard College—that she stayed there and she worked in our Harlem YMCA, that she was confidante to Congressman Adam Clayton Powell at his church and even counseled his father, who was the pastor before him.

Time is going to record that there have been a lot of people who have struggled to make this country all that she can be. And when the final word is written, there is no question in my mind that Dorothy Height will not just go down as a black civil rights leader, but she will go down as a great American who recognized that bringing together this country—black, white, Jew, gentile, Catholic, and Protestant—by bringing us all together, that she has made this a better world, and she's made it a better world because she's made it a better country.

THE GREAT SCAM AND FRAUD OF THE CENTURY

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

Mr. GARAMENDI. Mr. Speaker, I request permission to engage in a colloquy with my colleagues.

Mr. Speaker, tonight I would like to focus on the great trauma and pain that Americans are suffering from. We could start with it looking like that, but, really, you turn this around and you can see what's happened over the last 2 years. Americans are in a world of hurt.

I recall so clearly in California, the area I represented—actually, the entire State as I would travel around—we would talk to people who were saying that they were in the real estate business; they were buying houses. And my wife and I, as we would drive to work, she would often say, How could it be? They don't have any money? What is going on?

What was going on was the great scam and the great fraud of this century, and the result is seen so clearly on this chart.

Beginning in the year of December of 2007, there was actually a little uptick in jobs during that Bush administration year, and then came the crash and things came down around all America. And we see the falloff in jobs over the years from December 2007 until the change of administrations in 2009. Some 700,000 jobs were lost in December and January of 2008—and January of 2009.

And then we have a new administration, and we begin to turn things around. And joining me tonight are Members of Congress who were here during that period of time, who were engaged in the key pieces of legislation.

The financial institutions literally were on the verge of collapse. And so in November and December of 2008, the Troubled Asset Program, the TARP program, was put in place. The result of that was ultimately a stabilization. Nearly $400 billion was transferred to the banks, the big Wall Street banks. Some $200 billion, or nearly $200 billion, is still there. And to this day, those banks have neglected Main Street. They have taken care of themselves.

But even so, we've seen, as a result of the Democratic Party's legislation and the work of my colleagues, we've seen a gradual and steady improvement. The job losses began to tail off, and ultimately now in 2010 and February and March we've actually seen an increase in the number of jobs and no longer the decline that has so paralyzed this Nation.

Why did it happen? What was it all about, and what can we do about it?

Joining me tonight, as we discuss this issue, are five legislators, Members of Congress who have played key roles in the passage of legislation that has set things straight and has reined in Wall Street.

Let me introduce first my colleague from the great State of New Jersey (Mr. ANDREWS). Please share with us your experiences and the legislation that you and your colleagues are so much involved in.

Mr. ANDREWS. I thank my colleague for yielding.

Mr. Speaker, I know that tonight many Americans are going to put their head on the pillow and have a very restless and maybe sleepless night again because tomorrow's going to be another day of trudging around with a resume that no one seems to want. Maybe they're concerned that tomorrow will be the day that the final foreclosure notice arrives in the mail. Tomorrow may be the day that they have to pull the plug on their small business that they struggled so hard to sustain.

This problem began to metastasize, this cancer began to grow in this country in the summer of 2007 when the days of irresponsibly cheap credit and easy credit came to an end and the bubble began to burst. In the part of the country that I represent, between Labor Day of 2007 and Labor Day of 2009, we lost about 36,000 jobs, just evaporated, the way eight million jobs evaporated around this country.

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Now, the President took office in January of 2009, inherited what I believe was the worst economic crisis since the Great Depression, and we decided to act to try to take advantage of it, put some people back to work building highways and roads and bridges, cut taxes for small businesses to buy a laptop or a truck or a piece of equipment. We had a substantial tax cut for just about every family in the country; 98.5 percent of American families had a credit so people could buy a home and get a substantial down payment to buy a home. And these steps, although I believe they were in the right direction, opposed unanimously by the other side of the aisle, have taken us in the better direction; but they are not enough.

In my area of those 36,000 jobs we have lost between Labor Day of 2007 and Labor Day of 2009, we have gotten about 16,000 of those jobs back since Labor Day of 2009. So between September of 2007 and September of 2009 we lost 36,000 jobs. From Labor Day of 2009 to the present we have gained about 16,000 of them back.

I worry, Mr. Speaker, tonight, and I say to my colleague as well, that one of the reasons we haven't gotten enough of those jobs back soon enough is the credit crunch in this economy. I hear from entrepreneurs large and small, people running stores and factories and software companies, that they are profitable, they have collateral, they have a track record of paying their bills on time, but they cannot get credit. They cannot get the loans that they need to make their businesses grow.

This lack of credit is rooted in a lack of trust, and this lack of trust is rooted in a lack of confidence, and this lack of confidence, without a doubt, is rooted in the failure of the regulatory system to properly regulate the financial system and assure the investor and the American people they are getting a fair deal.

Now, this House late last year passed legislation that would fix that problem, that would have some even-handed regulators look at whether the system was once again teetering on the brink of collapse, that would say that if you lend money, you have to have some skin in the game. You can't have one industry that makes a profit by originating loans but doesn't collect any of them, and another industry that's solely responsible for collecting the loans but doesn't originate them.

The legislation also said that if these steps to prevent another catastrophe failed, the next time there has to be a bailout of the failure; it won't be paid by real estate agents and teachers and truck drivers. It will be paid by the people who created the mess in the first place.

Now, a version of this legislation is being considered by the other body, and I know that the rules do not permit us to comment on the affairs of the other body, so I will not. I will simply offer this generic observation. When the health care bill was in its final stages of debate, our friends on the Republican side of the aisle loudly insisted, I think correctly insisted, that there be an up-down vote on all aspects of the health care bill, and there was. It was an up-down vote on the underlying text of the Senate bill, and there was an up-down vote on the fixed bill that occurred. That's the right way to do things.

When there is a major question before the country, that will be an up-down vote. I would hope that the other body adheres to that principle. With an issue this significant, with the stakes being so high, I think the American people not only have a right to demand that the problem be fixed. I think they have a right to demand they know that their Representatives go on record and say yes or no. Mr. GARAMENDI, we say ''yes'' to responsible regulation, we say ''yes'' to getting credit flowing again in this economy and we would say ''no'' to those who would block a vote to block the will of the American people.

Mr. GARAMENDI. Well, the question really is, whose side are you on? Are you on the side of average Americans out there, the middle class, the men and women that are trying to get a job, the men and women that are working, or are you on the side of Wall Street? You raised a very interesting point about loans.

Let's put it this way: the American taxpayer gave to the bank some $400 billion to stabilize that financial industry, and it was necessary. No one is doubting the necessity of it. Every other industrialized country in the world also shored up their financial institutions, and it worked. We want that money back, but it's not coming back to the businesses that are in our communities.

And then we look here, in 2009, the total lending by U.S. banks fell 7.4 percent, the steepest drop since the outset of World War II in 1942. At the same time, there were enormous profits, and we will come to the profits of Wall Street where many of those profits are a direct result of the money that the American people used to stabilize Wall Street.

We want that back, and we want to make it very, very clear: we are on the side of the working men and women out there, the middle class, the small businesses, Main Street. That's where we stand. It's interesting that when the bill came up, and you spoke to this a moment ago, our colleagues on the Republican side voted ''no.'' When it came time to rein in Wall Street, they voted ''no.''

Mr. ANDREWS. That certainly is my recollection as well that there was virtually unanimous opposition to these new rules of the road, to the people who drove the economy into a ditch.

But I will say this, that at least there was a vote, wasn't there, that the

American people got a chance to see where each of their elected Representatives stood on the question of new rules of the road for the financial industry. The gentleman from California has served in a lot of levels of public service. I believe he served in the California legislature and he served in a lot of other governing bodies. Is it correct that usually when you are trying to solve a problem you put it up for a vote? Is that usually what happens?

Mr. GARAMENDI. At least that's the American way. If you have an issue, a policy issue, you take it to the legislative body, and it comes up for a vote, yes.

Mr. ANDREWS. Has the gentleman ever been in a situation where the body sees a serious problem and says, look, we have a plan to fix it, but let's not take a yes-no vote on it because let's let a small number of people decide, because they have some interest persuading them not to support it, that we shouldn't even put it up for a vote? Is that the understanding the gentleman has the way government works in this country?

Mr. GARAMENDI. Well, I have seen some of that here recently in Washington. Apparently one person can stop legislation, and I think it's happened some 50 times in a certain legislative body that we are not supposed to—

Mr. ANDREWS. It's ironic that this Congress funds what are called institutions for democracy that help to teach fledgling nations around the world how to build democratic institutions, and I am glad we do. I think it's good for the country to do that.

It's kind of ironic that in the context of doing that we have had fiascoes where on two occasions one person has said that extending unemployment benefits to people in grave need can't even be voted on. And now we have a situation where a minority, one would theorize, is going to take a position that says we can't vote on this very important establishment of fair rules to protect the American consumer.

I thank the gentleman for calling this to the body's attention, and I am honored to serve in a body where we do take votes, and we do have majority rule and we do get on with the business of the country.

Mr. GARAMENDI. It's been a great pleasure for me to serve in the House with you, Mr. ANDREWS, and also to be able to deal with these fundamental issues.

We were just talking a moment ago about the lending to small businesses and the fact that the big U.S. banks have reduced it, but also if we look at the 22 Wall Street firms that got the most of the bailout, they have reduced their small business lending by some $12 billion last year in 2009.

I have now been joined by our colleague from the great State of Vermont, Mr. PETER WELCH.

Mr. WELCH. Thank you, I appreciate very much, and I think all of us do, you having this hour to talk about Wall Street. You know, there are a couple of things about it that are obvious to everybody on both sides of the aisle.

The salaries are totally out of control; $145 billion in bonus pool to the banks after they have been bailed out by the taxpayer is not acceptable. Everybody, I think on both sides of the aisle, is concerned about greed being too much a part of the culture on Wall Street. On that we agree. But the threat in the long term, as lamentable as the greed is, as not acceptable as $145 million in bonus money is, what Goldman Sachs and others are doing is destroying what banks are about.

Our American economy needs a financial sector that's strong and vibrant but that lends money to entrepreneurs, to businesses that are going to create new products, that are going to allow for manufacturing to occur in this country, to families that are trying to buy homes. This recent case about the filing of an SEC lawsuit of civil fraud against Goldman Sachs highlights that they have gone from being an agency, an entity that lends money to a gambling casino.

And let's just talk about the structure of this abacus deal that is the subject of the SEC litigation for civil fraud charges against Goldman Sachs. This is a situation where a hedge fund investor figured that the housing market was going to go south and not only put his own bets against the housing market but he asked Goldman Sachs to create an investment vehicle that was not distributing mortgages, it was not originating mortgages, it was just creating a pool where one side of the transaction bet that the underlying securities would go down in value and then other parties bet that they would go up in value.

You know, you might say, well, they are just betting. And you know what? That's true, but what they are not doing is investing. What they are not doing is lending.

And then as these collateralized debt obligations accelerate out from one buyer, one seller, one buyer, one seller, at the end of the day, or the end of the month or at the end of the year, when the music stops and somebody doesn't have a chair to sit in, it's the taxpayer that's left holding the bag. There is a vast acceleration of risk with no investment in any productive activity. Not a single mortgage was created by the abacus deal.

Not a single new business deal was financed by the abacus deal. Not a single new company got seed capital or venture capital. There was no banking done. Why is it—what is the social purpose that is achieved by allowing this type of casino gambling to occur with the sanction of law and ultimately with the backstop of the taxpayer?

So what this whole challenge to us is is not just about the personal habits in overreaching on greedy salaries that many of those folks have on Wall Street, and it is even more than about getting our taxpayer money back, which we want to. It's about are we going to have a banking system that's going to be there to lend money to folks and to businesses and to entrepreneurs that need it, and are about creating jobs.

I want to contrast the Goldman approach with the banks in Vermont. We have got community banks, and I know you do in California as well, I know Mrs. DAHLKEMPER does in Pennsylvania, Ms. SPEIER in California as well.

There is one in St. Albans, Vermont, where when you go into that big lobby of the old-style banks, and there are the teller windows and there are some desks for loan officers, there is a desk that's slightly bigger than the others. It's the president of the bank. He is sitting right in the front hall.

And anybody at St. Albans who wants to talk to him about a car loan, about service, about their checking account, they can go talk to him right away. At the end of the day he feels good if his bank has made a loan to a farmer, to a family, to a small business.

And you know what? That's the culture that I value that I think Americans value. The Goldman culture is whatever it takes, as much as they can get.

Mr. GARAMENDI. Thank you. It seems to be profit before people, profit before business. And for those of us in the Congress, it's really a question where do you stand. Do you stand with that community bank in Vermont, or do you stand with the big Wall Street banks?

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It was very, very clear, I had been here 3 weeks when this House took up the Wall Street reform. And I was really surprised. I thought, well, everybody must understand the necessity to rewrite the reform package, to rewrite the rules of the road so we don't have another collapse. I know that this side of the House, the Democratic side of the House, voted for those reforms, and on the Republican side of the House, very, very few voted for those reforms. So the question was answered to me, where do you stand? We were standing with reform, we were standing with reining in Wall Street, and our Republican colleagues did not want to go there.

So what does it mean for western Pennsylvania? Let me call upon the gentlewoman from Pennsylvania (Ms. Dahlkemper). You were here. How did this transpire? What took place?

Mrs. DAHLKEMPER. I thank the gentleman from California for yielding.

I just arrived back in Washington today after a few days back in the district. I actually spent a lot of time with my dairy farmers and actually many of my different members of the agriculture community. And our colleague from Vermont and those of you from California, you have many dairy farmers in your States also. And they are struggling, they are struggling.

They are struggling to get the loans that they need. They've had a double whammy. They have had a decrease in milk prices that have a lot of other factors. But when they go to the banks, the banks' hands are often tied, and the banks' hands have been tied because of what happened on Wall Street.

Now, we talk about financial reform protecting Main Street from really the greed and recklessness—and I don't think we use that word enough, the greed that happened on Wall Street; it's not only Main Street, it's the country road. We need to protect our farmers and our small businesses and our entrepreneurs from that greed of Wall Street.

I was here, obviously, when we voted for that piece of legislation, the Wall Street reform, the Consumer Protection Act. Actually, unanimously our colleagues on the other side of the aisle voted against that bill and yet it is something that really is going to ensure the protection of our farmers and, as we said, our small business owners. I'm a small business owner. Our company every year depends on that line of credit from our community bank. And we have a very good relationship, as our colleague from Vermont talked about, that relationship that our community banks, our hometown banks, they're doing the job that we expect them to do, but on Wall Street it was different. And then they get the bailouts. And these figures on your graph right there are fairly shocking in terms of Wall Street paying billions when my farmers are getting up at 4:30 in the morning to milk cows knowing that they're actually losing money every day. They are just trying to find a way to stay afloat, and yet these other individuals on Wall Street are making billions.

So what we need to do is enforce rules that will keep these big banks from making bad decisions and really betting against our country, betting against individuals, betting against homeowners in our country, and ensure that taxpayers never again have to pay for these bailouts for these financial institutions that were really too big to fail and we had to do what we had to do to keep them solvent and to keep our financial system rolling. But the future is what we're looking at here.

So we've got, as you've got up there now, the Wall Street squeeze, these small businesses who are still struggling, as has been already mentioned, to find those loans to, first of all, keep their businesses afloat, whether it's a farmer or manufacturer or someone who owns a retail store, or whether to add on; maybe they want to increase their business right now but they can't find that loan. This all goes back to what happened on Wall Street, a system that really benefited the special interests, the lobbyists, and the big banks on Wall Street.

I was very proud to vote for that piece of legislation. We need to get that piece of legislation voted on in the other body and get it out so that we can protect those in Pennsylvania's Third District, those in California, Vermont, and across this country who are just out there working hard every day trying to make a living, trying to provide for their families.

So financial accountability, that's what we are looking for here. And I appreciate the gentleman bringing this forward tonight.

Mr. GARAMENDI. Thank you very much for that perspective on agriculture. I have been in agriculture all of my life. I run a ranch. I know that the men and women that are in agriculture in California, they need to be able to finance their operations. These are not easy times, they need to extend their credit. They are going to come back, they have in the past, but they really need that credit.

But what we have seen very, very clearly in the last year is that Wall Street is interested in their profits. I put this one up, but here's the one that makes me mad. This is what really upsets me. We're looking at 2007, the $137 billion of bonuses for Wall Street executives. 2008, that was in the midst of the great crash, it came down to zero. After they had caused this crisis, after they had lost trillions of dollars of retirement funds, the value of homes collapsing, they still rewarded themselves with $123 billion of bonuses. And then 2009, as we began to come out of this, instead of lending $145 billion to your farmers, to your dairy men, to the men and women that want to manufacture and create jobs, no, no, they gave it to themselves, $145 billion of bonuses.

How did they manage to do this? Well, they took the Troubled Asset Relief money and turned it around, stabilized the companies—which was all to our benefit—but then, instead of using that money to restart the American economy, instead of using that money to make loans to the small businesses and others across America and to help people who are losing their homes with their mortgages upside down, no, no, they decided that they needed $145 billion of bonuses.

Mr. WELCH, who was here a few moments ago, had the right idea; he said tax these bonuses and send that money to Main Street. That is where I'm coming from and I think that's where the America people are. On the other hand, our friends on the other side of the aisle, no, no, they don't want to do that.

The question for Americans is this: Where do you stand? Who are you fighting for? For Main Street, for working men and women of America; or are you fighting for Wall Street? It's very clear since I've been here that the Democratic side of the aisle is fighting for Main Street and for the men and women that are working.

GENERAL LEAVE

Mr. GARAMENDI. I'd like now to ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this subject matter.

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

There was no objection.

Mr. GARAMENDI. Now I'd like to turn to a colleague of mine whom I've had the pleasure of working with for many, many years. She was the chairperson of the California State Senate Banking and Finance Committee and now serves on the Financial Institutions Committee here in the United States Congress, the gentlewoman from the great State of California, JACKIE SPEIER.

Ms. SPEIER. Thank you. I thank the gentleman from the great State of California.

You know, today we had a hearing in the Financial Services Committee in which we looked at sort of an autopsy of Lehman Brothers. Lehman Brothers is particularly problematic for California, but also for many other States and local jurisdictions because so many of these local jurisdictions had money invested in what were investment-grade instruments at Lehman, and when Lehman went belly up, they lost everything. So in San Mateo County, for instance, $150 million just gone, even though it was prudently invested in investment-grade instruments at Lehman's. And many people lost their jobs, many classrooms weren't built, many developments that were supposed to take place didn't happen. It was interesting today because Mr. Fuld, who was the former CEO, said that Lehman Brothers was risk averse; ironic when a company had $20, $30 billion that basically just evaporated overnight.

I think it's really important as we discuss this issue, though, to take us back to how did we get to where we are today? How did we get to a place where everything came crashing down? I would like to just point to the cracks in Wall Street, which I think explains really well what actually happened. If you recall—this is way before our time, certainly—but in the thirties, the Glass-Steagall Act was passed by this very Congress after a horrendous meltdown on Wall Street when we were in the throes of the Great Depression. The Glass-Steagall Act said never again is this going to happen because we are going to keep the banks and the insurance companies and the securities firms all separate, that there was going to be a wall that separated them. That worked perfectly for almost 60 years, and then all of a sudden, in 1996, Wall Street firms came a calling, and they came a calling with, oh, please, let us just get involved a little bit, let us just become financial supermarkets. And so in 1996, the Federal Reserve reinterpreted the Glass-Steagall Act several times, eventually allowing bank holding companies to earn up to 25 percent of their revenues in investment banking.

But you know what? Greed is something that is never enough. That

wasn't enough. So in 1999 they came a calling to Congress again. This time they said, take down those walls; take down those walls so that we can become these financial supermarkets so we can be able to compete in Europe and across the continents, so that we can be as effective as they are in making money. So in 1999, the Gramm-Leach-Bliley Act was passed by Congress, signed by then-President Bill Clinton. It was promoted by the Chair of the Fed, Greenspan, by Treasury Secretary Rubin, and by Lawrence Summers. And what that bill did, very simply, was repeal the Glass-Steagall Act; all those 60 years of protection down the drain.

Then we move forward to 2000. We had a very smart person who was the head of the Commodity Futures Trading Commission at the time. Her name was Brooksley Born. She had worked for a law firm here in Washington for many years and she knew all about derivatives. All of a sudden, she saw the derivative market just escalate. So she suggested that maybe we should just look at this, maybe there should be some basic form of regulation. Oh, no, Wall Street would have nothing to do with that. So she leaves the CFTC. And then immediately they come a calling again, and this time Congress passes a bill that becomes law that says, Congress is prohibited—do you believe this—Congress is prohibited from regulating derivatives. Still not enough.

Then, in 2004, it became obvious that Europe was getting a little nervous. And they basically said if these bank holding companies weren't going to be regulated by their countries, then they would be subject to European regulation. Well, our investment banks wanted none of that, so they came a calling this time to the SEC, and by regulation the SEC passed on their own accord—not with congressional support or evaluation—a voluntary regulation to which all of the investment banks would be subject for regulation purposes called the CSE, the Consolidated Supervised Entities Program. Besides giving them the benefit of having a regulator here in the United States so they wouldn't be subject to more scrutiny in Europe, it also did something that was quite frightening when we look back at it. It lifted the leverage cap that was 12–1. It didn't just lift it to 15–1 or 20–1, it raised it to whatever. It took away the leverage cap completely. So, no surprise that when all of these various investment banks became troubled—like Lehman, like Goldman Sachs—they were at 30–1 and even higher in terms of leverage. So there you have what I believe is a pretty clear crack, as you see, in Wall Street that shows precisely what happened.

Now, that crack actually got deeper because there was one more. It was a very simple one basically by the SEC and the courts that said that these investment banks were not fiduciaries, that even though they were selling all of these instruments, that since they were taking a percentage and not a fee, that they were not fiduciaries. And by doing that, they had no legal obligation, no legal obligation to say to anyone that they were shorting the very products they were selling, that they had side deals, that they did the very things that now we look at and we think, oh, my God, how did we allow this to happen?

So I think that as we bring back this bill—and hopefully that it doesn't get diluted in what was actually passed by the House—we're going to have something we can show the American people that is going to close all those cracks on Wall Street, that we're going to pave it over so that indeed the American people do have the kinds of protections they deserve.

□ 2045

Mr. GARAMENDI. Thank you very, very much for that description of the history. If the gentlewoman from California would care to engage in a colloquy with me, I'd like to discuss some of our history.

When you were chairperson of the California Senate Banking and Insurance Committee, I recall that there was legislation. I was then the insurance commissioner. We were trying to hold insurance agents accountable for their actions, that they owed to their customers their best good faith effort and that they would always deal in the interest of their customers, not in their own personal interests—not in the interest of the insurance companies but, rather, in the interest of their customers.

That is one of the fundamental things that you described which was taken away in the mid-2000s. As you were saying, the financial institutions no longer had any obligation to their customers but, rather, to their bottom line. Is that the case?

Ms. SPEIER. That's correct.

So you have your broker at any one of the brokerage firms, and you think he is actually there, trying to find good deals for you to invest in. What you don't know is that many of them are captive, much like in the insurance industry, where they only sell certain products so you're not getting the panoply of opportunities that you deserve. Furthermore, you don't know what fees they're getting. They might be getting more fees if they sell this particular product, so they promote that product and not other ones that may be safer and that may be more inclined to provide you with the kind of security that you're looking for.

Mr. GARAMENDI. There ought to be a law.

Ms. SPEIER. There ought to be a law. You are absolutely right.

Mr. GARAMENDI. There ought to be a law that holds these banks to the highest possible standard, which is that they owe to their customers their best knowledge and information and that they don't double deal. It's the double dealing that's going on. That's the current SEC lawsuit against Goldman Sachs. It's about double dealing. On the one hand, they're here; on the other hand, they're there. They're playing both sides. That cannot be allowed.

The cracks that you talked about there, particularly the Glass-Steagall repeal in 1991, really opened the door to not only the kinds of terrible meltdowns in the housing market and in the collateralized mortgage obligations but also in the loss of trillions of dollars of value that people held in their assets—in their portfolios, in their 401(k)s, which we know as 201(k)s, and in their homes. We lost 8 million jobs as a direct result of Wall Street's double dealing, of their excesses, of their extraordinary greed. Eight million jobs were lost, and 2.8 million homes were foreclosed. Pensions fell by $28 billion, and trillions of dollars of assets, of value, that families needed for their retirements and for their ongoing businesses were all blown away.

It is time for us—it is time for America—to reestablish the fundamental rules of the road that we had, as you said, since the 1930s, since the Great Depression. Clear laws were established which said, if you're an investment banker, all right; if you're a banker, all right; and if you're an insurance company, all right, but you cannot be all three. We've got to get back to those kinds of very strict regulations; otherwise, this is going to happen again. We cannot depend on the market to discipline itself.

Ms. SPEIER. If the gentleman will yield, in many respects, it's worse because, 10 years ago, there were probably 60 big banks. Today, there are only five. Because of this financial meltdown and because of the purchase by many of these banks of other banks, they are now too big to fail unless we take steps to make sure that they are contributing to a resolution trust fund and that there is a basis by which, if a systemically risky enterprise is deemed to be so by a council of advisers, that that particular entity can, in fact, be made smaller. Right now, we can't say that nothing is too big to fail for they are all too big to fail right now.

Mr. GARAMENDI. That's exactly right.

Clearly, the American financial institutions have worked themselves into a situation that will continue the risk that nearly brought down the world's financial institutions and that brought the world into one of its most dangerous economic times since the Great Depression. So we need to move legislation.

I know that you're a member of the Financial Services Committee here and that you worked long and hard throughout the summer and fall of last year to put together comprehensive reform of the financial institutions, reform that would rein in the excesses, reform that would create transparency,

reform that would create a Consumer Protection Agency.

Could you describe some of the work, some of the dealings, some of the things that were going on in the background? Where were, for example, the Wall Street firms? Were they supporting the reregulation of the industry? Where were the consumers in all of this?

From your perspective, give us a little bit of history.

Ms. SPEIER. Well, I guess the best way to give you a little history is to tell you that the financial services industry is spending $1.4 million a day, right here in Congress, trying to convince Members not to support the regulation reform measure.

Mr. GARAMENDI. Excuse me.

If I might interrupt, are you telling me that the Wall Street banks, the financial industry, is spending $1.4 million a day lobbying Congress and the Senate to stop financial reform and the reregulation of Wall Street?

Ms. SPEIER. That's correct.

So, to answer your question ''are they supportive of it?'' you bet they're not, because they want the status quo to continue as they continue to reap the benefits of the status quo with billions of dollars in bonuses and salaries that they get to take home.

Mr. GARAMENDI. Pretty simple, isn't it?

Ms. SPEIER. Follow the money.

Mr. GARAMENDI. Greed. Greed. Greed. Greed is not good for America. Greed is not good for Wall Street in the long run because it really brought down this Nation to its knees in 2007–2008. Here is the greed. Here is what we are talking about.

We are talking about extraordinary bonuses for Wall Street. This is money that should be going to Main Street, not to Wall Street bonuses. There were $145 billion of bonuses in 2009. People in your district and in my district are losing their homes; foreclosures are going on; banks are not making loans to small businesses; we have 20 percent unemployment in the construction industry; we have 12 percent unemployment in the State of California, and they want these kinds of bonuses. At the same time, they're not making loans to businesses. This has got to stop. That's what this is about.

This is about: Whose side are you on? Are you on the side of the working men and women, of the small businesses out there, of the local bankers, of the opportunity for this Nation to come back or are you on the side of Wall Street?

I know where you are.

Ms. SPEIER. I know where you are.

Mr. GARAMENDI. Well, we have got some things to do, don't we? We have some work ahead of us. We hope that we'll get a bill back from the other House shortly and get a conference committee going.

Could you put that thing back up on The Cracks in Wall Street. This is a street that needs a repair. This is a street that needs a serious repair.

We need to go back. I would love to see the Glass-Steagall Act back in place. I was insurance commissioner for 8 years in California, and I know how that industry operates. If they're able to play games, if the banks are able to play games by moving money back and forth from one side to the other, there is going to be another crash coming in the days ahead.

Ms. SPEIER. If the gentleman would yield, in the discussion today in the Financial Services Committee on Lehman's—now, mind you, this is an examiner who has been appointed by the court to go through 5 million e-mails and documents, and his report has been presented to the court and to Congress. It was just unbelievable.

Repo 105s are short for what Lehman was doing. At the end of a quarter, they were selling off their liabilities to a third party, paying interest on it so that it looked like they were not leveraged as highly. Then, after the quarter was over, they were buying back those liabilities. Those are called repo 105s. Now, believe it or not, they did that over and over again, and the SEC knew about it and took no action.

Mr. GARAMENDI. When did that happen? In what years?

Ms. SPEIER. It happened in 2004, 2005, 2006, and 2007. It was during the time that the SEC had reduced the number of enforcement actions in this country by 80 percent—now, I said 80 percent—and the number of disgorgement actions by some 60 percent. The SEC was asleep at the switch.

Mr. GARAMENDI. If you would yield for a moment, my recollection is that the Chairman of the Board of the Federal Reserve was saying that the market would regulate itself. Wasn't that what Mr. Greenspan was saying, that the market would regulate itself and that there was no need for government enforcement? Apparently, he was wrong.

I recollect that he came before a congressional committee and said he'd made a mistake. He certainly did. Lehman Brothers was able to cook the books, and that's exactly what it is—cook the books. As the regulator of the insurance industry for 8 years, if a company would have come to me and if I would have seen that they were shifting their liabilities over to the asset column on the last day of the quarter and then shifting them back on the first day of the next quarter, that company should have been in deep trouble and would have been, but apparently, the SEC was a lapdog for Wall Street.

Ms. SPEIER. Well, if the gentleman would yield, those statistics make the case better than anything we could say or do.

Under Christopher Cox, who was then the SEC Chairman and a former Member of this very body who was appointed during the Bush administration, during those years of 2003–2007, to have that kind of reduction in their actions, whether they're disgorgement or enforcement actions, and furthermore to only have 24 employees in that division responsible for the CSEs that were created in 2004, you can understand they were overworked and that, clearly, there was no intention to provide the kinds of safeguards that we needed.

Mr. GARAMENDI. It's hard to believe that the regulatory system for the financial underpinnings of this Nation was completely on the sidelines while Wall Street was playing these games.

In the case of Lehman Brothers, what I would call it is flat out cooking your books. If that wasn't a fraud, I don't know what is a fraud. They should have been slapped down. That should have stopped. It didn't happen because the total regulatory process of this Nation was on the sidelines. There were 24 people looking over this entire industry, and the SEC, under Chairman Cox, who was appointed by George W. Bush, simply didn't do its job.

Now, where are we going to go today?

We passed out of this House—I find it a great privilege and honor to have been here to vote on the financial reform bill that was moved from Congress over to the other House on Democratic votes—very few—and I do not recall really any members of the Republican caucus voting for that financial reform. I know where we stood. We stood for regulating Wall Street, for reining in Wall Street. We want those profits to go to Main Street, not to the bigwigs on Wall Street.

So where do we go from here?

We await the action of the other House, which hopefully will come. I know the President will be speaking on this matter, I think, tomorrow, Thursday, to Wall Street. He is going to go up there and say, Give us the reforms. We need these reforms to set in place the proper guidelines for Wall Street, for the financial industry.

Will it happen? What's your guess?

Ms. SPEIER. If the American people speak up, it will happen, much like anything else in this country, but we've got to make sure that the American people are educated about what is really at stake here. I mean it is our kids' futures. It is whether or not there is going to be the kinds of funds in California that are going to allow our kids to go to college because now there has been such a shrinkage in the number of slots available because there is just no money. With a $60 billion shortfall in the State, with so many people unemployed and with the revenues not coming in to States, I mean it becomes a death spiral, and we cannot allow that to happen again.

Mr. GARAMENDI. People talk about the partisanship in Congress and in Washington, D.C., and I really have seen it. I saw it on the financial reform bill—the Democrats voting to rein in Wall Street, Republicans voting ''no.'' We saw it on an issue just raised about kids being able to go to school. Two weeks ago—3 weeks ago now, we voted on a major reform of the educational loans for American students.

Ms. SPEIER. Who was protecting whom? Would you yield?

Mr. GARAMENDI. I yield.

Ms. SPEIER. If you go back to the student aid issue, what we had was an opportunity to take the $60 billion that was being given, for all intents and purposes, to middlemen, the banks, and say, you know, We don't need to spend that anymore. We're going to spend that kind of money on loans to students and not have those middlemen and just have the banks servicing these loans, and you would have thought that everyone would have been supportive of that. Not true.

□ 2100

Mr. GARAMENDI. Not true. I know that we had no votes from the other side of the aisle on taking $60 billion back from the big banks and giving it to students.

We also just a week before that vote we had another vote up on the insurance industry, which you are so familiar with, and I know that I am. The health care reform was a major reform of the health insurance industry practices. No more discrimination against women, no more discrimination against people with preexisting conditions, and the freedom from fear of losing your job, losing your health insurance, and losing your life and your life savings. Those major insurance reforms were voted out of this House without one Republican vote—excuse me, there was one. One Republican voted for those reforms of the insurance practices to end health care discrimination.

It's really interesting, bipartisanship not on the major issues where you are helping Main Street, not on the major issues of helping students, not on the issues of reforming the health insurance practices. On those kinds of things it's very, very clear where we stand on the Democratic side of the aisle. We stand for reform, reining in Wall Street, bringing into play serious restrictions on the ability of insurance companies, health insurance companies to discriminate against women and children and those with preexisting conditions.

I know you have been there for many of these fights. And it's been a great pleasure to work with you on those. Perhaps it's time for us to wrap this up. And if you would like to kind of close, and then we will go on our way.

Ms. SPEIER. Thank you for yielding. I think the important message that we are trying to drive home tonight is if you really want to see reform, then follow the money. Follow the $1.4 million a day that's being spent by Wall Street trying to lobby to keep the status quo. Follow the bonuses and the salaries. Follow how the money was moved from one account to another. Follow the shorting that went on in the industry, where they were selling the same products that they were shorting because it was all about making money. We want to make sure that the average American is protected. And that's why it's important to reform the system.

Mr. GARAMENDI. Thank you so very much for your good work on it. This is a very, very clear dichotomy about where we stand. Our friends in the Republican caucus opposed the job bills that were put forward last year, the stimulus bill. They opposed it. They opposed the unemployment insurance programs that would keep people with enough money to be able to continue to keep their home and provide food for people. They opposed efforts to curtail the excessive Wall Street bonuses; opposed creating a new consumer protection agency to rein in Wall Street; opposed the tax cuts for small businesses and working families; and opposed regulating Wall Street to prevent foreclosures.

On the other side of the aisle, I proudly say that the Democrats in this House supported the jobs bill last year that created thousands of jobs, hundreds of thousands of jobs. We support the unemployment insurance extensions. We support the efforts to curtail excessive Wall Street bonuses. And we support creating a new consumer protection agency to watch over the excesses of Wall Street. And we supported the tax cuts for small businesses and for working families. And, finally, we support regulating Wall Street and preventing further foreclosures and meltdown of the economy.

It's been a challenge. And it's been a very, very important time in America. We have seen the worst of it. We have seen things getting better. We have also seen greed to the excess. And that greed, unfortunately, is going to continue unless we get a strong financial regulation bill to the President. And I know that my Democratic colleagues and I want to see that happen, and we will do everything we possibly can.

Ms. SLAUGHTER. Mr. Speaker, as the Senate moves closer to voting on Financial Regulatory Reform, it is necessary to remind Members of Congress and the American people why this legislation is urgently needed. The global financial system was pushed to the brink of collapse in the fall of 2008 by the excessive risk taking and overleveraging of large scale banks and financial institutions. As a direct result, the U.S. economy was faced with the worst economic crisis since the Great Depression. 8 million Americans lost their jobs, pensions fell by $28.4 billion, 2.8 million homes were foreclosed on, and trillions of dollars of savings and wealth were wiped out almost overnight. Only after an unprecedented intervention by the federal government at the expense of American Taxpayers did our financial system return to stability.

The failure of Wall Street Banks to police themselves and act in the best interests of the public demonstrates the need for tough new federal regulations. The proposed financial reforms in the Senate bill will address the fundamental failures of the financial system that allowed reckless individuals and firms to threaten the collective economic security of our nation. These reforms, in short, will:

Create a consumer financial protection agency (CFPA) to monitor consumer banking products and ensure the full and fair disclosure of every personal banking product to all Americans.

Eliminate the possibility of future bailouts by discouraging the formation of "too big to fail" firms that pose systemic risks to the security of the financial system.

Finally eliminate loopholes that allow complex and high risk investment vehicles such as over-the-counter derivatives and asset backed securities to escape the oversight of regulators

Provide shareholders of banks with influence on matters relating to executive compensation

Provide tough new rules for transparency and accountability for credit rating agencies to protect investors and businesses.

And Enforce existing regulations and allow regulators to aggressively pursue misconduct and fraud

These regulations will help ensure that the failures of the banking system that occurred during the financial crisis of 2008 never again threaten the collective economic security of our nation.

Following on the heels of the Consumer Financial Protection Agency and efforts to ensure fair and full disclosure of financial products to all Americans, I introduced a bill with my colleague Congressman JOHN TIERNEY to curb the abusive lending practices of credit card companies. H.R. 4300 the Restoring America's Commitment to Consumers Act would:

Create a National Credit Card Usury Rate at 16 percent to prevent banks from charging unreasonably high interest rates

Limit unreasonable fees including certain "up-front" fees associated with the extension of credit, such as membership fees and annual fees under the 16 percent usury cap. All other fees not included in the cap, such as late fees or insufficient funds fees are capped at $15.00 per fee.

As the economic situation continues to remain fragile for millions of Americans and costs continue to rise, our constituents face tough choices when determining how to allocate their monthly income. Many are forced to put everyday expenses such as their utility, grocery or medical bills on their credit cards just to make ends meet. Far from helping struggling consumers, credit card companies appear to be exploiting this debt cycle by increasing interest rates to as much as 30 percent and piling on fees. A December 2009 Associated Press story revealed a credit card interest rates as a high as 79.99 percent with a minimum of $256 in fees in the first year for a credit line of $250. Although the Credit Card Accountability Responsibility and Disclosure (CARD) Act of 2009 capped such fees at 25 percent of a card's credit line, the bill did nothing to cap unreasonably high interest rates and the 79.99 percent rate remained in place.

With respect to the impact of the financial crisis on the health of the economy, it should be noted that New York State has shouldered a large share of the burden. The state has lost some 112,700 non-farm jobs since March 2009 while the private sector has lost 86,500 jobs. Statewide, the seasonally adjusted jobless rate in March was 8.6 percent, compared with 8.8 percent in February, 7.8 percent a year ago and as low as 4.6 percent in October of 2007. Some 831,800 people were unemployed statewide last month. The role Wall Street played in leading to the great recession cannot be downplayed or ignored.

It should be clear that reform of the financial services industry is necessary to protect the interests of our citizens. Following a long period of economic distress and at a time when

the recovery of our economy is tenuous, the reform of abusive practices within the financial industry that both caused and exacerbated the suffering of millions of Americans is desperately needed. Congress must act now to address the fundamental weaknesses of the financial system and prevent history from repeating itself.

HEALTH CARE REFORM LAWSUITS

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

Mr. CARTER. Mr. Speaker, we like to get on the floor of this House and we like to argue our points, and we like to try to couch the facts in such a way that you come to a conclusion that suits our political ends. That happens all the time in the courthouse when lawyers advocate for their clients. It happens here in Congress when folks advocate. There is a commentator, or maybe he wouldn't call himself a commentator, I don't know what he would call himself, who has the thing that says, ''The spin stops here.''

I would argue that the spin really stops in the republican form of government that our Founding Fathers created at the United States Supreme Court. Because at the United States Supreme Court, when they are looking at legislation passed by this body, the United States Supreme Court takes the facts that are presented to them, and they take the law as it exists, and then they look at the law that's being discussed and they discuss it in light of the Constitution of the United States.

In reality, all that we do in this Chamber and all that we do in every courthouse in this land to resolve problems either between individuals, between parties, or between States, or in some courts even between nations, all of that spin stops at the United States Constitution.

So we have just passed a gargantuan health care bill. So many pages you can hardly lift it even if you are a pretty good, strong, stout guy. And it has so many agencies and so many directions and so many things in it, and we have talked about them ad nauseam in this House. But the bottom line is it comes down to, now, this issue is being brought before the United States Supreme Court, or ultimately will be brought before the United States Supreme Court. And I would not in any form or fashion impose upon the United States Supreme Court my will. And I don't think anybody else in this body would either.

But I think we have at least a way to look at this that we need to look at it, and I don't really think we are talking about spin. What we are talking about here is what we think is in violation of that document where the spin stops.

Now, this has all been started, initially started with 14 States immediately upon the passage of this bill filing suit to question the constitutionality of the Democrats' health care bill. We now call it ObamaCare by some. This list has expanded into where now 20 States' attorneys general or their representatives have become involved in one lawsuit or another. Nineteen of the States have filed under Florida's lead in Tallahassee under multiple grounds, and Virginia has filed independently in Richmond solely on the constitutionality of the individual mandate.

The issue goes far beyond health care. If the commerce clause can be stretched to force individuals to buy health insurance, it will effectively moot the majority of the constitutional restraints on the power of the Federal Government. What does that statement mean when I just said that?

Well, if you go back and you read the Federalist Papers, if you study the things that were said about what took place in our constitutional convention which was held to write our Constitution and what the debates were among the representatives of the individual States at that time, the real underlying concern of everyone was the power of government. That's what everybody gathered together to talk about. We need something that manages our situation in America. That's what our Founding Fathers said when the 13 original States, prior 13 original colonies, gathered to discuss what document would we found our sovereignty on.

This gets off in philosophical concepts; but just remember that until the creation of the United States, which declared the sovereignty of our Nation, that means the supreme authority in our Nation lies with the people, and that the people would create an instrument which would set out the definitions and the boundaries of that supreme authority that gave the life's blood to our country. That was done because they had just fought a war with a tyrannical nation that had been imposing its will upon our Nation, at that time the people who lived here who ultimately became our Nation.

□ 2110

And they were fed up to their eyes with people imposing their will upon them. And they wanted to make sure that when they all agreed to get together and surrender certain things to a government, a centralized government that would govern in some capacity over all the States that created that government, that they would make sure that they were not creating another tyrant.

And I think if you read that and the Bill of Rights connected with the original Constitution, you will see that the very first thing they do is say, the government shall not do these things. And then they went on and said, the people have God-defined rights, and here are those rights. And the government's not going to interfere with those rights. And it was the government they were restricting. It was the government they were talking about.

And when we set it up, and when we made the great compromise and all the other compromises which it took for these various parties to resolve their differences and create a government, it was all about making sure they weren't creating another tyrant. And I think they succeeded. And I think every American that has ever studied our Constitution is extremely proud of that document and the people who created it, because it did what they set out to do. It made sure that no government, no authority or organized government would be able to impose its will over the will of the American people at that time.

Now, this concept has now spread around the world. You know, we love to look at the free nations of the world. But at the time we created the Constitution of the United States, all those friends and allies that we call free nations of the world, they weren't free. And the concept was foreign to them, that the government couldn't impose its will upon the people. It was foreign. Kings did what kings wanted to do.

What was it they said in the History of the World, Part 1? It's good to be the king. Well, you know what? It was good to be the king, and that's why we weren't happy with King George, and we fought a war to get rid of him, because he was imposing his will and the Parliament was supporting him in England by imposing his will.

So we fought a war. We won. We wrote ourselves a Constitution. It said, we're not creating that kind of government.

So what our lawsuit is about is how far do we impose the will of the government over the will of the people?

These are basic premises. And it's been in constant debate since the founding of our country. And it has slowly and surely expanded the power and the force and the strength of the Federal Government.

But the bottom line is, we start with the premise that Americans did not want a government that imposed unfairly their will upon other people. And these lawsuits which have been filed, and these now 20 Attorneys General that are involved in carrying one or the other lawsuit to the United States Supreme Court, through the court systems, are raising issues that say, we've reached a point in this particular piece of legislation, the Democrats' health care bill, the Obamacare bill, whatever you want to choose to call it, it's being called that way in the papers, one way or the other, it is imposing upon people something it does not have the authority to impose. And really, it's a real simple argument.

What this bill does, it says everybody has to buy health insurance, period. End of story. You've got to have coverage. It is required of you. And it sets up massive plans and descriptions and all kinds of things that just will absolutely cause your mind to shrink up

like a prune when you start reading it, trying to figure out what all it says.

But when it comes down, you cut through all the garbage, you cut through all the spin, you cut through all the arguments, and just what does it do?

It says, we're going to set up certain things that insurance has to cover, and then you, American citizen, have to buy that insurance. That's what this bill says. You've got to buy it. And if you're not covered by insurance, either under some massive State plan, which we already have, Medicare, Medicaid and others, if you are not covered there, if you don't have private insurance, you've got to buy private insurance. You've got to go buy it.

Now, if you don't buy it, we're going to punish you, and we're going to punish you by, some call it a tax, some call it a fine, but it says we're going to put—you're going to pay this amount of money for not getting insurance.

And our Attorneys General of the now 20 States of this country are saying, whoa. Wait a minute. Besides all the burden you're putting upon the States, contrary to the contracts we made on, for instance, Medicaid, which is the plan we have to take care of those people who are literally unable to buy their own insurance, it is designed for the poor and for the needy, and it's a contract between the States and the Federal Government to create a plan that the States administer, that will take care of the poor people of the country. Now, it's been expanded to two times poverty, three times poverty, four times poverty and it goes on. And we've added to it what some call SCHIP, which is expanding it to cover uninsured children. And then some States have even gone so far as to expand uninsured children and their parents under this Federal, supposedly for poverty-stricken people, plan.

But the key to what the States are arguing about that plan is, but wait a minute. We made a deal with the Federal Government, and we're partners in this by contract. We agreed that we would administer the plan, we would decide what was best for the citizens of our State, and that's what our Medicaid program would be.

And honestly and truly, Medicaid programs across the country differ. The Medicaid program in Texas is different from the Medicaid program in Georgia. In most instances, they're relatively small differences, but they're differences that the States felt fit their people in their State because the States were in charge of administering Medicare.

The States have complained about sometimes some standards that this Congress has put on what kind of drugs you can give and what kind of services you will give. And those have been a series of debates, but they haven't broke the contract.

But one of the things that these States are arguing in this plan is not only are you mandating that people buy a private product from a private company, an insurance company, but you're punishing them for not doing it. And then you're telling us that already provide a plan to cover a lot of these people that we have to take a massive infusion of new people that wasn't part of the deal. Massive. I'm talking about doubling and tripling some Medicaid budgets for the States. And we're not going to help you out with it.

□ 2120

Temporarily, we will help you out with it. We bailed you out with some of the stimulus money in the last year, but that is all going away. But you've got to take care of it. And not only do you have to take care of it, you have to administer that agency, take care of all of these new people we put in there. We're mandating you to do that. And they're saying, Oh, and by the way, while you're at it, this program that we've got that is going to impose that people have to buy a certain insurance policy, we want you to administer that, too. We not only want you to, we're mandating you to do it.

So our States are saying, Whoa, time out. That burden's bad enough. But let's get back to the original intent of the Framers of the Constitution. Should government be able to force you to buy something you don't want to buy? Now, you say to yourself, Well, but it's for the good of the general public that we do this. No. It's really because, if you've got a bunch of healthy people and you force healthy people who don't want to buy insurance because they don't figure they're going to have any health care needs for about 10 or 15 years, make them start paying premiums, make them become part of the pool, they won't cost you a dime so they can help pay for the people at the other end that are needing health care. So it's really a great big fancy way of expanding who pays the bill.

What it comes down to, what it means to the individual human being that is out there in the country whose only thing that the government could be regulating is his breathing because all he has done to be mandated to buy this policy is being alive. If he was dead, he wouldn't have to buy it. But he is alive. And our Federal Government by this bill is saying, Everybody alive out there, all 50 States and everybody out there, if you're alive, you're buying this product, and you've got to choose to buy it through a pool which will have certain insurance companies that will offer what we have decided those insurance companies will offer, what the Federal Government—this Congress, this President—has decided they have to offer as services under the policy.

But you've got the 19-year-old kid out there that says, Wait a minute. I'm 19 years old. I'm bulletproof. I'm healthy as a horse. I can run a 4.4 40. I can bench press 400 pounds. You're telling me I've got to go buy health insurance? Yes. I won't do it.

A-ha. You won't do it? Okay. How would you like to cough up 2,000 bucks in extra tax money every year just because you didn't pay it? Well, I wouldn't. Well, that is what we're telling you you've got to do.

That is what this bill says. You can couch it in all kinds of formal spin and you can spin it every way you want, but when you cut down to the bottom line, that is what it does. It says you have to buy something.

Now, as you're thinking about this, Well, this is not so unreasonable, John. Wait a minute. You know what? I'm a lawyer. I've been a lawyer since 1969. If you count the years, that's a long time. I've been a judge for 20 years. I can make a pretty darn good argument that everybody in this country ought to have a lawyer. In fact, I can make an argument that our world has become so complex that you are at risk for life and limb if you don't have a lawyer to stand up for you and to protect you not only against this Federal Government, but against the imposition of all governments and against the imposition of other entities, other partnerships, corporations, other individual people because everybody is out there just ready to sue you. So you need a lawyer.

If the policy of this Nation is that you have to buy a product that was created by this Congress from an individual, from a company, why can't I write a bill that says, Oh, by the way, everybody needs a lawyer, so you have to hire a lawyer or I will create an agency which will farm out all of these lawyers in America that you will—everybody will have a lawyer on your table, and if you don't, it will cost you $2,000 a year for not having a lawyer, because if you don't have one—especially if you don't have one and you don't have any funds, guess what? We're going to have to provide you with one. Or if you commit a crime and you're indigent, we're going to provide you with one anyway, so we're going to make everybody have a lawyer.

I don't think that will get a lot of votes because lawyers aren't very popular, but the concept is the same. The concept is just the same.

We're saying to the American people, You have to buy a product from a company. If you don't buy that product, we're going to punish you. We're going to fine you, and it's going to be administered by the IRS with their authorities and rights going forward as IRS agents. It's no different than me and my bill requiring you to hire a lawyer. It's for the good of the Nation for you to have a lawyer.

But, hey, I can think of another example which a lot of the newspapers are using. In fact, I believe this one does. This is from The Washington Post. Is Health Care Reform Unconstitutional? Look at the last line of this. They say, Regulating the auto industry or paying cash for clunkers is one thing. Making everyone buy a Chevy is quite another. And that is the real

issue that we will switch over to another thing.

Right now, as I understand it, we, the Federal Government, along with the labor unions, own 51 percent of General Motors. So, arguably, all of us—because you know you will hear us very gloriously stand up on the floor and say, This House belongs to the people. Well, so you own—you're not a stockholder, but you, through your tax dollars, own 51 percent of General Motors, or some percent close to that area. Don't hold me to that number, but a whole lot of it.

Now, I will come up here and say, You know what? They're still going broke. It's arguably for the good and the best interest of the American people that everybody buy a Chevy. Then we will keep General Motors from going broke. Or a Pontiac or a GMC pickup or whatever General Motors makes.

So if the Constitution of the United States requires people to buy a health policy with mandates from the Federal Government as to what that policy will offer and it requires them to buy or they will be fined, why can't I require them to buy a Chevy?

Now, once again, I started off saying the buck stops at the United States Supreme Court. The spin stops at the United States Supreme Court. It's down to what those Supreme Court Justices are going to say the Constitution says about can the commerce clause, which is the only logical way any argument can be made that this would be something the government can regulate. It could be regulated under the commerce clause, which says the Federal Government has the right to regulate commerce between States, and commerce interstate between the Federal Government and States, and foreign commerce.

Now, the commerce clause has been expanded, and nobody is going to argue with that, and I'm not going to argue with it. But are we willing to say that because I breathe here tonight I'm in commerce? I'm not selling anything. I'm not buying anything. I'm not moving anything in any direction for the purposes of sale or for the purpose of anything to do with the economy or anything to do with commerce. I'm just here, and I'm breathing the air of Washington, D.C. Is that enough to make me in commerce and therefore be able to impose the power of the Federal Government upon my life to make me buy a certain product?

Is that a world that our Founders envisioned us getting involved in? I would argue it's not. Is that a world that the American people envision us getting involved in? I would argue it's not.

And I would argue, and I think the American people will back me up on this, and I can guarantee you our Twitters and emails are backing me up that say you can't impose upon us things against our will of this nature, we have to buy from a certain company, a certain product.

Wouldn't it be great for Dell computers if we said everybody has got to buy a Dell? Wouldn't it be great for some tractor company to say, By the way, even if you only live in an apartment, you need to own a tractor because its in the best interest of America if the tractors do good? At what point can we stop all of this?

□ 2130

Those things seem silly, but the real spin and the real buck stops with the decisions that these courageous attorneys general across the country are going forward with, many of them against the will of their Governors because the political fight to stand up for the American people and to say to the United States Supreme Court, we need your help to tell us, are we going to impose the government's will to that extent, that's what I am here to talk about.

I am glad to see one of my loyal friends and classmates who, God bless him, he always comes when I am standing down here. I am proud to yield to my friend, PHIL GINGREY of Georgia.

Mr. GINGREY of Georgia. I thank the gentleman from Texas, Judge CARTER, for yielding to me. I was listening at the outset of the hour, and I will say to the gentleman that I agree with him completely in regard to where does the spin stop. And, of course, Judge CARTER said earlier, Mr. Speaker, that the spin stops at the Constitution; and he just commented a second ago, furthermore, the spin stops at the Supreme Court.

I think it's absolutely right, if Judge CARTER points out to our colleagues, the Constitution in the commerce clause says Federal Government can regulate commerce, but it doesn't say that the Federal Government can mandate commerce and that's exactly the point, Mr. Speaker, that Judge CARTER, Representative CARTER from Texas, is making.

He used some examples. I could throw out another and say, well, if the Federal Government can force, force people maybe against their will and their ability to pay, to have a health insurance policy, why couldn't they go on and say, well, every adult male and woman between the ages of 21 and 64 has to buy cowboy boots? And to take it a step forward say not just cowboy boots but cowboy boots that are made in the State of Texas.

Mr. CARTER. It's a good idea, but I don't think we can do it.

Mr. GINGREY of Georgia. Maybe that's what President Bush would have said since he is from the State of Texas.

But, Mr. Speaker, I think our colleagues get our point here. And I, quite honestly, when 20 States, the attorneys general of 20 States join in bringing a suit challenging the constitutionality of this provision that actually mandates commerce, and they represent, in the aggregate, those 20 States, what, about 40 percent of the population?

And then you have the State of Virginia, Attorney General Cuccinelli is filing his own suit on behalf of the people of the Commonwealth. In our great State of Georgia, Governor Perdue, Mr. Speaker, has asked our attorney general to join in this suit, to join Attorney General McCollum in the State of Florida and these other 19 States.

Our attorney general, our Democratic attorney general in the State of Georgia, Mr. Speaker has refused, even though the Georgia Constitution says if the Governor is requesting that the attorney general defend the State of Georgia, that the Constitution requires him to do that. But for whatever reason, I am not saying it's political, but our Democratic attorney general in the State of Georgia has declined to join in that suit.

I would commend Governor Perdue, and that there are great attorneys in the State of Georgia who have agreed to file suit on behalf of the State of Georgia and its 9.5 million residents, the largest State east of the Mississippi, fifth largest in population in the country. We are going to bring suit, and it's going to be done on a pro bono basis. These attorneys normally charged $700 an hour for their services. They are highly skilled, very experienced attorneys, and they are going to do this because our attorney general refuses to do it, unfortunately.

But honestly, and I want to hear further, Mr. Speaker, the gentleman is an expert, Judge CARTER is an attorney and a judge for over 20 years, he is the expert. But I think, and I really want my colleagues to hear this, I think the Supreme Court could vote 9–0 in favor of these 20 suits that are bringing suit against the constitutionality of this provision, mandating commerce, forcing people against their will to engage in commerce, as Judge CARTER has said.

So I hope that it will be an expedited review, Judge, maybe I am not using the right terminology, and hopefully within a year, year and a half, that this thing will be settled.

Colleagues, what that will do is it will unravel ObamaCare. It will unravel ObamaCare because to try to simplify this, this thing would never have worked. Do you think, Mr. Speaker, that the health insurance plans, AHIP, these big insurance companies like Aetna, Blue Cross, Cigna, do you think they would have agreed to cover people with preexisting conditions at standard rates if they had not been given this deal?

They went over to the White House a year and a half ago, Mr. Speaker, along with the American Medical Association, and the American Association of Retired Persons and Big Pharma, and there was a deal for everybody, Mr. Speaker. That was a good deal for the health insurance industry because they were going to pick up all these additional people who were going to be forced to purchase health insurance, and not only health insurance, but as

Judge CARTER pointed out, Mr. Speaker, they were going to be forced and are going to be forced to purchase health insurance that has first dollar coverage.

Do you think there's any plans ultimately to expand health savings accounts and let young people who are healthy, as the judge pointed out, and taking care of themselves and exercising and doing all of the right things to buy a health insurance policy they can afford, one with a high deductible, but a low monthly premium, and it has catastrophic coverage, they are not going to be permitted to do that? They are going to have to get these first dollar plans by 2014, and they can't afford it.

I thank the gentleman, Mr. Speaker, for allowing me to share my thoughts. My colleagues, I think, know that I have practiced medicine for 31 years, and I know of what I speak in regard to the American people being opposed to having the Federal Government come in lock, stock and barrel and take over one-sixth of our economy to make decisions that should be made in the sanctity of the exam room between a doctor and a patient.

I look forward to the rest of your comments.

Mr. CARTER. Thank you. Just going over this, this is a welcome sign for all. It may not be all the States now because more have joined in. Let's just look real quickly: Washington, Colorado, Nevada, Texas, Idaho, North Dakota, Arizona, Louisiana, Nebraska, South Dakota, Utah, Michigan, Pennsylvania, Virginia, Indiana, South Carolina, Alabama, Georgia, Mississippi and Florida.

That's a pretty good gallery of the States, and it's not just one region. It's across the country, and it's because the American people are being affected across the country. Ultimately, the courage of these attorneys general will stand up for every American citizen on this issue, and I commend them, and I congratulate them, and I am looking forward to in some small way if I can work with them, because I think it's an important thing.

The gentleman mentioned expert. You know, we say in the legal position an expert is a guy from out of town with a briefcase. I have seen that in the courtroom a lot, and I would have to say I agree with that in some instances. No, we are all in some form experts on the Constitution because we can all stick one in our back pocket and carry it around and we can read it and we can learn what it says. In fact, that's kind of what's going on in the country right now. An awful lot of the people are getting themselves a Constitution and they are reading it. I said, wait a minute, this thing was to restrict government. This doesn't restrict government.

One of the arguments is being made, making the ninth and 10th amendment the commerce clause. The commerce clause says the U.S. Congress shall have the power to regulate commerce with foreign nations and among the several States and with the Indian tribes. The ninth amendment says the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others of the rights retained by the people.

Remember, this Constitution starts off by saying, people have certain inalienable rights, rights that cannot be alienated. Granted by God, that's what the Constitution says by divine providence, and among those are life, liberty and the pursuit of happiness, which means there's more.

□ 2140

This Bill of Rights and the Constitution sets forth a lot of those rights, but they're not all the rights.

And remember, we go back to what were they starting to do? They were starting to get tyranny off our back; don't let the government impose its will upon us. That's what we started out with when the first Minuteman went to Bunker Hill and Breed's Hill to stand up against the Red Coats. It was because they felt like the government was imposing unfair will upon the individuals in the American colonies.

And then the 10th amendment goes on to say, ''The powers not delegated to the United States''—that being the Federal Government—''by the Constitution nor prohibited to it by the States are reserved to the States respectfully or to the people.'' So in other words, the rights that they don't deal with here belong to the States. And if the States are not going to be in charge of those rights, then back to the people. This is a hard concept because some people sitting at home and some people in this body are going to say, how do the people have rights that the government is not protecting? Well, they do. In fact, they took up arms once—and some would argue twice—in our Nation's history because of rights that people thought they had as individuals.

So this is part of this revolutionary republican society that we created. We created a republic and we were created out of a revolution. So we are fighting a basic argument, a basic constitutional argument that goes forward before the Supreme Court sometime hopefully in an expedited manner. And I agree with my friend, Mr. GINGREY, that expediting this is important for the American people.

I guess if there is ever anything written into a bill that turns out to be good news of this bill, it's that it does not get implemented until 2014, which means it kind of gets past a couple of election cycles where it might be an issue before it actually starts happening to us, which gives these Attorneys General the opportunity to carry this through the court system and hopefully to the Supreme Court so the Supreme Court can give us an opinion about this particular health care bill and whether or not we are going to expand the clause that says U.S. Congress can regulate commerce to the point where it can regulate individual activity of human beings to the point where it says you must buy something because it's for the good of you and the good of the Nation even if you don't want to buy it. That is where we are going to go and that is the question they are going to have to answer. It is going to be exciting to see what the conclusion is.

I have a tremendous amount of faith in the judicial system. And even though I have many times disagreed with the U.S. Supreme Court on issues, I have always—and still to this day by the oath I took, both as a judge and the oath we take as Members of Congress to preserve, protect, and defend the Constitution against all enemies foreign and domestic. Now, that oath says the ultimate sovereignty, we declare it to be the Constitution. I have always had confidence that our Supreme Court, even when I disagreed with them, over the long haul it would all be for the good of the Constitution. I look forward to that opinion that is going to come out of the United States Supreme Court.

Tonight I have to cut this a little bit short. We will be back talking about this on other days. So I thank my colleague for joining me, I thank my other colleagues for listening, and I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. 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.

MEMORIALIZING DOROTHY HEIGHT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from California (Ms. WATSON) is recognized for 60 minutes.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and exclude extraneous materials on the subject of memorializing Dorothy Height.

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

There was no objection.

Ms. WATSON. Mr. Speaker, we come with heavy hearts today to memorialize a woman who made such a great impact on us who passed away early this morning.

Dorothy Height was a founding matriarch of the American civil rights movement whose crusade for racial justice and gender equality spanned more

than six decades. She fought for equal rights for both American Americans and women. She was among the coalition of African American leaders who pushed civil rights to the center of the American political stage after World War II and she was a key figure in the struggle for school desegregation, voting rights, employment opportunities, and public accommodations in the fifties and the sixties.

In high school, Dorothy was awarded a scholarship to Barnard College for her oratory skills, yet upon arrival she was denied entrance. At the time, Barnard admitted only two African Americans per academic year, and Height had arrived after the other two had already been admitted. At its 1980 commencement ceremonies, Barnard College awarded Height its highest honor, the Barnard Medal of Distinction. She also went to New York University and received a master's degree in educational psychology and eventually became the recipient of no fewer than 36 honorary doctorates.

Dr. Dorothy Height began her career as a caseworker for the New York City Welfare Department. In 1944, Dr. Height joined the national staff of the YWCA and she was instrumental in bringing about an interracial charter for YWCAs in 1946.

Dr. Height also served as National President of Delta Sigma Theta Sorority from 1946 to 1947 and developed leadership training programs and interracial and ecumenical education programs.

In 1957, Dr. Dorothy Height was named President of the National Council of Negro Women, a position she held for 40 years, in which she emphasized self-help and self-reliance, including programs in nutrition, childcare, housing, and career counseling.

During civil rights struggles in the 1960s, Dr. Dorothy Height helped orchestrate strategy with movement leaders, including Reverend Dr. Martin Luther King, Jr., Roy Wilkins, A. Phillip Randolph, Whitney Young, James Farmer, Bayard Rustin, and JOHN LEWIS.

During the 1960s, Dr. Dorothy Height organized ''Wednesdays in Mississippi,'' which brought together black and white women from the North and South to create a dialogue of understanding.

In the mid-1960s, Dr. Height wrote a column entitled ''A Woman's Word'' for the weekly African American newspaper, the New York Amsterdam News.

□ 2150

In the 1970s and 1980s, the National Council of Negro Women helped organize and operate development projects in African countries. Because of her experience and depth of knowledge, she later served on a number of committees, including as a consultant on African affairs to the Secretary of State, on the President's Committee on the Employment of the Handicapped, and on the President's Committee on the Status of Women.

In 1974, Dr. Height was named to the National Council for the Protection of Human Subjects of Biomedical and Behavioral Research, which published the Belmont Report, which was a response to the infamous Tuskegee Syphilis Study and an international ethical touchstone for researchers to this day.

American leaders regularly took her counsel, including First Lady Eleanor Roosevelt. Dr. Height also encouraged President Dwight D. Eisenhower to desegregate schools and President Lyndon B. Johnson to appoint African American women to positions in government.

I remember her telling me a story that the location of her office and their office building right now down on 7th Street, where you can see the Capitol in the background, was the last place that they retrieved two young African sisters who were running away from slavery. They brought them back and sold them off of the spot which is an historical preservative for her National Conference of Negro Women. What irony. She was that great lady who could see into the future, and I think that property just beckoned to her.

When she turned 90 years old, I was there at her birthday celebration here in Washington, D.C. They had purchased property that was very, very expensive, but they were able to get it for $8 million. Oprah Winfrey came, and she said, I understand that you owe $5 million. She said, Well, I have something with me that I think will help you. She gave a check for $2.5 million. Now deduct that from the $5 million. Then she proceeded that evening to go around the room and get those who were lobbyists, those who were advocates, to commit to paying off the balance. Within a few months' time, every penny of that property was paid for.

What a story.

It used to be Sears, the headquarters for Sears. As you know, that's in Chicago now, but the history of the property and where she still went when she was able to get there was the place they sold the last two young African women into slavery. I thought it was important to let you know the spiritual impact, the special gifts that she had for using her judgment to make the right decisions.

In 1994, President Bill Clinton awarded her the Presidential Medal of Freedom, which is the Nation's highest civilian honor. The musical stage play, ''If This Hat Could Talk,'' is based on her memoirs. ''Open Wide the Freedom Gates'' is the name of her book of memories. It showcases her unique perspective on civil rights movements, and it details many of the behind-the-scenes figures and mentors who shaped her life.

My mother is now 100. I am reminded that my grandmother, her mother, used to sit us down at her feet. Because most of the history of Africa is Aro, she used to tell us these stories of Mary McLeod Bethune. Mary McLeod Bethune, out of Florida, started the first college for colored girls. My grandmother used to talk about her all the time. I finally found out that she went to school with Mary McLeod Bethune when she lived and had her first child in Florida, and so I always thought that Mary McLeod Bethune was an aunt. I was so disappointed when I found out she wasn't related. She talked about the line of Judah. That was Haile Selassie, and they feel that most black people were descendants of Haile Selassie. My grandmother talked about Mrs. Roosevelt. She also talked about Marcus Garvey and that back-to-Africa movement.

All of these were powerful figures in the history of black people here in America. So, when we would see Dr. Height, regardless of how ill she was—but her mind was sharp—she would bring forth this history that we could only read about.

Dorothy Height had served on the advisory council of the White House Initiative on Historically Black Colleges and Universities and on the National Advisory Council on Aging. Wasn't that wonderful. She lived to 98. She passed this morning.

On March 24, 2004, her 92nd birthday, she received the Congressional Gold Medal, the highest decoration Congress can bestow, and I am so proud to say that I was the author of the bill that gave her the Gold Medal. As I circulated around these Chambers, I went to that side of the aisle and would sit next to various Members and would tell them, I am carrying the Gold Medal bill for Dr. Dorothy Height.

They would ask, Who is Dr. Dorothy Height?

I'd get very quiet, and I'd say, I'm going to tell you who she is, but you'd better not let other people know you don't know who Dorothy Height is. She proceeded Rosa Parks, and she was 19 years old when Mary McLeod Bethune handed her the mantle of leadership. She took it at age 19 and held it until her demise. Of course she had to have other people take over after she retired.

I knew her story because my grandmother related it to me. She started telling me about it when I was 3 years old. My sister, 18 months older than I, would have to sit there, too. She is deceased now. My grandmother read us the newspaper. She could have read it upside down, sideways or bottom up, but I remembered what she said because, traditionally, the story of our history was Aro, and that's why I took great pride after I entered these most honored Chambers to pay tribute to a woman who is part of all of our history.

Dr. Dorothy Height was the chairperson of the Executive Committee on the Leadership Conference on Civil Rights, the largest civil rights organization in the United States of America. Dr. Dorothy Height was an honored guest and was seated among the dignitaries at the inauguration of our current President, Barack Obama, on January 20, 2009.

□ 2200

She helped create and organize the Black Family Reunion celebration held annually since 1985. These gatherings were intended to honor the traditions, the strengths, and the history of African American families, while seeking solutions to such social problems as teen pregnancy, drug abuse, and violence. She attended these National Black Family Reunions celebrated on the National Mall in Washington, DC, every year until her death this morning.

Her death was something that we all feel so terrible about. We mourn her loss, but she leaves us a great legacy; and we all stand on her shoulders. She had the insight to keep our families together. Because when we were kidnapped off of the continent, when they brought us here to America, they separated husband and wife and took the babies away from their mothers' breasts and sold them for more property. And she knew that strength was with unity. And when you can bring families together, then you can be empowered.

So we owe so much to Dr. Dorothy Height. And we pay tribute to her strength, her vision, her dedication, and her brilliance. Her voice will never die out. We will continue to hear it when we talk about equality and justice and opportunity and fairness.

With that, Madam Speaker, I would like to call up the most distinguished Member of Congress from Los Angeles, MAXINE WATERS, for as much time as she might consume.

Ms. WATERS. Thank you very, very much Congresswoman DIANE WATSON. Thank you for taking out this hour to remember Dr. Dorothy Height. I appreciate the fact that you not only organized this time, but you understood how important it is for all of us who knew her, who loved her, who worked with her to just stop and remember her in this very, very special way.

When I learned of her death, I immediately thought about March 24, 2004. That is when she received the great recognition from the Congress of the United States, receiving the Gold Medal, the highest civilian award that can be given to a United States citizen. I remembered that because when that ceremony took place I remember watching her and reflecting on all that she had done for this country.

I remember not only the fact that she was the one woman in the civil rights movement that was dominated by men who sat in on the discussions about the civil rights legislation, the voting rights legislation, and this was at a time when women were not welcomed at the helm of the civil rights movement, but Dorothy Height was a very special woman. And I am sure that no matter what some of the men thought, they couldn't have turned her down because of her special way of handling situations. She was a highly cultured woman, articulate, refined, and always able to help temper situations that could be explosive. So Dorothy Height had a way of not only managing herself, but managing those around her.

I heard Congresswoman WATSON as I was coming in talking about the Black Family Reunions. And they stand out as part of her tremendous work. At a time when black families were being demonized, being talked about as dysfunctional, she not only showed that we are a people who care and love our families, but we came out to these great reunions in very special ways. I remember seeing young black males carrying their babies, and I remember seeing young children being held by the hand by their grandmothers. So the mothers and the fathers, the sisters and the brothers, the uncles and the aunts, everybody came out to these tremendous family reunions. And I can recall not only attending in Washington, DC, but in my hometown of Los Angeles. I was there with Dorothy Height, number one, because I respected her, I admired her; but she expected me to be there.

We were friends for many, many years, dating back to our struggles in the Carter administration, when we had created the International Women's Year. And we all convened in Houston, Texas, to create the Women's Commission that was appointed by Carter. I was there as a young woman long before I came on the national scene and helped to organize on that floor the final statements that we delivered to President Carter that created the National Women's Commission.

As a matter of fact, Dorothy Height has been at the center of every significant development on behalf of women. Not only did she work in the civil rights movement, she worked for women. And she has been there in those struggles working with the National Organization for Women, the National Women's Political Caucus, all of those organizations that sprung up when we finally began to realize that we had power and we could exercise power and influence not only in helping to advance women in this country, but advance public policy as it related to women and families.

So Dr. Dorothy Height, who sat at the foot of Mary McLeod Bethune, the greatest educator that ever involved herself in education in this country, had a great impact on Dorothy Height. And Dorothy Height was a big supporter of education. And she often told of the stories of Dr. Mary McLeod Bethune. She often shared with us the very special moments she had with her and the kind of influence that she had on her and her leadership.

So she is gone. And there are those who are asking who is going to take her place. Well, no one can really take her place. There is no other and will be no other like Dorothy Height. Of course there are many brilliant women. There are visionary women. There are articulate women. There are women who can manage at the highest levels. But you can't replicate Dorothy Height. We can hope that someone takes her place who will honor the contributions that she has made and give leadership to the National Council of Negro Women in a manner that she would be proud of, but no one can actually take her place.

I stand here this evening to say that Dorothy Height not only was special and one of a kind; I loved her. I honor the time that I was able to spend with her. I honor the birthday celebrations that I was able to go to. I honor the times that she attended all of the chapter meetings across this country and I happened to be in some city or some State where she was where I attended those chapter meetings. I honor having known her because I think it certainly gave me not only insight into what she was all about, but the inspiration that she provided for me and the lessons that I learned from her.

So this evening I simply say that we wish her journey to heaven to be the kind of journey where she will certainly rest in peace and get the rest that she so richly deserves. But we want her family to know, and all of those who perhaps didn't know her, how much she has meant not only to women and to the civil rights movement, but to this country. And we want to honor her in this very, very special way on the floor of Congress so that it will be recorded in the CONGRESSIONAL RECORD, adding to all of the other ways that she will be etched into the history of this country and this world.

Thank you, Dorothy, for having served. Thank you for having led us. Thank you for having been the kind of public servant who helped this country to be a better country.

I yield back the balance of my time.

Ms. WATSON. I want to thank you, Representative WATERS, for your association over the years with her and following in her footsteps. You know, we all joined hands together because I think those family reunions were a very special moment in our communities.

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And we remind each other of the importance of our family bonds, and we show this country that we can stay together and our families are not dysfunctional. And that's what she stood for. And so I thank you for your words this evening.

And I have asked that all of these statements be recorded. And as we close out this late hour, I just want to say that we have had the privilege to live at a time when such a great, great woman whose ancestry emanated from what we call the Dark Continent, lived among us, taught among us, and touched us all. May God rest her soul.

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

Ms. LEE of California. Madam Speaker, today we lost an American

treasure with the passing of Dr. Dorothy Irene Height, a matriarch of the civil rights movement, a staunch advocate for women's rights, and an all-around phenomenal woman.

Dr. Height was a bold and brilliant African American woman who blazed many trials and opened many doors to the American Dream for women and people of color. Tonight I join with people around the world as we mourn the death and celebrate the life of Dr. Height.

Throughout her life, Dr. Height wore many hats, both literally and figuratively. She wore them with elegance and dignity, with excellence and determination. From her legendary stewardship as the national president of Delta Sigma Theta sorority to her unprecedented 41-year tenure at the helm of the National Council of Negro Women, Dr. Height was a woman of courage and strength.

Dr. Height's commitment to equality was reflected in so many of her pursuits. In the 1930s, for example, Dr. Height traveled across the United States to encourage YWCA chapters to implement interracial charters. After dedicating more than 60 years of her life to the YWCA, Dr. Height remained proudest of her efforts to direct the YWCA's attention to the issues of civil rights and racial justice. She was committed to this work. In fact, Dr. Height was the first director of its new Center for Racial Justice. This was in 1965. I believe it was in New York. Imagine, though, the resistance that she felt and that she was faced with in her efforts to desegregate the YWCA in the 1930s.

As the leader of the United Christian Youth Movement of North America, Dr. Height worked to desegregate the Armed Forces, prevent lynching, reform the criminal justice system, and establish free access to public accommodations. At a time when racial segregation was the standard and resistance to integration was often very fierce, Dr. Height forever remained true to her convictions, even when it was not the comfortable thing to do.

A lifelong advocate for peace, equality, and justice, Dr. Height was especially committed to empowering women and girls. She stood toe to toe with the great male civil rights giants of our time, steadfast in her dedication to ensure that black women's needs were addressed. She was forever dedicated to helping women achieve full and equal employment, pay, and education.

Dr. Height was instrumental in establishing a multicultural ''Wednesdays in Mississippi.'' This was a program to assist freedom schools and voter registration drives. She knew that the fight for racial justice and for women's equality go hand in hand.

As the national president of the National Council of Negro Women, Dr. Height led the NCNW in helping women and families combat hunger. She also established the Women's Center for Education and Career Achievement in New York City to prepare women for entry into jobs and careers. During her tenure as president of NCNW, they were able to buy a beautiful building just a few blocks from here on Pennsylvania Avenue. And to this day it is the only African American-owned building on Pennsylvania Avenue, which is on the site where slave traders legally operated a center slave market, and where in 1848, 76 slaves, including Emily and Mary Edmondson, attempted to escape to the Underground Railroad.

Dr. Height said, and this is Dr. Height's quote, she said, ''It seems providential that we stand today on the shoulders of our ancestors with an opportunity to claim the site and sustain a strong presence for freedom and for justice.''

I tell you Dr. Height remained a fighter until her last breath. Last year she attended President Barack Obama's first signing of the Lilly Ledbetter Act, his first bill he signed into law. She was present here for the unveiling of the Shirley Chisolm portrait and the bust of Sojourner Truth here in the Capitol. She worked diligently on various issues with the Black Women's Roundtable and the Black Leadership Forum and often participated in panels here on Capitol Hill. Just recently, she joined us in our efforts to support the 2010 census. We always knew that we were in the presence of greatness. And we always knew, especially now as Chair of the Congressional Black Caucus, that Dr. Height, when we called, she would be there to support us.

We mourn the loss tonight of Dr. Height. We celebrate her life and her legacy. We love you, Dr. Height, and we promise to continue your legacy of service to humankind. May your soul rest in peace.

Ms. JACKSON LEE of Texas. Madam Speaker, I to pay tribute to a national treasure and icon who passed early this morning. I am speaking, of course, of the incomparable, irrepressible, and legendary Dorothy Irene Height. For more than half a century, Dorothy Height has played a leading role in the never-ending struggle for equality and human rights here at home and around the world. Her life exemplifies her passionate commitment for a just society and her vision of a better world.

Dorothy Height was born in Richmond, Virginia March 24, 1912, and educated in the public schools of Rankin, Pennsylvania, a borough of Pittsburgh, where her family moved when she was four. She established herself early as a dedicated student with exceptional oratorical skills. After winning a $1,000 scholarship in a national oratorical contest on the United States Constitution, sponsored by the Fraternal Order of the Elks, and a compiling a distinguished academic record, she enrolled in New York University where she earned both her bachelor and master's degrees in just four years. She continued her postgraduate studies at Columbia University and the New York School of Social Work.

In 1933, Dorothy Height joined the United Christian Youth Movement of North America where her leadership qualities earned her the trust and confidence of her peers. It was during this period that she began to emerge as an effective civil rights advocate as she worked to prevent lynching, desegregate the armed forces, reform the criminal justice system, and provide free access to public accommodations. In 1935, Dorothy Height was appointed by New York government officials to deal with the aftermath of the Harlem riot of 1935.

As Vice President of the United Christian Youth Movement of North America, Dorothy Height was one of only ten American youth delegates to the 1937 World Conference on Life and Work of the Churches held in Oxford, England. Two years later she was selected to represent the YWCA at the World Conference of Christian Youth in Amsterdam, Holland.

It was in 1937, while serving as Assistant Executive Director of the Harlem YWCA, that Dorothy Height met Mary McLeod Bethune, founder and president of the National Council of Negro Women (NCNW). Mrs. Bethune was immediately impressed with young Dorothy Height's poise and intelligence and invited her to join the NCNW and assist in the quest for women's rights to full and equal employment, pay and education.

In 1938, Dorothy Height was one of ten young Americans invited by Eleanor Roosevelt to come to Hyde Park NY to help plan and prepare for the World Youth Conference to be held at Vassar College.

For the next several years, Dorothy Height served in a dual role: as a YWCA staff member and NCNW volunteer, integrating her training as a social worker and her commitment to rise above the limitations of race and sex. She rose quickly through the ranks of the YWCA, from working at the Emma Ransom House in Harlem to the Executive Directorship of the Phyllis Wheatley YWCA in Washington, DC to the YWCA National headquarters office.

For thirty-three years, from 1944 through 1977, Dorothy Height served on the staff of the National Board of the YWCA and held several leadership positions in public affairs and leadership training and as Director of the National YWCA School for Professional Workers. In 1965, she was named Director of the Center for Racial Justice, a position she held until her retirement.

In 1952, Dorothy Height lived in India, where she worked as a visiting professor in the Delhi School of Social Work at the University of Delhi, which was founded by the YWCAs of India, Burma and Ceylon. She would become renowned for her internationalism and humanitarianism. She traveled around the world expanding the work of the YWCA. She conducted a well-received study of the training of women's organizations in five African countries: Liberia, Ghana, Guinea, Sierra Leone, and Nigeria under the Committee of Correspondence.

Dorothy Height loved and led her sorority, Delta Sigma Theta. She was elected National President of the sorority in 1947 and served in that capacity until 1956. She led the sorority to a new level of organizational development, initiation eligibility, and social action throughout her term. Her leadership training skills, social work background and knowledge of volunteerism benefited the sorority as it moved into a new era of activism on the national and international scene.

In 1957, Dorothy Height was elected the fourth National President of NCNW and

served in that position for 40 years, when she became Chair of the Board and President Emerita.

In 1960, Dorothy Height was the woman team member leader in the United Civil Rights Leadership along with Dr. Martin Luther King, Jr., Whitney H. Young, A. Philip Randolph, James Farmer, Roy Wilkins and John Lewis. In 1961, while Dorothy Height was participating in major Civil Rights leadership, she led NCNW to deal with unmet needs among women and their families to combat hunger, develop cooperative pig banks, provided families with community freezers and showers.

In 1964, after the passage of the Civil Rights Act, Dorothy Height with Polly Cowan, an NCNW Board Member, organized teams of women of different races and faith as ''Wednesdays in Mississippi'' to assist in the freedom schools and open communication between women of difference races. The workshops which followed stressed the need for decent housing which became the basis for NCNW in partnership with the Department of Housing and Urban Development to develop Turnkey III Home Ownership for low income families in Gulfport, Mississippi.

In 1970, Dorothy Height directed the series of activities culminating in the YWCA Convention adopting as its ''One Imperative'' to the elimination of racism. That same year she also established the Women's Center for Education and Career Advancement in New York City to prepare women for entry level jobs. This experience led her in 1975 to collaborate with Pace College to establish a course of study leading to the Associate Degree for Professional Studies (AAPS).

In 1975, Dorothy Height participated in the Tribunal at the International Women's Year Conference of the United Nations in Mexico City. As a result of this experience, NCNW was awarded a grant from the United States Agency for International Development (USAID) to hold a conference within the conference for women from the United States, African countries, South America, Mexico and the Caribbean. This was followed with a site visit with 50 of the women to visit with rural women in Mississippi. Under the auspices of the USAID, Dorothy Height lectured in South Africa after addressing the National Convention of the Black Women's Federation of South Africa near Johannesburg (1977). Since 1986, she has worked tirelessly to strengthen the Black family.

Madam Speaker, under the leadership of Dorothy Height:

NCNW achieved tax-exempt status in 1966;

NCNW dedicated the statue of Mary McLeod Bethune in Lincoln Park, Washington D.C. in 1974; the first woman to be so honored on public land in the Nation's Capital;

Developed model national and community-based programs ranging from teen-age parenting to pig ''banks''—which addressed hunger in rural areas;

Established the Bethune Museum and Archives for Black Women, the first institution devoted to black women's history;

Established the Bethune Council House as a national historic site;

Transformed NCNW into an issue-oriented political organization, sponsoring ''Wednesdays in Mississippi'' when interracial groups of women would help out at Freedom Schools; organizing voter registration drives in the South; and fostering communications between black and white women.

Established the Black Family Reunion Celebration in 1986 to reinforce the historic strengths and traditional values of the Black family.

Among the major awards bestowed upon Dorothy Irene Height in gratitude and appreciation for her service to our nation and the world are the following:

Presidential Medal of Freedom presented by President Bill Clinton;

Congressional Gold Medal presented by President George W. Bush;

John F. Kennedy Memorial Award;

NAACP—Spingarn Medal;

Hadassah Myrtle Wreath of Achievement;

Ministerial Interfaith Association Award;

Ladies Home Journal—Woman of the Year;

Congressional Black Caucus—Decades of Service;

President Ronald Reagan—Citizens Medal;

Franklin Roosevelt—Freedom Medal

Essence Award; and

The Camille Cosby World of Children Award.

Dorothy Height was also elected to the National Women's Hall of Fame and is the recipient of thirty-six honorary degrees from colleges and universities as diverse as: Tuskegee University, Harvard University, Spelman College, Princeton University, Bennett College, Pace University, Lincoln University, Columbia University, Howard University, New York University, Morehouse College, and Meharry Medical College.

Madam Speaker, Dorothy Height has witnessed or participated in virtually every major movement for social and political change in the last century. For nearly 75 years, Dorothy Height has fought for the equality and human rights of all people. She was the only female member of the ''Big 6'' civil rights leaders (Whitney Young, Jr., A. Philip Randolph, Martin Luther King, Jr., James Farmer, and Roy Wilkins). Her vision and dedication made NCNW the premier organization in advocating for the health, education and economic empowerment for all women of African descent around the world.

Thank you, Dorothy Height, for your service to our nation. You have made America a better place for all persons of all races, religions, nd backgrounds. You have mentored hundreds, been a role model to thousands, and a hero to millions. You are an American original. I am glad to count you as a friend.

Mr. TOWNS. Madam Speaker, I rise today to express my condolences on the passing of Dr. Dorothy Irene Height. Born March 24, 1912, in Richmond, Virginia, Dr. Height went on to become one of the most influential civil rights activists and a symbol of African American advancement in the United States.

After graduating with a Master's degree in psychology from New York University, Dr. Height continued her early career with postgraduate work at Columbia University and the New York School of Social Work. In her lifetime, she eventually received 36 Honorary Doctorate Degrees, along with a plethora of awards in recognition of her outstanding work in the field.

In 1937, she was invited to join the National Council of Negro Women in her quest for women's rights to full and equal employment, pay and education. This is when her career as civil rights activist began. She fought for equal rights for both African Americans and women alongside of the big six of the civil rights movement—Dr. Martin Luther King, Whitney Young, A. Philip Randolph, James Farmer, Roy Wilkins, and JOHN LEWIS. She served in many leadership roles with prominent groups such as the Leadership Conference on Civil Rights, National Council of Negro Women, and the YWCA.

Among her many awards, Dr. Height was awarded the Presidential Citizens Medal, the Presidential Medal of Freedom, and the Congressional Gold Medal on behalf of the US Congress—our nation's highest honors bestowed upon extraordinary citizens like Dr. Height.

Dr. Height passed away on April 20, 2010. It is with deep sadness that I offer my condolences to her family, friends, and to the many lives touched by Dr. Height.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to recognize the life and achievements of a trailblazing civil rights leader and dedicated American citizen, Dr. Dorothy I. Height.

Dr. Height was born on March 24, 1912 in Virginia and spent her formative years in Pennsylvania. She completed a degree at New York University in 1932 and a year later received a master's degree in educational psychology. She would spend the rest of her life active in the civil rights movement working diligently to ensure that every American was treated equally and fairly.

As a natural leader, Dr. Height led the National Council of Negro Women for forty years from 1957 to 1997. Her service and dedication to both this organization and all African-Americans were tireless, and she will forever be remembered as one of the most influential and important women in the civil rights movement. In 1963, when Dr. Martin Luther King, Jr. gave his famous ''I Have a Dream'' speech, Dr. Height stood mere feet from him as he addressed the crowded mall that day. Four and a half decades later, she would hear the echoes of the civil rights movement resound in the inauguration of Barack Obama, America's first African-American President. Truly, she saw some of the most famous and unique events of the last century, many of which were due in large part to her work and efforts.

Dr. Height was the recipient of countless awards throughout her lifetime including the Presidential Medal of Freedom and the Congressional Gold Medal. She received 36 honorary doctorate degrees from various universities across the country, and additionally, met, spoke with, and offered counsel to Presidents from Eisenhower to Obama.

Madam Speaker, America and the world has lost a giant with the passing of Dr. Dorothy Height. I will remember her as a woman of conviction who fought and worked until her final days at 98 years old. Truly, we have benefitted immensely because of her, and we owe her a deep debt of gratitude for giving everything she could so that our country might be better and fairer. I ask my fellow colleagues to join me today in honoring her and remembering her dedication to the American people.

Mr. RANGEL. Madam Speaker, I rise today in mourning of Dorothy Height—a dynamic, resilient spirit who served as the matriarch and female voice of the 1960s Civil Rights Movement—and in celebration of a career that spanned eight decades, beginning as a teenager in the budding United Christian Youth Movement. By her 20s, she was the group's leader in campaigns against lynchings and

segregation in the Armed Forces, including a stint as the lead in dealing with the outcome of the Harlem riot in 1935. Her meteoric rise to influence came as president of the National Council of Negro Women (NCNW), a post she retained for three decades. In an era of racial tension and the march towards greater minority rights, Height set herself apart as a pioneer, marching with Martin Luther King, Jr., A. Phillip Randolph, and my esteemed colleague, Rep. JOHN LEWIS. Forty years ago, she stood alongside King, a marble and limestone Lincoln, and a reflecting pool, as he announced a dream he had of a more perfect union. She not only stood at the precipice of history, she helped carve out a significant and indelible part of it.

The cause of her life proved to be dealing with the unmet needs of the downtrodden and forgotten. As president of NCNW, she focused on improving the lot of women and their families, working tirelessly to combat hunger and establish home ownership programs for those of low income. After 30 years at the helm of NCNW, she became its chair and never gave up the fight well into her late 90s. She recently met with President Obama as part of a group of key African American leaders meeting at the White House for a summit on race and the economy. In 1994, President Clinton awarded her the Presidential Medal of Freedom, and ten years later, this Richmond, Virginia native born to working-class parents earned the highest civilian and most distinguished award presented by this Congress, the Congressional Gold Medal.

Dorothy Height taught us all—women and men of all faiths and races—to never relent in the struggle for equality. With a steel spine, grit, and determination, she lent a powerful female voice to a movement that needed her personal grace and perseverance. She had no tolerance for sitting idly by or leaving the hard work for generations that followed, famously noting that ''if the time is not ripe, we have to ripen the time.'' May we carry that sentiment and her uplifting spirit as we face the challenges that confront us as a nation. She will be missed, but the power of her life's work will not: it will continue to inspire and motivate us for generations to come.

Ms. RICHARDSON. Madam Speaker, I rise today to remember and honor the legacy of Dr. Dorothy Height, who passed away this morning at the age of 98. As one of the most significant figures of the Civil Rights Movement, Dr. Dorothy Height was a true American heroine. Dr. Height spent her entire life fighting injustice and discrimination, and, in doing so, helped make our society more equitable and tolerant.

Dr. Dorothy Height was born in Richmond, Virginia in 1912, a setting in which racism and sexism were the norm. However, Dr. Height did not let this oppressive environment prevent her from following her dreams. After being denied entrance to Barnard College due to a quota allowing only two African-American students per class, she enrolled at New York University, where she earned a Master's degree in educational psychology.

Although Dr. Height began her career as a caseworker, she soon felt called to the arena of social justice and joined the National Council of Negro Women. In 1957, Dr. Height was elected President of the National Council of Negro Women and proudly served in that post for 40 years. Dr. Height also served as the president of the historically black Delta Sigma Theta Sorority, where she developed programs that promoted education and leadership among African-American women.

Dr. Height is often referred to as the ''godmother of the Civil Rights Movement '' due to her founding role in the Movement and her consistent voice of guidance and inspiration in the fight against discrimination. Dr. Height fought to desegregate public schools, obtain voting rights for African-Americans, and ensure equality for women of all races. Dr. Height marched alongside Dr. Martin Luther King and gave advice to Presidents Dwight Eisenhower and Lyndon Johnson on civil rights and women's rights issues.

Dr. Height's amazing and inspirational work has been honored by our nation's most prestigious awards. In 1994, President Bill Clinton awarded Dr. Height with the Medal of Freedom and in 2004, President George W. Bush presented her with the Congressional Gold Medal. Dr. Height has also received the Presidential Citizen Medal, the Franklin Delano Roosevelt Freedom From Want Award, the Spingarn Medal from the NAACP, and the 7th Annual Heinz Award Chairman's Medal.

Dr. Height never stopped fighting for justice and equality, and in January 2009, Dr. Height was honored as a distinguished guest at the inauguration of our nation's first African-American president.

Our country has lost a true leader and a beacon of social justice. I extend my deepest condolences to the family and friends of Dr. Dorothy Height, as they grieve the loss of this special individual. All Americans mourn her loss, but we take solace in the certain knowledge that our country is better because of her.

Mr. BISHOP of Georgia. Madam Speaker, I rise today to honor the incredible life and legacy of a great leader in the Civil Rights Movement and a dear friend and neighbor, Dr. Dorothy Irene Height, who passed away this morning, at the age of 98.

Dr. Height was always elegant, full of grace and poise, naturally commanding attention. She led an extraordinary life fighting for civil rights and women's rights. Her fight began when she was denied entrance into college because the school had filled its annual quota of black students, and she never gave up the fight.

Over the years, she continued the fight for justice and equality for all Americans. In fact, Dr. Height was on stage at the Lincoln Memorial with Rev. Dr. Martin Luther King, Jr. when he delivered his ''I Have a Dream'' speech. She was in Birmingham, Alabama to comfort the families of the four African-American girls who perished in the bombing of the Sixteenth Street Baptist Church. She watched as President John F. Kennedy signed the Equal Pay Act to eliminate wage disparity based on sex. She also helped create and organize the Black Family Reunion Celebration, and was among the few women present at the Million Man March in 1995.

Throughout her life, she befriended countless people as she strove for justice. Among her many friends were the American educator and National Council of Negro Women (NCNW) founder Mary McLeod Bethune, First Lady Eleanor Roosevelt, and Dr. King, to name a few.

Dr. Height also served as the Director of the YWCA's Center for Racial Justice, as a visiting professor at the Delhi School of Social Work in India, as National President of the Delta Sigma Theta sorority, and as the fourth President of the NCNW. Her forty-year tenure as President of the NCNW was the highlight of her distinguished career.

In addition to her tireless work for racial justice and gender equality, she served on the advisory council of the White House Initiative on Historically Black Colleges and Universities and the National Advisory Council on Aging. Along with her 36 honorary doctorates from colleges and universities, she is a recipient of the Congressional Gold Medal, and the Presidential Medal of Freedom.

Although she received many accolades, she did not put forth her best efforts to achieve notoriety or fame. She said, ''Stop worrying about whose name gets in the paper and start doing something . . . We must try to take our task more seriously and ourselves more lightly.''

Dr. Dorothy Irene Height was a remarkable woman. Her years were long as were her accomplishments. Leonardo da Vinci said, ''As a well-spent day brings happy sleep, so a life well used brings happy death.'' May Dr. Height sleep happily now for a life well used.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BISHOP of Georgia (at the request of Mr. HOYER) for today.

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. HOYER) for today.

Ms. KILPATRICK of Michigan (at the request of Mr. HOYER) for today.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. LEE of California, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. JACKSON LEE of Texas, 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, April 26 and 27.

Mr. POSEY, for 5 minutes, April 22.

Mr. JONES, for 5 minutes, April 26 and 27.

Mr. BURTON of Indiana, for 5 minutes, today and April 21, 22, and 23.

Mr. MORAN of Kansas, for 5 minutes, April 26 and 27.

Ms. ROS-LEHTINEN, for 5 minutes, today and April 21.

Mr. ROHRABACHER, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today. (The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. RANGEL, for 5 minutes, today.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on April 14, 2010 she presented to the President of the United States, for his approval, the following bill.

H.R. 4887. To amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage.

Lorraine C. Miller, Clerk of the House also reports that on April 15, 2010 she presented to the President of the United States, for his approval, the following bill.

H.R. 4573. To urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes.

H.R. 4851. To provide a temporary extension of certain programs, and for other purposes.

ADJOURNMENT

Ms. WATSON. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 11 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 21, 2010, at 10 a.m.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111–139, Mr. Spratt hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 4178, the Deposit Restricted Qualified Tuition Programs Act, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 4178, THE DEPOSIT RESTRICTED QUALIFIED TUITION PROGRAMS ACT OF 2009, AS INTRODUCED ON DECEMBER 2, 2009, AND AMENDED ON APRIL 20, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
	NET INCREASE IN THE DEFICIT												
Statutory Pay-As-You-Go Impact	0	0	0	0	0	0	0	0	0	0	0	0	0

Sources: Congressional Budget Office and Joint Committee on Taxation.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7061. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Aminopyralid; Posticide Tolerances [EPA-HQ-OPP-2009-0141; FRL-8808-9] received April 8, 2010 to the Committee on Agriculture.

7062. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorantraniliprole; Extension of Time-Limited Pesticide Tolerances [EPA-HQ-OPP-2008-0770; FRL-8820-3] received April 8, 2010 to the Committee on Agriculture.

7063. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Nicosulfuron; Pesticide Tolerances [EPA-HQ-OPP-2009-0057; FRL-8818-4] received April 8, 2010 to the Committee on Agriculture.

7064. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pendimethalin; Pesticide Tolerances [EPA-HQ-OPP-2009-0673; FRL-8817-4] received April 8, 2010 to the Committee on Agriculture.

7065. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Arizona State Implementation Plan; Pinal County [EPA-R09-OAR-2009-0521; FRL-9096-8] received April 8, 2010 to the Committee on Agriculture.

7066. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2010-0003] received April 8, 2010 to the Committee on Financial Services.

7067. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Modification of Existing Qualified Facilities Program and General Definitions [EPA-R06-OAR-2005-TX-0025; FRL-9135-7] received April 8, 2010 to the Committee on Energy and Commerce.

7068. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Reasonable Further Progress Plan, 2002 Base Year Inventory, Reasonably Available Control Measures, Contingency Measures, and Transportation Conformity Budgets for the Delaware Portion of the Philadelphia 1997 8-Hour Ozone Moderate Nonattainment Area [EPA-R03-OAR-2009-0712; FRL-9134-9] received April 8, 2010 to the Committee on Energy and Commerce.

7069. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Texas; Control of Air Pollution from Motor Vehicles [EPA-R06-OAR-2006-0988; FRL-9135-6] received April 8, 2010 to the Committee on Energy and Commerce.

7070. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Interstate Transport of Pollution [EPA-R06-OAR-2007-0993; FRL-9134-8] received April 8, 2010 to the Committee on Energy and Commerce.

7071. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Idaho: Incorporation by Reference of Approved State Hazardous Waste Management Program [EPA-R10-RCRA-2009-0868; FRL-9122-8] received April 8, 2010 to the Committee on Energy and Commerce.

7072. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards; Final Rule [EPA-HQ-OAR-2009-0472 FRL-9134-6; NHTSA-2009-0059] (RIN: 2060-AP58; RIN 2127-AK50) received April 8, 2010 to the Committee on Energy and Commerce.

7073. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Increase in the Primary Nuclear Liability Insurance Premium [NRC-2009-0516] (RIN: 3150-AI74) received April 8, 2010 to the Committee on Energy and Commerce.

7074. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Issuance of Electronic Documents and Related Recordkeeping Requirements [Docket No.: 0907201151-0114-02] (RIN: 0694-AE66) received April 8, 2010 to the Committee on Foreign Affairs.

7075. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Organizational Integrity of Entities That Are Implementing Programs and Activities Under the Leadership Act (RIN: 0991-AB60) received April 13, 2010 to the Committee on Foreign Affairs.

7076. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to Section 804 of the PLO Commitments Compliance Act of 1989 (title VIII, Foreign Relations Authorization Act, FY 1990 and 1991 (Pub. L. 101-246)), and Sections 603-604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, FY 2003 (Pub. L. 107-228), the functions of which have been delegated to the Department of State to the Committee on Foreign Affairs.

7077. A letter from the Assistant Secretary, Political Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 10-007 to the Committee on Foreign Affairs.

7078. A letter from the Assistant Secretary, Political Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 10-014 to the Committee on Foreign Affairs.

7079. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-377, ''Lis Pendens Amendment Act of 2010'' to the Committee on Oversight and Government Reform.

7080. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-357, ''Disposition of the Property Formerly Designated as Federal Reservations 129, 130, and 299 Approval Act of 2010'' to the Committee on Oversight and Government Reform.

7081. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-356, ''Campbell Heights Residents Real Property Tax Exemption Act of 2010'' to the Committee on Oversight and Government Reform.

7082. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-355, ''Jubilee Housing Residential Rental Project Real Property Tax Exemption Act of 2010'' to the Committee on Oversight and Government Reform.

7083. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-354, ''Foster Care Youth Identity Protection Amendment Act of 2010'' to the Committee on Oversight and Government Reform.

7084. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-353, ''Third & H Streets, N.E. Economic Development Act of 2010'' to the Committee on Oversight and Government Reform.

7085. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-352, ''Prohibition Against Selling Tobacco Products to Minors Amendment Act of 2010'' to the Committee on Oversight and Government Reform.

7086. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-351, ''Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010'' to the Committee on Oversight and Government Reform.

7087. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-350, ''Small Business Stabilization and Job Creation Strategy Amendment Act of 2010'' to the Committee on Oversight and Government Reform.

7088. A letter from the Director, Office of Economic Impact, Department of Energy, transmitting the Department's annual report on the No FEAR Act for Fiscal Year 2009 to the Committee on Oversight and Government Reform.

7089. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's fourth Annual No FEAR Report to Congress for Fiscal Year 2009 to the Committee on Oversight and Government Reform.

7090. A letter from the Acting Staff Director, Federal Election Commission, transmitting the Commission's annual report for FY 2009 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174 to the Committee on Oversight and Government Reform.

7091. A letter from the Exectutive Vice President, Postal Service, transmitting the Service's annual report for fiscal year 2009, in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174 to the Committee on Oversight and Government Reform.

7092. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-346, ''Fiscal Year 2010 Balanced Budget and Spending Pressure Control Plan Temporary Act of 2010'' to the Committee on Oversight and Government Reform.

7093. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-376, ''Adams Morgan Main Street Group Temporary Amendment Act of 2010'' to the Committee on Oversight and Government Reform.

7094. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-372, ''Tenth Street Community Park Designation Act of 2010'' to the Committee on Oversight and Government Reform.

7095. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-371, ''Council Cable Autonomy and Control Amendment Act of 2010'' to the Committee on Oversight and Government Reform.

7096. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-370, ''Rev. Dr. Edward Thomas Way Designation Act of 2010'' to the Committee on Oversight and Government Reform.

7097. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-382, ''Energy Efficiency Financing Act of 2010'' to the Committee on Oversight and Government Reform.

7098. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-381, ''DC Circulator Bus Jurisdiction Expansion Amendment Act of 2010'' to the Committee on Oversight and Government Reform.

7099. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-380, ''Uniform Unsworn Foreign Declarations Amendment Act of 2010'' to the Committee on Oversight and Government Reform.

7100. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-378, ''Certified Capital Companies Improvement Amendment Act of 2010'' to the Committee on Oversight and Government Reform.

7101. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-379, ''Safe Release of Inmates Amendment Act of 2010'' to the Committee on Oversight and Government Reform.

7102. A letter from the Director, Administrative Office of the United States Courts, transmitting the Office's report entitled, ''2009 Annual Report of the Director of the Administrative Office of the U.S. Courts'' to the Committee on the Judiciary.

7103. A letter from the Vice President, Government Affairs and Corporate Communications, Amtrak, transmitting an addendum to the Fiscal Year 2011 Legislative and Grant Request of February 1, 2010 to the Committee on Transportation and Infrastructure.

7104. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileria de Aeronautica S.A. (EMBRAER) Model ERJ 170 and Model ERJ 190 Airplanes [Docket No.: FAA-2010-0274; Directorate Identifier 2010-NM-055-AD; Amendment 39-16248; AD 2010-07-04] (RIN: 2120-AA64) received April 13, 2010 to the Committee on Transportation and Infrastructure.

7105. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials Transportation; Registration and Fee Assessment Program [Docket No.: PHMSA-2009-0201 (HM-208H)] (RIN: 2137-AE47) received April 13, 2010 to the Committee on Transportation and Infrastructure.

7106. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 757 Airplanes [Docket No.: FAA-2009-0795; Directorate Identifier 2009-NM-083-AD; Amendment 39-16242; AD 2010-06-17] (RIN: 2120-AA64) received April 13, 2010 to the Committee on Transportation and Infrastructure.

7107. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211-Trent 800 Series Turbofan Engines [Docket No.: FAA-2009-1004; Directorate Identifier 2009-NE-36-AD; Amendment 39-16239; AD 2010-06-14] (RIN: 2120-AA64) received April 13, 2010 to the Committee on Transportation and Infrastructure.

7108. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211-Trent 500, 700, and 800 Series Turbofan Engines [Docket No.: FAA-2009-0674; Directorate Identifier 2009-NE-25-AD; Amendment 39-16244; AD 2010-07-01] (RIN: 2120-AA64) received April 13, 2010 to the Committee on Transportation and Infrastructure.

7109. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's 48th annual report of activities for fiscal year 2008 to the Committee on Transportation and Infrastructure.

7110. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting report on steps taken by the U.S. government to encouragte Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel jointly to the Committees on Foreign Affairs and Ways and Means.

7111. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting certification to Congress regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations jointly to the Committees on Natural Resources and Appropriations.

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 Ms. ROS-LEHTINEN (for herself, Mr. BURTON of Indiana, Mr. KIRK, Mrs. BACHMANN, Mrs. MILLER of Michigan, and Mr. SHIMKUS):

H.R. 5065. A bill to ensure accountability for United States taxpayers' humanitarian assistance for Palestinian refugees; to the Committee on Foreign Affairs.

By Mr. FLEMING:

H.R. 5066. A bill to prohibit the hiring of additional employees by the Internal Revenue Service to implement, administer, or enforce health insurance reform; to the Committee on Ways and Means.

By Mr. COFFMAN of Colorado:

H.R. 5067. A bill to prohibit any use of eminent domain authority by the United States to expand the Pinon Canyon Maneuver Site in southeastern Colorado; to the Committee on Armed Services.

By Mrs. LUMMIS (for herself and Mr. HINOJOSA):

H.R. 5068. A bill to amend the Atomic Energy Act of 1954 to authorize the Secretary of Energy to barter, transfer, or sell surplus uranium from the inventory of the Department of Energy, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Georgia:

H.R. 5069. A bill to amend the Federal Rules of Civil Procedure and the Federal Rules of Appellate Procedure to ensure access to the Federal judiciary in cases where the interest of justice so requires, and for other purposes; to the Committee on the Judiciary.

By Mr. HONDA:

H.R. 5070. A bill to assess the potential of smart electronics to reduce home and office electricity demand, to incorporate smart electronics into the Energy Star Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FATTAH:

H.R. 5071. A bill to amend section 1120A(c) of the Elementary and Secondary Education Act of 1965 to assure comparability of opportunity for educationally disadvantaged students; to the Committee on Education and Labor.

By Ms. WATERS (for herself, Mrs. CAPITO, Mr. FRANK of Massachusetts, and Mr. AL GREEN of Texas):

H.R. 5072. A bill to improve the financial safety and soundness of the FHA mortgage insurance program; to the Committee on Financial Services.

By Mr. BROUN of Georgia:

H.R. 5073. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 and enact the OPTION Act of 2009; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, Appropriations, the Judiciary, Natural Resources, House Administration, and 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. WU:

H.R. 5074. A bill to reauthorize the National Institute of Standards and Technology, and for other purposes; to the Committee on Science and Technology.

By Mr. ADLER of New Jersey:

H.R. 5075. A bill to amend the Internal Revenue Code of 1986 to modify the dependent care tax credit and to extend and increase the additional standard deduction for state and local real property taxes; to the Committee on Ways and Means.

By Mr. BISHOP of New York:

H.R. 5076. A bill to amend the Internal Revenue Code of 1986 to require the disclosure of the names of individuals who are granted amnesty from criminal prosecution by the Internal Revenue Service; to the Committee on Ways and Means.

By Mr. HALL of New York (for himself, Mr. HOLT, Mr. PETERS, and Mrs. MALONEY):

H.R. 5077. A bill to amend the Internal Revenue Code of 1986 to increase the alternative minimum tax exemption amount and index such amount for inflation; to the Committee on Ways and Means.

By Mr. HIGGINS (for himself, Mrs. MCCARTHY of New York, Mr. PLATTS, and Mr. ROSKAM):

H.R. 5078. A bill to amend the Internal Revenue Code of 1986 to expand incentives for education; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5079. A bill to amend title II of the Elementary and Secondary Education Act of 1965 to establish a Federal ''Grow Your Own Teacher'' program, and for other purposes; to the Committee on Education and Labor.

By Mr. KENNEDY (for himself and Mr. LANGEVIN):

H.R. 5080. A bill to amend the Internal Revenue Code of 1986 to provide unemployment benefits during summer vacation for non-professional school employees; to the Committee on Ways and Means.

By Mr. KING of New York (for himself, Ms. CLARKE, Mrs. MILLER of Michigan, Mr. CAO, and Mr. ROGERS of Alabama):

H.R. 5081. A bill to enhance public safety by making more spectrum available to public safety agencies, to facilitate the development of a wireless public safety broadband network, to provide standards for the spectrum needs of public safety agencies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LUJÁN (for himself, Ms. GIFFORDS, Mr. POLIS, and Mr. HEINRICH):

H.R. 5082. A bill to amend the Public Utility Regulatory Policies Act of 1978 to establish uniform national standards for the interconnection of certain small power production facilities; to the Committee on Energy and Commerce.

By Ms. MOORE of Wisconsin:

H.R. 5083. A bill to amend part A of title IV of the Social Security Act, to reward States for engaging individuals with disabilities in work activities, and for other purposes; to the Committee on Ways and Means, 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 Mr. MURPHY of New York (for himself and Mr. SMITH of Washington):

H.R. 5084. A bill to require the Secretary of Commerce to establish a loan program to assist in the locating of information technology and manufacturing jobs in the United States, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, 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. OWENS:

H.R. 5085. A bill to amend the Internal Revenue Code of 1986 to eliminate for 5 years the limitation on expensing certain depreciable business assets; to the Committee on Ways and Means.

By Mr. SENSENBRENNER:

H.R. 5086. A bill to amend the Federal Election Campaign Act of 1971 to prohibit an authorized committee of a candidate for election for Federal office from disbursing any amount received as a contribution to the committee until the committee posts on a public Internet site the identification of the person who provided the contribution, and for other purposes; to the Committee on House Administration.

By Mr. SHERMAN:

H.R. 5087. A bill to establish the Commission on Freedom of Information Act Processing Delays; to the Committee on Oversight and Government Reform.

By Mr. CONYERS (for himself, Mr. COHEN, Mr. SMITH of Texas, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. GUTIERREZ, Ms. RICHARDSON, Mr. THOMPSON of Mississippi, Ms. FUDGE, and Ms. MCCOLLUM):

H. Res. 1271. A resolution honoring the life and achievements of Rev. Benjamin Lawson Hooks; to the Committee on the Judiciary. considered and agreed to. considered and agreed to.

By Mr. RYAN of Ohio (for himself, Mr. GRAYSON, Ms. BALDWIN, Mr. BOCCIERI, Mr. BOUCHER, Mr. CONYERS, Ms. DELAURO, Mr. DRIEHAUS, Mr. FILNER, Ms. FUDGE, Mr. GRIJALVA, Mr. HARE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. KILROY, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. LOEBSACK, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Mr. POLIS, Mr. QUIGLEY, Ms. RICHARDSON, Mr. RUSH, Mr. SPACE, Ms. SUTTON, and Mr. WILSON of Ohio):

H. Res. 1272. A resolution commemorating the 40th anniversary of the May 4, 1970, Kent State University shootings; to the Committee on Education and Labor.

By Mr. SMITH of Texas (for himself, Mr. FORBES, Mr. BARTLETT, Mr. HARPER, Mr. BURTON of Indiana, Mr. FRANKS of Arizona, Mr. DAVIS of Kentucky, Mr. ADERHOLT, Mr. WAMP, Mr. EHLERS, Mr. BACHUS, Mr. JORDAN of Ohio, Mr. ALEXANDER, Mr. KLINE of Minnesota, Mr. WESTMORELAND, Mr. MILLER of Florida, Mr. PENCE, Mr. LAMBORN, Mr. BOOZMAN, Mr. ISSA, Mr. CHAFFETZ, Mr. DANIEL E. LUNGREN of California, and Mr. LATOURETTE):

H. Res. 1273. A resolution expressing the sense of Congress with respect to the National Day of Prayer; to the Committee on Oversight and Government Reform.

By Mr. ETHERIDGE (for himself, Mr. PRICE of North Carolina, Mrs. MYRICK, Mr. BUTTERFIELD, Mr. KISSELL, Mr. SHULER, Mr. JONES, Mr. WATT, Mr. COBLE, Ms. FOXX, Mr. MILLER of North Carolina, Mr. MCINTYRE, and Mr. MCHENRY):

H. Res. 1274. A resolution honoring the historic and community significance of the Chatham County Courthouse and expressing condolences to Chatham County and the town of Pittsboro for the fire damage sustained by the courthouse on March 25, 2010; to the Committee on Oversight and Government Reform.

By Mr. YARMUTH (for himself, Mr. VAN HOLLEN, Mr. LARSON of Connecticut, Ms. PINGREE of Maine, and Mr. COHEN):

H. Res. 1275. A resolution expressing disapproval of the decision issued by the Supreme Court in Citizens United v. Federal Election Commission; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Ms. MATSUI, Mrs. MCCARTHY of New York, Mr. SABLAN, Mr. CROWLEY, Mr. KENNEDY, Mr. HARE, Mr. LOEBSACK, Ms. DELAURO, Mr. SARBANES, Mr. SERRANO, Ms. BORDALLO, Mr. POLIS, Ms. FUDGE, Mr. GRIJALVA, Ms. TITUS, Ms. HIRONO, Mr. EHLERS, Mr. PIERLUISI, Mr. RANGEL, Mr. SESTAK, Mr. KILDEE, Ms. RICHARDSON, Mr. CAPUANO, Ms. CLARKE, Mr. TONKO, Ms. NORTON, Ms. ZOE LOFGREN of California, and Mr. PRICE of North Carolina):

H. Res. 1276. A resolution recognizing the continued importance of volunteerism and national service and the anniversary of the signing of the landmark service legislation, the Edward M. Kennedy Serve America Act; to the Committee on Education and Labor.

By Mr. JOHNSON of Georgia (for himself, Mr. WEINER, Mr. SHULER, Mr. ISRAEL, Mr. GRAYSON, Mr. BURTON of Indiana, Mr. ADERHOLT, Ms. CORRINE BROWN of Florida, Mrs. CAPPS, Mr. CONYERS, Ms. WASSERMAN SCHULTZ, Mr. MORAN of Virginia, Mr. CAPUANO, Mr. MEEK of Florida, Mr. GEORGE MILLER of California, Mr. BERRY, Ms. BERKLEY, Mr. KLEIN of Florida, Mr. FILNER, Mr. CROWLEY, Mr. NADLER of New York, Mrs. MCCARTHY of New

York, Ms. KILROY, Mr. SCHAUER, Ms. CLARKE, Mr. HINCHEY, Ms. WATSON, Mr. BAIRD, Mr. HONDA, Mrs. HALVORSON, Ms. MOORE of Wisconsin, Mr. POLIS, Mr. MCGOVERN, Mr. TONKO, Mr. HALL of New York, Mrs. MALONEY, Mr. ROTHMAN of New Jersey, Mr. DELAHUNT, Mr. QUIGLEY, Mr. ELLISON, Mr. SIRES, Mr. HODES, Mr. RANGEL, Mr. MELANCON, Mr. MICHAUD, Mr. KAGEN, Mr. PETERSON, Ms. ESHOO, Mr. OLVER, Mr. COSTA, Mr. PASCRELL, Mr. INSLEE, Mr. SCHIFF, Mr. HIGGINS, Ms. JACKSON LEE of Texas, Mr. GARAMENDI, Mr. VAN HOLLEN, Mr. KISSELL, Mr. MCDERMOTT, Mr. HASTINGS of Florida, Mr. WESTMORELAND, Ms. LEE of California, Ms. LINDA T. SÁNCHEZ of California, Mr. KINGSTON, and Mr. BRALEY of Iowa):

H. Res. 1277. A resolution commending the efforts and honoring the work of the State of Israel, the Israel Defense Forces, and the Israeli people for their coordinated efforts to save lives and provide relief to the people of Haiti in the aftermath of the devastating earthquake that struck the island nation on January 12, 2010; to the Committee on Foreign Affairs.

By Mr. SHUSTER:

H. Res. 1278. A resolution in support and recognition of National Safe Digging Month, April, 2010; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, 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. TIAHRT (for himself, Mr. FORBES, Mr. ROE of Tennessee, Mr. POSEY, Mr. HERGER, Mr. FRANKS of Arizona, Mr. BARTLETT, Mr. HARPER, Mr. ADERHOLT, Mr. PENCE, Mr. MILLER of Florida, Mr. DAVIS of Kentucky, Mr. WAMP, Mr. ALEXANDER, Mr. WESTMORELAND, Mr. KLINE of Minnesota, Mr. BACHUS, Mr. HUNTER, Mrs. BLACKBURN, Mr. LAMBORN, Mr. WILSON of South Carolina, and Mr. LATTA):

H. Res. 1279. A resolution calling for an appeal of the ruling which found the National Day of Prayer to be unconstitutional and expressing the support of the House of Representatives for the institution of a annual National Day of Prayer; to the Committee on the Judiciary.

By Mr. TONKO (for himself, Ms. BALDWIN, Ms. BERKLEY, Mr. BISHOP of New York, Mr. BOSWELL, Mr. CONYERS, Mr. COURTNEY, Mr. ELLISON, Ms. FUDGE, Mr. GRIJALVA, Mr. ISRAEL, Mr. KENNEDY, Mr. KIRK, Ms. LEE of California, Mrs. MCCARTHY of New York, Ms. MOORE of Wisconsin, Mr. MURPHY of New York, Ms. RICHARDSON, Mr. RYAN of Ohio, and Ms. SCHWARTZ):

H. Res. 1280. A resolution expressing the support of the House of Representatives for the goals and ideals of National Healthy Schools Day; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

253. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 115 memorializing the Congress and the President of the United States to ensure that local businesses located in Michigan and their employees be the primary beneficiaries of the American Recovery and Reinvestment Act, pursuant to; to the Committee on Appropriations.

254. Also, a memorial of the Senate of the State of Tennessee, relative to Senate Resolution No. 200 memorializing the Congress to adopt legislation to postpone the Environmental Protection Agency's effort to regulate greenhouse gas emissions from stationary sources; to the Committee on Energy and Commerce.

255. Also, a memorial of the Legislature of the State of Wyoming, relative to Joint Resolution No. 1 requesting that the Congress of the United States oppose the Northern Rockies Ecosystem Protection Act, H.R. 980; to the Committee on Natural Resources.

256. Also, a memorial of the House of Representatives of the State of South Dakota, relative to House Concurrent Resolution No. 1014 urging the Congress to support the Parental Rights Amendment; to the Committee on the Judiciary.

257. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Concurrent Resolution No. 28 urging the Congress to make a long-term commitment to the Great Lakes; to the Committee on Transportation and Infrastructure.

258. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 128 memorializing the Congress of the United States to rectify the imbalance in federal transportation funding that consistently put Michigan near the bottom of the 50 states in the percentage of federal transportation tax dollars; to the Committee on Transportation and Infrastructure.

259. Also, a memorial of the Senate of the State of Washington, relative to Senate Joint Memorial No. 8025 urging the National Aeronautics and Space Administration to transfer one of the remaining Shuttle Orbiters, Atlantis or Endeavour, to the Museum of Flight in Seattle, Washington upon its retirement; to the Committee on Science and Technology.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Mr. PASTOR of Arizona, Mr. TOWNS, Mr. THOMPSON of Mississippi, Mr. LEWIS of Georgia, Ms. NORTON, and Mr. RUSH.

H.R. 43: Mr. BUTTERFIELD, Mr. LEE of New York, and Mr. BRADY of Pennsylvania.

H.R. 197: Mrs. EMERSON.

H.R. 211: Ms. CASTOR of Florida and Mr. QUIGLEY.

H.R. 235: Mr. MAFFEI.

H.R. 275: Mr. LATTA, Mrs. MALONEY, and Mr. CARTER.

H.R. 422: Mr. FILNER, Mr. TONKO, Mr. TOWNS, and Mr. WAXMAN.

H.R. 426: Mr. MCDERMOTT and Ms. LINDA T. SÁNCHEZ of California.

H.R. 450: Mr. REHBERG.

H.R. 476: Ms. FUDGE, Mr. RANGEL, Ms. MATSUI, Ms. WATSON, and Mr. ORTIZ.

H.R. 513: Mr. GERLACH.

H.R. 537: Mr. AL GREEN of Texas.

H.R. 571: Mr. BACA.

H.R. 644: Ms. WOOLSEY.

H.R. 658: Mr. JOHNSON of Georgia.

H.R. 745: Mr. LEE of New York.

H.R. 855: Mr. DOYLE.

H.R. 878: Mr. ADERHOLT.

H.R. 949: Ms. DELAURO.

H.R. 953: Mr. DUNCAN.

H.R. 994: Mr. ROGERS of Alabama and Mr. DUNCAN.

H.R. 1017: Mr. SCHOCK.

H.R. 1058: Mr. LEE of New York.

H.R. 1083: Mr. JOHNSON of Georgia.

H.R. 1175: Mr. WALZ.

H.R. 1177: Mrs. BACHMANN and Mr. FORTENBERRY.

H.R. 1191: Mr. RYAN of Ohio.

H.R. 1194: Mr. GERLACH, Mrs. HALVORSON, Ms. LINDA T. SÁNCHEZ of California, Ms. GRANGER, Mr. GARAMENDI, Mr. KRATOVIL, Mr. PLATTS, and Mr. TONKO.

H.R. 1203: Mr. CUMMINGS and Mr. PASTOR of Arizona.

H.R. 1204: Mr. MCNERNEY.

H.R. 1210: Ms. PINGREE of Maine.

H.R. 1230: Mr. LATHAM.

H.R. 1324: Ms. CHU.

H.R. 1443: Mr. DELAHUNT, Mr. PASTOR of Arizona, Mr. HALL of New York, and Mr. SCOTT of Virginia.

H.R. 1547: Mr. POMEROY.

H.R. 1552: Mr. FORBES.

H.R. 1570: Mr. COHEN.

H.R. 1579: Mr. FORBES.

H.R. 1585: Ms. RICHARDSON and Mr. SPRATT.

H.R. 1718: Mr. CARTER and Mr. PITTS.

H.R. 1751: Mr. KUCINICH.

H.R. 1792: Mr. HINCHEY.

H.R. 1802: Mr. CULBERSON.

H.R. 1806: Mr. HINCHEY and Mr. SCHOCK.

H.R. 1944: Mr. AKIN.

H.R. 2067: Mr. THOMPSON of Mississippi.

H.R. 2068: Mr. CARNAHAN.

H.R. 2110: Mr. SCOTT of Virginia.

H.R. 2136: Mrs. MALONEY.

H.R. 2142: Mr. FOSTER and Mr. ALTMIRE.

H.R. 2159: Mr. WAXMAN.

H.R. 2271: Ms. KAPTUR.

H.R. 2296: Mr. HEINRICH.

H.R. 2324: Ms. MOORE of Wisconsin and Mr. SARBANES.

H.R. 2363: Mr. COHEN, Ms. BERKLEY, and Ms. CLARKE.

H.R. 2378: Mr. LATOURETTE and Mr. HILL.

H.R. 2408: Mr. MEEK of Florida.

H.R. 2460: Mrs. NAPOLITANO, Mr. LUJÁN, and Mr. HOLDEN.

H.R. 2478: Mr. MURPHY of New York and Mr. DREIER.

H.R. 2567: Mr. MAFFEI and Mr. BLUMENAUER.

H.R. 2570: Mr. WAXMAN.

H.R. 2579: Mr. ROTHMAN of New Jersey, Mr. BRADY of Pennsylvania, and Mr. YARMUTH.

H.R. 2709: Mr. BERMAN.

H.R. 2733: Mr. BRALEY of Iowa, Mrs. MILLER of Michigan, Ms. RICHARDSON, and Mr. THOMPSON of Mississippi.

H.R. 2737: Mr. BOSWELL and Mr. JONES.

H.R. 2746: Mr. CHANDLER, Mr. DRIEHAUS, Mr. INSLEE, Mr. ELLISON, Mr. CUMMINGS, Mr. MEEK of Florida, Mr. SHULER, Mr. NADLER of New York, Ms. LORETTA SANCHEZ of California, and Ms. MCCOLLUM.

H.R. 2849: Mr. BERRY.

H.R. 2855: Mr. LYNCH and Mr. COHEN.

H.R. 2866: Mr. WESTMORELAND.

H.R. 2882: Mr. COHEN, Mr. BLUMENAUER, and Mr. POLIS.

H.R. 2964: Ms. NORTON.

H.R. 2999: Mr. BOREN and Ms. MCCOLLUM.

H.R. 3007: Mr. TIM MURPHY of Pennsylvania and Mr. TONKO.

H.R. 3018: Mr. MCCAUL.

H.R. 3043: Ms. VELÁZQUEZ, Ms. LORETTA SANCHEZ of California, Mr. ENGEL, and Mr. COHEN.

H.R. 3101: Ms. ROS-LEHTINEN and Mr. GRIFFITH.

H.R. 3131: Mr. MCCLINTOCK.

H.R. 3156: Mrs. CHRISTENSEN.

H.R. 3186: Mr. NYE.

H.R. 3212: Mr. STARK and Mrs. NAPOLITANO.

H.R. 3268: Mr. MURPHY of New York.

H.R. 3336: Mr. LATHAM.

H.R. 3355: Ms. FUDGE, Mr. DANIEL E. LUNGREN of California, and Mr. HOLDEN.

H.R. 3380: Mr. TONKO.

H.R. 3381: Mr. YARMUTH.

H.R. 3393: Mr. DAVIS of Tennessee.
H.R. 3408: Mr. ISRAEL.
H.R. 3531: Mr. OLVER, Mr. NADLER of New York, and Mr. WAXMAN.
H.R. 3586: Mr. PETERSON.
H.R. 3652: Ms. KILROY, Mr. TEAGUE, Mr. DICKS, Mr. WILSON of Ohio, Mr. PRICE of North Carolina, Mr. SPACE, Mr. QUIGLEY, Mr. ROGERS of Kentucky, Mr. BISHOP of Utah, and Mr. LUJÁN.
H.R. 3656: Mr. MCCOTTER.
H.R. 3662: Mr. PASTOR of Arizona.
H.R. 3758: Mr. JOHNSON of Georgia and Mr. ROE of Tennessee.
H.R. 3790: Mr. ALEXANDER, Mr. MCKEON, Mrs. HALVORSON, Mrs. BLACKBURN, Mr. RUSH, Mr. TAYLOR, Mr. DAVIS of Tennessee, Mr. SESSIONS, and Mr. CARSON of Indiana.
H.R. 3813: Ms. FALLIN.
H.R. 3995: Ms. LINDA T. SÁNCHEZ of California.
H.R. 4014: Ms. LEE of California.
H.R. 4051: Mr. HODES, Mr. MCMAHON, Mr. WILSON of South Carolina, and Mr. HINCHEY.
H.R. 4053: Mr. GRIJALVA.
H.R. 4109: Mr. HOLT.
H.R. 4116: Mr. EDWARDS of Texas, Mr. ELLISON, and Mr. WEINER.
H.R. 4130: Mr. STARK.
H.R. 4144: Mr. KAGEN.
H.R. 4178: Mr. AL GREEN of Texas and Mr. GERLACH.
H.R. 4211: Mr. INSLEE.
H.R. 4233: Mr. CHILDERS.
H.R. 4278: Ms. PINGREE of Maine and Mr. WALDEN.
H.R. 4286: Mr. RUSH.
H.R. 4306: Mr. ELLISON, Mr. CULBERSON, Mr. BURGESS, Mr. GENE GREEN of Texas, Mr. DENT, and Mr. HOLDEN.
H.R. 4318: Mr. STARK.
H.R. 4320: Mr. PETERSON, Ms. TITUS, Mr. COURTNEY, Mr. KAGEN, and Mr. BOSWELL.
H.R. 4376: Mr. KUCINICH, Mr. MEEK of Florida, Ms. TITUS, Mr. LEWIS of Georgia, Ms. RICHARDSON, Mr. ELLISON, and Mr. HARE.
H.R. 4405: Mr. CARNAHAN and Mr. GRIJALVA.
H.R. 4420: Mr. JOHNSON of Georgia.
H.R. 4443: Mr. GRIJALVA.
H.R. 4455: Mr. KIND.
H.R. 4469: Mr. KINGSTON.
H.R. 4502: Mr. GARAMENDI.
H.R. 4530: Mrs. LOWEY, Mr. ADLER of New Jersey, and Mr. WAXMAN.
H.R. 4539: Mr. NEUGEBAUER.
H.R. 4541: Mr. REHBERG.
H.R. 4544: Mr. ELLISON, Ms. LINDA T. SÁNCHEZ of California, Mr. BRIGHT, and Mr. CARSON of Indiana.
H.R. 4568: Mr. AL GREEN of Texas.
H.R. 4572: Mr. AKIN and Mr. COLE.
H.R. 4582: Mr. QUIGLEY.
H.R. 4603: Mr. CARTER and Mr. LATHAM.
H.R. 4616: Ms. WATERS.
H.R. 4619: Ms. ESHOO.
H.R. 4629: Ms. SUTTON.
H.R. 4635: Mr. ELLISON and Ms. JACKSON LEE of Texas.
H.R. 4678: Mr. COURTNEY and Ms. TITUS.
H.R. 4693: Mr. TANNER, Mr. PLATTS, Mr. CAO, Mr. GRIFFITH, Ms. TITUS, Mr. ROONEY, Mr. FARR, Mr. COHEN, Mr. BERMAN, Mr. LEWIS of Georgia, Mr. GARAMENDI, and Mr. CONNOLLY of Virginia.
H.R. 4711: Mrs. DAVIS of California.
H.R. 4713: Mr. BOSWELL.
H.R. 4722: Mr. MCDERMOTT, Mr. INSLEE, and Mr. FRANK of Massachusetts.
H.R. 4733: Mr. DEFAZIO, Mr. GRIJALVA, Mr. MORAN of Virginia, Mr. ANDREWS, Mr. KUCINICH, and Mrs. NAPOLITANO.
H.R. 4734: Mr. THOMPSON of Pennsylvania.
H.R. 4745: Mr. HALL of New York and Mr. CLAY.
H.R. 4751: Mr. LUJÁN and Mr. MCDERMOTT.
H.R. 4752: Mr. QUIGLEY.
H.R. 4755: Mr. KAGEN and Mr. SESTAK.
H.R. 4770: Mr. ROTHMAN of New Jersey.
H.R. 4785: Mr. BRIGHT, Mr. BUTTERFIELD, Mr. MARSHALL, Mr. ROE of Tennessee, Ms. HERSETH SANDLIN, Mr. CHANDLER, Mr. FILNER, Mr. ELLSWORTH, and Mr. CUELLAR.
H.R. 4788: Ms. SCHAKOWSKY, Mr. PASTOR of Arizona, Ms. MCCOLLUM, and Mr. AL GREEN of Texas.
H.R. 4794: Mrs. BLACKBURN.
H.R. 4800: Mr. ELLISON.
H.R. 4811: Mr. MARCHANT.
H.R. 4812: Mr. SHERMAN, Mr. BECERRA, Mr. LYNCH, Mrs. DAVIS of California, Mr. LARSEN of Washington, Mr. MCMAHON, Mr. BOUCHER, Mr. CROWLEY, Mr. GORDON of Tennessee, and Mr. STUPAK.
H.R. 4844: Mr. MELANCON and Mr. CULBERSON.
H.R. 4850: Ms. SLAUGHTER, Mr. BOUCHER, and Mrs. HALVORSON.
H.R. 4859: Mr. ROGERS of Michigan.
H.R. 4875: Mrs. MCCARTHY of New York.
H.R. 4894: Mr. ROGERS of Michigan and Mr. GRAVES.
H.R. 4896: Mr. ROGERS of Michigan.
H.R. 4898: Mr. SABLAN and Mr. BACA.
H.R. 4903: Mr. FRELINGHUYSEN.
H.R. 4904: Mr. MCCLINTOCK.
H.R. 4909: Mr. KLINE of Minnesota.
H.R. 4910: Mr. COLE.
H.R. 4914: Mr. COURTNEY, Mrs. NAPOLITANO, Mr. NYE, and Mrs. CHRISTENSEN.
H.R. 4918: Mr. ARCURI, Mr. CUELLAR, Mr. COOPER, and Mr. MARSHALL.
H.R. 4923: Ms. WOOLSEY, Mr. MICHAUD, Mr. KAGEN, Mr. SARBANES, Mr. COSTELLO, Mr. MCDERMOTT, Mr. PASTOR of Arizona, and Mr. BUTTERFIELD.
H.R. 4925: Mr. FILNER and Ms. TITUS.
H.R. 4935: Mr. PAUL.
H.R. 4937: Mr. THOMPSON of Pennsylvania.
H.R. 4945: Mr. BLUMENAUER.
H.R. 4963: Mr. LUJÁN and Mr. WELCH.
H.R. 4971: Mr. THOMPSON of Mississippi and Mr. YARMUTH.
H.R. 4972: Mr. MACK.
H.R. 4982: Mr. CAPUANO.
H.R. 4985: Mr. FRELINGHUYSEN and Ms. GINNY BROWN-WAITE of Florida.
H.R. 4993: Mr. OLVER, Mr. CARDOZA, Mr. SCHRADER, Ms. LEE of California, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. CONNOLLY of Virginia, Ms. ROYBAL-ALLARD, Mr. HASTINGS of Florida, Mr. BRADY of Pennsylvania, Mrs. HALVORSON, Ms. CASTOR of Florida, Mr. SERRANO, Mr. BOSWELL, Mr. FATTAH, Mr. CARNEY, and Mr. JONES.
H.R. 4995: Ms. JENKINS and Mr. JONES.
H.R. 4999: Mr. WESTMORELAND and Mr. BURTON of Indiana.
H.R. 5000: Mr. ADLER of New Jersey and Mr. YOUNG of Alaska.
H.R. 5003: Mr. LEE of New York and Mrs. LUMMIS.
H.R. 5011: Ms. PINGREE of Maine and Mr. MURPHY of New York.
H.R. 5013: Mr. ORTIZ and Mr. LARSON of Connecticut.
H.R. 5014: Mrs. KIRKPATRICK of Arizona.
H.R. 5015: Mr. MICHAUD, Mr. FILNER, Mr. OBERSTAR, Ms. MOORE of Wisconsin, Mr. GRIJALVA, and Mr. HONDA.
H.R. 5030: Mr. PRICE of North Carolina.
H.R. 5032: Ms. ROS-LEHTINEN, Mr. THOMPSON of Mississippi, Mrs. MALONEY, and Mr. HODES.
H.R. 5034: Mr. ROONEY, Mr. RYAN of Ohio, Mr. FOSTER, Mr. SCOTT of Georgia, Mr. MCMAHON, Mr. PASCRELL, Mr. ANDREWS, Mr. JONES, Mr. WILSON of South Carolina, Mr. STEARNS, Mr. DAVIS of Tennessee, Mr. HINOJOSA, Mr. MACK, Mr. HODES, Mr. GENE GREEN of Texas, Mr. JACKSON of Illinois, Ms. SUTTON, and Mr. KILDEE.
H.R. 5040: Mr. GRIJALVA, Mr. RYAN of Ohio, and Ms. WATSON.
H.R. 5057: Mr. DANIEL E. LUNGREN of California and Mrs. MILLER of Michigan.
H.R. 5058: Mr. MELANCON.
H.J. Res. 42: Mr. REHBERG, Mr. LATOURETTE, and Mr. THOMPSON of Pennsylvania.
H. J. Res. 76: Mr. AKIN and Mr. COLE.
H. Con. Res. 28: Mr. CUMMINGS.
H. Con. Res. 201: Mr. CULBERSON and Mr. BROUN of Georgia.
H. Con. Res. 230: Mr. COLE.
H. Con. Res. 241: Mr. NEUGEBAUER.
H. Con. Res. 258: Mr. RAHALL.
H. Con. Res. 260: Mr. MICHAUD, Mr. BOREN, Ms. LINDA T. SÁNCHEZ of California, Ms. KILROY, Mr. COFFMAN of Colorado, Mr. PALLONE, Mr. KIRK, Mr. MCHENRY, Mr. MEEK of Florida, Mr. ROSKAM, Mr. RUPPERSBERGER, Mr. JOHNSON of Illinois, Mr. MCGOVERN, Mr. WEINER, and Mr. ROGERS of Michigan.
H. Res. 173: Mr. COURTNEY, Mr. WEINER, Ms. DELAURO, Mr. KING of New York, Mr. LARSEN of Washington, Ms. KAPTUR, and Mr. MCDERMOTT.
H. Res. 227: Mr. STUPAK.
H. Res. 272: Mr. FORBES.
H. Res. 407: Ms. MARKEY of Colorado.
H. Res. 569: Mr. ROTHMAN of New Jersey.
H. Res. 855: Ms. BERKLEY, Mr. MCKEON, Mr. BACHUS, Mr. HUNTER, Mr. KAGEN, and Mr. PETERSON.
H. Res. 989: Mr. HINCHEY and Mr. HASTINGS of Florida.
H. Res. 992: Mr. FRANKS of Arizona, Mr. BOOZMAN, Mr. WILSON of South Carolina, Mr. COSTA, and Mr. ROGERS of Alabama.
H. Res. 996: Mr. HILL and Mr. WAXMAN.
H. Res. 1053: Mr. ALEXANDER.
H. Res. 1060: Mr. HALL of Texas.
H. Res. 1090: Mr. KUCINICH.
H. Res. 1121: Mr. SMITH of Texas and Ms. SLAUGHTER.
H. Res. 1129: Mr. CULBERSON.
H. Res. 1143: Mrs. BLACKBURN and Mrs. MYRICK.
H. Res. 1152: Mr. CAPUANO, Ms. ZOE LOFGREN of California, Mr. WAXMAN, and Mr. RYAN of Ohio.
H. Res. 1154: Mr. LATTA, Mr. HINCHEY, Ms. GIFFORDS, and Mr. ALEXANDER.
H. Res. 1161: Mr. KIRK.
H. Res. 1172: Mr. HIGGINS and Mr. OWENS.
H. Res. 1187: Mr. RYAN of Ohio, Ms. FUDGE, Ms. PINGREE of Maine, and Mr. THOMPSON of Mississippi.
H. Res. 1211: Mr. KINGSTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLEAVER, and Mr. DAVIS of Kentucky.
H. Res. 1217: Mr. ARCURI, Mr. DAVIS of Tennessee, Mrs. MALONEY, Mr. MURPHY of New York, Mr. WALZ, Mr. TOWNS, Mr. HINCHEY, and Ms. SLAUGHTER.
H. Res. 1219: Mr. YOUNG of Alaska, Ms. CORRINE BROWN of Florida, Mr. AKIN, Ms. MOORE of Wisconsin, Mr. CAO, Mr. MACK, Mr. MCCARTHY of California, Mr. GRIJALVA, Mr. HERGER, and Mr. ISSA.
H. Res. 1224: Mr. CLAY, Mr. CARNAHAN, Ms. WATERS, Mr. FRANK of Massachusetts, Mr. HARE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLEAVER, and Mr. CONYERS.
H. Res. 1240: Mr. HINCHEY, Mr. BLUMENAUER, Mr. SCOTT of Virginia, Mrs. MALONEY, Mr. TAYLOR, Mr. CONYERS, Mr. GEORGE MILLER of California, Ms. BERKLEY, and Mr. SARBANES.
H. Res. 1241: Mr. GOHMERT, Mr. BURTON of Indiana, Mr. TIAHRT, Mr. FLEMING, Mr. COBLE, Mr. LATTA, Mr. ROGERS of Alabama, Mr. WILSON of South Carolina, Mr. MCCLINTOCK, and Mr. RADANOVICH.
H. Res. 1245: Mr. CULBERSON and Mr. DENT.
H. Res. 1251: Mr. RODRIGUEZ and Mr. CONAWAY.
H. Res. 1257: Mr. CAPUANO and Mr. DREIER.
H. Res. 1259: Ms. TITUS.
H. Res. 1261: Mr. THOMPSON of California, Mr. SMITH of Washington, Mr. CLEAVER, Mr. REYES, Mr. KLEIN of Florida, Mr. SALAZAR, Ms. LEE of California, Mr. GERLACH, Ms. ZOE LOFGREN of California, Mr. ALEXANDER, Mr.

BRALEY of Iowa, Mr. ETHERIDGE, Mr. RANGEL, Ms. GIFFORDS, Ms. SUTTON, Mr. COURTNEY, Mr. STARK, Mr. DOGGETT, Mr. PIERLUISI, Ms. MOORE of Wisconsin, Mr. DOYLE, Mr. KIND, Ms. SCHWARTZ, Mr. CAPUANO, Ms. DELAURO, Mr. CASTLE, Ms. MATSUI, Ms. BALDWIN, Mr. CARSON of Indiana, Mr. HINCHEY, Mr. HOLT, Mr. WILSON of Ohio, Mr. ORTIZ, Mr. BOSWELL, Mr. LOEBSACK, Ms. EDWARDS of Maryland, Ms. FUDGE, Mr. OLVER, Mr. MOORE of Kansas, Mr. TOWNS, Mr. BUTTERFIELD, Mr. LOBIONDO, Mr. YOUNG of Alaska, Mr. PASCRELL, Ms. SHEA-PORTER, and Mr. WU.

H. Res. 1262: Mr. LEVIN, Ms. LEE of California, Mr. WILSON of Ohio, and Mr. HEINRICH.

H. Res. 1263: Mr. EHLERS.

H. Res. 1265: Mr. SCOTT of Virginia.

PETITIONS, ETC.

Under clause 3 of Rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

118. The SPEAKER presented a petition of City and County of Honolulu, Hawaii, relative to Resolution 10-46 urging the Congress of the United States to support and pass S. 1337; to the Committee on the Judiciary.

119. Also, a petition of Kern County Board of Supervisors, California, relative to Resolution urging the Congress and the President of the United States to recognize the vital role that general aviation plays in the economy, health, safety, and protection of the nation; to the Committee on Transportation and Infrastructure.

120. Also, a petition of Legislature of Rockland County, New York, relative to Resolution No. 132 urging the Congress of the United States to pass bills S. 2781 and H.R. 4544; jointly to the Committees on Energy and Commerce and Education and Labor.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, TUESDAY, APRIL 20, 2010 No. 56

Senate

The Senate met at 10 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:

O God, we thank You for the gift of this new day. Bind the hearts of our lawmakers in the tender ties of respect and esteem. May no passing irritation rob them of the joys of friendship and fraternity. Lord, forgive them if they have been keen to see human failings and slow to appreciate the preciousness of the relationships they have forged in this legislative body. Today, empower them to show forth Your praises, not only with their lips but in their lives.

We pray in Your precious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, 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, April 20, 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.

PASSING OF DOROTHY HEIGHT

Mr. REID. Madam President, America today lost a civil rights icon. Dorothy Height died early this morning. She helped transform our country as considerably and as courageously as anyone who dedicated his or her life to ensure our Nation fulfills its promise of equality.

For decades, Mrs. Height fought tirelessly for the rights of women and African Americans and helped lead a national dialog about gender and racial equality. She was a trusted counsel of every White House since Franklin Roosevelt's administration. Generation after generation relied on her vision and tenacity and our country is better because so many sought her help.

Mrs. Height's legacy is in the fairer, more equal America in which she died and we live today. She knew her work was not done and she never stopped pushing her country forward. Until the last days of her 98 years, Dorothy Height was still fighting for equality and opportunity.

The thoughts of the entire Senate today are with Dorothy Height's friends, who are too numerous to mention, and her loved ones—and her loved ones are more than just her family.

SCHEDULE

Mr. REID. Madam President, today, following leader remarks, the Senate will be in morning business for about an hour, with Senators permitted to speak therein for up to 10 minutes each. The Republicans will control the first 30 minutes and the majority will control the final 30 minutes.

Following morning business, the Senate will turn to executive session to debate the nomination of Lael Brainard to be Under Secretary of the Treasury, postcloture.

At 12 noon, the Senate will vote on that nomination. Following the vote, the Senate will recess until 2:15 to allow for our weekly caucus luncheons.

Following the recess, the Senate will debate the nomination of Marisa Demeo to be an associate judge of the Superior Court of the District of Columbia. There will be up to 6 hours for debate, equally divided, prior to a vote on confirmation of that nomination. Upon disposition of the Demeo nomination, the Senate will immediately proceed to vote on the confirmation of Stuart Gordon Nash to be an associate justice of the same court, the Superior Court of the District of Columbia.

Cloture motions have been filed on the nominations of Christopher Schroeder, Thomas Vanaskie, and Denny Chin. Today we will consider a way to move forward on those nominations.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

FINANCIAL REGULATION

Mr. MCCONNELL. Madam President, with regard to financial regulation, from the beginning of this debate, I have called for a bipartisan approach. And for several months, I was encouraged to see bipartisan talks approaching agreement on a bipartisan bill.

Somewhere along the line, those talks got off course, leading to Democrats pulling away from bipartisan efforts, a party-line vote in committee and the Democrat leadership's stated

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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desire to bring a bill to the floor that had, in effect, bipartisan opposition. So last week I raised concerns with the Dodd bill, but I also told the President and our friends across the aisle that this bill is not unfixable.

It is important for the country and taxpayer that we get this right, that we put them before politics. That is why I was disappointed to read that Senate Democrats are refusing to drop the $50 billion bailout fund—a fund that the Treasury Secretary himself opposes—unless Republicans pay a price for taking it out. This is exactly what Americans don't like about Washington: when one side tries to ''get'' something for doing what they should have done in the first place. If everyone agrees it should be dropped, then it should be dropped. And if Senate Democrats think it should stay, then they should explain why they think the Treasury Secretary was wrong when he said that this bailout fund ''would create expectations that the government would step in to protect shareholders and creditors from losses.''

Both sides have expressed a willingness to make the changes needed to ensure without any doubt that this bill won't put taxpayers on the hook for future bailouts of Wall Street banks. So why don't we just do that?

I am heartened to hear that bipartisan talks have resumed in earnest, and in my view, the progress we have seen over the past few days is proof that I was right to raise concerns about this bill when I did. As I said, the best way to get a bill with the credibility of bipartisan support is to allow bipartisan talks to continue. Let us fix the bill and have a bipartisan reform.

I yield the floor.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FINANCIAL REGULATORY REFORM

Mr. REID. Madam President, Wall Street reform is very complex. Few of us are experts in derivative trading or credit default swaps or even the intricacies of securities. But the principle before us is a very simple one, in spite of all these very complicated issues that will be in this bill. You either believe we need to strengthen oversight of Wall Street or you don't. You either believe we need to strengthen protection of consumers or you don't. I believe in those principles and in fixing what is broken.

That is what this good reform will do. It will enforce the strongest protections ever against Wall Street greed. It will give families more control over their own finances and give consumers more clarity so they can make right financial decisions. This legislation would guarantee taxpayers that they will never again be asked to bail out a big bank.

It will also ensure no big bank can become too big to fail and shield families' life savings from Wall Street gambling. It will make the system more transparent so we can catch bankers' excesses and then hold them accountable.

Our bill contains Republicans' ideas and Democratic ideas. It is good for consumers and for everyone who favors economic security over reckless risk-taking.

As I said, some elements of this reform are complicated. There is one part that is especially hard to follow. Similar to the most complex commodity, Republican reaction to cleaning up Wall Street is hard to understand.

This bill will bring to the floor the result of months of bipartisan meetings, investigations, negotiations, and consensus building. Our Republican colleagues, in spite of the fact that they have been involved in much of the negotiation, investigations, and consensus, are pretending this is a partisan effort.

I am happy to hear my counterpart, my friend, Senator MCCONNELL, the Republican leader, talk about the need for more negotiations. We don't stand in the way of that. That is fine. This bill, when it comes to the floor, is going to be open to amendment, amendments by Democrats, amendments by Republicans. That is the way it should be. So no one should think the bill that comes to the floor is the final product. There will be amendments.

Some people strongly believe the bill from the committee is too weak, some believe it is just right, some believe it is too strong. So we need to make sure everyone understands this bill is not a final product. That is why I hope my friends on the other side of the aisle are going to let us bring this bill to the floor. Remember, there are only 59 of us, so if a single Republican is not willing to join with us, there will be no Wall Street reform. The Republicans will have killed Wall Street reform.

I am confident that is not what will happen. I read very closely the letter that was signed by 41 Republican Senators. I received a copy of it on Friday. There is not a sentence in that letter that says we are going to vote against moving to proceed, and I was happy to read that. They said they wanted more negotiations and there have been more negotiations. Senator DODD and Senator SHELBY—DODD, the chairman, and SHELBY, the ranking member—spent hours yesterday working on this bill, and that is the way it should be. The bill we will bring to the floor puts an end to taxpayer-funded bailouts. Let's all agree on that. It protects consumers. Let's all agree on that. But our Republican friends insist on pretending, in conversations I have heard on the floor, that it doesn't protect consumers and it doesn't put an end to taxpayer-funded bailouts.

We know Wall Street doesn't like the bill. That should speak volumes. It doesn't like this bill. Of course it doesn't. Look at the rules of the road on Wall Street. They get to take your money, money that is not their own, and gamble it away with little risk and large reward.

I was, for 4 years of my life, chairman of the Nevada Gaming Commission, and that is not hunting animals; it is gambling. During those times, we had some very difficult issues dealing with gambling, with gaming. But I understood a lot about poker and 21 and roulette and other such things. But it was, on its face, a gamble. What they are doing on Wall Street, we should have the Nevada Gaming Commission come to regulate a lot of it because it is nothing but a gamble. That is what we are trying to do here, bring a semblance of finality and stability to what is going on there on Wall Street.

I again say it. Look at the rules of the road on Wall Street. They get to take your money—it is not their money—and gamble it away with little risk and large reward. It would be as if I asked a Senator from Georgia to go to Las Vegas with me and I will gamble away all his money, but I get part of the money for doing nothing other than telling him we are in Las Vegas.

There are many who do not want us to touch a system that has let them take our homes, take everything we have. They don't want us to touch a system that has let them take their winnings and ask taxpayers to save them from their losses. It is a pretty good deal. They can get all the money they can—that is not their own—and if they profit, fine; if they lose something, that is too bad, even though it is not their money they are losing, even though they are losing somebody else's. Wall Street knows, if we don't act, they will not be held accountable for their mistakes, and if things don't go their way, they know they will get a mulligan; that is, they can start over. That is the way the system worked when our economy teetered on the brink of collapse and that is the way the system still works today. We have to change that. That is what we have to change. With this Wall Street accountability bill, we will. That is what this is about. It is a Wall Street accountability bill.

Let's bring this matter to the floor and offer amendments. Let's not be threatening filibusters on different parts of the bill. Let's go back to the way we used to do things. Let's bring an amendment to the floor, let's vote on it, whoever gets the most votes wins, whoever doesn't get the most votes loses, and move on to the next amendment.

It is puzzling why my Republican friends are pretending that this bill to fix Wall Street is good for those who

benefit from the fact it is broken. Similar to the bankers themselves, it seems a number of Republicans care more about making short-term gains than they do about doing what is right for this economy in the long run. Some details of this debate might be complex, but the different sides are as clear today as could be. On one side are consumers and investors, families and businesses and the vast majority of Americans who want us to make sure the financial crisis they just lived through can never happen again.

That is our goal. They knew there was no regulation, minimal regulation, and those people on Wall Street took advantage of that. They were betting on things that would make famous Nevada gamblers blush.

They don't want us to just talk about it, they want us to do something about it. We have to decide who is on whose side here, because we are ready to act. On one side are those who want to make sure we never have a situation like we had before. On the other side we have Wall Street bankers. They are doing pretty well. Two major Wall Street banks reported profits between them of about $7 billion last quarter. I don't begrudge them making money. That is good. People in our great free enterprise system can make money. I am just saying we have to have rules that don't allow them to cause another problem, as we had, which is second only to the Great Depression. Some say it is worse. These Wall Street bankers are sitting very comfortably. They see nothing wrong with a system that privatizes their gains and socializes their losses. They don't want us to change a thing. Let's decide that we, Democrats and Republicans, are on the side of consumers and investors, families and businesses, and the vast majority of Americans who want us to make sure the financial crisis they just lived through can never happen again.

Those who think this legislation is bailing out Wall Street should look at it again. Let's move forward in a bipartisan manner to get this bill done as quickly as possible, go to conference with the House, have the President sign the bill. The sooner we do that, the more stable our economy will be, not only here in America but worldwide.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling final half.

ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that the time for morning business be 1 hour, that the fact that the Republican leader and I took extra time should not count, Republicans having the first half hour and the Democrats having the second half hour.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Georgia.

MORTGAGE LENDING

Mr. ISAKSON. Madam President, I rise at a propitious time because the majority and minority leaders addressed the pending bill that is coming out of the Banking Committee and their desire for the bill to be one that is amendable and debatable.

I am here to talk specifically about one facet of the financial crisis and one improvement that is to be made by this bill that needs to be carefully addressed to make sure we don't repeat a mistake made in the 1990s with the failure of the S&L industry.

I have a chart with me. We have heard a lot about mortgages. We all know if it weren't for FHA, if it weren't for VA insurance, if it weren't for the Fed doing Freddie and Fannie a favor, there would not be much mortgage money available right now. It has all run away from the United States because of the subprime crisis and, in fact, because people are nervous about what happened in the financial markets with subprime securities. During this crisis we have been in, beginning in 2005 and going on until now, in my State of Georgia—these numbers are specific to Georgia, but Georgia is the tenth largest State—we see here that of the mortgages in default, totally in default or in foreclosure, it got as high as 8.2 percent on what I refer to as qualified mortgages. Those are mortgages that were made to creditworthy people who had good underwriting standards. Those were good mortgages. Up to 8.2 percent or 1 in 10 of those, at its apex, were either delinquent or pending foreclosure. But 24.7 percent were what is known as subprime or nonqualified loans and were either in mortgage delinquency or in default, 3 to 1.

The reason I show this chart is it demonstrates where the problem happened, not just on Wall Street but on Main Street; that is, in chasing higher yields, in pushing toward a desire for greater home ownership, credit standards got lax, and loans became nonqualified loans that carried a higher interest rate but a much higher risk. It is acknowledged by me and by most, in terms of the housing crisis we have been in, that the largest precipitating factor was shoddy underwriting, loose credit, and subprime mortgages. The legislation coming out of the Banking Committee is going to create something known as shared risk or lender liability in terms of the making of mortgage loans. I will be the first to tell my colleagues, I am not on the Banking Committee. I haven't seen the final draft. What I will address is what I hope will happen, not what I know will happen.

What I hope the committee will understand is, in its requirement for shared risk, being that the maker of a mortgage retain 25 percent of that mortgage for its lifetime or until it is paid, is the significant amount of capital that is asked for an institution to reserve and a possible amount for a mortgage broker or a mortgage banker but not for an institutional lender. The problem is, there are no institutional lenders like savings and loans anymore. One should revisit what happened with the savings and loan crisis, the Resolution Trust Corporation, and the failure that took place in the late 1980s and late 1990s. In America in the 1970s and 1980s, most of the mortgages made were made by lenders who didn't share the risk. They had 100 percent of the risk. They were savings and loan associations that took deposits, paid a preferential rate of interest over banks by regulatory design to attract the capital, and they held the mortgage in portfolio until it was paid. That is not shared risk. That is total risk.

What were our foreclosure rates in the 1970s and 1980s up until the end of the 1990s? Very marginal, 1 to 2 percent, certainly not 8.2 percent, certainly not 24.7. What happened, though, in the savings and loan industry is, No. 1, the Federal Government took away the interest preference to pay between banks and S&Ls so capital flowed out of the S&Ls. No. 2, because S&Ls then needed to make more money on the internal portfolio, the government allowed savings and loans to create service corporations, which were subsidiaries, to deviate from their original charter and, instead of just making home loans, allowed them to make commercial loans and, in fact, become developers.

What happened? What happened is history. We got off our mission, because we got off the risk. Because we took our eye off the ball, the savings and loan industry across America failed. Congress had to create the Resolution Trust Corporation to dispose of the bad assets around the country and we went through, up until now, the most severe recession we have ever been through. But this one is worse. This one is more pervasive. This one was caused by a lot of financial irregularities and poor oversight on our part, as well as greed on the part of many lenders. My hope is, when we start fixing things with regard to mortgages, we will recognize that shared risk is not going to solve any problem, if 100 percent risk didn't solve it in the late 1980s. What is going to solve the problem is for us to have reasonable standards of required underwriting that are an insulator from institutions

making bad loans unless they take the risk.

I am suggesting that we define what is a qualified loan that would not be subject to shared risk and what is a loan that would be subject to it. For example, what would a qualified mortgage be? I was in this business for a long time. When I started in the business in the 1960s through mid-1980s, you could not borrow twice your annual income. You couldn't have a monthly payment higher than 25 percent of your take-home pay, and your total debts a year or longer could not exceed 33 percent of your gross income. That was reasonable underwriting. What were our foreclosure rates then: 2, 1.5, a high of 2.8 percent in the mid-1980s, but certainly not anything such as what we have in the 24.7 and the 8.2 percent.

What is a qualified loan is one that requires full documentation so you do have to have a job, so your boss verifies your job, so the credit agency actually verifies your credit so you actually have a downpayment, you don't have downpayment assistance or some ''now you see it, now you don't'' program—no interest-only loans. Everybody knows, you are not making an investment if you are not paying the debt service and only paying the principal. Interest-only loans were a bad idea whose time came and it went. It may be good for certain forms of commercial investment but not for residential.

No balloon payments. One of the biggest problems with these foreclosures was good people were loaned money with shoddy underwriting that had balloon payments in 3, 5, or 7 years. People didn't know what a balloon payment was. They thought it was something that flew in the air. A balloon payment is when the whole principle comes due all at once and you are subject to the ability to refinance. That is not a qualified loan; that is a high-risk game.

No negative amortization. That was a bad idea whose times came and went. Negative amortization meant you borrowed $100,000, but you made payments so at the end of the year you owed more, not less. That is a bad idea. That was predicated on rapid inflation or rapid appreciation which isn't always going to happen. And then requiring people to carry private mortgage insurance on their loans if they exceed 80 percent of the loan to value of the house, a normal underwriting standard until we got into the loosy-goosy time of the late 1990s and the decade of 2000 to 2010.

If we adopted in this legislation those parameters, to exempt lenders from shared participation, we would attract all the money like the good old days, then put the shared risk retention on those loans that are not well underwritten; make the mortgage broker or the investment banker hold 5 percent of an investment they sell because it didn't meet these qualifications, what would happen? They wouldn't do it, because they wouldn't hold the money. It would have prevented what has been alleged one of the brokerage houses did already. They would never short something and bet on it failing if they had a piece of it. They would only do it if you had a piece of it and they didn't.

It is important, when we get into this regulation or reregulation of the financial industry, that we also recognize we have some obligation to correct some of the mistakes the government made itself in the past that caused the problem in the S&Ls in the 1980s and with nonqualified mortgages in the 1990s.

What I am suggesting simply is, let's take those things that are tried and true, not things we think will work but things we know will work. Let's make them the gold standard. Let's make them the qualification for the attraction of money in mortgages to fund the homes of the American people. Then let's say to those who want to take a risky loan, let's say to those who want to have shoddy underwriting, let's say to those who want to make a quick return and get out before the dollar comes due, they will have to take the risk. Shared responsibility or shared risk is precisely right as an insurance policy to protect against that. But the unintended consequence of shared risk on a qualified, well underwritten loan is a higher interest rate for the consumer and less attraction of capital for individuals who form those loans to fund the housing purchases, which ultimately leads the government to do with Freddie and Fannie what it did before—force them to make loans they should not, force the government and taxpayers to be at risk in part on those loans and bring us back to another period like the S&L collapse or, later, like the financial market collapse of the last couple years. There will be another one in the future if we don't recognize the need to make qualified loans, well underwritten, do it as we did in the good old days when America flourished, foreclosure rates were low, and home ownership was within reach of 70 percent of the American people.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Madam President, I rise to talk about the same issue the Senator from Georgia has discussed. First, I congratulate him. This is a point we have been making on our side of the aisle. He has come up with a thoughtful and appropriate way to address what was one of the core drivers of our fiscal meltdown. If we look at what caused the financial crisis of late 2008, which has caused this significant recession, which has caused us to go through all these expenditures as a government and which has caused so many American people to suffer the consequences of the recession, there were three or four major events that generated this. One was money was too cheap for too long. That was a Federal Reserve decision. But right at the essence of it was the issue of underwriting, the fact that there was a decoupling of the people making the loan from the people who were responsible for the loan.

We had this whole service industry built up that was making money off of the fees for originating the loan and wasn't that concerned about the ability of the person to repay the loan or the underlying asset. What the Senator from Georgia pointed out—and the proposal he has brought forward is a very responsible way to address this fundamental problem, which is the failure of underwriting—is a point we have been making on our side of the aisle. We have a whole series of what we think are pretty good ideas as to how we can make financial reform work better. Certainly one of them is the idea of the Senator from Georgia.

I was impressed today to hear both leaders say they want to have a bill that is bipartisan, that is comprehensive, that is thoughtful, and that addresses the issues we confront in this regulatory arena.

Unfortunately, that is not the atmosphere around here that has been created. Regrettably, there has been a huge amount of hyperbole, especially in the last couple weeks. Most of it has not been directed at moving down the path of a thoughtful and mature and substantive approach to this issue. Most of it has been addressed at raising anecdotal events which then have been hyperbolized into single one-liners as to how you address them.

This issue of financial reform is far too complicated for one-liners. That is a fact. It is an extremely complex undertaking to make sure we accomplish what we need to accomplish in regulatory reform. Our goals should be two. First, we should do whatever we can to restructure the regulatory arena so we reduce, to the greatest extent possible, the potential of another systemic risk event. I will talk about what we need to do in that area in a second.

Second, while we are doing that, we have to make sure the regulatory environment we put in place keeps America as the best place in the world to create capital and get a loan for people who are willing to go out and take a risk, be entrepreneurs, and create jobs.

One of the great uniquenesses of our culture, what makes us different from so many other places in this world, what gives us such vibrance and energy as an economic engine, is that we have people who are willing to go out and take risks. We have people who are willing to be entrepreneurs. And we have a system of capital formation and credit which makes capital and credit readily available to those individuals at reasonable prices. So as we go down the road of regulatory reorganization, we have to make sure we do not suffocate that great strength of our Nation.

There are four basic issues before us today in regulatory reform, and none of them are partisan. Yet in the atmosphere around here, you would think they are all partisan, especially the

President's recent speech, which was over the top in its partisan dialog.

First is how you end too big to fail. We cannot allow a system to exist where there is a belief out there in the markets that the taxpayers are going to back up a company that has taken too many risks and has gotten itself in trouble. Why is that? Because if that happens, if there is a belief in the market that the taxpayers will step in and back up companies that are very large and systemic when they have taken too much risk and put themselves in dire economic straits—if there is a belief that the taxpayer is going to step up and back up that company—capital will get perverted. Capital will not be efficiently used. Capital will flow in an inefficient way to companies which have proved themselves not to be fiscally responsible. That is not a good way for an economy to function—certainly a market economy to function. So we have to end too big to fail.

This is not a partisan debate. Senator DODD has brought forward a bill which he thinks ends too big to fail. In my view, it has some serious flaws. It is a good attempt, but it does not get there. Senator CORKER and Senator WARNER, from two different parties, have actually put together a concept—we call it resolution authority around here—which actually does end too big to fail and does it the right way. It essentially says if a company, if an entity—which is a huge entity—gets out of whack, overextends itself, gets too much risk, is no longer viable, well, then, we are going to resolve that company. The stockholders will be wiped out, unsecured bondholders will be wiped out, and the company will basically flow into bankruptcy and will not be conserved. That is a good approach, and it is a bipartisan approach.

Another big issue: how you address regulatory oversight to try to anticipate a systemic event. Again, the Dodd bill makes an attempt in this area, but there are ways we can improve it. We need to have all the different regulators who have an important role in this sitting at a table, most likely led by the Fed, who take a look at the broad horizon of what is happening in the marketplace and saying: OK, in this area we have a problem arising. We have too many people doing too many things which are at the margin of responsibility here. We are going to empower the agency which is responsible for that—the FDIC or the OCC or one of the other regulatory agencies—to go out and make sure that activity ceases or is abated, and they are going to come back and report to us so you have some oversight here.

That is the concept. It can be fleshed out in better terms. It goes to this issue which is raised by the Senator from Georgia—we should have better underwriting standards as part of this exercise so in the marketplace, real estate especially—residential real estate—we get back to the approach we should have taken to begin with, which is that we know the asset value that is being lent to exists and that the person can pay the loan back as the loan is adjusted over the years.

Thirdly, we have the issue of derivatives. Derivatives are a huge part of the market—massive. The number is $600 trillion of notional value—something like that; massive numbers. What do they do? They basically make it possible for American companies especially to sell their products around the world or to take and put their products into the market in a way that they are able to address issues which they do not have control over.

For example, if you are Caterpillar equipment and you are selling something in China, you do not know if the currency value is going to change—well, you do with China; that is a bad example—if you are selling something in Brazil, you do not know if the currency value is going to change, you do not know if there is going to be a change in the cost of your materials you are building that tractor with, you do not know a lot of different factors you do not have control over. So derivatives allow you to ensure over that.

That is a simple statement of what derivatives do. But that goes to all sorts of different activities—from financial entities, all the way across the board to producers of goods. So there needs to be a regime put in place that makes these derivatives sounder, where we do not get an AIG type of situation where basically we are backing up what amounts to an insurance policy for a company with a name but actually no assets.

Senator JACK REED from Rhode Island and I have been working for months—literally months—on a daily basis to try to work out such a regime. We think we are pretty close. We think it is going to be a good proposal. Nobody is going to like it, which we know means it is going to be a good proposal. But it is going to accomplish what we need to do, which is to get more transparency and liquidity and margin in the market. There will be the opportunity to have end users who are exempt, but there will also be a primary incentive to put people on a clearinghouse. To the extent you can move from a clearinghouse to an exchange, that will happen also, without undermining the market.

But the key here is to put in place a regime which does not force companies to go overseas to do their derivative activity. This is a very fluid event. If we come forward with an overly regressive approach and an overly bureaucratic approach—one which basically responds to a hyperbole of the moment, which is that all derivatives are bad and not transparent and therefore must be put on exchanges, something like that—we are basically going to push offshore the vast amount of derivative activity that is critical to our industry in America being competitive. As a very practical matter, if we can develop a sound market—and we can develop a sound market—we want to be the nation where most people go to develop their derivatives because it is a big industry and it is something we should keep onshore.

The fourth issue: consumer protection.

My time is up?

The ACTING PRESIDENT pro tempore. The Senator has used 10 minutes.

Mr. GREGG. Madam President, I see the Senator from Louisiana wants to speak. But the point here is pretty obvious. This is not a partisan issue. We can resolve the issue of financial regulatory reform if we sit down and do it in a constructive, thoughtful way, step back, be mature, and take an approach that is thoughtful versus wrapped in hyperbole and popularism of the moment. I certainly hope we will take that process and go forward.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Madam President, I join my colleagues in urging the Senate to come together—Republicans and Democrats—around a strong bipartisan approach to financial regulatory reform. We need to address the critical causes behind the financial crisis of the last several years, and we need to do it right and in a bipartisan way.

Unfortunately, we are not on that path yet. The Dodd bill, which the President and Chairman DODD and others are trying to push to the floor, is a purely partisan approach and, unfortunately, it gets a lot of the bigger issues wrong.

First, and perhaps most importantly, the Dodd bill expands too big to fail. It does not end it. The Dodd bill ensures more future bailouts. It does not get rid of the need for bailouts. It is not just me saying that. As conservative an authority as Time magazine wrote a few weeks ago:

> Policy experts and economists from both ends of the political spectrum say the bill does little to end the problem of banks' becoming so big that the government is forced to bail them out when they stumble. Some say the proposed financial reform may even make the problem worse.

Another significant authority is Jeffrey Lacker. He is president of the Richmond Federal Reserve. He was interviewed by CNBC. The CNBC reporter said: Well, doesn't this bill allow all sorts of resolution? Isn't that ending too big to fail? He said, very clearly:

> It allows those things, but it does not require them.

That is the heart of the problem here: It allows those things, but it does not require them.

> Moreover, it provides tremendous discretion for the Treasury and FDIC to use that fund to buy assets from the failed firm, to guarantee liabilities of the failed firm, to buy liabilities of the failed firm. They can support creditors in the failed firm. They have a tremendous amount of discretion. And if they have the discretion, they are likely to be forced to use it in a crisis.

Exactly, precisely, what we saw in the last few years.

William Isaac, former FDIC Chairman, has echoed exactly the same concern:

> Nearly all of our political leaders agree that we must banish the ''too big to fail'' doctrine in banking, but neither the financial reform bill approved in the House nor the bill promoted by Senate Banking Committee Chairman Chris Dodd will eliminate it.

Finally, Simon Johnson, a respected MIT professor:

> Too big to fail is opposed by the right and the left, though not apparently by the people drafting legislation. The current financial reform bills are effectively a wash on the issue.

There are multiple sections in the Dodd bill that expand too big to fail: sections 113 and 114 essentially creating a ''too big to fail'' club; other sections creating a new permanent bailout slush fund; other sections allowing the bailout of creditors and codifying backdoor bailouts. That is a significant flaw in the bill—and not the only one.

My second big concern is that the Dodd bill creates a new all-powerful superbureaucracy with powers well beyond what is necessary to fix the problems that led to the last crisis. Again, there are several sections creating that new all-powerful bureaucracy. Perhaps the most significant one in my mind is one that subjects anybody who accepts four installment payments to the authority of this huge new bureaucracy.

I have four kids. Three are teenagers with braces. That is their orthodontist. That is the electronic store down the street. None of these folks were part of the problem that led to the financial crisis, but they sure accept four installment payments. We cannot pay for three sets of braces otherwise. This is a huge new superbureaucracy with enormous authority.

Finally, another big problem with the Dodd bill is it does nothing to fix other key causes of the crisis. For instance, it does nothing about Fannie Mae and Freddie Mac. We have a so-called comprehensive bill, with multiple titles, thousands—tens of thousands—of words, hundreds of pages, and the words ''Fannie Mae'' and ''Freddie Mac'' are never included, nowhere to be found. As Lawrence White, an economics professor, said:

> The silence on Fannie and Freddie is deafening. How can they look at themselves in the mirror every morning thinking that they have a regulatory reform bill and they are totally silent on Fannie and Freddie? It just boggles my mind.

And it boggles my mind as well.

Finally, nothing on lending standards, underwriting standards—exactly what Senator ISAKSON was talking about. The core fundamental problem behind the last financial crisis was that all sorts of loans were written that any reasonable person would know from the outset had no chance of making—the person getting the loan had no realistic chance of keeping up on that loan because there were no lending standards, no underwriting standards. An institution wanted to start the loan and sell it off and get it off its books and get quick profit for initiating the loan. The Dodd bill doesn't address that and doesn't create those lending standards we need to create.

So where is the change? We need change. We need real reform, but where is the change?

These are the top firms that got bailout funds from the taxpayers, hundreds of billions of dollars all told. This is the old regulator of those firms. This is the new regulator of those firms—exactly the same. The regulation of these entities doesn't change, doesn't move—exactly the same. Again, we need regulatory reform, but we need it zeroed in on the real problems, and we need a strong bipartisan approach, not a highly partisan approach.

Many of us think these are the basic principles of true regulatory reform: permanently ending bailouts and too big to fail, which the Dodd bill clearly does not do; ending all of the bailout authorities of the Federal Reserve and FDIC because if they still have those authorities, they will use them in the future; enhancing consumer protection without creating this huge new superbureaucracy that goes well beyond what is needed to address the causes of the crisis; creating greater transparency for derivatives while allowing businesses to manage risk, as Senator JUDD GREGG explained.

Begin to address Fannie Mae and Freddie Mac. Those were key causes of the crisis. There is no excuse for those four words to be completely left out of a so-called comprehensive reform bill.

Establish minimum lending standards for mortgages. That was a key cause of the crisis. It is ridiculous for that to not be addressed in a so-called comprehensive reform bill.

Increase competition for credit rating agencies. We saw significant problems there.

And dramatically improve coordination and communication among the regulators. This would be an approach targeted on the real problems, not a bill using the last financial crisis as an excuse to reach another preexisting agenda. This would be a bipartisan approach which the American people can support, and I hope this will become the outline of the approach the Senate adopts as we move forward.

Thank you, Madam President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Madam President, this morning I met a friend who is visiting, and he told me he was planning to go out and visit the FDR Memorial. I thought maybe the entire membership of the Senate should go out and visit the FDR Memorial.

Essentially, FDR did three things in response to the Great Depression: one was to create jobs, a second was to fix housing, and a third was to repair the banking system. All three were essential. We have been immersed in all three components now, responding to the great recession we experienced and the great explosion of the economy in 2008 that we are dealing with every day.

What did Roosevelt do in response to the banking challenge? Two main things: First, he made sure American families could safely put their money back into banks. That is the origination of the deposit insurance. Second, President Roosevelt made sure banks didn't engage in high-risk speculation that would put the banks and the American economy at risk because he understood the critical role of banks in lending to families and lending to small businesses, and the last thing one wants in a recession is to have investment houses making speculative investments go down and then take the banks down with them. So you compromise the lending to small businesses and to families at the same time that the investments go awry. That is why he separated those activities—highly risky investments separate from the lending that would continue to fuel our economy.

Well, because of these regulations in the Roosevelt administration, the wages of American families grew steadily right alongside the productivity of our economy. Our economy was thriving and our middle class was thriving. Indeed, we should judge the success of our economy not by the gross domestic product, not by the size of the bonuses in boardrooms on Wall Street; we should judge the success of our economy by the living wages paid to working families and whether those wages are keeping pace with productivity our workers are bringing to the economy. By that standard, we are not doing well.

By the 1980s and 1990s, Wall Street convinced Washington that we don't need those Roosevelt-era regulations anymore, we don't need those walls that protect lending from high-risk investing. Instead of having oversight and accountability, we should just let Wall Street make their own rules. This is a little bit like a traffic system in which we say we are kind of tired of those traffic lights. We don't really like those stop signs and lane markers. It is a waste of paint. We can do without them. For a short time, everybody can just kind of speed down the road and not worry about any rules to abide by until shortly thereafter when everyone crashes.

That is exactly what happened in our financial system over this last decade. The SEC took down the leverage limits. The five largest investment banks were told to set their leverage wherever they wanted. We had Bear Stearns in a single year going from leverage of 21 to 41. So for every dollar they were investing, they were betting $20 by the start of the year, but by the end of the year, as the SEC granted them permission, for every dollar they held, they were betting $40. They make a tremendous amount of money on the way up

when they can bet $40 for every dollar they hold, but they crash in a spectacular fashion when the market goes down in that situation.

Then, again, we had the Fed. The Fed puts monetary policy in the penthouse and safety and soundness on the upper floors. But what do they do with their responsibility for consumer protection? They put it down in the basement and they seal the doors. They let no daylight in and they let little communication occur between the consumer protection side and the safety and soundness and the monetary side.

They did absolutely nothing when a new product was invented in 2003, a new form of subprime that had a 2-year teaser rate, a prepayment penalty that locked the family into that loan and prevented the family from escaping from that loan, and that had exploding interest rates that would destroy the family. The Fed did absolutely nothing. Then Wall Street said: You know what. These loans are worth so much because we can pull so much money out of families with these loans, so we are going to pay a bonus to a broker if the broker ties a family into one of these loans. And those steering payments resulted in tons of families who qualified for prime mortgages being steered into subprime mortgages. By a Wall Street Journal study, 60 percent of families who were in subprime mortgages qualified for prime mortgages, but their broker persuaded them that the best mortgage was one that was not in their best interests.

Then we had the rating agencies. The rating agencies had magic all their own. They didn't develop their own models to evaluate BBB bonds that were mixed and sliced and diced into new packages of bonds. No. They took their models from Wall Street, and based on those models they said: If you take BBB bonds from over here and BBB bonds from over here and you mix them together, we will rate 80 percent of the resulting bonds as AAA. Well, that is a money-making machine, but it also undermined one of the key instruments the financial world depends on; that is, accurate credit ratings.

Then we had lots of tricks and traps buried in the small print, stripping families of their capital. Things were happening in the credit card industry such as sitting on a person's payment for 10 days even though it had arrived on time, sitting on it for 10 days and then posting it as late and charging a late fee. As a constituent from Salem said to me, where is the fairness in that? American citizens are saying time and time again, when clauses written in the fine print defy fundamental fairness, where is the fairness in this?

So at every level we had a breakdown in our financial system. We know what happened. The deck was stacked against the ordinary citizen. It turned a banking system that is designed to help families, strengthen families, strengthen small businesses into a casino for Wall Street's big bets. When those bets went bad, the taxpayers—you and I—were left holding the bag.

Now, as the effort to restore fair rules of the road to Wall Street heats up here on the floor of the Senate, there are those on Wall Street and those on this floor who want to block reform. They don't want to fix any of these things I have been describing. Indeed, recently the minority leader met with more than two dozen Wall Street executives and hedge fund managers and urged them to elect members of his party who would stop these reforms that serve the American people. Then he came back down here and he whipped out his talking points from Frank Luntz and he said: This bill won't work. Why did he say that? Because he doesn't want a bill to reform Wall Street and fix these rules and restore prosperity to our economy. He wants to take this election year instead and serve a powerful constituency that doesn't want any rules restored to the road.

Folks, that is just wrong. We have a responsibility. Just as our ancestors not so long ago fixed the problems of the Great Depression, fixed the banking system, and restored a banking system that would take us forward in an orderly fashion and allow business to thrive in America, to be the envy of the world in America, we have the responsibility to do that today.

There are some who have said: Well, we want a free market. Let me tell my colleagues, a free market thrives with rules that allow orderly conduct because those rules create the integrity that gives people the faith to utilize those markets. We saw with the stock market reforms that people believe stocks are traded fairly in America, and therefore they are willing to invest and, by investing, power up the companies that are issuing public stock. It works when there is integrity in the market. Foreign investors will come and put their dollars in America if they believe there is integrity in our system.

That is what these rules are about—rules that create a free market with integrity so that it can power up the economy of America. That is what this is about. We are not talking about what some of my colleagues across the aisle are talking about: preserving the status quo, which means freedom from oversight, freedom from accountability, freedom to translate BBB bonds and AAA bonds with a magic evaluation system; free to blow up the economy, which destroyed families' savings, families' retirements, families' jobs, often families' health care, and pretty much tore the foundation out from under the American working family.

This bill creates a consumer financial agency that will say: No more trips and traps on basic financial products. We need to have that mission no longer locked in the basement. We need to have that mission in an agency that says we will not allow those tricks and traps and scams that have been perpetuated over the last decade, so that Americans will not say: Where is the fairness in that? Instead, they will say: Thank goodness these contracts are fair and serving our families and our economy.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator has spoken for 10 minutes.

Mr. MERKLEY. Is that my full allocation of time?

The PRESIDING OFFICER. Yes.

Mr. MERKLEY. Thank you. I will close by saying this bill must get done because we have a responsibility to restore the foundations for our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, let me first thank the Senator from Oregon for his remarks. He has brought great passion for this issue to the Senate. He serves with distinction on the Banking Committee. I couldn't agree with him more that the spectacle of colleagues scampering up to Wall Street to offer their services, and interfering with, obstructing, watering down, and impeding, of all things financial regulatory reform, after all we have been through, is not a spectacle that is salutary.

I appreciate his remarks.

NOMINATIONS AND HOLDS

Mr. WHITEHOUSE. Mr. President, I wish to talk for a minute about nominations and holds. The Senate's Executive Calendar contains the names of those individuals whom President Obama has nominated to serve in his administration, and those positions require Senate confirmation. The Executive Calendar also contains the names of those the President has nominated to be Federal judges—it is called the Executive Calendar, but judicial offices are on it as well—at the district court level and the appellate level.

Since President Obama took office, this Senate has voted on 44 nominees. Some others have been approved by unanimous consent, but we have had 44 votes on nominations. Of those 44 votes, 31 of them—that is 70 percent of the nominees we have confirmed—have been held over, filibustered, and delayed by days, weeks, and months. The average length of time these nominations have languished in the Senate has been over 106 days. That is 15 weeks—3½ months—from the time they were nominated to the time they were confirmed. That is just the average delay. Some have spent 1 full year in Senate limbo as a result of holds by our colleagues.

If it has taken this long to confirm them, these must have been controversial nominees, and these must have been tough votes and close votes for the Senate, one would think. Well, let's take a look—bearing in mind that it takes 51 votes to be confirmed by the Senate.

Sixteen of these nominees who have been held over, filibustered, or delayed were subsequently approved when they came to a vote by more than 90 votes in the Senate. Again, sixteen of the filibustered nominees passed the Senate with votes of more than 90. Another 10 have been approved with more than 80 votes—bear in mind that it only takes 51 to get confirmed—and 3 more with more than 70 votes. That is 29 out of those 31 nominees who, when they finally came to their vote, were approved overwhelmingly, by enormous bipartisan majorities, in the Senate. They have spent 106.6 days, on average, waiting to be confirmed by those vast majorities—waiting to be confirmed overwhelmingly.

The only conclusion that a rational mind can draw from this is that this is not about controversial nominees; this is about politics, plain and simple—the bare knuckles politics of obstruction, the kind of politics that says I don't care if you are qualified for the job for which you were nominated. I don't care that the Department of State or the Department of Homeland Security needs you for a critical job. I don't care. You are going to sit on the Senate calendar for months and months and months so that I can score political points against the President, so that I can inhibit the deployment of this elected President's administration into the office of the government.

Well, that is wrong and it needs to stop.

As of Monday, the Executive Calendar contained the names of 101 nominees—101 individuals for critical jobs in agencies all across the government that are now sitting on the Senate's Executive Calendar waiting and waiting. I want to address some of the judges who have been waiting for a long time, and I will ask that their nominations be called up and approved.

Mr. President, I will start with Judge Albert Diaz and Judge James Wynn, a pair of judges who are Fourth Circuit Court of Appeals nominees. So I will call up Executive Calendar Nos. 656 and 657, the nominations of Judges Albert Diaz and James Wynn, nominees to the U.S. Court of Appeals for the Fourth Circuit.

Let me tell you who they are. Judge Diaz currently serves on North Carolina's Special Superior Court for Complex Business Cases. He was reported out of the Judiciary Committee on January 28, 2010, by a vote of 19 to 0. He has served in the Marine Corps and has 9 years of State court judicial experience.

Judge James Wynn was reported out of the Judiciary Committee the same day, January 28, 2010, by a vote of 18 to 1. He currently sits on the North Carolina Court of Appeals, the State's intermediate appellate court. He is a certified military trial judge and a captain in the U.S. Navy Reserve.

UNANIMOUS-CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to executive session, and notwithstanding rule XXII, the Senate proceed to Executive Calendar Nos. 656 and 657; that the nominations be confirmed en bloc; that the motions to reconsider be laid upon the table en bloc; that any statements relating to the nominations be printed in the RECORD, as if read, and the President be immediately notified of the Senate's action.

I ask for the regular order on the unanimous-consent request. The unanimous-consent request is pending right now, and there is nobody on the floor to answer it or object to it.

The PRESIDING OFFICER. Is there objection?

Mr. WHITEHOUSE. I am told a Senator is coming to make an objection, so I will withhold.

While we are waiting for a Republican Senator to come and object to these nominees, they came out of the Judiciary Committee back in January. They were voted out of the Judiciary Committee by, in one case, a unanimous, bipartisan vote of 19 to 0.

I am informed that the Senator from Arizona, Mr. KYL, is coming to object. He sits on the Judiciary Committee. He likely was one of those 19 who voted in favor of this nominee at the committee level. I don't know who the one vote against Judge Wynn was, but he cleared the committee by a vote of 18 to 1—again, a strong bipartisan vote of support. Yet I am informed by the floor staff that they are finding somebody to come and object to these nominees who have now been held through all of February, all of March, half of April, despite being, in one case, unanimous votes in the Judiciary Committee, and the other an 18-to-1 overwhelming bipartisan majority.

For the record, I am informed that the minority was aware that I was coming to make these unanimous-consent requests; that they had full knowledge this was going to come. If they are unable to get somebody to the floor to object, as far as I am concerned that is not my concern.

Mr. President, I renew the unanimous-consent request now that there is a Senator on the floor.

The PRESIDING OFFICER. Is there objection to the Senator's request?

Mr. KYL. Reserving the right to object, might I ask my colleague to restate the request?

Mr. WHITEHOUSE. Yes. It was to call up Executive Calendar Nos. 656 and 657, which are the nominations of Judge Albert Diaz and Judge James Wynn to the U.S. Court of Appeals for the Fourth Circuit. As the distinguished Senator from Arizona will recall, since he sits with me on the Judiciary Committee, Judge Diaz was voted out by a vote of 19 to 0 back on January 28, 2010. If my math is correct, that means the distinguished Senator from Arizona voted for this nominee in the Judiciary Committee.

Judge James Wynn was reported out the same day, January 28, by a vote of 18 to 1. I don't know if the Senator was the single dissenting vote in that overwhelming vote in support of Judge Wynn's nomination.

Judge Diaz served in the Marine Corps and has 9 years of State court judicial experience. Judge Wynn is a certified military trial judge and a captain in the U.S. Navy Reserves.

My unanimous-consent request was that the Senate proceed to executive session, and notwithstanding rule XXII, the Senate proceed to Executive Calendar Nos. 656 and 657; that nominations be confirmed en bloc; that the motions to reconsider be laid upon the table en bloc; that any statements related to the nominations be printed in the RECORD, as if read, and that the President be immediately notified of the Senate's action.

Mr. KYL. Mr. President, I appreciate my colleague restating the request. Reserving the right to object, and I will object, as I think my colleagues are aware, the two leaders have worked out a process for consideration of at least some of the judicial nominations. My understanding is, there is another agreement on at least one circuit court nomination that they are working out a time agreement on right now and that would occur, I presume, later this week. I think it is important to let the two leaders work out those agreements. As a result, reluctantly, I have to object to my colleague's request.

The PRESIDING OFFICER. Objection is heard.

Mr. WHITEHOUSE. Mr. President, I appreciate the distinguished Senator's objection. We do have 101 nominees on the Executive Calendar. The objections have holds which are secret. They are holding up people, as I said, for an average of 106 days. While it is nice one or two might be given a time agreement by the minority party, it does very little to relieve the blockade that the minority party is engaged in of judicial and Executive nominees.

I will continue forward. I call up Executive Calendar No. 701, the nomination of Nancy Freudenthal to be a judge for the U.S. District Court for the District of Wyoming. She passed out of the committee by voice vote—a voice vote, as the Presiding Officer knows, is a vote without dissent—on February 11, 2010. She has decades of experience as a public servant and as a lawyer in private practice. She currently is Wyoming's First Lady.

If confirmed, she will be that State's first female Federal judge. It is the practice of the Judiciary Committee not to put forward judges unless the consent of the home Senators has been obtained. I point out that both the Senators from Wyoming are Republicans.

I ask unanimous consent that the Senate proceed to executive session, and notwithstanding rule XXII, the Senate proceed to Executive Calendar No. 701, the nomination of Nancy

Freudenthal; that the nomination be confirmed, and the motion to reconsider be laid upon the table; that any statements relating to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, for the same reasons as noted earlier, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WHITEHOUSE. Mr. President, I call up Executive Calendar No. 702, the nomination of Judge D. Price Marshall to serve on the U.S. District Court for the Eastern District of Arkansas, a district court nominee who has been held up and filibustered. This district court nominee, Judge Marshall, is currently a judge on the Court of Appeals for the State of Arkansas. He spent 15 years in private practice in Jonesboro, AR. He served as a law clerk to Seventh Circuit Judge Richard S. Arnold. Judge Marshall was reported out of the Judiciary Committee on February 11, 2010, by voice vote and without dissent. He has been held and blockaded on this floor.

I ask unanimous consent that the Senate proceed to executive session, and notwithstanding rule XXII, the Senate proceed to Executive Calendar No. 702; that the nomination be confirmed, and the motion to reconsider be laid upon the table; that any statements relating to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WHITEHOUSE. Mr. President, let's try another one.

I call up Executive Calendar No. 704. This is the nomination of Judge Timothy Black, again, a district court nominee, a local trial court nominee, to serve on the U.S. district Court for the Southern District of Ohio. Judge Black has served the Southern District of Ohio for 6 years as a Federal magistrate judge. He is currently a Federal magistrate judge in the court for which he is nominated as a district judge. Before that, he spent a decade as a municipal court judge and had a long career as a civil litigator. He was reported out of the Judiciary Committee without dissent after a voice vote on February 11 of this year. February, March, April—more than 2 months ago. He has languished on the Senate floor after clearing the committee without dissent—a judge, a district judge, a trial judge who serves now as the magistrate judge.

I ask unanimous consent that the Senate proceed to executive session, and notwithstanding rule XXII, the Senate proceed to Executive Calendar No. 704, the nomination of Judge Timothy Black; that the nomination be confirmed, and the motion to reconsider be laid upon the table; that any statements relating to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, for the same reasons stated before, I object.

The PRESIDING OFFICER. Objection is heard.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF LAEL BRAINARD TO BE AN UNDER SECRETARY OF THE TREASURY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Lael Brainard, of the District of Columbia, to be an Under Secretary of the Treasury.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided and controlled between the Senator from Montana, Mr. BAUCUS, and the Senator from Iowa, Mr. GRASSLEY, with the Senator from Kentucky, Mr. BUNNING, controlling 15 minutes of the time controlled by the Senator from Iowa, Mr. GRASSLEY.

The Senator from Kentucky is recognized.

Mr. BUNNING. Mr. President, I probably will not take the 15 minutes but somewhere between 10 and 15 minutes.

I rise in strong opposition to the nomination of Lael Brainard to be Under Secretary of the Treasury for International Affairs.

I do not think it is unreasonable for the American people to expect nominees to important posts in the Treasury Department to have a clean record in the payment of their taxes. After all, Treasury is responsible for collecting taxes. Treasury nominees have a special responsibility to live up to the same high standards the Department demands from ordinary citizens. But the American people deserve much more than just someone with a clean tax record. They deserve a nominee who is honest, trustworthy, and straightforward.

The Finance Committee's bipartisan investigation of Ms. Brainard revealed she does not have a clean tax record. At worst, she refuses to be straightforward and honest about her tax records.

The Finance Committee looks into the tax record of every nominee who comes before the committee. A routine examination of Ms. Brainard's past few tax returns revealed many problems. When asked if she has paid all her taxes on time, she did not reveal several cases in which she had failed to pay her taxes on time.

When she was asked, on her nomination questionnaire, if she was current with all her taxes at the time she was nominated, she replied yes. But, in fact, that was not true. She was well overdue on paying county property taxes and DC employment insurance taxes at the time.

There were also several problems with the forms she was supposed to file to prove that her household employee was legally able to work in this country. On one form, there was a serious problem with a space that the household employee is required to sign. It appears Ms. Brainard filled in that space with her own signature, and she could not provide an explanation of why she did so.

On another form, dates appear to have been written over to change the year. She could provide no explanation of why this was done.

On two different forms, Ms. Brainard missed the deadline for completing the employer portion of the form. On another form, the employer portion was filled in 1 month before the employee portion, but the law requires the employee portion to be filled in first.

On yet another form, the employee certification section lists her husband's name, but the signature is hers.

On another form, the employee section is filled in, but the required employer certification section was left blank.

There was another problem of the home office deduction which she claimed in the past several years. She could not provide a clear and consistent reason for taking a home office deduction of one-sixth of her household expenses. She was unable to provide a credible reason for the size of the deduction. She reduced her home office deduction to one-twelfth of household expenses on her 2008 tax return. However, she did not reduce the deduction on her 2005, 2006 or 2007 tax return, all of which had the inflated deduction.

Some Senators might come to the conclusion that these tax problems alone should not disqualify the nominee. They may say that, at worst, this is simply a pattern of sloppiness. Do we want someone who is so sloppy in her tax responsibilities to be in charge of international affairs at the Treasury Department?

But this is not just a matter of sloppiness. This is a matter of total lack of candor with the Finance Committee and, by extension, with the Senate and, by extension, with the American people.

Ms. Brainard spent 9 months stonewalling the Finance Committee over all these tax issues. She gave evasive and incomplete answers to the staff of the committee. The level of evasiveness of this nominee appears to

be unprecedented. The committee had to submit 10 rounds of questions to clarify inconsistencies and incomplete answers Ms. Brainard had given. Several of those questions have been left unanswered.

The many tax problems of this nominee and the extreme difficulty the Finance Committee had in getting straight answers about these problems was outlined in a bipartisan memo Senator GRASSLEY entered into the CONGRESSIONAL RECORD on December 23 of last year. If we cannot trust Ms. Brainard to be truthful and straightforward when she is a nominee, how can the American people trust her to be straightforward and honest when she is confirmed and serving in the Obama administration?

As Under Secretary for International Affairs, she would be involved in some highly sensitive issues, such as the determination of whether China is manipulating its currency.

Do we want someone with such an abysmal record on truthfulness serving in this high position in the Treasury Department representing our country?

This is not just a matter of taxes. It is a matter of trust. The American people deserve a person we can trust in this very important position. That person is not Lael Brainard. We cannot trust someone who gives evasive, inconsistent, and incomplete answers to routine questions. We cannot trust someone who spends 9 months refusing to come clean about her record. We cannot trust someone who refuses to be straightforward about her tax problems because she is so desperate to be confirmed.

Mr. President, someone with this record is a terrible choice to serve in the Treasury Department. I urge my fellow Senators and my colleagues to consider this record before they vote on this nomination. I urge a ''no'' vote on this nomination.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his request.

Mr. BUNNING. Yes, I will.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mrs. MCCASKILL. Mr. President, I rise today to talk not about obstructionism but, rather, about transparency and the rules. And the rule I am going to talk about is a rule that, in fact, we embraced in the last Congress. When I first came to the Senate, we embraced this rule by a vote; I think it was 92 to 6. We said we are going to change the way we do business around here when it comes to transparency. I thought it was a great moment. I was excited that we were making these bold changes about the way the Senate works, to open the doors and let the sun shine in.

Imagine my disappointment some 2 years later when I realized that for many Members of this body, that was a meaningless exercise because in the area of secret holds, we are doing no better today than we were before we passed S. 1 in those early weeks of my time in the Senate, in 2007.

Section 512 of that bill deals with secret holds. What we tried to do in that bill was to make sure that if a Senator wanted to oppose somebody, no problem; if he or she wanted to hold somebody, that is their right as a Senator. But own it. Own it. We are not here to be in a back room making a deal to leverage something for some kind of pork we may want in our district. What we are here to do is the people's business. If a Senator has an objection to a nominee, they should tell the public they have an objection and, frankly, they owe the public an explanation as to why. We are here working for them. We are doing the people's business here. We are not doing some backroom deal. We are doing the people's business.

So transparency is what this is about today, and section 512 lays out the exact steps that are necessary in order to make sure all of the holds become public. The process begins pretty simply: by someone making a unanimous consent request to move the nomination. When that motion is made, then the Senator who has the secret hold must submit a notice of intent specifying the reasons for the hold, and within 6 days that must be printed in the CONGRESSIONAL RECORD.

Why do Senators hold secretly? Well, I can't think of a good reason. I mean, sometimes it is that they want to slow things down, and they do not want to be honest about it. Sometimes it is that they want to leverage it for a deal in their State from that agency, and they do not want to be forthcoming about that. That seems a little unseemly, to say: I am going to block an unrelated nomination in order to get a deal. And that is the kind of stuff people are sick of. That is the kind of stuff they do not want us to do anymore. They want us to be upfront. If a Senator wants to block a nomination in an agency because that agency is not doing their will, then they need to be proud of that.

Here is the tricky part about this rule. Once the motion is made and therefore the clock starts ticking and a Member has to admit they have a secret hold and they have to own that hold, then what they can do is, before the 6 days, they can withdraw their hold, and that is when we start seeing an imitation of the World Wrestling Federation tag-team match. That is when another Senator comes in and tags up and says: Well, I will do a secret hold now. And then a motion is once again made, and guess what. That Senator backs out after 6 days and somebody else takes his or her place with the secret hold. So we get secret holds forever, ad nauseam—secret hold, secret hold, secret hold.

So I come to the floor today to begin the running of the clock. We have over 80 nominations pending. In a comparable time in the Bush administration, we had five. We have around 80. I am now going to begin to make a motion on these 80. Why this particular group? I will tell you why this particular group. No objection has been made to these nominees in committee. Let me say that again. Every single one of the names I am going to move this morning had no objection in committee. So we have literally had every Member of this body on one of these other committees, and nobody objected. Nobody said a word. So right now, it is very difficult for the public to figure out why all these important nominees are not moving forward.

Vote no. I am sure there have been nominees on whom I have voted no. There is a nominee on whom I put a hold. I put a hold on a nominee, but I was very upfront and put in the record at committee why I put a hold. I wrote a letter on why I put a hold. I wanted everyone to know why this nominee was being held. I thought it was an important part of my duty as a Senator to explain why I was doing what I was doing.

So vote no. Hold a nominee. But don't do it under cover of darkness unless you have something to be ashamed of. If a Senator has something to be ashamed of, then they can do the tag team. The law lets them do it. They can just keep playing tag and getting another secret hold and then tag off again and get another secret hold.

If we want to know why the country doesn't trust us, it is because of this kind of nonsense, these kinds of secret hold shenanigans or, as my mother would say, this poodle dog. That is her word for nonsense. I don't think she means to insult all the poodle owners in the world, but it is a good phrase—poodle dog—for what this is. It is nonsense.

Mr. President, when I have 1 minute left, if you will notify me, I will begin making the motions on these people whose nominations are being secretly held by Senators and who are not being allowed their time to even respond to whatever might be the secret reason why they are being held.

NOMINATION OF STUART GORDON NASH TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 333; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I have no objection.

There being no objection, the nomination considered and confirmed is as follows:

THE JUDICIARY

Stuart Gordon Nash, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Mrs. MCCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 404, the nomination of Warren Miller, Office of Civilian Radioactive Waste Management, Department of Energy; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Reserving the right to object, I will make the same brief statement I made with Senator WHITEHOUSE. Some of these nominees are subject to discussion between the two leaders, working out time agreements for their consideration—at least some of the court nominees.

Now, I don't know about this specific nominee. I would say that I have no secret holds on anyone, so this is not on my own behalf. But in order to preserve the deliberation between the two leaders, on behalf of the minority I would object.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Will the Senator from Missouri yield for a question?

Mrs. MCCASKILL. Yes, I will.

Mr. DURBIN. Mr. President, the Senator from Arizona suggested that the leaders—meaning the Democratic and Republican leaders—wanted these held. Is the Senator from Missouri able to represent to the body that Senator REID would like to see all the names she is calling moved forward today, at this moment; that he is not asking for a delay in the consideration of any of these nominations?

Mrs. MCCASKILL. All of these nominees have secret holds. The purpose of my exercise today is to begin to enforce the rule around here that everybody voted for, with the exception of a handful of people, that we weren't going to do secret holds anymore.

I am certainly aware that the leader supports us doing this; that the secret hold has brought the nomination process not only to a halt but, more importantly, it has done it without the public even understanding why.

Mr. DURBIN. I will ask a further question, through the Chair. So the representation that these names or nominations are being held because of the leaders—meaning the Democratic and Republican leaders—is not accurate? There is no intention of the Democratic leader to hold any of these nominations; is that not true?

Mrs. MCCASKILL. That is true.

Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 500, which is the nomination of Julie Reiskin, member of the LSC; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Reserving the right to object, I am trying to follow the numbers as my colleague is going down through the unanimous consent requests, and I think my colleague skipped over the name of John J. Sullivan, of Maryland, Calendar No. 208, to be a member of the Federal Election Commission. Is there some objection on the other side or might we have an explanation as to why that name was skipped over?

Mrs. MCCASKILL. I would be happy to——

Mr. DURBIN. Regular order.

Mrs. MCCASKILL. Regular order, but let me explain how this list was compiled.

The PRESIDING OFFICER. The Senator from Missouri has made a unanimous consent request. Is there objection to that request?

Mr. KYL. I would be happy to object to that.

The PRESIDING OFFICER. Objection is heard.

Mrs. MCCASKILL. By the way, just for the edification of the Senator from Arizona, there is one of these nominees on here who I believe is being secretly held by a Democrat. And by the way, I want to point out that the rule that does try to bring transparency to this process was one that was sponsored by Senator WYDEN and Senator GRASSLEY in a bipartisan way. The Wyden-Grassley effort that spanned a number of years was a bipartisan attempt to change and reform the way the Senate worked to provide more transparency. So this is really about transparency and this is about secret holds, and my criticism for secret holds is a bipartisan criticism. I don't think anybody should do a secret hold. I don't care if they are a Republican, a Democrat, an Independent, or any other party label, secret holds have no place in a public body.

Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 501; that the nomination of Gloria Valencia-Weber of New Mexico, Legal Services Corporation, be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and any statements related to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. MCCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 556; that the nomination be confirmed—that is, the nomination of Benjamin Tucker for the Office of National Drug Control Policy—the motion to reconsider be made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. MCCASKILL. Notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 581, the nomination of John Laub to be Director of the National Institute of Justice; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and any statements related to the nominee be printed in the RECORD at the appropriate place.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. For reasons stated earlier, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. MCCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 589, the nomination of Anthony Coscia; that the nomination be confirmed, the motions to reconsider be made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. I object, Mr. President.

The PRESIDING OFFICER. Objection is heard.

Mrs. MCCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 590, the nomination of Albert DiClemente, of Delaware, to be a director of the Amtrak board of directors; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. McCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 592, Mark R. Rosekind, of California, to be a member of the National Transportation Safety Board; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. McCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 618, P. David Lopez, of Arizona, to be general counsel of the Equal Employment Opportunity Commission; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. McCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 620, Victoria A. Lipnic, of Virginia, to be a member of the Equal Employment Opportunity Commission; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. McCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 628, Jill Long Thompson, of Indiana, to be a member of the Farm Credit Administration Board, Farm Credit Administration; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. McCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 640, Eric L. Hirschhorn, of Maryland, to be Under Secretary of Commerce for Export Administration; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. McCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 643, Steven L. Jacques, of Kansas, to be an Assistant Secretary of Housing and Urban Development; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. McCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 647, Jim R. Esquea, of New York, to be an Assistant Secretary of Health and Human Services; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. McCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 648, Michael W. Punke, of Montana, to be a Deputy U.S. Trade Representative, with the rank of ambassador; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. McCASKILL. Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to Executive Calendar No. 649, Islam A. Siddiqui, of Virginia, to be Chief Agricultural Negotiator, Office of the U.S. Trade Representative, with the rank of ambassador; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. McCASKILL. Mr. President, let me just sum up. I had 20 I was going to try to do today. There are 80 of them. I will be back. This is not about trying to rush through nominations, this is about trying to make the rules work the way we wrote them. That means that beginning immediately, all of the motions I just made, the Members who are holding those nominees have an obligation under the law—under the law they have an obligation to ''submit a notice of intent specifying the reasons for his or her objection to a certain nomination,'' and not more than 6 session days after today, that must be printed in the CONGRESSIONAL RECORD.

These are the first 15 or so. I will continue to get them all on the record, hopefully by the end of the week, so that everyone knows next week, and maybe we will figure out why all these people are being held secretly. This is not about saying you should not vote no on these people. This is not even about not debating these people. This is about transparency and open government. That should be a bipartisan value, an all-American value in which we can all believe.

The PRESIDING OFFICER. The time of the majority has expired.

The Chair will clarify for the record that Executive Calendar No. 333, Gordon Nash of the District of Columbia, to be an associate judge of the Superior Court of the District of Columbia, has been confirmed.

Mrs. McCASKILL. I saved us a roll-call vote.

The PRESIDING OFFICER. Who yields time?

Mr. KYL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KAUFMAN. I ask unanimous consent that the order for the quorum call be rescinded.

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

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Lael Brainard, of the District of Columbia, to be an Under Secretary of the Treasury?

Mr. KYL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

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 Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 78, nays 19, as follows:

[Rollcall Vote No. 119 Ex.]

YEAS—78

Akaka	Franken	Mikulski
Alexander	Gillibrand	Murkowski
Baucus	Graham	Murray
Bayh	Gregg	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Pryor
Bingaman	Hatch	Reed
Boxer	Inouye	Reid
Brown (MA)	Isakson	Risch
Brown (OH)	Johanns	Rockefeller
Burris	Johnson	Sanders
Cantwell	Kaufman	Schumer
Cardin	Kerry	Sessions
Carper	Klobuchar	Shaheen
Casey	Kohl	Shelby
Chambliss	Landrieu	Specter
Cochran	Lautenberg	Stabenow
Collins	Leahy	Tester
Conrad	LeMieux	Udall (CO)
Corker	Levin	Udall (NM)
Crapo	Lieberman	Voinovich
Dodd	Lincoln	Warner
Dorgan	Lugar	Webb
Durbin	McCaskill	Whitehouse
Feingold	Menendez	Wicker
Feinstein	Merkley	Wyden

NAYS—19

Barrasso	DeMint	McConnell
Bond	Ensign	Roberts
Brownback	Enzi	Snowe
Bunning	Grassley	Thune
Burr	Hutchison	Vitter
Coburn	Kyl	
Cornyn	McCain	

NOT VOTING—3

Bennett	Byrd	Inhofe

The nomination was confirmed.

Mr. LEAHY. Mr. Presdient, the Senate yesterday, by a vote of 84 to 10, invoked cloture to end a Republican filibuster of President Obama's nomination of Lael Brainard to be Under Secretary at Treasury. As I said before that vote, the majority leader has taken a significant step to address the nominations crisis created by Senate Republican obstruction. Regrettably, that obstruction made it necessary for the Senate majority leader to file five cloture petitions to bring an end to Republican filibusters and allow the Senate to carry out its advice and consent responsibilities.

The refusal by Republicans month after month to come to agreements to consider, debate, and vote on nominations is a dramatic departure from the Senate's traditional practice of prompt and routine consideration of noncontroversial nominations. Their practices have led to delayed up-or-down votes for more than 100 nominations stalled from final Senate action. The American people should understand that these are all nominations favorably reported by the committees of jurisdiction and are mostly nominations that were reported without opposition or with a small minority of negative votes. Regrettably, this has been an ongoing Republican strategy and practice during President Obama's entire Presidency.

Twenty-five of those stalled nominations are to fill vacancies in the Federal courts. They have been waiting for Senate action since being favorably reported by the Senate Judiciary Committee as long ago as last November.

To put this in perspective, by this date during George W. Bush's Presidency, the Senate had confirmed 45 Federal circuit and district court judges, on its way to confirming 100 judicial nominations by the end of his first 2 years in office. I know, I was the chairman of the Senate Judiciary Committee during much of that time, and worked hard to make sure that President Bush's nominees were not given the same unfair treatment given President Clinton's judicial nominees by Senate Republicans. Senate Democrats made real progress with respect to judicial vacancies. We did treat President Bush's judicial nominees more fairly than Republicans had treated President Clinton's and confirmed 100 during the 17 months I chaired the Judiciary Committee in 2001 and 2002.

President Obama began sending us judicial nominations 2 months earlier than President Bush had and still only 18 Federal circuit and district court confirmations have been allowed. If Republicans would agree to allow the Senate to act on the additional 25 judicial nominations reported favorably by the Senate Judiciary Committee but on which Senate Republicans are preventing Senate action, we could be at a comparable figure to the pace we attained in 2001 and 2002. As it stands we are 60 percent behind what we achieved during President Bush's first 2 years.

Republicans continue to stand in the way of these nominations despite vacancies that have skyrocketed to over 100, more than 40 of which are ''judicial emergencies,'' as caseloads and backlogs grow and vacancies are left open longer and longer.

I understand and share the frustration of the Senator from Rhode Island who came before the Senate earlier today to speak about this obstruction. In the time he had, he asked the Senate to consider 5 of the 25 judicial nominees stalled on the calendar, and each time there was a Republican objection. He made the point that these judicial nominations have not only been waiting a long time, but they were approved unanimously or nearly unanimously by all Republican and Democratic Senators on the Judiciary Committee. Still, after weeks, and in some cases months, Republicans will not consent to their consideration. They were nominees who are supported by home State Senators, including Republican home State Senators. Still, Republicans will not enter into agreements for their consideration.

I began urging the Republican leadership last December to allow the Senate to make progress on these nominations by agreeing to immediate votes on those judicial nominees that were reported by the Senate Judiciary Committee without dissent, and to agree to time agreements to debate and vote on the others. Presently, there are 18 judicial nominations being stalled from Senate consideration by Republican objection even though when they were considered by the Senate Judiciary Committee no Republican Senators on the committee voted against a single one. This is the Republican strategy of delay and obstruction—delay and obstruct even those nominees they support. They delayed confirmation of Judge Beverly Martin of Georgia to the eleventh circuit until this year. They delayed confirmation of Judge Joseph Greenaway of New Jersey to the third circuit. They delayed and filibustered the nomination of Judge Barbara Keenan of Virginia to the fourth circuit, who was then unanimously approved.

I further call upon Republicans to agree to time agreements on each of the other seven judicial nominees ready for final Senate action. Only one Republican Senator in the Judiciary Committee voted against Judge Wynn of North Carolina; only three voted against Judge Vanaskie of Pennsylvania; only four voted against Ms. Stranch of Tennessee, who is supported by the senior Senator from Tennessee, a Republican and a member of the Senate Republican leadership. Senate Republicans should identify the time they require to debate the nominations of Justice Butler of Wisconsin, Judge Chen of California, Judge Pearson of Ohio, and Judge Martinez of Colorado, who are all well-qualified nominees for district court vacancies, which are typically considered and confirmed without lengthy debate. They should not now be held up because they were targeted unfairly in committee by Republicans applying a new standard for district court nominees never used with President Bush's nominees, whether we were in the majority or the minority.

Republican obstruction has the Senate on a sorry pace to confirm fewer than 30 judicial nominees during this Congress—not the 100 we confirmed in 2001 and 2002. Last year, only 12 circuit and district court judges were confirmed. That was the lowest total in more than 50 years. So far this year, only six more have been considered.

The majority leader was required to file cloture on the nomination of Barbara Keenan of Virginia to the fourth

circuit. Judge Keenan's nomination was stalled for 4 months. After the time-consuming process of cloture, her nomination was approved 99 to 0. There was no reason or explanation given by Senate Republicans for their unwillingness to proceed earlier or without having to end their filibuster on that nominee either.

Similarly, there has yet to be an explanation for why the majority leader was required to file cloture to consider the nominations of Judge Thomas Vanaskie to the third circuit and Judge Denny Chin to the second circuit, both widely respected, long-serving district court judges. Judge Vanaskie has served for more than 15 years on the Middle District of Pennsylvania, and Judge Chin has served for 16 years on the Southern District of New York. Both nominees have mainstream records, and both were reported by the Judiciary Committee last year with bipartisan support. Judge Chin, who was the first Asian-Pacific American appointed as a Federal district court judge outside the ninth circuit, and if confirmed would be the only active Asian-Pacific American judge to serve on a Federal appellate court, was reported by the committee unanimously.

This obstruction and delay is part of a partisan pattern. Even when they cannot say ''no,'' Republicans nonetheless demand that the Senate go exceedingly slow. The practice is continuing. The majority leader has had to file cloture 22 times already to end the obstruction of President Obama's nominees. That does not count the many other nominees who were delayed or are being denied up-or-down votes by Senate Republicans refusing to agree to time agreements to consider even noncontroversial nominees. That is the frustration I share with Senator WHITEHOUSE and many others. If Republicans wish to oppose a nomination they can, but they are stalling noncontroversial nominations that they support.

The Senate should be better than this. These Republican practices are destructive. When we see that Americans are frustrated with Congress, it is these kinds of practices that contribute to that frustration. I urge the Senate Republican leadership to change its ways. Agree to prompt consideration of noncontroversial nominees and enter into time agreements to debate and vote on those nominees that they oppose. Quit wasting the time of the Senate. The American people want us to act on Wall Street reform, not be bogged down in delaying tactics for the sake of delay.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action with respect to the confirmation of the Brainard nomination.

The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, I ask unanimous consent to speak for 10 minutes and that I be followed by Senator BURRIS for 5 minutes, at which point the Senate will recess for the party caucuses.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FINANCIAL REGULATORY REFORM

Mr. SANDERS. Mr. President, a front-page story of the New York Times today points to the fact of the enormous power of big money in terms of financial reform. They say:

> With so much money at stake, it is not surprising that more than 1,500 lobbyists, executives, bankers and others have made their way to the Senate committee that on Wednesday will take up legislation to rein in derivatives. . . .

When Congress deregulated Wall Street and allowed them to do pretty much anything they wanted to do—which brought us to where we are today; i.e., a massive recession—they spent, over a 10-year period, $5 billion—$5 billion—in order to work their way on Congress.

Last year, as we began to address financial reform, they spent $300 million. So the issue we are debating now is not whether Congress will regulate Wall Street, it is whether Congress will continue to be regulated by Wall Street.

Their power is extraordinary. Their money is unlimited. If there was ever a time in American history where the Senate had to start standing up to big money interests and represent the needs of ordinary Americans, this is the time. The American people are looking.

Let me just touch on four issues that I think are key, if we are serious—underline ''serious''—about financial reform.

No. 1, we have to break up the huge financial institutions which are at the cause of the crisis we are in and which exert so much power over our economy. The four major U.S. banks—Bank of America, Citigroup, JPMorgan Chase, and Wells Fargo—issue two-thirds of the credit cards in this country, write half of the mortgages, and collectively hold $7.4 trillion in assets, about 52 percent of the Nation's estimated total output last year. Despite the fact that we bailed these banks out because they were too big to fail, incredibly, three out of four of these institutions are now larger today than they were when we bailed them out.

Enough is enough. I am joined as a progressive by many conservatives who understand that we cannot continue to have that concentration of ownership, not just in terms of the liability to the American people in terms of too big to fail but in terms of their monopoly control on the entire economy. So if we are serious about financial reform, now is the time to start breaking up these behemoths that exhibit certain enormous impacts on our whole economy.

No. 2, we have to end the absurdity of a Wall Street selling trillions of dollars in exotic financial tools, instruments, at the same time small and medium-sized businesses are unable to get the loans they need in order to create the jobs our country desperately is in need of. At a time when we are in the midst of a major recession, at a time when we are losing our competitive advantages in the global economy, it is absolutely absurd that our largest financial institutions continue to trade trillions in esoteric financial institutions which make Wall Street the largest gambling casino in the world. We need to have them start investing in the real economy, the productive economy, in small and medium-sized businesses, in transforming our energy system and helping us rebuild our infrastructure, and in transportation and other desperate needs. They can no longer live isolated from the real world and engage in bets on whether oil is going to go up 6 months from now or whether the housing market goes down.

If we are serious about real financial reform, we need to pass national usury legislation. I get calls every week from Vermonters who are sick and tired of paying 25-percent or 30-percent interest rates on their credit cards. Every major religion points out that usury is immoral. It is wrong to charge people outrageously high interest rates when they are in desperate need. We need national usury legislation. I will be offering an amendment which will cap at 15 percent the amount financial institutions can charge on credit cards, which is exactly what exists for credit unions today.

Lastly, if we are serious about real financial reform, we need transparency at the Federal Reserve. The Fed cannot continue to operate in almost total secrecy. During the bailout, large financial institutions received trillions of dollars in zero or near-zero interest loans. Who received those loans and what were the terms? The Fed is not telling the American people. Did some of those banks turn around and in a mammoth welfare scam invest that Fed money, zero-interest money, in government Treasury bonds at 3 percent or 4 percent? The Fed is not telling us the answer to that question as well. It is time we had transparency at the Fed so the American people know what our Central Bank is doing.

Most of all, we need to end the ''heads bankers win, tails everybody else loses'' financial system that currently exists in the United States today. The American people are profoundly disgusted with the greed and recklessness and illegal behavior on Wall Street. They cannot understand how the very same people who created this recession in which millions of workers have lost their jobs, people have lost their homes, people have lost their savings, that these very same people are now receiving multimillion dollar bonuses. People don't understand that, nor do I, in fact. So we need a new Wall Street. We need real financial reform. I hope, in fact, that the

Senate and the House are prepared to stand up to the very powerful special interests who do not want us to do that.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. BURRIS. Mr. President, when I came to Washington over a year ago, this country faced an economic crisis greater than anything we have seen in generations. So my colleagues and I set out to work. Under President Obama's strong leadership, we passed a landmark stimulus package that stopped the bleeding. We did what was necessary to prevent a complete economic collapse and set America back on the road to recovery.

Since that time, we have come a long way. Many key economic indicators have started to turn around, but we are not out of the woods yet. The economy has started to grow again, but unemployment is still too high, and rampant foreclosures continue to threaten families in my home State and across the country. During the first 3 months of this year, almost 15,000 homeowners went into foreclosure in Illinois alone. Despite our best efforts to modify mortgages to make them more affordable, that is twice as many foreclosures as we saw during the same period last year. This is unacceptable. We are making progress, but it simply isn't enough.

Today, America no longer stands at the brink of disaster, but we are still vulnerable to the same recklessness that led to this crisis in the first place. For years, at big corporations such as Goldman Sachs, Wall Street bankers packaged bad mortgages together and sold them to investors. They knew these investment vehicles would inevitably fail, so they turned around and bet against them. They bet against the American people. They sought to make a profit off of the misfortunes of their own customers. They allegedly committed fraud, and that is why they are currently being sued by the Securities and Exchange Commission on behalf of the American people. As a former banker, I understand the seriousness of this misconduct. I know it continues to pose a dramatic threat to the American financial system.

That is why we need to pass strong financial reform to prevent bad behavior on Wall Street from sinking ordinary folks on Main Street. I urge my colleagues to join me in supporting the reform legislation introduced by Senator DODD. This bill would prevent Goldman Sachs and other companies from getting us into a mess in the first place, and it can help ensure that we will never end up in this position again.

This legislation creates a consumer protection bureau designed to shield ordinary Americans from unfair, deceptive, and abusive financial practices. It would establish an oversight council tasked with keeping a close eye on emerging risks so that we are never taken by surprise again. It would end so-called too big to fail, protect taxpayers from unnecessary risks, and eliminate the need for future bailouts.

This bill would also increase transparency and accountability for banks, hedge funds, and the derivative market, so a big company such as Goldman Sachs would not be able to get away with their alleged fraud anymore.

These basic reforms will establish clear rules of the road for the financial services industry so we can keep the market free and fair without risking another economic collapse. But if we fail to take action, if we do not pass this reform bill, then we will be right back where we started, with no safeguards against this kind of deception and abuse in the future. I call upon my colleagues to join me in supporting Senator DODD's bill when it comes to the floor this week. I ask my friends on both sides of the aisle to stand with me on the side of the American people. Let us pass financial reform legislation, and let's do it without delay.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, at 12:41 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BEGICH).

EXECUTIVE SESSION

NOMINATION OF MARISA J. DEMEO TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the following nomination, which the clerk will report.

The legislative clerk read the nomination of Marisa J. Demeo, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia.

Under the previous order, there will be up to 6 hours of debate equally divided and controlled between the two leaders or their designees.

Who yields time?

The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak as in morning business.

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

NUCLEAR ENERGY

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks an article from Newsweek magazine by George F. Will entitled "This Nuclear Option Is Nuclear."

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

(See exhibit 1.)

Mr. ALEXANDER. Mr. President, Thursday is Earth Day. Actually, it is the 40th anniversary of Earth Day. It is a good day to celebrate by creating a national resolve in our country to build 100 new nuclear power plants in the next 20 years, which would be the best way to create the largest amount of pollution-free, carbon-free electricity. Today, nuclear power produces 20 percent of America's electricity but 69 percent of all of our carbon-free, pollution-free electricity.

During 2009, America's national energy policy looked more like a national windmill policy—the equivalent of going to war in sailboats. If we were going to war, the United States wouldn't think of putting its nuclear navy in mothballs. Yet we did mothball our nuclear plant construction program—our best weapon against climate change, high electricity prices, polluted air, and energy insecurity. Although 107 reactors were completed between 1970 and 1990, producing 20 percent of our electricity today—which, as I said, is 69 percent of our carbon-free electricity—the United States has not started a new nuclear plant in 30 years.

Instead of using our own nuclear power invention to catch up with the rest of the world, President Obama, in his inaugural address, set out on a different path: America would rely upon "the sun, the winds, and the soil" for energy. There was no mention of nuclear power. Windmills would produce 20 percent of our electricity. To achieve this goal, the Federal Government would commit another $30 billion in subsidies and tax breaks.

To date, almost all the subsidies for renewable energy have gone to windmill developers, many of which are large banks, corporations, and wealthy individuals. According to the Energy Information Administration, big wind receives an $18.82 subsidy per megawatt hour—25 times as much per megawatt hour as subsidies for all other forms of electricity production combined. Last year's stimulus bill alone contained $2 billion in windmill subsidies. Unfortunately, most of the jobs are being created in Spain and China. According to an American University study, nearly 80 percent of that $2 billion of American taxpayer money went to overseas manufacturers. Despite the billions in subsidies, not much energy is being produced. Wind accounts for just 1.3 percent of America's electricity—available only when the wind blows, of course, since wind cannot be stored, except in small amounts.

Conservation groups have begun to worry about what they call the "renewable energy sprawl." For example, producing 20 percent of U.S. electricity from wind would cover an area the size of West Virginia with 186,000 turbines and require 19,000 miles of new transmission lines. These are not your grandmother's windmills. These turbines are 50 stories high. Their flashing lights can be seen for 20 miles. An unbroken line of giant turbines along the

2,178-mile Appalachian Trail—except for coastlines, ridgetops are about the only place turbines work well in much of the East—would produce no more electricity than four nuclear reactors on 4 square miles of land—and, of course, you would still need the reactors for when the wind doesn't blow.

There are other ways a national windmill policy also risks destroying the environment in the name of saving the environment. The American Bird Conservancy estimates that the 25,000 U.S. wind turbines today kill 75,000 to 275,000 birds per year. Imagine what 186,000 turbines would do. One wind farm near Oakland, CA, estimates that its turbines kill 80 golden eagles a year.

To be sure, similar concerns about sprawl exist for other forms of renewable energy. For example, it would take continuously foresting an area 1½ times the size of the Great Smoky Mountains National Park to produce enough electricity from biomass to equal the electricity produced by one nuclear reactor. A new solar thermal plant planned for California's Mojave Desert was to cover an area 3 miles by 3 miles square, until environmental objections stopped it.

At least for the next couple decades, relying on windmills to provide our Nation's clean electricity needs would be like wandering off track from your house in Virginia through San Francisco on the way to the corner grocery store. This unnecessary journey offends the commonsense theory of parsimony, defined by scientist Spencer Wells as ''don't overcomplicate . . . if a simpler possibility exists.''

The simpler possibility that exists for producing lots of low-cost, reliable green electricity is to build 100 new nuclear plants, doubling U.S. nuclear power production. In other words, instead of traveling through San Francisco on your way to the corner grocery store, do what our country did between 1970 and 1990: Build 100 reactors on 100 square miles of space—several of them would be on existing reactor sites—compared with the 126,000 new square miles needed to produce that much electricity from biomass or the 26,000 square miles needed for wind. Unlike wind turbines, 100 new nuclear reactors would require fewer transmission lines through suburban backyards and pristine open spaces. They would also require much less taxpayer subsidy. At current rates of subsidy, taxpayers would shell out about $170 billion to subsidize the 186,000 wind turbines necessary to equal the power of 100 nuclear reactors.

While Federal Government loan guarantees are probably necessary to jumpstart the first few reactors, once we have proven they can be built without delays or huge cost overruns, no more loan guarantees will be needed. In fact, the Tennessee Valley Authority just finished rebuilding the $1.8 billion Brown's Ferry reactor on time and on budget, proving it can still be done. Yet, even if all $54 billion in loan guarantees defaulted—which isn't going to happen—it would still be less than one-third of what we are putting into wind.

My concern about the unrealistic direction of our national windmill policy led me to give five addresses on clean energy over the last 2 years. The first, delivered at the Oak Ridge National Laboratory in 2008, called for a new Manhattan Project—like the one we had in World War II but this time for clean energy independence. Then, a year ago at Oak Ridge, I proposed building 100 new nuclear plants, a goal that all 40 Senate Republicans adopted, along with 3 other goals: electrifying half of our cars and trucks, expanding offshore exploration for natural gas and oil, and doubling clean energy research and development.

My concern during 2009 deepened as members of the Obama administration, with the conspicuous exception of Energy Secretary Stephen Chu, seemed to develop a stomach ache whenever nuclear power was mentioned. The President himself seemed unable to mention the subject. Last year, at a climate change summit in New York City, President Obama chided world leaders for not doing more to address climate change, but he didn't mention the words ''nuclear power'' during his entire speech. That is ironic because many of the countries he was lecturing were making plans to build nuclear plants to produce carbon-free electricity and we were not. Climate change was the inconvenient problem, but nuclear power seemed to be the inconvenient solution.

Fortunately, with the arrival of 2010 has come a more welcoming environment for nuclear power. In his State of the Union Address, President Obama called for ''a new generation of safe, clean nuclear reactors.'' His 2011 budget request recommends tripling loan guarantees for the first reactors, and in February, his administration announced the awarding of the first two loan guarantees for nuclear power. He has selected distinguished members, both for the Nuclear Regulatory Commission and for a new blue ribbon commission, to figure out the best way to dispose of used nuclear fuel.

Democratic Senators—several of whom, in fairness, have long been supporters of nuclear energy—have joined with the current 41 Senate Republicans—to create bipartisan support. Last December, for example, Democratic Senator JIM WEBB, of Virginia, a former Navy Secretary, and I introduced legislation to create an environment that could double nuclear power production and to accelerate support for alternative forms of clean energy.

There seems to be a growing public understanding that nuclear reactors are as safe as other forms of energy production. A nuclear plant is not a bomb; it can't blow up. Our sailors have lived literally on top of reactors for nearly 60 years without a nuclear incident. Nobody in the United States has ever been killed in a nuclear accident. Most scientists agree it is safe to store used nuclear fuel onsite for 60 to 80 years while those scientists figure out how to recycle used fuel in a way that reduces its mass by 97 percent, reduces its radioactive lifetime by 99 percent, and does not allow the isolation of plutonium, which could be dangerous in the wrong hands.

In addition, there is a growing realization by those who worry about climate change that if Americans want to keep consuming one-fourth of the world's electricity and we want large amounts of it to be low-cost and carbon-free, nuclear power is the only answer for now.

It has also helped, and been a little embarrassing as well, that the rest of the world has been teaching Americans the lesson we first taught them. China is starting a new nuclear reactor every 3 months. France is 80 percent nuclear and has electricity rates and carbon emissions that are among the lowest in Europe. Japan gets 35 percent of its electricity from nuclear and plans 10 more reactors by 2018. There are 55 new reactors under construction in 14 countries around the world—not 1 of them in the United States.

I believe we must address human causes of climate change, as well as air pollution that is caused by sulfur, nitrogen, and mercury emissions from coal plants. But I also believe in that commonsense theory of parsimony: Don't overcomplicate things if a simpler possibility exists. My formula for the simplest way to reach the necessary carbon goals for climate change without damaging the environment and without running jobs overseas in search of cheap energy is this:

No. 1, build 100 new nuclear powerplants in 20 years.

No. 2, electrify half our cars and trucks in 20 years. If we plug vehicles in at night, we probably have enough electricity to do this without building one new power plant.

No. 3, explore for more low-carbon natural gas and the oil we still need.

No. 4, launch mini-Manhattan Projects to invent a low-cost, 500-mile battery for electric cars and a 50-percent efficient solar panel for rooftops that is cost-competitive with other forms of electricity, as well as better ways to recycle used nuclear fuel, to create advanced biofuels, and to recapture carbon from coal plants.

These four steps should produce the largest amount of energy with the smallest amount of pollution at the lowest possible cost, thereby avoiding the pain and suffering that comes when high energy costs push jobs overseas and make it hard for many low-income Americans to afford heating and cooling bills.

One day, solar and other renewable energy forms will be cheap and efficient enough to provide an important supplement to our energy needs and can do so in a way that minimizes damage to our treasured landscapes. Earth

Day, as it comes Thursday, is a good day to remember that nuclear power beats windmills for America's green energy future.

I yield the floor.

EXHIBIT 1

[From Newsweek]

THIS NUCLEAR OPTION IS NUCLEAR

(By George F. Will)

The 29 people killed last week in the West Virginia coal-mine explosion will soon be as forgotten by the nation as are the 362 miners who were killed in a 1907 explosion in that state, the worst mining disaster in American history. The costs of producing the coal that generates approximately half of America's electricity also include the hundreds of other miners who have suffered violent death in that dangerous profession, not to mention those who have suffered debilitating illnesses and premature death from ailments acquired toiling underground.

Which makes particularly pertinent the fact that the number of Americans killed by accidents in 55 years of generating electricity by nuclear power is: 0. That is the same number of Navy submariners and surface sailors injured during six decades of living in very close proximity to reactors.

America's 250-year supply of coal will be an important source of energy. But even people not much worried about the supposed climate damage done by carbon emissions should see the wisdom—cheaper electricity, less dependence on foreign sources of energy—of Tennessee Sen. Lamar Alexander's campaign to commit the country to building 100 more nuclear power plants in 20 years.

Today, 20 percent of America's electricity, and 69 percent of its carbon-free generation of electricity, is from nuclear plants. But it has been 30 years since America began construction on a new nuclear reactor.

France gets 80 percent of its electricity from nuclear power; China is starting construction of a new reactor every three months. Meanwhile, America, which pioneered nuclear power, is squandering money on wind power, which provides 1.3 percent of the nation's electricity: it is slurping up $30 billion of tax breaks and other subsidies amounting to $18.82 per megawatt-hour, 25 times as much per megawatt-hour as the combined subsidies for all other forms of electricity production.

Wind power involves gargantuan ''energy sprawl.'' To produce 20 percent of America's power by wind, which the Obama administration dreamily proposes, would require 186,000 tall turbines—40 stories tall, their flashing lights can be seen for 20 miles—covering an area the size of West Virginia. The amount of electricity that would be produced by wind turbines extending the entire 2,178 miles of the Appalachian Trail can be produced by four reactors occupying four square miles of land. And birds beware: the American Bird Conservancy estimates that the existing 25,000 turbines kill between 75,000 and 275,000 birds a year. Imagine the toll that 186,000 turbines would take.

Solar power? It produces less than a tenth of a percent of our electricity. And panels and mirrors mean more sprawl. Biomass? It is not so green when you factor in trucks to haul the stuff to the plants that burn it. Meanwhile, demand for electricity soars. Five percent of America's electricity powers gadgets no one had 30 years ago—computers.

America's nuclear industry was a casualty of the 1979 meltdown of the Three Mile Island reactor in Pennsylvania, which was and is referred to as a ''catastrophe'' even though there were no measurable health effects. Chernobyl was a disaster because Russians built the reactor in a way no one builds today—without a containment vessel.

Since the creation of the Tennessee Valley Authority, Alexander's state has played a special role in U.S. energy policy. The last commercial reactor opened in America is Watts Bar, Unit 1 in Tennessee. And, in a sense, all uses of nuclear power began in that state.

In September 1942, the federal government purchased 59,000 acres of wilderness in eastern Tennessee and built an instant city—streets, housing, schools, shops, and the world's most sophisticated scientific facilities. This was—is—Oak Ridge. Just 34 months later, a blinding flash illuminating the New Mexico desert announced the dawn of the atomic age. That is what Americans can do when motivated.

Today, a mini-Manhattan Project could find ways to recycle used nuclear fuel in a way that reduces its mass 97 percent and radioactive lifetime 98 percent. Today, Alexander says, 10 percent of America's lightbulbs are lit with electricity generated by nuclear material recycled from old Soviet weapons stocks. This is, as Alexander says, ''one of the greatest swords-into-plowshares efforts in world history, although few people seem to know about it.'' It is a travesty that the nation that first harnessed nuclear energy has neglected it so long because of fads about supposed ''green energy'' and superstitions about nuclear power's dangers.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senator ALEXANDER for his remarks. I share his analysis. He is exactly correct. It is very important for America that we recognize what he has said but even more important now, since I think the American people overwhelmingly understand and support that, that we take some action that would actually help us to get in the game of nuclear power production.

I remain baffled by some of the generalized statements of the administration on nuclear power but lack of action that could move us forward and get us out of this funk we are in, where we are not doing anything. We have to start catching up with countries that are serious about nuclear power. It will help make us more productive, help create a lot of high-paying jobs in America, clean power, 24 hours a day, 7 days a week, no emissions into the atmosphere, no CO_2. It has so many benefits that I am convinced we need to move forward.

I wish to make remarks on another issue; that is, the nomination of Marisa Demeo to the DC Superior Court. It is not a nomination that comes through the Judiciary Committee, as most Federal judges do. Because she is a DC Superior Court nominee, the nomination went through Homeland Security. Although, it is not a lifetime appointment, if you are an advocate or resident of the District of Columbia who might have to one day appear before a judge, you do want to know that Congress has made certain that once that judge puts on the robe, he or she is capable of putting aside personal views and applying the law evenhandedly.

Unfair jurisprudence to one party is detrimental, costly, and painful. We need to make sure our nominees exercise judgment—objective, fair judgment—and not allow their personal politics or ideologies to influence their decision making.

I am not comfortable enough to say that Ms. Demeo is capable of doing that. I am just not. Her background and record raise issues with me. I wish to be fair, but I think we need to talk about them.

The DC Superior Court does have broad jurisdiction. It includes trial matters, criminal, civil, family court, landlord, tenant, and so forth. A judge needs to be impartial in all those matters. Ms. Demeo's background provides evidence that she may be more political and strong-willed personally than impartial.

Her prior experience includes serving as regional counsel for the Mexican-American Legal Defense Fund. In this position, she made a number of troubling statements. For example, she argued that ''governments have a legal obligation to help those who don't speak English well.'' We have an obligation, all of us, to help people who do not speak English, and I think that is so. But as a judge, I am wondering: Does this mean that constitutionally she is saying the government has a legal obligation to do that? That seems, to me, the tone of her statement.

During her tenure at MALDEF, the organization sued the State of Texas because high schools did not offer their exit exams in Spanish. One does not have to be a lawful citizen of our country to attend the schools of Texas, even those unlawfully in the country can enroll in high schools. Apparently, the state of Texas decided individuals should do their exit exams in English to get a high school diploma. She opposed that.

She opposed the nomination of Miguel Estrada, a fabulous Hispanic nominee. He had superior academic credentials, was a brilliant writer, and testified beautifully, I thought, before the Judiciary Committee. She said this about him:

> The most difficult situation for an organization like mine is when a President nominates a Latino who does not resonate or associate with the Latino community and who comes with a predisposition to view claims of racial discrimination and unfair treatment with suspicion and with doubt instead of with an open mind.

I don't think that is an accurate description of Miguel Estrada, who came here as a young man from Central America. I don't think that is an accurate description of him. I am disappointed she would make that statement about him. I am unaware of any provision in the Constitution which requires that judges show favoritism to one party or another based on their ethnicity. A judge, no matter what their background, racial, ethnic, religious, political, should give everybody before the court the same fair treatment. It is not necessary for a Caucasian to hear a case involving a Caucasian or for a Latino to hear all cases

involving Latinos. Every judge puts on a robe, and that robe symbolizes their absolute commitment to objectivity.

After the Democrats successfully filibustered Mr. Estrada, one of the first nominees to be blocked by repeated, sustained filibusters—this was not too many years ago, less than 10, about 7 or 8. We still have problems in the Senate as a result of the alteration of Senate tradition where nominees are filibustered. I try not to do that. The Gang of 14 settled that, saying filibusters, under extraordinary circumstances, now become possible. This was after the Estrada nomination.

She was proud of blocking Mr. Estrada. She bragged about it. She said:

> This shows just because we have a Republican President and a Republican Senate, it is still possible to defeat candidates who are so conservative that they take us back in civil rights.

I disagree. I disagree with her analysis of Miguel Estrada's position. I heard him testify. I think he would have been a fabulous member of the U.S. courts.

Being a liberal means never having to say you are sorry about what you say to other people. In opposing Linda Chavez—a wonderful writer, thinker, and passionate advocate for civil rights—she stated this in opposing Linda Chavez:

> We generally support the nomination of Latinos to important positions, but Linda Chavez could really turn things backward for the Latino community. I do not appreciate that. Linda Chavez would not have turned things back on the Latino community. I don't know what she means by that.

She went on to say:

> A Spanish sounding surname does not make a person sympathetic to the concerns and needs of the Latino population.

She, therefore, would appear to only embrace the kind of Latino nominee who agrees with her politically. It is not truly a question of ethnicity, is it? It is a question of something different, a political approach to government and law.

On May 13, 2004, she participated in a press conference with the coalition against discrimination and the Constitution to ''challenge the extremism of the Federal marriage amendment backers.'' I guess that means I am an extremist.

Quite a number of Senators in the majority, as I recall, voted to say that a marriage should remain as it has always previously been interpreted: to be a union between a man and a woman. But she says this is an extremism amendment. I don't think so.

I know there is a legal dispute about gay marriage, one in the District of Columbia now. She already stated where she is on the matter, declaring it a fundamental right. I do not believe that is a fundamental constitutional right for a same-sex union to be declared a marriage under the law of the United States. It never was for the first 170 years of the existence of this country.

Ms. Demeo is no friend of immigration enforcement. When the INA announced a plan to enter into the FBI's National Crime Information Center database the names of 314,000 individuals who had been ordered deported but who fled and absconded and did not submit themselves for deportation, in an effort to simply comply with a judicial final order, she decried that move. She responded that most of the violators who are guilty only of violating civil immigration laws do not pose a threat to national security. I am not saying they pose a threat to national security. They have come into the country illegally. They somehow became apprehended. Maybe they committed some other crime. They were ordered to be deported and they should be deported. If they do not show up and abscond, they should be in the NCIC, just like anybody who has a speeding ticket and they did not pay their fine.

She also criticized the government's Operation Tarmac, which identified and ordered the deportation of 600 workers with access to sensitive areas at airports who had violated immigration law. We had 600 workers at airports with access to sensitive areas, and they were found to be illegally here and ordered deported.

Indeed, she is an advocate for amnesty openly. I guess we can disagree on that. Good people certainly disagree on that. She is a big fan also of affirmative action programs. There is a fine line between affirmative action and quotas and mandatory racial preferences, and I fear she has crossed that line.

During the Clinton administration, when Energy Secretary Frederico Pena announced his resignation, she insisted he be replaced by a Latino, indicating that was necessary for Latino concerns to receive consideration. I think it is all right to ask that happen. But to demand that and to insist that only a person of your ethnicity can give fairness to your ethnic group I think is wrong and goes against fundamental American concepts of law.

In a 2000 opinion editorial for the San Diego Tribune, Ms. Demeo fully embraced the concept of dangerous identity politics, in my view. She said:

> We must create the pressure to move the nominations of Paez—

Who had been nominated to the Federal bench—

> and other Latino nominees. . . . Latinos must be appointed in greater numbers at all levels, especially to the appellate courts, where most of the decisions interpreting the Constitution and Federal laws are ultimately made. Without sufficient representation at every level, equal justice for Latinos—or even the perception of justice—will not exist.

I think that is overstatement. It is one thing to advocate, and I respect that, advocating for more people, groups who appear to be underrepresented. That is a legitimate factor that would play in a nomination. To use that kind of language, I think, is dangerous because it suggests fairness is not otherwise obtainable.

Perhaps Ms. Demeo can set these views aside and be fair on the bench. I think they are extreme in many instances. I am not certain she can. It appears to me she is entrenched in a political approach, a lifestyle of emphasizing rights for one group or another and not so much the idea, the American vision of equal rights for everybody. That is the core American principle; that everybody in a court of law is entitled to equal rights. A judge and our juries are charged to that effect, and judges put on a robe to show they are going to be unbiased and that they are going to follow the law regardless of what their personal views or friendships or so forth might be. So that is my concern and the reason I have decided I will oppose the nomination. I assume she will go on and have her vote soon and will probably have a majority and be confirmed. But if she is confirmed, I hope Judge Demeo will think about some of the issues I have raised and make sure in her own heart of hearts that when she takes that bench, she is not going to favor one party or another based on their religion, their ethnicity, their politics, or her personal social agendas. I believe that is important.

I have some quotes from some letters in opposition to Judge Demeo's nomination. Numbers USA has said her nomination ''would be a setback for the nation in terms of seeking to restore the rule of law in immigration.''

The Eagle Forum is a conservative group that has studied the nomination and has written regarding the basis for opposing the nomination as Judge Demeo's advocacy for issues, such as ''in-state tuition for illegal aliens, the handling of the census for purposes of redistricting, photo ID voting laws, official English initiatives, amnesty for illegal aliens, affirmative action, and traditional marriage.''

The Concerned Women of America wrote:

> Her bias is so ingrained and so much the main thrust of her career that it [is] not rational to believe that she will suddenly change once confirmed as a judge. Rather it is reasonable to conclude she would use her position to implement her own political ideaology.

They go on to say:

> Demeo reveals her own bias and lack of constitutional knowledge by her statement that the Constitution is a ''flawed document that embodied the historical bias of its time.''

Well, it is certainly not a perfect document, we all know that, and it has been amended because it did have some provisions that could not stand historical scrutiny, such as the question of slavery and equal rights for all Americans. But I do think her statement is troubling to me as a whole because I don't think it is a flawed document. Our Constitution is the greatest document ever struck by the hands of man at a given time, somebody once wrote.

The Traditional Values Coalition notes that she has ''demonstrated a willingness to undermine our nation's effort to secure our borders against illegal immigrants.''

They go on to make a number of points.

Others have written, which I will ask to have printed in the RECORD.

The nominee, whom I don't have anything against personally, if confirmed—and I suspect she will be—will have to think about these issues, commit herself totally and completely to fair and equal justice to everybody who appears before her and put aside some of the advocacy positions that have marked her sustained efforts during her professional career.

Mr. President, before I leave the floor, I ask unanimous consent to have printed in the RECORD the letters from Concerned Women of America, the Eagle Forum, Numbers USA, and the Traditional Values Coalition.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

APRIL 19, 2010.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: On behalf of Concerned Women for America's (CWA) 500,000 members nationwide, we write respectfully to request you oppose the nomination of Marisa Demeo to the D.C. Superior Court.

Marisa Demeo has a long history as a hard-left political activist as a lawyer and lobbyist for the ultra-liberal Mexican American Legal Defense and Educational Fund (MALDEF), which calls into question her impartiality and judicial temperament. When speaking out against Miguel Estrada, who had an impeccable legal record, Demeo unfairly tarnished him by saying, ''If the Senate confirms Mr. Estrada, his own personal American dream will come true, but the American dreams of the majority of Hispanics living in this country will come to an end through his future legal decisions.'' This shows her own prejudice and lack of judicial temperament.

Her bias is so ingrained and so much the main thrust of her career that it is not rational to believe that she will suddenly change once confirmed as a judge. Rather it is reasonable to conclude she would use her position to implement her own political ideology.

Demeo reveals how her own bias and lack of Constitutional knowledge by her statement that the Constitution is a ''flawed document that embodied the historical bias of its time.'' She has distorted the Constitution to argue that there is a fundamental right to ''same-sex marriage.''

A judge of the D.C. Superior Court must be impartial and possess a sound judicial temperament. Marisa Demeo's record shows that she lacks these necessary attributes.

We urge you to oppose Marisa Demeo's nomination on the Senate floor. CWA reserves the right to score this vote and publish it in our scorecard for the 111th Congress.

Sincerely,

PENNY NANCE,
Chief Executive Officer,
Concerned Women for America.

EAGLE FORUM,
Washington, DC, Apr. 14, 2010.

DEAR SENATOR: On behalf of the many thousands of American families Eagle Forum represents nationwide, I am writing to urge you to vote NO on the nomination of Marisa Demeo to the DC Superior Court.

Marisa Demeo has served as a DC Magistrate judge for the past 2½ years, and like so many others President Obama has nominated to the courts, the majority of her legal experience comes from far left-leaning legal advocacy groups such as Lambda Legal and the Mexican American Legal Defense and Education Fund (MALDEF). Judge Demeo has a strong record of partiality to minority groups and to the liberal ideology on a wide range of issues such as in-state tuition for illegal aliens, the handling of the census for purposes of redistricting, photo ID voting laws, official English initiatives, amnesty for illegal aliens, affirmative action, and traditional marriage.

Not only has she espoused views on the immigration issue that are odds with a respect for the rule of law, but she has shown a troubling contempt for conservative Latino Americans. In a January 2003 press statement announcing MALDEF's opposition to President George W. Bush's nomination of Miguel Estrada to the DC Circuit Court of Appeals, Demeo stated: ''The most difficult situation for an organization like mine is when a president nominates a Latino who does not reflect, resonate or associate with the Latino community.''

Judge Demeo's public statements on a number of important policy issues help to demonstrate her leftist personal opinions which she will, no doubt, reflect in future judicial decisions:

On laws Supporting Traditional Marriage: ''The right to marry is a fundamental right that every individual should have. It was prejudice against Blacks, which was the underlying force creating and maintaining our anti-miscegenation laws. It is prejudice against gay men and lesbians that underlies the drive to prohibit them from being able to marry.'' (MALDEF press statement, May 14, 2004).

On Requiring Use of Census Sampling: ''When you don't adjust the data when states are redrawing their political district lines, what ends up happening is they do not accurately draw the lines in order to fully represent those minority communities who were missed by the census.'' (NPR, March 6, 2001).

On Photo ID Requirements for Voting: ''It violates the rights of minority voters who may be poor and without photo identification. The provision makes it hard to vote.'' (AP Online, February 25, 2002).

On English as an Official Language: ''Governments have a legal obligation to help those who don't speak English well.'' (AP, October 9, 2003)

On Describing Congressional Opponents of Amnesty: ''There are certain forces in Congress who are anti-immigrant and not interested in seeing immigrants become full participants in this country.'' (The Seattle Times, May 31, 1998)

On Affirmative Action (Grutter v. Bollinger): ''All segments of the Latino community supported the continuance of affirmative action.'' (FDCH Political Transcripts, June 23, 2003)

Marisa Demeo's policy positions and public statements have proved her to be a leftist activist, and we should assume no different in her future rulings and opinions as a judge on the DC Superior Court. Eagle Forum believes that Judge Demeo's nomination should be given serious attention as her positions and public statements on so many important issues do not ''reflect or resonate'' American constitutional values or principles.

Conservative grassroots Americans do not want judicial nominees who have a record of disrespecting the Constitution to slip through the confirmation process unchallenged and without a tough fight. We urge you to join us in opposing Judge Marisa Demeo when her nomination comes to the Senate floor for an up-or-down vote. Eagle Forum reserves the right to score this vote and to publish it in our scorecard for the Second Session of the 111th Congress.

Faithfully,

PHYLLIS SCHLAFLY,
President.

NUMBERSUSA,
Arlington, VA, Apr. 13, 2010.

Hon. JEFF SESSIONS,
Chairman, Senate Judiciary Committee, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR SESSIONS: On behalf of NumbersUSA's 940,000 members, we are writing to advise you that the Nation's largest grassroots organization advocating for immigration enforcement opposes the nomination of Marisa DeMeo to the district of Columbia Superior Court.

While we don't often get involved in judicial nominations, this nominee is troubling. The D.C. court could well serve as a stepping stone to the federal bench. That would be a setback for the nation in terms of seeking to restore the rule of law in immigration.

Marisa DeMeo has served as a general counsel of MALDEF (the Mexican American Legal Defense and Education Fund) where she has a lengthy record of disrespect for federal immigration laws, with indications that she believes it is illegitimate for Congress to set enforceable limits. Ms. DeMeo favors amnesty and official recognition of the illegal alien Mexican ID, the matricula consular. She opposes the highly successful 287(g) program. With regard to potential judicial temperament, she has often referred to her opponents in immigration debates with such ugly name-calling as ''anti-immigrant.''

Thank you for taking our views into consideration.

Sincerely,

ROY BECK,
President.

TRADITIONAL VALUES COALITION,
Washington, DC, Apr. 15, 2010.

DEAR SENATOR: On behalf of 43,000 churches associated with the Traditional Values Coalition, I am writing to ask that you vote against the confirmation of Marisa Demeo to become a member of the DC Superior Court. Many of our churches are African American and Hispanic.

Marisa Demeo is far out of the mainstream in her beliefs, statements and activism. Her role as an activist with the LGBT (lesbian, gay, bisexual, transgender) Lambda Legal Defense and Education Fund is troublesome to say the least.

In addition, while serving as regional counsel for the Mexican American Legal Defense and Educational Fund (MALDEF), Demeo has demonstrated a willingness to undermine our nation's efforts to secure our borders against illegal immigration. MALDEF has also been involved in efforts to undermine our national security efforts by encouraging cities to refuse to comply with the Patriot Act after the 9/11 attack on our nation.

As an open, radical lesbian, Demeo has openly condemned the effort to amend our Constitution to protect marriage as a one-man, one-woman union. Demeo supports gay marriage, claiming it is a constitutional right. She also claims that LGBT individuals are equal to racial minorities and can claim protection as minorities under our civil rights laws.

The American people have overwhelmingly voted against gay marriage in state after state when they've had a chance to cast a ballot for traditional marriage. Demeo's views are out of step with the beliefs of most

Americans on the sanctity of marriage between one man and one woman.

As a DC Superior Court Judge, Demeo would be in a key position to undermine our national security and destroy traditional marriage through her edicts. The DC Superior Court is known to be a steppingstone to the Supreme Court.

Demeo's radical lesbianism, anti-marriage, anti-national security views are dangerous to our nation. She should not be confirmed to the DC Superior Court.

Sincerely,

ANDREA LAFFERTY,
TVC Executive Director.

Mr. SESSIONS. I thank the Chair, and I yield the floor.

FINANCIAL REFORM

The PRESIDING OFFICER (Mrs. GILLIBRAND). The Senator from Connecticut.

Mr. DODD. Madam President, I want to spend a few minutes, if I may this afternoon, to talk about an issue that has been the subject of much debate over the last number of days, and that is the financial reform bill that will be coming to the floor of this body in a matter of days—an issue that is going to confront us, as the circumstances presently exist, with Members having to make a choice. My hope is that before that occurs, we can reach some understanding that will allow us to have a strong bill that ends too big to fail, that protects consumers, and that builds the kind of architecture for financial services that will allow us to avoid the pitfalls that caused our economy to reach almost near collapse over the last several years.

The choice is going to come down to this: There are people who can vote to open this debate on financial reform legislation that will hold Wall Street firms—large financial institutions—accountable and prevent future economic crises such as the one from which we are just beginning to emerge or basically defeat this; to somehow walk out of this Chamber and leave us basically where we have been, and that is highly vulnerable—individuals, families, businesses, and the overall economy of our country once again exposed to the kind of vulnerabilities that brought so much hardship to our country.

They can, of course, block—as they are apt to do in some cases—any consideration of this bill and leave us in a place—a broken place—where the status quo would again create the kind of problems I have described.

So one has to ask themselves a question: Who benefits if this bill to rein in Wall Street and large financial institutions is strangled by a filibuster, where it ends up that we can't even get to debate the bill? Who benefits from that? Well, certainly no one can make a case the American family would benefit. These families have seen millions of jobs lost and trillions in savings wiped out because a greedy few on Wall Street gambled with money that didn't even belong to them, causing the hardship we have seen in our Nation.

Certainly, America's small businesses do not benefit. These are the ones that have seen the flow of credit and capital literally dry up. How many of us in this Chamber, back in our respective States, have talked to owners of small businesses who cannot get a dime's worth of credit over the past several years in order to hire new people and survive during this economic crisis? I hear anecdote after anecdote after anecdote of businesses desperately trying to find credit in order to stay alive and survive. Yet because of the unchecked risk taking by financial firms that caused this economic crisis, credit is virtually gone. So American businesses—small businesses particularly—certainly are not benefitted if we are confronted again with the status quo and a perpetuation of the present set of rules.

Certainly, Madam President, the American community banks do not benefit at all. These are the ones who have found it difficult or even impossible to compete on a playing field tilted so heavily toward the largest firms and, frankly, financial firms that are unregulated.

One of the things our community banks and others—and I am not suggesting they love every dotted i and crossed t in the bill—are seeking is some consolidation of regulation. They want to see their competitors, who are not subjected to any regulation, be subjected too so they will also have to face the same set of rules.

The bill I have written, along with my Banking Committee colleagues, does just that. We consolidate the regulation so there is not the overlapping jurisdictions that exist, and their major competitors—the nonbank financial institutions—are going to be subjected to the same rules they are. That creates that level playing field our smaller banks need in order for them to compete effectively.

Certainly the American taxpayers are not going to benefit with the status quo. These are the people who were forced to bail out Wall Street in 2008. If this bill is blocked, they might be asked to do it again.

Now, I am not in the prediction business, but if some future Congress goes back to the American public, as we did in the fall of 2008, and asks them to write a check again for $700 billion because we failed to get this legislation through that would end too big to fail—the implicit guarantee that the Federal Government will bail you out if you are so large or so interconnected that you can't possibly fail—the American people, in my view, would reject overwhelmingly a request to ask them to write another check for that purpose.

Our bill, for the first time, writes into legislation an absolute prohibition that the American taxpayer would ever or should ever again be asked to do what they did in the fall of 2008.

But here is who would benefit if this bill is blocked: the same large financial firms that got us into the mess in the first place. They believe—and I presume they are right—that they can bolster their bottom lines if the status quo prevails; that they can continue to take outrageous risks, using other people's money, knowing that any profit is theirs to keep and any loss will be made up by the American taxpayer.

That is why we are faced with this prediction that 41 of our fellow colleagues will vote against us going to this bill on what they call the motion to proceed to the bill. The letter from the minority leader says: We have 41 votes to stop you from even debating this bill. Well, you explain to the American taxpayer—to small business, to the American family, and to others out there who are paying an awful price because of the mess of these very institutions that are today leading the charge against us getting to a bill—why the status quo is in their interest and their benefit.

Madam President, those who vote to block this bill are sending a clear message to American families, businesses, community bankers, and taxpayers, and that message will be: I am sorry, but we are not on your side. We are choosing another side of this equation.

Last month, my good friend, the minority leader, and the Republican Senator responsible for campaign fundraising participated in a meeting in New York with Wall Street executives. That happens all the time. Certainly, there is the right to sit down and talk with people, to represent labor and business, and we should do that. But nobody knows what was talked about at that meeting. Yet when our friend and colleague who chairs the campaign committee came back, right afterwards, all of a sudden we get this rhetoric about too big to fail; that we can't possibly go to this bill.

Now, I was born at night, Madam President, but not last night. I was born at night, but not last night. And don't tell me that miraculously these things happened and all of a sudden we find ourselves with 41 colleagues, many of whom I suspect are not overly enthusiastic about this game plan that says: Don't ask why; don't tell us what is in the bill. Just tell us we are going to line up and say no matter what anyone says or does or what they have tried to do, we are going to object to even going to this bill.

I firmly believe there is more than a small minority of my Republican colleagues who, frankly, find that argument objectionable. That is not to suggest they like this bill or agree with every position in it, but I know them well enough to know they are sick and tired of being told how they are going to have to vote on a procedural motion on a matter that I think deserves at least the support of our colleagues to begin that important debate.

What we do know, of course, about the opposition to going forward is that the Republican leadership returned armed with some very false talking points, talking points written by a political strategist with close ties to

large financial institutions, talking points that have been debunked by the independent media analysis and even Republicans such as FDIC Chairman Sheila Bair.

Let me point out the memo that suggested this game plan was written by a political strategist was written long before even one word was written on the bill. They were told how to fight a bill that didn't even exist out here by accusing the bill of leaving open the too big to fail, even though they knew—at least those who had read the bill—those provisions had been written so tight that no one could possibly argue too big to fail would be allowed again.

The Republican leadership returned promising that every member of their caucus would vote to kill this bill before the debate even began. I know for a fact that Members of this body, on both sides of the aisle, want to pass a good bill. My colleagues know me well, and they know my reputation over the years. I have never, ever passed a major piece of legislation in this body, in over three decades, when I have not had the cooperation and backing of a Member or Members on the other side of the aisle—never once on every major piece of legislation with which I have been involved. Here we are, at the brink of going forward with the single largest proposal to reform the financial services sector of our country, and we are divided here like a couple of petulant teenagers, instead of sitting around and coming together as I have offered for months, getting behind a bill and allowing us to go forward. It is long overdue that we grow up and recognize this is not some athletic contest, this is about whether our economy can get back on its feet, whether we can grow and prosper and create jobs, have credit flow and capital form so that businesses and wealth can be created. Nothing less than that is at stake in this debate and discussion, and all the more reason why we need to go forward, and go forward like adults, like Members of the greatest deliberative body—as we are told over and over—in the history of mankind, the Senate, to resolve these matters.

I have worked for hours with my colleague from Alabama, as he well knows, Senator SHELBY, to the point that he has said—and I appreciate it very much and I compliment him for it—we are 80 percent of the way to a bipartisan consensus. In fact, I suspect if RICHARD SHELBY were asked today whether that number were 80 percent, he would have even a higher number. Imagine being 80 to 90 percent in agreement, yet being told by the minority we cannot go forward. Do I have to write the whole bill? Is that when we can go forward? You have 80 or 90 percent of what you think is a good bill, but, no, no, we are going to stop any further debate. In all my years I have never heard of such an argument, whether I have been in the minority or majority, that I agree with 80 or 90 percent of what you have written, Senator, but I am sorry, we are going to stop even considering any further debate on the floor of the Senate.

I worked for many hours with the Senator from Tennessee, BOB CORKER, to try to get to 100 percent, as he well knows. No matter what was said in the meetings between the Republican leadership and Wall Street executives, the fact is that the bill I will be bringing to the floor reflects not only bipartisan input but good common sense as well. If you look at what the bill actually does, it is clear that there is no ideology here, just one principle: Hold Wall Street and large financial institutions accountable so that American families and businesses can grow and thrive without fear of another economic catastrophe.

The bill creates an early warning system so that for the very first time in our Nation's history, someone will be in charge of monitoring our entire financial system, to look out for emerging products and practices and problems, not just here at home but even globally.

Again, I don't think you have to have a Ph.D. in economics to know what we have seen in the headlines and heard on our news shows a few weeks ago, that there were major economic problems in the small nation of Greece, and that all of a sudden the financial system of every other nation around the world was at risk. Or when that small exchange in Shanghai, China, began to decline by 12 percent a few years ago, every other exchange around the globe within hours was adversely affected.

That market, that exchange, represented less than 5 percent of the volume of the New York Stock Exchange. Yet because it declined by 12 percent one morning, every other exchange around the world reacted. What more do I need to say about whether our issues here are global in scope, not just domestic? Again, it is even further reason why we need to be able to pull together and create this bill that is essential so we have a warning system in place that looks out for and monitors products, practices, and even problems that can emerge in other parts of the world if they can pose the kind of risk that could bring our financial system to near collapse.

Under the status quo, of course, no regulator can see beyond the narrow silo of their own radar screen. We changed that. This now involves all of these prudential risk regulators sitting at a systemic risk council headed up by the Federal Reserve and Treasury here, so they can actually look over the horizon and act as a financial radar system. What is going on out there? Are there problems emerging in products or companies or nations that could bring our country to near disaster financially?

If we had had that in place back a few years ago, I would argue we might not find ourselves where we are today. So this is one of our provisions in the bill. What a pity it would be to lose the opportunity to create that kind of an early warning system. That is how the subprime lending sector was able to grow so large despite the dangers it posed to the economy and why no one was able to stop it before it precipitated a crisis. I do not believe members of the minority caucus want regulators to be unaware of emerging threats to our financial system.

The bill brings new transparency and accountability as well to financial dealings by ensuring that even the most complicated or obscure transactions are concluded in an open marketplace.

The Presiding Officer, of course, is well versed and talented, coming from the Empire State, and understands these issues. I believe that derivatives, for instance, are a very important instrument, critically important to economic growth and prosperity. They have become a pejorative, unfortunately, but my view has been let the markets work.

How do the markets work best? Markets work best when there is transparency, when buyers and sellers, investors, have an opportunity to see with clarity what these instruments are, what they are designed to do. Right now we have a shadow economy where some of these instruments operate in darkness, and that is one of the problems that created the financial mess we are in. Our bill opens up, sheds light, brings sunshine to these instruments so that taxpayers but, more importantly, investors and others can honestly understand what they are, what they are intended to do and how they work.

For the first time here we would force risky financial companies such as Bear Stearns and Lehman Brothers that have operated the shadow banking system to be subject to proper supervision, again, so we have the ability to understand what they are doing.

Of course, under the status quo these dangerous giants that have been free to take enormous gambles in a single-minded quest for maximum profit and when they go down like the Hindenberg, taxpayers are left to clean up the rubble. I do not believe that members of the minority caucus want to leave the Lehman Brothers unsupervised until its collapse shakes the very foundations of our economy.

This bill I have before us beefs up the SEC oversight, it strengthens protections for investors, and gives shareholders a greater voice on how executives are compensated and how big their bonuses can get. Under the status quo, of course, the same executives whose mismanagement caused the collapse of financial giants get to collect ridiculous bonuses again. Kill the bill and there is nothing in here that would preclude the same kind of abuses, the outrageous gouging, if you will, at taxpayer expense by a handful of these executives who fail to understand—or if they understand, more outrageously

were willing to reward themselves for their own failures because the American taxpayers shored up their financial institution.

The Allen Stanfords and Bernie Madoffs of the world are able to rip off investors for millions while the understaffed and underfunded SEC, the Securities and Exchange Commission, fails to stop them.

I do not believe members of the Republican caucus want to leave these executives free to line their pockets with unearned billions or leave investors vulnerable to Wall Street predators and con artists. That is what happened. That is what went on. Our bill stops it. We need to be able to go forward with this bill.

Our bill requires full disclosures in plain English so that Americans can easily understand the risks and returns of any financial product, whether it is a mortgage or a student loan. Our bill creates an independent consumer protection agency, a watchdog with bark and bite, to protect consumers from the abusive practices that have become almost standard operating procedures—skyrocketing credit card interest rates, the explosion in checking account fees, predatory lending by mortgage firms, and so much more.

You do not have to educate the American people. You will hear it over and over from your own constituents. Listen to what they have been through with these increased interest rates, increased fees—every gimmick you can think of to pick the pocket of the American taxpayer who, today, necessarily needs to depend on credit cards in order to make ends meet in their families.

Of course, under the status quo, consumers trying to make smart decisions about their family finances are confronted with a sea of fine print and technical jargon and they are vulnerable to the predatory lenders, the greedy predators who have taken advantage of them. Our bill stops that. Our bill puts an end to that. If we do not get a chance to debate this and go forward, that would be the end of it. What a disgrace it would be to be confronted, as we were at the outset of this Congress, with the problems the American taxpayers have been through—8½ million jobs lost, 7 million homes in foreclosure, retirement accounts evaporated, small businesses failing, and we did nothing to stop it, despite the fact that 80 or 90 percent of what I have written in this bill is agreed to by many in the minority. But you will not even allow the bill to go forward to be debated. For the life of me I do not understand that logic.

In short, this bill protects the American consumers, American businesses, community banks, as I mentioned, and taxpayers from the very exact situation that occurred in 2008, an economic crisis brought about by Wall Street highjinks, large financial institutions and regulatory failures. Our bill creates a stronger foundation, I might add, on which we can rebuild the prosperity we have lost in our Nation over the last number of years.

I do not believe members of the Republican minority, our friends and colleagues here, want to kill this bill. I do not want to believe that. Unlike other matters we have debated over this Congress, this matter ought to be one where we can come together as I have tried to do, day in and day out, week in and week out, month in and month out, to craft a piece of legislation that reflected the myriad views embraced by the Members of this Senate.

We are on the brink of going forward and I will go forward with this bill. We can do it one of several different ways. We can go forward. I will bring this bill up. The leader, I am told, will offer a motion to proceed. My hope is we will not have to have a vote on that, that there will be enough common sense here that would say this is a good product even for those who do not like various provisions of it, and then do what we are supposed to do in this body—debate, offer amendments, try to improve the bill based on your own view of what constitutes an improvement. But let's act like the Senate on a major bill of this import here, instead of putting on the brakes, don't show up, don't say anything, just vote no, we are not going to debate this until you do exactly as I want you to do.

That is not the Senate that I think the American people expect to see work. My hope is, of course, that I will be right in that. My colleagues, many of whom I have worked closely with on many issues, do not want to be part of a blind, pointless effort here, just to walk away from this process. I believe they, our friends on the other side, are caught between the same commonsense principles that led many of them to spend so many hours helping us create this legislation, and the political deals that have led their leadership to demand they help to kill it.

As I said a moment ago, I have been in this body for some 30 years. I have served with many Republican colleagues for a long time. I have great friends, as my colleagues know, on the other side of this aisle, people who I believe care as much about this country as any other Member, and they want to be part of answers, solutions. They did not come here, they did not fight hard to get here, to say no. They came here because they wanted to be part of the answers to how we can get our country moving again.

Again, I am charged as the chairman of a committee to try to pull together a bill that reflects the disparate points of view, that listens to our colleagues here in crafting a piece of legislation that can work. I have tried to do that now for many months. I have come to the point where, frankly, we need to go forward in this body. I am confident, again, if our colleagues would give us a chance we can achieve the results they seek and I am hopeful they will when the motion to proceed occurs, and then engage in the kind of thoughtful, intelligent debate this Senate has a reputation of achieving and accomplishing.

I thank my colleagues for the work they have contributed to it so far. Let's not take all of that work and dash it on the rocks of procedural filibustering. We can do better than that. I am confident we will. I urge my colleagues to be supportive of these efforts.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DEMINT. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DEMINT. Madam President, I rise in opposition to the nomination of Marisa Demeo to be a Superior Court judge in the District of Columbia. I do not believe she has enough judicial experience to sit on the DC Superior Court. She is currently serving as a magistrate judge, a position she has held for the past 2½ years. Although being a magistrate judge is good training for a Superior Court judge, 2 years is not enough of that training. Of the 25 magistrate judges in the District of Columbia, she is one of the least experienced. Nineteen of the current DC magistrate judges have served for 5 years or more compared to her 2½. Some have served for decades. In fact, only 3 of her 24 colleagues have served less than Ms. Demeo.

Looking at her record, I see she has much more experience working as a lobbyist for a special interest group than a magistrate judge. She was chief lobbyist for the Mexican American Legal Defense and Education Fund, a national Latino civil rights organization, from 1997 to 2004. In this position, she became more well known for divisive comments she made against Hispanic Republicans than for her legal expertise. She took on a high-profile role opposing President Bush's nomination of Miguel Estrada, criticizing him in numerous newspaper stories because he did not appear to support her political agenda. During this time, she made personal attacks against him, suggesting he was a traitor to other Hispanics.

Let me read from a 2003 article from National Review entitled, ''Dems to Miguel Estrada, You're Not Hispanic Enough.'' Ms. Demeo said:

> If the Senate confirms Mr. Estrada, his own personal American dream will come true, but the American dreams of the majority of Hispanics living in this country will come to an end through his future legal decisions.

In another press statement she said:

> The most difficult situation for an organization like mine is when a president nominates a Latino who does not reflect, resonate or associate with the Latino community.

Instead of debating these issues, Ms. Demeo tried to convince the media

that an entire community should only think one way—her way—and that Miguel Estrada was wrong for thinking anything otherwise. To me, this sounds like ethnic bullying. It is dangerous and insulting to believe a particular community should think uniformly, and Ms. Demeo was wrong to do this.

I was not in the Senate at the time; however, I have come to work closely with Miguel Estrada since that time, especially during my work on the Honduras crisis. He is a patriotic American and one who gave his own time and energy to help us understand the legal issues facing Honduras. I do not doubt for a minute his qualifications to serve on the Federal bench. Comments by Ms. Demeo and others questioning Mr. Estrada's credentials, encouraging the filibuster of his nomination, and accusing him of not being ''authentically Hispanic'' made the confirmation process very painful for him and his family.

This was not the only time Ms. Demeo advanced this terrible argument. She used this same line of attack against Linda Chavez, President Bush's nominee to be Secretary of Labor.

Ms. Demeo was quoted by the Washington Post in January of 2001 saying:

> We generally support the nomination of Latinos to important positions, but Linda Chavez could really turn things backwards for the Latino community. We just really question what kinds of efforts she is going to put into enforcing the affirmative action laws.

Ms. Demeo has also attacked those of us in Congress who opposed the amnesty legislation of a couple years ago, saying we were ''anti-immigrant and not interested in seeing immigrants become full participants in this country.''

She strongly opposes English as the official language and says the government must accommodate non-English speakers. She was quoted by the Associated Press in 2003 saying ''governments have a legal obligation to help those who don't speak English well.''

She demanded that the Census Department use ''sampling'' to puff up the number of voters in Hispanic districts. She told National Public Radio in 2001 that raw census data should not be used because it ''does not fully represent those minority communities who were missed by the census.'' Instead, she advocated that less accurate sampling data be used to redraw political districts.

Ms. Demeo has shown similar disregard for verified information by arguing that photo requirements for voting ''violates the rights of minority voters.''

She is also an active proponent of affirmative action, again suggesting to the public that all Latinos are in lockstep agreement on this issue.

After the Supreme Court's decision in Grutter, Demeo said:

> All segments of the Latino community supported the continuance of affirmative action. . . . The nation must now also turn and concentrate on ensuring equality of opportunity in our elementary, middle and high schools. Colleges and universities that use race-conscious admissions have made those universities a better place for everyone to learn.

Ms. Demeo has also attacked the definition of traditional marriage. These views have led groups such as Eagle Forum, Numbers USA, the Federation of American Immigration Reform, English First, Concerned Women for America, and the Traditional Values Coalition to oppose Judge Demeo's nomination.

I assume Ms. Demeo will be confirmed. If she is, I will wish her well in this new position. But I, regrettably, will vote no on this nomination.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is considering the nomination of Marisa J. Demeo.

Mr. LEAHY. Madam President, I am going to actually speak on a different matter. I ask unanimous consent that my statement be moved to morning business.

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

(The remarks of Mr. LEAHY are printed in today's RECORD under ''Morning Business.'')

Mr. BURRIS. Madam President, here, in our Nation's Capital, we stand for justice, for fairness and opportunity and for the rule of law.

On the floor of this Senate and in the Oval Office, we shape national policy, and guide the course of a Nation.

In the chambers of the Supreme Court, the principles of justice laid down in our Constitution are translated into the real world.

Our system of government, embodied in this city, stands as an example for all others around the world.

And yet today we are met with a certain irony.

As I address this chamber, the DC Superior Court has been paralyzed, and our justice system has ground to a halt, thanks to my Republican colleagues.

My good friend, the junior Senator from South Carolina, has chosen to obstruct an eminently qualified judicial nominee and current DC magistrate judge, named Marisa Demeo.

When the President of the United States appoints a judge to the Superior Court here in Washington, these nominations are generally approved by the Senate without delay or controversy.

But this time, my Republican friends have decided to play politics with our judicial system.

They have stalled Judge Demeo's nomination for 8 months, and have turned a routine vote into the longest confirmation battle of the Obama Presidency.

As a result, DC government officials have warned that their ability to administer justice is being tested.

As a former attorney general of Illinois, I understand how dire this situation is. I understand how this obstructionism is crippling the Superior Court system.

And for what reason? My colleagues and I have asked our Republican friends to name their objections, but no one can get a straight answer.

No Republican has cast any doubt on Judge Demeo's qualifications, which are superb.

She has served as a magistrate judge since 2007. Before that, she worked at the Department of Justice, in the Civil Rights Division and as an assistant U.S. attorney.

She has degrees from Princeton and New York University. Her legal training and experience are more than adequate for the post of Superior Court Judge, and yet, for unspecified political reasons, the junior Senator from South Carolina continues to hold up this important nomination.

He said he has concerns that Judge Demeo may not be fair and balanced in her approach. But there is nothing in her record to suggest anything of the sort.

In fact, not a single Republican even took the time to ask a question at Judge Demeo's confirmation hearings.

So I cannot imagine what they find objectionable.

The court system in our Nation's Capital is strained to the breaking point, and my friend from South Carolina doesn't seem to mind.

I believe this is simply unacceptable.

This is why the American people are frustrated with their government: because petty political battles and Republican obstructionism are impeding our ability to govern.

My friends on the other side are certainly entitled to play political games if they like, but I would urge them to save politics for the campaign trail, and stop holding up the course of justice and the important business of the American people.

We simply do not have time for this. This is not about politics, this is about people's lives.

This is about the functioning of the American justice system, right here in the Capital of the United States.

This is about the constitutional right to a fair and speedy trial, a right which has been denied to DC residents by Republican political games.

The American people have had enough.

So I urge my friends on the other side to abandon this kind of obstructionism and take their political games elsewhere.

Let us stand up for the ideals of fairness and justice that are embodied here, in this system of government.

And let us make sure that every American, including the residents of our Nation's Capital, can avail themselves of this system.

I ask my colleague from South Carolina to drop his hold on this eminently qualified nominee, so this Senate can hold a vote, and then we can move forward in a bipartisan manner to address the challenges we face.

Mr. DURBIN. Madam President, this week in the Senate we are calling attention to the unfortunate obstructionism coming from the other side of the aisle when it comes to President Obama's nominations. There are now 101 nominees who have been voted out of committee—most of them with unanimous support but who are languishing on the Senate floor because the Republican minority won't allow them to have a vote. In many cases, they won't even give a reason—they are using anonymous holds. That is fundamentally unfair.

Let me speak briefly about a nominee we will vote on today: Marisa Demeo. She was nominated to be an associate judge on the District of Columbia Superior Court. This is a local court here in Washington that primarily hears misdemeanor and felony cases. It is not a Federal court and its judges do not serve lifetime appointments.

Marisa Demeo is currently a magistrate judge on this court, and she has an excellent reputation. She is a former Federal prosecutor and was hired by the John Ashcroft Justice Department as an assistant U.S. attorney here in Washington.

Before she was a prosecutor, she was a civil rights lawyer in the Justice Department's Civil Rights Division and at the Mexican American Legal Defense Fund, one of the most respected civil rights organizations in America.

Judge Demeo has received numerous awards throughout her legal career, including the ''Rising Legal Star'' award from the Hispanic Bar Association of Washington, DC, and a Special Achievement Award from the U.S. Attorney's Office for the District of Columbia.

Judge Demeo was unanimously approved by the Senate committee that oversees DC Superior Court nominations, so you would think she would be confirmed by the full Senate in short order. Well you would be wrong. After being voted out of the Homeland Security and Governmental Affairs on May 20, 2009, Judge Demeo has been held up on the Senate floor ever since. For 11 months now, the Republican minority obstructed her nomination and objected to an up-or-down vote. No other nominee of President Obama's has been pending on the Senate floor longer than Judge Demeo.

As a result of this delay, the DC Superior Court has struggled to handle its crushing caseload. Last month, the Senate received a letter from the chief judge of that court, Lee Satterfield, who said the following:

> The Superior Court is a busy, urban court with a caseload of over 100,000 cases per year. Each day we make life and death decisions about neglected and abused children, juveniles alleged to have committed crimes, criminals charged with everything from minor misdemeanors to first degree murder and sex abuse. . . . [T]he people of the District of Columbia deserve a court with a full complement of judges making the crucial decisions affecting the lives of D.C. residents.

I am pleased the Republicans have finally relented and agreed to a vote on Judge Demeo. We owe it to her, and we owe it to the people of the District of Columbia.

I know there has been some criticism of some positions Judge Demeo took when she worked at MALDEF. A few of my Republican colleagues have discussed these criticisms on the Senate floor today. I would like to make two points in response.

First, the positions Judge Demeo took when she was an advocate at MALDEF are mainstream positions. She advocated for comprehensive immigration reform. She opposed the nomination of Miguel Estrada, one of President Bush's most controversial nominees. She supported affirmative action, and she opposed a photo ID requirement in the voting context because of its adverse impact on minorities. And she opposed a constitutional amendment to ban same-sex marriage. These are positions I share, and many members of the Senate share. They are positions that are hardly out of step with the political mainstream in America.

In any event, Judge Demeo has been a magistrate judge for the past three years, and she has demonstrated her ability to be fair and impartial. She has skillfully made the transition from advocate to judge, and she deserves this promotion from magistrate judge to associate judge on the DC Superior Court. I urge my colleagues to support her confirmation.

Mr. MENENDEZ. Madam President, I rise today to urge my colleagues to vote to confirm the nomination of Marisa Judith Demeo as associate judge on the Superior Court of the District of Columbia.

She has waited long enough and the Superior Court of the District has waited long enough. Judge Demeo epitomizes what it means to serve. A consummate community leader, she has always believed in the importance of public service.

She is currently serving as magistrate judge in the Criminal Division of Superior Court of the District of Columbia.

As an assistant U.S. attorney in the U.S. Attorney's Office for the District of Columbia, she has ample experience prosecuting misdemeanor and felony cases.

Having said that, she also has deep roots in the community, a woman who cares about justice—about doing what's fair and what's right. She believes in the rule of law.

From her work at the AIDS Service Center of Lower Manhattan, her service for the Lambda Legal Defense and Education Fund, her time as a Texas rural legal aid and a paralegal in the Civil Rights Division of the Department of Justice, she has taken pride in acting on a spirit of community that is part of who she is—each of us working together for the betterment of all of us.

I know the good work she has done at the Mexican American Legal Defense and Education Fund and what that work has meant to her and to those she has served.

The professional awards and honors she has received as well as her academic awards are far too numerous to mention here. Suffice it to say that, in my view, she is one of the most accomplished nominees we have had before us.

A graduate of Princeton University and New York University School of Law, Judge Demeo's credentials are impeccable.

I know her dedication and her keen mind, her judicial temperament, her belief in the rule of law and those powerful words that mean so much to her and to all of us in this Chamber—equal justice under law.

Judge Demeo is ready to serve on a busy urban court with a caseload of over 100,000 cases per year. As an associate judge on the Superior Court of the District of Columbia she will bring her knowledge, skills, and expertise to every decision in a busy courtroom dealing with hundreds of neglected and abused children who will come before her—juveniles alleged to have committed crimes, and those who have been accused and charged with crimes ranging from misdemeanors to first degree murder and sexual abuse.

Judge Demeo will be there to serve as she always has, ready to make timely and fair decisions on domestic violence cases, housing issues, child custody and support.

The caseload will not deter her. It will invigorate her, and I am proud to cast my vote to confirm Judge Demeo as an associate judge on the Superior Court of the District of Columbia and urge my colleagues to do the same.

The time has come to confirm this nominee.

Mr. LIEBERMAN. Madam President, I rise to support the long-delayed nomination of Judge Marisa Demeo for a seat on the DC Superior Court and urge my colleagues to approve her as quickly as possible so she can take her place on this court that is both busy and shorthanded.

Judge Demeo is well qualified for this position and brings a range of legal experience to her new job that would make her an asset to the court. She has been a judge, a prosecutor, a plaintiff's attorney advocating for civil rights and a law professor.

Specifically, for the past 2 years, Judge Demeo has served as a magistrate judge in the Criminal Division of the Superior Court of the District of Columbia.

Prior to that, from 2004 to 2007 she served as an assistant U.S. attorney in the Office of the U.S. Attorney for the District of Columbia; from 1997 to 2004 she served as the Regional Counsel for the Mexican American Legal Defense and Educational Fund, from 1993 to 1996 she was an honors program trial attorney with the Justice Department Civil Rights division, and she was an adjunct professor of law at Howard University in 2003, 2005 and 2008.

Judge Demeo is a graduate of Princeton University with a bachelor's degree in political science and earned her law degree at New York University. And besides her legal work, she is also in demand as a speaker on legal issues and is the author of many articles on civil rights law.

Judge Demeo also has a compelling personal story that reminds us that the American dream is alive and well. Her father—the son of Italian immigrants—and her mother—a Puerto Rican immigrant—taught her that if you work hard, anything is possible and Judge Demeo has channeled her talent and drive into a successful career in public service.

These facts taken together led the Homeland Security and Governmental Affairs Committee to endorse Judge Demeo's nomination by voice vote in May.

Let me say that again, the committee reported Judge Demeo's nomination to the full Senate in May—11 months ago—and it has been stalled ever since.

There is also speculation that some object to her because of legal advocacy work she has done on behalf of the Mexican American Legal Defense and Educational Fund, also known as MALDEF.

But there is no reason that this sort of work should be held against any nominee. Under our system of justice, when an individual or group believes something is not just, they are allowed to have their day in court and have an attorney zealously argue their cause.

In her confirmation hearing, Judge Demeo was specifically asked if her advocacy work would affect her decision-making as a judge. Let me give you Judge Demeo's response in her own words:

> When you think about the parties that appear in the courtroom, oftentimes it's plaintiffs versus defendants and one party against another, and I've . . . worked in both positions in my career. Being in the judge position has allowed me to take a step back already, in the magistrate position, and listen to the parties and be open to both sides.

To that end, at her confirmation hearing, representatives of the Justice Department and the Public Defenders' office came to lend their support to her nomination.

And we should remember, that nominations for the DC courts are made through a process different than other judicial nominees.

Under the District of Columbia Self-Government and Governmental Reorganization Act, the Judicial Nominations Committee recommends three individuals for each position to the President, and the President then selects one of those individuals and sends the nomination to the Senate for confirmation.

The Judicial Nominations Committee is a diverse, Federal-district entity, comprised of two individuals appointed by the Mayor of the District of Columbia—one being a nonlawyer—two appointed by the Board of Governors of the District of Columbia Bar, one nonlawyer appointed by the city council of the District of Columbia, one individual appointed by the President of the United States, and one judicial member appointed by the Chief Judge of the U.S. District Court for the District of Columbia.

This is a process aimed at getting the best qualified nominees, without regard to party or politics.

Finally, Chief Judge of the Superior Court, Lee F. Satterfield, wrote to both the majority and minority leaders in October pleading for the swift approval of Judge Demeo because the court is already five members short.

In his letter, Judge Satterfield wrote:

> The Superior Court is a busy, urban court with a caseload of over 100,000 cases a year. Each day we make important decisions about neglected and abused children, juveniles alleged to have committed crimes, and accused charged with everything from minor misdemeanors to first degree murder and sexual abuse. Vulnerable families in the District rely on Superior Court judges to make timely and fair decisions regarding domestic violence, housing, child custody and support, and numerous issues that affect them every day. Our goal is to serve the community well by handling the important decisions we are entrusted with fairly, justly and efficiently.

And last month, Judge Satterfield sent another letter to the majority and minority leader with this dire warning, ''We are beginning to experience delays in meeting performance measures and standards for how quickly cases should go to trial.''

But, a shorthanded court cannot achieve these goals, which means justice is delayed for many. It's long past time that we approve this highly qualified nominee and I urge my colleagues to vote yes on this nomination and allow her to get to work administering justice for the citizens of our Nation's Capital.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. 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. KAUFMAN. Madam President, I ask unanimous consent to speak as in morning business for up to 6 minutes.

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

IN PRAISE OF DOROTHY METCALF-LINDENBURGER

Mr. KAUFMAN. Madam President, I rise today to speak once more about our Nation's great Federal employees.

Forty-nine years ago, President Kennedy stood before Congress and offered a bold profession of his faith in American innovation. Convening a special joint session to share with the American people his plans for economic recovery and global leadership, President Kennedy challenged us to reach the Moon in 9 years. He reminded us that leading the way in exploring space was central to leading a vibrant innovation economy, and that the causes of economic recovery and national security would benefit from investing in a Moon shot, and that the newly free around the world, caught between East and West, would draw inspiration from such a difficult mission undertaken by a free people. He challenged us to reach the Moon in 9 years. We made it there in 8 years.

Kennedy's call echoed a timeless adage: ''Ad Astra Per Aspera''—to the stars through rough times.

When we are faced with difficult challenges, we look for inspiration beyond the bounds of our farthest frontier. We can choose, despite uncertainty, to be forward looking and set lofty goals. That, more than anything, is the mission of those great Federal employees who work at the National Aeronautic and Space Administration, NASA.

I was among those called to the study of engineering in the late 1950s during the years of Sputnik and the start of the space station. We benefited not only from the amount of investment the government was making in STEM fields, but also by the strong sense of purpose the space program inspired in all of us.

America's reach into space is intricately linked with our need to train the next generation of scientists, engineers, technologists, and mathematicians who will drive our 21st century innovation economy, and I know there is no one in the Senate any more committed to STEM education than the Presiding Officer.

That is why I have chosen this week to honor a great Federal employee from NASA who spent the last 2 weeks orbiting the Earth on STS–131 and has dedicated her career to promoting STEM education.

Dorothy Metcalf-Lindenburger is one of NASA's new educator astronauts. A native of Fort Collins, CO, Dottie, as she is called, took an unusual path to space. As a child, Dottie was always fascinated with astronomy and space exploration. When she narrowly lost a contest to win a free trip to space camp, her parents saved up enough money for her to go. It turned out to be an excellent investment not only in their daughter's future, but also in the many students Dottie has inspired.

Dottie pursued her love of science at Whitman College, where she majored in geology. She began teaching Earth science and astronomy at Hudson's Bay High School in Vancouver, WA, in 1999. In her 5 years there as a science teacher, she won awards for achievement. An avid marathon runner, Dottie also coached the school's cross-country team.

In 2003, one of her students asked a question that would change her life. The student curiously asked: How do

astronauts use the bathroom in space? When Dottie went on line to research the answer for her student, she discovered on NASA's Web site a recruitment call for teachers to join the space program. She jumped at the chance, though it was a long shot. Over 8,000 teachers applied. Dottie was one of three who made it and is currently NASA's youngest active astronaut.

She joined NASA in 2004 and began the rigorous, 2-year Astronaut Candidate Training. Dottie learned how to fly jets and operate complex space shuttle and International Space Station systems. She undertook scientific and technical briefings, engaged in physiological training, and practiced water and wilderness survival skills. As an educator astronaut, Dottie works with NASA's education program, helping to develop new ways to bring space and STEM subjects into the classroom and inspiring girls and boys alike to follow in her footsteps by studying science.

When she is not training to be a mission specialist on the shuttle, running a marathon, or singing lead vocals for an astronaut band, Dottie is also inspiring her own daughter. She and her husband Jason, who is a history teacher, have taught their 3-year-old daughter, Cambria, how to sing ''Twinkle, Twinkle, Little Star'' and other songs about the Sun and the Moon.

On April 5, Dottie and the rest of the crew of Discovery's STS–131 mission lifted off from Cape Canaveral for a 2-week trip to the International Space Station. Dottie's primary tasks were overseeing the transition of the station's computers to a new Ethernet network and orchestrating the space walks conducted by two of her colleagues. She also recorded a video to help promote robotics, science, and engineering.

Dottie sees her role as a teacher for all, helping to make science exciting for adults and children alike. She and her husband even built a telescope that they brought on summer vacation, and wherever they stopped they would encourage people to look through it at objects like Jupiter or the Moon.

She said, ''Wherever we go out in our solar system, from a teaching standpoint, I really hope that students are engaged in learning math and science. We should always try to be a leader in this.''

America's astronauts—like Dottie—carry out important work with far-reaching impact.

Once again we find ourselves as a nation in difficult times, just as we were when President Kennedy challenged us to look skyward.

Just last week, President Obama laid out his vision for the future of American space exploration. No matter what their next mission, it will be carried out by NASA employees.

The outstanding public servants at NASA give flight to our dreams and remind us that, in America, when we will it, there is no impediment to grand achievement.

''Ad Astra Per Aspera.'' Let us look once more, in these rough times, to the stars—to the limits of space and those who would take us there.

Let us recommit ourselves to inspiring students, just as astronauts like Dottie do each day, to study science, math, engineering, and technology in pursuit of innovation in space and here on Earth.

I hope my colleagues will join me in thanking Dorothy Metcalf-Lindenburger and her crewmates from STS–131 for their hard work and contribution. We welcome them home.

They are all truly great Federal employees.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KAUFMAN. 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. KAUFMAN. Madam President, I ask unanimous consent that the time during the quorum call be divided equally between the two sides.

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

Mr. KAUFMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. AKAKA. 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. AKAKA. Mr. President, I rise to speak in support of Marisa Demeo to be an associate judge in the District of Columbia Superior Court. I chaired her nomination hearing before the Committee on Homeland Security and Governmental Affairs and believe she is a very well-qualified candidate.

Since 2007, she has served as a magistrate judge of the DC Superior Court. Prior to that, she was an assistant U.S. attorney for the District of Columbia, prosecuting criminals on behalf of the Federal Government.

Judge Demeo also worked as an attorney for the Mexican-American Legal Defense and Education Fund, an organization that provides legal services to individuals of Hispanic descent. She received her bachelor's degree from Princeton University and her J.D. from the New York University Law School.

Candidates from the DC Superior Court are identified by the nonpartisan Judicial Nomination Commission, which sends three names of qualified candidates to the President for his final selection. This process has consistently produced excellent nominees for DC's local courts. Similar to others chosen through this process, I believe Judge Demeo has much to offer the DC Superior Court.

Judge Demeo has a strong record as magistrate judge and has presided over many cases of the busy criminal calendar. My staff spoke with DC Superior Court Chief Judge Satterfield today, and he emphasized how pleased he has been with her performance. Judge Satterfield said he could not understand the concerns raised about Judge Demeo's impartiality—she has an open record as a magistrate judge, and no one is criticizing her work on the court.

The committee also interviewed many of her colleagues during the nomination process who described her as fair, having a good temperament and knowledge of the law. Judge Demeo herself emphasized the importance of fairness, impartiality, integrity, and respect for all parties appearing before her during her nomination hearing.

In May 2009, the Committee on Homeland Security and Governmental Affairs favorably reported her nomination. The committee of jurisdiction clearly considered her to be well qualified because no objections to her nomination were voiced.

I was pleased that the Senate confirmed Stuart Nash to be an associate judge of the DC Superior Court earlier today. However, there remains a critical need to fill vacancies at the court. DC Superior Court is a trial court that hears over 100,000 cases a year. With many judges nearing retirement, it is important to fill empty seats quickly.

This need is so great that Chief Judge Satterfield wrote two letters to Majority Leader REID asking us to fill these vacancies. Judge Satterfield described the situation as dire and stated that unfilled vacancies hinder the court's ability to administer justice for the people of DC.

Mr. President, I ask unanimous consent to have printed in the RECORD both of Judge Satterfield's letters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUPERIOR COURT OF THE
DISTRICT OF COLUMBIA,
Washington, DC, Oct. 14, 2009.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. MAJORITY LEADER: As Chief Judge of the Superior Court of the District of Columbia, I wanted to take a moment to bring to your attention two nominations for associate judges positions on the Superior Court that have been pending for several months. The nominees are Marisa Demeo and Stuart Nash. I understand the press of business before the Senate, given the economy, the push for health care reform, and the myriad of nominees in a relatively new administration. However, I wanted to draw your attention to the dire situation the Superior Court will face by the end of the year due to the announced retirements of three other Superior Court judges, if these nominees are not confirmed in the next few months.

If these two vacancies are not filled before the Senate adjourns, we will be five judges below our full complement of 62 associate

judges by the end of January 2010. These vacancies would have serious consequences for the administration of justice in the District of Columbia and for the people we serve. We have been working without a full complement of judges most of the year since one of my colleagues, Judge Robert Rigsby, was sent to Iraq with the National Guard. Fortunately, another colleague, Judge Rafael Diaz, who retired in March 2009 at the end of his term, graciously agreed to stay and handle a full caseload while we await his replacement. I am not sure how long Judge Diaz will be able to continue full time. If the two pending nominations are not confirmed before the Senate adjourns for the year, and Judge Diaz can no longer handle cases full time, by the end of January 2010, we will have only 57 associate judges. Such a scenario would certainly test our ability to administer justice for the people of the District of Columbia in a timely fashion, particularly in our Criminal Division and Family Court.

The Superior Court is a busy, urban court with a caseload of over 100,000 cases per year. Each day we make important decisions about neglected and abused children, juveniles alleged to have committed crimes, and accused charged with everything from minor misdemeanors to first degree murder and sexual abuse. Vulnerable families in the District rely on Superior Court judges to make timely and fair decisions regarding domestic violence, housing, child custody and support, and numerous issues that affect them every day. Our goal is to serve the community well by handling the important decisions we are entrusted with fairly, justly and efficiently. I would appreciate any help you can provide in moving the two nominations forward.

Thank you for your consideration.

Sincerely,

LEE F. SATTERFIELD,
Chief Judge.

SUPERIOR COURT OF THE
DISTRICT OF COLUMBIA,
Washington, DC, Mar. 12, 2010.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. MAJORITY LEADER: I wanted to provide you with an update on the circumstances in the D.C. Superior Court with the five vacancies we are currently experiencing. Judge Diaz, who has been continuing to hear cases on one of the unassigned calendars after announcing his retirement, will be stepping down within the next month. This will leave us with five full vacancies, which clearly hinders our ability to administer justice for the people of the District of Columbia in a timely fashion, especially worrisome in the Criminal Division and the Family Court. We are beginning to experience delays in meeting the performance measures and standards for how quickly cases should get to trial.

As I mentioned in my October letter, the Superior Court is a busy, urban court with a caseload of over 100,000 cases per year. Each day we make life and death decisions about neglected and abused children, juveniles alleged to have committed crimes, criminals charged with everything from minor misdemeanors to first degree murder and sex abuse. Vulnerable families in the District rely on Superior Court judges to make timely and fair decisions regarding domestic violence, housing, child custody and support, and numerous issues that affect them every day. These cases need to be handled effectively but also efficiently.

I understand the great press of business before the U.S. Senate, and the multitude of bills affecting the lives of people across the country. However, the people of the District of Columbia deserve a court with a full complement of judges making the crucial decisions affecting the lives of D.C. residents.

Thank you for your consideration.

Sincerely,

LEE F. SATTERFIELD,
Chief Judge.

Mr. AKAKA. Mr. President, the Committee on Homeland Security and Governmental Affairs works quickly to hold its nomination hearings because we understand what an important role the court plays in the District's legal system. It saddens me that the District's courts and its residents continue to suffer while a highly qualified candidate's nomination is slowed.

I am confident that once confirmed, Judge Demeo will exercise sound and unbiased judgment when ruling on cases before her. She has the education and experience to make valuable contributions to the DC Superior Court bench. I plan to vote in support of Judge Demeo's nomination, and I urge my colleagues to do the same.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that any remaining time for debate with respect to the Demeo nomination be yielded back, and the Senate now proceed to vote on confirmation of the nomination; further, that upon confirmation, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the cloture motion with respect to the nomination be withdrawn.

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

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Marisa J. Demeo, of the District of Columbia, to be an associate judge of the Superior Court of the District of Columbia?

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 66, nays 32, as follows:

[Rollcall Vote No. 120 Ex.]

YEAS—66

Akaka	Burris	Feingold
Baucus	Cantwell	Feinstein
Bayh	Cardin	Franken
Begich	Carper	Gillibrand
Bennet	Casey	Gregg
Bingaman	Collins	Hagan
Bond	Conrad	Harkin
Boxer	Dodd	Inouye
Brown (MA)	Dorgan	Johnson
Brown (OH)	Durbin	Kaufman
Kerry	Merkley	Shaheen
Klobuchar	Mikulski	Snowe
Kohl	Murkowski	Specter
Landrieu	Murray	Stabenow
Lautenberg	Nelson (NE)	Tester
Leahy	Nelson (FL)	Udall (CO)
Levin	Pryor	Udall (NM)
Lieberman	Reed	Voinovich
Lincoln	Reid	Warner
Lugar	Rockefeller	Webb
McCaskill	Sanders	Whitehouse
Menendez	Schumer	Wyden

NAYS—32

Alexander	DeMint	LeMieux
Barrasso	Ensign	McCain
Brownback	Enzi	McConnell
Bunning	Graham	Risch
Burr	Grassley	Roberts
Chambliss	Hatch	Sessions
Coburn	Hutchison	Shelby
Cochran	Inhofe	Thune
Corker	Isakson	Vitter
Cornyn	Johanns	Wicker
Crapo	Kyl	

NOT VOTING—2

Bennett	Byrd

The nomination was confirmed.

Mr. LEAHY. Mr. President, today the Senate finally confirmed the nomination of Marisa Demeo for a 15-year term as a judge for the District of Columbia Superior Court. Her nomination was the longest pending judicial nomination on the Executive Calendar, having been stalled since it was reported by the Homeland Security and Governmental Affairs Committee last May—nearly a year ago—by voice vote.

There was no reason for this nomination to have been delayed so long. Indeed, once the majority leader pressed the matter by filing for cloture, Republicans agreed to 6 hours of debate and then used only a small portion of that. The bipartisan vote in favor of Judge Demeo is hardly unexpected, just delayed a year.

Judge Demeo has served for 3 years as a magistrate judge on the court to which she has been confirmed. She is only the second Hispanic woman to hold that position. Judge Demeo is an experienced former prosecutor and Justice Department veteran with a sterling professional record. The Chief Judge of the Superior Court, Lee Satterfield, has written several times to the majority and minority leaders about the ''dire situation'' created by vacancies on that court for administration of justice in Washington, DC, and in support of Judge Demeo's nomination.

Judge Demeo should have been confirmed long ago. This sort of obstruction of a DC Superior Court nomination is unprecedented. These nominations for 15-year terms on the District's trial court are not usually controversial.

Those Senators who opposed this nomination and voted against it will have to explain their vote. Some tried. I do not think references to ''lifestyle'' have a place in this debate. I was also struck by those who selectively cited her advocacy for various causes when she was previously employed as an advocate as somehow rendering her unfit for judicial service. These same Senators were willing to give President Bush's nominees the benefit of the

doubt, but apparently not those of President Obama. Their mantra when there was a Republican President nominating Republican activists was that they would be able to put aside those views or that they were merely doing their job or representing a client. Apparently that leeway only applies to Republican nominees.

I commend those Republican Senators who bucked their party to vote in favor of this fine young woman and well-qualified nominee.

I strongly supported the confirmation of Judge Demeo and regret that it has taken nearly a year for her nomination to receive an up-or-down vote in the Senate. I congratulate her on her confirmation to the Superior Court and have every confidence she will be a fair and thoughtful judge.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid on the table. The President will be immediately notified of the Senate's action, and the cloture motion on the nomination is withdrawn.

The Senator from North Dakota.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DORGAN. Mr. President, I indicated yesterday, when I asked unanimous consent on a nomination, that I would be back on the floor today at 4:30. So following this vote I wanted to come to the floor to once again ask unanimous consent. I told my colleague from Louisiana, Senator VITTER, that I was going to do this. I told him last week when I came to speak about this. I said I don't, under any conditions, come to the floor of the Senate wanting to be critical of another Senator. That is not something I enjoy doing. In this case, I explained to Senator VITTER that I was going to be critical of something he has done and I felt it appropriate and as a matter of courtesy I should tell my colleague from Louisiana what I was going to do.

Let me describe the circumstance. It bothers me a lot. I am pretty unhappy about it and so should all of my colleagues be unhappy. There is a man named GEN Michael Walsh, a soldier who served this country for 30 years. He served in wartime. I know him, know him fairly well. I am not related to him. I don't have anything other than a professional relationship because I have seen his work in the U.S. Army Corps of Engineers. He is an extraordinary guy.

He was recommended unanimously by the Armed Services Committee, Senator LEVIN and Senator MCCAIN and the unanimous vote of the Armed Services Committee, to be promoted from a one-star general to a two-star major general. That was last year.

It has dragged on now for nearly 6 months and this soldier has not been promoted because the nomination to promote him, which came from the Armed Services Committee unanimously, has been held up by one Senator. That is Senator VITTER from Louisiana.

I understand that Senator VITTER is holding this nomination up all of these months because he is demanding certain things from the Corps of Engineers for his home State.

Regrettably, it represents a list of things, for the most part, that the Corps of Engineers cannot do—they don't have the legal authority to do, they don't have the funding, they don't have the authorization to do. In any event, the general we are talking about, General Walsh, doesn't make policy for the corps on whether to do these things, even if they have the authority. He does policy. That is what the job of this general is. He is the commander of the Mississippi Valley Division of the Corps of Engineers. He spent a tour in Iraq for this country. He has done a lot of work not only in a war zone but all around the country, has a distinguished 30-year career. Yet despite the fact that last October, he was to have been promoted to major general, this soldier's professional life is on hold because of the actions of one Senator.

I say to my colleague from Louisiana, this is fundamentally unfair to General Walsh. It is fundamentally unfair. It is not the way we should treat soldiers. The demands that are being made of the Corps of Engineers are demands the corps cannot meet. I put the exchange of letters in the CONGRESSIONAL RECORD. There are two letters from my colleague, Senator VITTER, and two responses from the Corps of Engineers. They make it clear that the Senator from Louisiana is asking something the corps cannot possibly do. He has made six or eight requests. I believe the corps has indicated they will proceed on two of them because they do have the authority. The others they cannot because they are not authorized. They don't have money, and they don't have the legal capability.

This is 1 out of 100 nominations that is being held up, 1 out of 100 on the Executive Calendar. This person is someone I know, a one-star general who deserves to be a two-star general. That is what Senator MCCAIN and Senator LEVIN believe. Unanimously, the Armed Services Committee reported this out last September. This soldier's career is on hold because one Senator is demanding of the corps something the corps cannot and will not be able to do. It does not have the legal authority and does not have the funding and does not have the authorization to do it.

I am here to make a unanimous consent request again. I ask of my colleague from Louisiana if at long last he might allow this nomination to proceed. This general should not be a one-star general. He should have, last September, been a two-star general because unanimously the Armed Services Committee believed he was owed that and deserved that promotion in rank. Months and months and months and months later, this general has had his career stalled by the actions of one Senator.

My hope is that today perhaps that Senator will tell us he will lift that hold and that we will be able to give the second star to General Walsh, a patriot, a soldier, someone who served this country in wartime and does not deserve what has happened to him in the Senate.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Michigan.

Mr. LEVIN. Madam President, let me join my colleague from North Dakota in making a plea to the Senator from Louisiana. As the Senator from Louisiana knows, I am chairman of the Armed Services Committee. Our committee operates on a bipartisan basis. I see one other member of the committee sitting on the floor; in fact, two other committee members are on the floor, including the Presiding Officer. I know they would confirm what I am saying. We should keep our uniformed military officers out of any kind of political crossfire. They don't make these decisions. They put on the uniform of the United States. They give their lives. Their families support them. The least we can do is give them bipartisan support. We do that on this committee.

This nomination was approved and put on the calendar on October 27. This is a document we call the Executive Calendar of the Senate. It is printed every day. This general has been sitting here now, MG Michael J. Walsh, since October 27. The Senator from Louisiana has expressed himself to the Corps of Engineers. He has made his arguments. This general cannot do what the Senator from Louisiana is asking for. No. 1, he can't do it because the corps has told the Senator they don't have the authority to do what he wants them to do in terms of these three projects. In any event, this general does not have the authority within the corps to make these kinds of decisions, even if the corps had the authority to approve these projects.

As chairman of the committee, I know I am speaking not only for myself, I am speaking for every member of the committee who has voted for this general's nomination. I know I am speaking for Senator MCCAIN, who has told me specifically that I can invoke his name in support of a plea to the Senator from Louisiana to no longer hold this nomination. It cannot achieve what the Senator from Louisiana wants to achieve. It is a terrible message to the men and women in uniform that a nomination such as this is obstructed because there is a request from one Senator for some projects for his State which the corps cannot approve, according to the letter which the corps has sent to the Senator from Louisiana.

I join my friend from North Dakota. On behalf of the Armed Services Committee, I make this plea. I spoke to the Senator from Louisiana a number of months ago. He indicated to me that he just needed a few more weeks. He thought he could straighten this out in a few more weeks. A couple months

have now passed since that conversation. I would make this plea as chairman of the Armed Services Committee, but I know, representing the unanimous view of the committee, that this man, this soldier, this general should not have his promotion held up for these kinds of reasons or any kind of reason, as far as I am concerned, but surely not a reason where he himself is personally involved. Once in a while we will disagree with a nomination, including of a uniformed officer, where we have problems with that uniformed officer's activities, something they may have done that we disapprove of—rarely, but it happens. But in this case, this has nothing to do with this officer. The objection or the effort of the Senator from Louisiana has nothing to do with this officer. It is not this officer who is blocking anything the Senator from Louisiana wants.

I join this plea the Senator from North Dakota has made. I know he will be making a unanimous consent request. I will be joining in that request when he makes it.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I do object. General Walsh today, before any promotion, is one of nine leading officers of the U.S. Army Corps of Engineers. He is part of that leadership. I am happy my two colleagues are satisfied with his leadership and the corps' leadership and how that agency is being run. I can tell them, as a Senator from Louisiana, I am absolutely not satisfied with their leadership and how that agency is being run at all.

Since Hurricane Katrina, there were 14 major report deadlines put on the Corps of Engineers, required of the corps. The corps missed all 14 of those major deadlines. Today, as we speak, the corps is still actively missing and has failed to respond to 13 of the 14, having accomplished 1 many months late.

I have brought nine significant issues before the Corps of Engineers in conversations with them, not minor projects, major issues with regard to hurricane recovery and hurricane and flood protection. I have outlined the authority they have to do constructive things under each of those categories. They have not responded in a positive or timely way on eight of those nine issues.

One of those issues is a particularly good example. That is the Morganza to the gulf hurricane protection project. That is a vital hurricane protection project that would protect significant portions of south Louisiana that was originally proposed in 1992. The Senators want to talk about authority from Congress. That project has been authorized by Congress three different times in three different water resources bills. Yet the corps continues to drag its feet and is still not moving forward toward full implementation of that project, after three specific authorizations by Congress, 18 years later.

I am sorry the corps leadership is frustrated with an 18-day delay or an 18-week delay. But I suggest they try 18 years on for size. That is how long the people of Lafourche and Terrebonne Parishes, many folks throughout Louisiana, have been waiting on the Corps of Engineers.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, let me say to my colleague from Louisiana, if he will stay in the Chamber—let the record note he has left the Chamber—there is no State, none that has received more help more consistently from this Chamber, from the American people, and, yes, from the Corps of Engineers in the aftermath of Hurricane Katrina. That State and the city of New Orleans were leveled. It was an unbelievable catastrophe for the Senator's State and for his city. But after billions and billions and billions of dollars that has come from this Congress and, yes, from my subcommittee, the subcommittee on appropriations I chair, I think it would be nice for a change to hear that maybe the Corps of Engineers, the Senate, and the American people have been a great help to New Orleans and to Louisiana.

Let me describe what my colleague just said on the floor, why this is such an unbelievable mistake for him to make. He says, just to pick an example: Well, the Morganza to the gulf issue is a perfect example of how the corps simply will not do what it is supposed to do. It has been authorized three times, he says, on and on.

Let me read what the Corps of Engineers says and let me tell my colleagues what I know as an appropriator. The Corps of Engineers is not authorized to construct the Houma lock, which is what he wants in this Morganza to the gulf—the Houma lock, as an independent, freestanding project—or separable elements of the Morganza to the gulf project. An additional authorization will have to be required to construct the Morganza to the gulf project in accordance with the new design criteria.

My colleague might not like that. I understand that. There are a whole lot of things he doesn't like. But it is a fact. He cannot possibly go to sleep believing that holding up the promotion of a soldier who has gone to war for his country because of something that soldier can't do that he demands be done, he cannot possibly sleep easy believing that is the right course of action. It is not the right course of action. This is but 1 of 100 names on the Executive Calendar to date, 100. This was put on the calendar nearly 6 months ago for a general who has an unblemished record, has served America for 30 years, gone to war for this country, and was told by the Armed Services Committee, Republicans and Democrats unanimously by Senator LEVIN and Senator MCCAIN: You deserve a promotion to the second star as a major general. But 6 months later, this is not a major general.

This soldier has lost his promotion for the last 6 months because of one Senator saying: I am going to use this soldier as a pawn in my concerns and demands about the Corps of Engineers.

I could go through the rest of these demands. In fact, let me go through a couple, if I might. Outfall canals and pump to the river. He is making demands about that. Let me tell you about that. We had a vote on this. He lost. He doesn't like it. The Appropriations Committee, the full committee, voted and he lost. Why did he lose? Because what he wants to do is the most costly approach that will provide less flood protection for New Orleans. So you want to spend more money for less protection? No, the Appropriations Committee voted on that. I led the opposition. The appropriations subcommittee voted no. He is demanding holding up, by the way, the promotion for this major general. He is demanding it be done. The Corps of Engineers says if Congress appropriates the funds for this study, we will do it. But there are no funds appropriated.

Why? Because we voted against it. That is why. Unbelievable. And the list goes on. Ouachita River levees. The authorization for this project specifies that the levee maintenance is a nonfederal responsibility. Congress has not enacted a general provision of law that would supplant this nonfederal responsibility or that would allow the Corps to correct levee damages that are not associated with flood events.

That is just two. I mentioned three with Morganza. The fact is, we have a circumstance here where a soldier deserves a promotion, and that promotion is being held up because we have a Senator who is demanding things the Corps of Engineers cannot do. That is unbelievable to me. I do not come here very often getting angry about what a colleague does. Everybody here has their own desk. Everybody comes here with their own election and their own support. But I am saying this to you: These demands and using a soldier's promotion as a pawn in demands of the Corps that the Corps cannot do is just fundamentally wrong, and I do not know how someone can sleep doing it.

Madam President, I have not yet made the consent request. I would alert my——

Mrs. MCCASKILL. Will the Senator yield for a question?

Mr. DORGAN. I am happy to yield. But I do intend to make a unanimous consent request. I have not made it. So I would alert the folks who are here that I will be doing that momentarily.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. It is my understanding, through the Chair, that there are dozens and dozens of these holds that are secret and nobody knows what demands are being made or why. We do not know.

In this instance, it is my understanding that this Senator has proclaimed publicly why he is holding it. Is my understanding correct about that, I say to the Senator.

Mr. DORGAN. That is correct, I think perhaps boasting about it. He is saying: I have to do this for my State. But there is nothing he can gain for his State because the Corps of Engineers cannot move on these issues. They do not have the authority. They do not have the legal capability. The result is, this soldier, whose promotion he is holding up, meanwhile is wafting in the wind for 6 months and loses his promotion.

Mrs. MCCASKILL. That is the part I want to inquire about. Let's just say hypothetically, if the Army Corps of Engineers succumbed to what the Senator is asking and said: OK, you are going to hold up this brave soldier's promotion that he deserves because you want something for your State—if they did that, would that not be illegal?

Mr. DORGAN. Absolutely.

Mrs. MCCASKILL. So what he is saying is, he is asking the Army Corps of Engineers to do something that is illegal, and if they refuse to do something that is illegal, he is going to refuse to allow a soldier's promotion to go through? Am I actually getting that right?

Mr. DORGAN. I say to the Senator, I believe you have it pretty close to right. As I understand it, the Senator is demanding things of the Corps of Engineers that they do not have the legal authority to do. Until they do them, he is going to hold up the promotion of General Walsh, which I think—it is unbelievable to me that someone would do that.

Mr. LEVIN. If the Senator would yield further?

Mr. DORGAN. I am happy to yield.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Let me read to you from the March 19 letter from the Corps on this issue. The Senator from Louisiana said the example he wanted to use was something called the Morganza project. That is the example. He said, let me just give you one example. Three times, he says, this project has been authorized.

Well, this is what the Corps says relative to Morganza. OK. This is in writing, a letter to Senator VITTER:

> The Corps does not have authority to implement the Houma Navigation Lock as an independent project. Section 425 of WRDA 1996 authorized a study of an independent lock, but did not authorize construction. Section 425 in part read . . . ''The Secretary shall conduct a study of environmental, flood control, and navigation impacts associated with the construction of a lock structure in the Houma Navigation Canal as an independent feature of the overall damage prevention study being conducted under the Morganza,—

That is his project—

> Louisiana, to the Gulf of Mexico feasibility study.'' The Corps conducted a study in response to Section 425, but that study did not recommend construction of an independent Houma Navigation Lock feature due to uncertainties of benefits and concerns over justification of an independent lock structure.

That is their answer. They do not have the authority to do it.

Again, I know the Senator from Missouri is on the committee, so she understands that we act in a bipartisan way. We try to protect and defend and support the uniformed members of the U.S. military. We have unlimited bipartisan support for what they do for us, and this is the response—a hold on a nomination because the Corps will not do something they are not authorized to do?

I think it is so unacceptable, I made this unanimous consent request about 2 months ago. The Senator from Louisiana objected then. He said to give him a few more weeks. He thinks he could work it out. Those few weeks have long gone. So I very much support the effort of the Senator from North Dakota here.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, it is unbelievable to me that we have 100 of these. This is one I am particularly concerned about because I think it misuses a soldier's promotion in pursuit of something that really cannot be done by an agency, and I regret this is happening. This should not happen. And how on Earth are we going to find ways to work together in this place if this is the way we do business?

This makes no sense to me. It is not fair to a soldier. People listening to this would understand somebody demanding that an agency do something it cannot do in exchange for releasing a hold on a soldier's promotion? Is that what we have come to here? I hope not.

So my intention is to offer a unanimous consent request. My understanding is, someone is——

Mr. LEVIN. If the Senator will yield?

Mr. DORGAN. I am happy to yield.

Mr. LEVIN. I think the Senator from Delaware has a unanimous consent request which has been cleared. I wonder, just to make sure the Senator from Louisiana does have notice—apparently, he has been notified there is going to be a unanimous consent request.

Mr. DORGAN. I would be happy to have the Senator from Delaware do his request. I would say, however, that the Senator from Louisiana was on the floor, and I would have hoped he would have stayed on the floor to object to something that deals with the holdup he has made on this nomination. But apparently he has left the floor.

So let me yield to the Senator from Delaware for his unanimous consent request, and then I will propound a unanimous consent request on the subject just discussed.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Madam President, I thank the Senator from North Dakota.

Madam President, I ask unanimous consent that on Wednesday, April 21, following a period of morning business, the Senate proceed to executive session to consider Executive Calendar No. 699, the nomination of Christopher Schroeder to be an Assistant Attorney General; that there be 3 hours of debate with respect to the nomination; that upon the use or yielding back of time, the Senate proceed to vote on confirmation of the nomination; that upon confirmation, the motion to reconsider be considered made and laid upon the table; further, that the cloture motion with respect to the nomination be withdrawn; provided that upon disposition of the Schroeder nomination, the Senate then proceed to Executive Calendar No. 578, the nomination of Thomas Vanaskie to be a U.S. circuit judge for the Third Circuit; that there be 3 hours of debate with respect to the nomination; that upon the use or yielding back of time, the Senate proceed to vote on confirmation of the nomination; that upon confirmation, the motion to reconsider be considered made and laid upon the table; that the cloture motion with respect to the nomination be withdrawn; provided further that on Thursday, April 22, following a period of morning business, the Senate proceed to executive session to consider Executive Calendar No. 607, the nomination of Denny Chin to be a U.S. circuit judge for the Second Circuit; that there be 60 minutes for debate with respect to the nomination; that upon the use or yielding back of time, the Senate proceed to vote on confirmation of the nomination; that upon confirmation, the motion to reconsider be considered made and laid upon the table; with the cloture motion withdrawn, and the President be immediately notified of the Senate's action with respect to the above-referenced nominations; with all time covered under this agreement equally divided and controlled between Senators LEAHY and SESSIONS or their designees; finally, the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Under the previous order, the cloture motions on the Schroeder, Vanaskie, and Chin nominations are withdrawn.

Mr. KAUFMAN. Madam President, I yield to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DORGAN. Madam President, I ask unanimous consent that the Senate proceed to Executive Calendar No. 526, the nomination of BG Michael J. Walsh; that the nomination be confirmed and the motion to reconsider be considered made and laid upon the table; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Louisiana.

Mr. VITTER. Yes, Madam President, for the reasons I have clearly laid out, I again object.

The PRESIDING OFFICER. Objection is heard.

Mr. DORGAN. Madam President, let me again say the reasons that were clearly laid out were inappropriate reasons. The very specific project my colleague described as the problem—at least one of the problems—it turns out he would know, because he has received written notice from the Corps of Engineers, that they do not have the legal authority to do that which he demands.

So I do not know. I do not know where you go from here. If facts do not matter in this place, then I guess we have a fact-free debate and one does what they want to do without regard to the consequences. The consequence in this case—the negative consequence is for a soldier, a patriot who has gone to war for this country is now, in my judgment, being treated unbelievably unfairly by at least one Senator.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

MORNING BUSINESS

Mr. LAUTENBERG. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

GUN SHOW LOOPHOLE

Mr. LAUTENBERG. Madam President, I rise because today marks 11 years since the massacre at Columbine High School in Littleton, CO, occurred. This is a painful recall of a horrible moment in our country that should remind us all of a condition that could easily happen again.

I and millions of other Americans watched in horror as young students hung out of windows in that schoolhouse to try to save their lives, while two of their schoolmates went on a rampage and killed 12 students and a teacher. Those images will forever be burned in our memory.

But here is what a lot of people do not know: All the firearms used by the shooters were bought by an underage friend at a gun show. That purchase was able to be made because of the gun show loophole. Because of the gun show loophole, they were bought with no questions asked, no background check, no questions about who you are, where you might live. The weapons were bought ''cash and carry,'' without, again, any identifying questions being asked or being supplied. Those 13 people should never have died that day because those teenagers should not have had access to those guns. The young woman who bought the guns for the shooters said she would not have done it if a background check had been required.

Our laws require a background check for all gun sales by licensed dealers. But a special exemption allows anyone—including terrorists such as bin Laden, criminals, gun traffickers, and the severely mentally ill—to buy guns without a background check from so-called private sellers, who sell hundreds of guns every year at gun shows, fully exempt from any responsibility for those sales.

In 1999, I introduced legislation to close the gun show loophole and to keep guns from falling into the wrong hands. In the aftermath of Columbine, the Senate passed my legislation, with Vice President Al Gore casting the tiebreaking vote. It was a great victory but a short-lived one. The gun lobby stripped my legislation in conference with the House, and in the decade since then we have done absolutely nothing at the national level to close the gun show loophole. No wonder domestic terrorists frequently use gun shows to sell their firearms to fund their illegal activities.

Just yesterday, we commemorated the 15th anniversary of the Oklahoma City bombing. It claimed 168 lives, including 19 children under the age of 6. Timothy McVeigh—the killer responsible for those horrific deeds—frequently set up his own booth. He sold weapons at gun shows.

We continue to see the tragic consequences of senseless gun violence fueled by gun show dealers who are not really licensed.

Just a few weeks ago, a few miles from this Chamber, John Patrick Bedell opened fire on two police officers at the Pentagon Metro station. They were wounded before they returned the fire and killed Bedell. One of his semiautomatic guns was linked directly back to a gun show sale. And it is no surprise that his gun was bought outside the normal stream of commerce because Bedell would have failed a background check. He actually tried to buy a gun from a licensed firearms dealer in California, but because of his diagnosed mental illness, he couldn't pass the check.

If that doesn't make it clear that we have to stop guns from falling into the wrong hands, just think of the Virginia Tech shootings. Last Friday, we marked the third anniversary of that horrible day. In that tragedy, a mentally deranged man killed 32 students and faculty in the worst mass shooting in American history.

Whether it is Virginia Tech, the recent shootings at the Pentagon, or Columbine, we are reminded over and over that our gun laws are not strong enough. Yet, while gunshots continue to ring out across this country, the silence from this Chamber is deafening.

I am a veteran. I served in the military in Europe during wartime, World War II, and I understand the desire to protect one's self and family. But I know how important it is to keep terrorists, convicted criminals, and domestic abusers from having guns.

Some would argue that gun owners are against sensible gun laws, including closing the gun show loophole, but that is simply not true. Recent polling has shown that there is overwhelming support for closing the gun show loophole among gun owners. Here we have a placard that shows that gun owners themselves want the loophole closed. Sixty-nine percent of NRA members agree, and 85 percent of other gun owners agree: Shut down that gun show loophole. Republican pollster Frank Luntz recently found that 69 percent of National Rifle Association members and, as pointed out, 85 percent of other gun owners want us to close this loophole. After all, the vast majority of gun owners are law-abiding Americans who pass background checks and use their firearms responsibly. They know their lives and the lives of their children are in danger when a firearm is purchased by an unqualified buyer at a gun show, by someone who could never pass a background check at a neighborhood gun store. It is as easy as ever for criminals to buy guns—easier, in fact, than it is to get a library card.

We have an opportunity to save lives, and that is why I call on my colleagues to please join me and pass my bill to close the gun show loophole once and for all. Eleven years ago, we lost 12 students and a teacher to gun violence in Littleton, CO. One of the best ways to honor those who perished and those who have suffered is to make sure a tragedy like Columbine never happens again. We owe that and nothing less to the young people who died 11 years ago and the young people who count on us today. We have to step up to our responsibilities and ask all gun dealers to step up to their responsibilities.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

UNANIMOUS-CONSENT REQUESTS—EXECUTIVE CALENDAR

Mrs. McCASKILL. Madam President, earlier today I came to the floor to talk about transparency and the bright sunshine of public service and how foundational it is to that service being open. It is impossible to do the people's business if we do not allow the people to see what we are doing.

I remember sound and fury coming from some of my friends on the other side of the aisle when they believed there were decisions being made about the health care bill behind closed doors, sound and fury that somehow someone wasn't telling the public everything that was going on. Meanwhile, dozens and dozens of nominees to do the work of our government have piled up under the heading of a ''secret hold.''

I don't really understand how the secret hold came about. I don't really understand why one would ever need a

hold to be secret. Why does it need to be a secret? Is there something going on that you are not proud of? Is there a problem you don't want people to find out about?

I have to tell my colleagues, I kind of admire the Senator from Louisiana, who boldly spoke out that he is holding a general and not allowing this general to get another star, after a unanimous vote of the Armed Services Committee, because he wants a special project for his State that hasn't been authorized and hasn't been appropriated—bold but not unheard of, unfortunately, around here. People are constantly making deals for pork. Pork is an important part of the dealmaking around this place. Way too much of it goes on behind closed doors. But at least the Senator from Louisiana and I think earlier the Senator from Alabama—at least they were willing to publicly say they were holding a nominee because they wanted some pork for their States.

What I am most worried about is how many people out there are holding these nominees for secret reasons, and there are secret negotiations going on about what they want to get in order to release the hold. That is what everyone should be uncomfortable with.

Because we were uncomfortable with it, the Senate passed a bill. We passed a bill that was signed into law by President Bush, and I think this bill was passed 90-something to 4. In that bill, in section 512, it lays out what we thought was going to be an end to the secret hold. In the bill, it says that once someone makes a unanimous-consent request for a nomination to proceed, then that is the starting gun. The clock begins ticking. In that law, it says that when the motion is made, the Member of the Senate who has a secret hold must notify their party leader of the reasons why the nomination is being held; further, that the hold must be published, and the reasons for it, in the CONGRESSIONAL RECORD within 6 days.

Well, this morning I began the process of making that clock tick so that secret holds come out in the open where we can all identify them. Keep in mind that all of the names I am trying to begin the clock ticking for under secret holds came out of committee without an objection. In fact, we even went so far as to go back in the record and see if there was a voice vote, and even if there was a voice vote against the nominee, we didn't include them in this list. So these literally are people who have been nominated to do important things in our government, such as putting criminals in jail, sitting on the bench, moving prisoners around the country, an ambassador to a country that is incredibly important to the stability of the Middle East and our national security. All of these people have not had anyone speaking out in opposition to them. Yet they are held in secret.

So it is important to begin this process so that Senators can proudly explain what exactly—I think there are many examples, probably, of what the Senator from Louisiana was trying to do. The man he is holding has nothing to do with the project he wants. The man he is holding can't even deliver the project he wants. He is just telling that agency: You are not going to get what you want until I get what I want. I have to tell my colleagues that is not the way the American people want this place run.

While the vast majority of these are secret holds by our friends from across the aisle, there are also a handful that are being held by Democrats, and that is just as wrong. This is a bipartisan issue. It is about good government, transparency, and doing the people's business in public instead of in secret.

I wish to clarify a point made earlier today in an exchange I had with the Senator from Arizona. The Senator asked why I did not include Calendar No. 208, John Sullivan, a member of the FEC, on my list. As I stated earlier, my list consists of those nominees who have secret holds. It is my understanding that the Democratic Senator from Wisconsin raised his objection to Mr. Sullivan publicly and put out a public statement on his opposition to Mr. Sullivan on June 30, 2009.

If any of these names I am going to proceed to try to get unanimous consent on—if any Member has, in fact, put out a public statement on their opposition, then obviously they just need to speak up. That is what we are looking for here. We are looking for people to speak and own up to their objection. There is nothing wrong with holding a nominee if you have an objection. There is something wrong if it is secret. There is nothing wrong with debating a nominee. There is if it is secret. There is nothing wrong with voting no on a nominee. That is public. It is the secrecy we have to get at here.

So I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 652, the nomination of Michael Mundaca, Assistant Secretary of the Treasury; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

The Senator from Arizona.

Mr. KYL. Reserving the right to object, and I will simply make a couple of comments at this point because, as my colleague has said, it is her intention to make further unanimous-consent requests, and much of what I say will be linked to them as well. So with her indulgence, let me just make a couple of points.

I don't know whether there are, in fact, holds on all of the individuals for whom there will be a unanimous-consent request made or whether in some cases there was just a failure to clear on what we call around here a hotline; that is to say, a request made by the clerks on both the Republican and Democratic side.

I don't know who has holds on these individuals. If there are, I haven't looked it up. There are some, clearly, who are not objectionable who are on the Executive Calendar. I think, for example, of U.S. Marshals and, as far as I know, there will be no objection on our side. Those are simply to be worked out, in terms of when the votes will occur, between the two leaders. There is a process for that to occur. We just voted for a judge, and that process was done.

I understand there is an agreement for a Department of Justice Assistant Counsel who will be voted on tomorrow and two judges—I think both circuit court judges—which has been worked out by the leaders.

I only say, if my colleague from Missouri intends to ask unanimous-consent requests that each of the individuals she names be approved by unanimous consent, I will have to object to that because I think it is more appropriate for our leaders to determine a time for debate, if there needs to be debate, and a vote, if there needs to be a vote. Short of that, I will have to object to the unanimous-consent request. Therefore, with respect to the specific request just made, respectfully, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. MCCASKILL. Madam President, when someone fails to clear someone they are holding—and they have a right to do that—this is not a debate over whether people have a right to hold. I assure the Senator from Arizona that the leader is very aware these motions are being made. These motions are being made simply for the purpose to allow the rule to operate the way we wrote the law. We have a bad habit. I can just whisper into somebody's ear and hold a nomination. That is why we put these provisions in the law—to stop the bad habit of somebody saying: If you give me that bill, I will let that guy go or, if you give me that levee, I will let that guy go or, if you give me something I want, I will let the guy go. That is why this law was written—to stop the bad habit of somebody being able to stop a nomination without having to say why or even who.

So this is only an attempt—this is not to say all of these nominees will go through. I am not naive. I know they all will not move through this afternoon by unanimous consent, but this is notice to the American people that we are going to try to begin to enforce the law we wrote.

It has been pointed out to me: Well, you didn't put an enforcement mechanism in there. Do we have to make it a misdemeanor for a Senator to claim a hold? Do we have to say you can go to jail if you don't identify your hold? You would think that Senators passing

by a large margin and signed by a Republican President of 90-some to something, that that alone would be enough that people would, in fact—I would hope the people I named this morning—the people holding them have already notified the Senator from Arizona or the Senator from Kentucky that they are, in fact, the ones holding these nominations and why. This is the only purpose of this exercise—to make the law work that we voted for, that I am confident the Senator from Arizona voted for, and that the leader from Kentucky voted for and the entire Republican leadership voted for.

Mr. KYL. If the Senator will yield, I appreciate my colleague's comments, which I consider well taken. It is my practice if I have a hold on someone, it is for a very specific purpose that I consider to be legitimate, and I will notify whoever may be involved in it. When I talked about clearing the so-called hotline, I meant this: Sometimes either a piece of legislation or a nominee will be hotlined—usually in the evening after all business has expired and most of us have gone home—and I have on occasion, because my staff will then be informed of that, and sometimes they will respond to that hotline by saying Senator KYL does not approve of that bill or nominee because I know nothing about it. The next morning we will take a look at it, and 9 times out of 10 say: OK, no problem. Let it go.

Technically, I think that could be deemed a hold under the legislation to which we referred. I don't think any of us are getting to that objection. About 1 time out of 10, there is usually something you say: I don't like X in the bill. And frequently that gets cleared up. I think sometimes the practice of hotlining can be a good practice, but it means everybody needs to look at what is being hotlined and have an opportunity to register an objection or get it worked out or maybe the objection would stand.

To the point of my colleague about the so-called secret holds, I totally agree. The fact is, there are different reasons some people might be on the calendar my colleague is reading, but I don't know those reasons. I need to object on behalf of the minority tonight, and I will do that.

To the extent they are secret and being used for some of the purposes my colleague described, I agree those are improper, and that happens around here.

Mrs. MCCASKILL. I appreciate my friend's comments. I understand he is not someone making secret holds, and he is objecting on behalf of others. There is not a problem with that. I want to make the point that, under the law, it is technically not a hold until this unanimous-consent request is made. So there is no obligation under the law for someone to identify their hold until this request is made. I would think that after these requests are made, everybody will be on notice to follow the law and stop with the secret hold business because it is going to slow us down to have to constantly come to the floor and make these unanimous-consent requests.

Wouldn't it make more sense for everybody to own it, if they are going to stop somebody's life—a lot of these people have given up other jobs and are out there in limbo. Wouldn't it make more sense to own it and not go through these games?

At this time in the Bush administration we had five backed up. We have 80-some now.

Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 705, the nomination of James P. Lynch, to be Director of the Bureau of Justice Statistics; that the nomination be confirmed, the motions to reconsider be considered made and laid upon the table; that no further motions be in order; that the President be immediately notified of the Senate's action, and that any statements regarding the nomination be printed in the RECORD as if read.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. MCCASKILL. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 722, the nomination of Judith Ann Stewart Stock, to be Assistant Secretary of State; that the nomination be confirmed; that the motions to reconsider be considered made and laid upon the table; that no further motions be in order; that the President be immediately notified of the Senate's action, and that any statements relating to the nomination be printed in the RECORD, as if read.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. MCCASKILL. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 726, the nomination of Patricia A. Hoffman, to be Assistant Secretary of Energy; that the motions to reconsider be considered made and laid upon the table; that no further motions be in order; that the President be immediately notified of the Senate's action, and that any statements relating to the nominee be printed in the RECORD as if read.

The PRESIDING OFFICER. Is there objection.

Mr. KYL. I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. MCCASKILL. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 728, the nomination of Gloria M. Navarro, to be U.S. district judge for the District of Nevada; that the motions to reconsider be considered made and laid upon the table; that no further motions be in order; that the President be immediately notified of the Senate's action, and that any statements relating to the nomination be printed in the RECORD as if read.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Madam President, reserving the right to object, I might inquire of my colleague. I gather there will be several individual unanimous-consent requests made for the purpose of getting on the record the objection as to each name on the calendar. I believe we can accomplish that purpose by an en bloc request. If my colleague were to make such a request, it would be deemed that the request was made for each of the individual names, and perhaps my colleague would read the numbers on the calendar. I can then interpose an objection. If my colleague's purpose is beginning the clock, as it were, or requiring the person with the hold on the individual having to come forward, that could be achieved. I would be happy to spare the time of my colleague and the Senate from going through each individual name. I can object en bloc and that process can then commence, if that is acceptable.

Mrs. MCCASKILL. Pardon me while I consider the irony that the assistant leader of the other party wants to save time. I find that slightly ironic under the circumstances of how many of these nominations have been blocked up all these months.

Having said that, it is my understanding that this law requires the motion to be made on each individual. I don't want there to be any question as to whether each individual unanimous-consent request has been made, so that everyone understands that the clock is ticking. I think it is very important that there is a very clear signal. I don't believe this procedure has ever been undertaken before under the new law we passed in January of 2007. I want to make sure after the fact—because I am worried that perhaps somebody is going to think if we didn't make the request, they can tag team and withdraw their secret hold and put another one in. I am trying to make sure that doesn't happen.

Mr. KYL. I appreciate that concern, and I would think by a unanimous-consent agreement, which specifically stated the reason for it, as both of us have said, that it would be our intention that the process would be invoked by an en bloc request, if the Chair would rule on the matter, perhaps that would be sufficient to move forward on it, and we could know at that point that the process had been invoked for everybody.

Might I inquire whether the Chair would consider the process to be invoked for all of the names considered in the Senator's request?

The PRESIDING OFFICER. An en bloc unanimous-consent request will satisfy the procedural requirements.

Mr. KYL. I would be happy to have the Senator proceed whatever way she would prefer and for me to object appropriately for that purpose.

Mrs. MCCASKILL. In the spirit of moving things along and getting cooperation to move things along, which I hope is something that becomes a trend, I will be happy to read off all the names and then make the motion en bloc, with one objection to be heard for the record, and we hopefully will get letters flowing into the office from the persons having secret holds. I will begin to read the names:

Calendar No. 729, Jon E. DeGuilo, to be U.S. district judge for the Northern District of Indiana;

Calendar No. 730, Audrey Goldstein Fleissig, to be U.S. district judge for the Eastern District of Missouri;

Calendar No. 731, Lucy Haeran Koh, to be U.S. district judge for the Northern District of California;

Calendar No. 732, Tanya Walton Pratt, to be U.S. district judge for the Southern District of Indiana;

Calendar No. 740, Marilyn A. Brown, to be a member of the board of directors, Tennessee Valley Authority;

Calendar No. 741, William B. Sansom, to be a member of the board of directors, Tennessee Valley Authority;

Calendar No. 742, Neil G. McBride, to be a member of the board of directors, Tennessee Valley Authority;

Calendar No. 743, Barbara Short Haskew, to be a member of the board of directors, Tennessee Valley Authority;

Calendar No. 759, Jane E. Magnus-Stinson, to be U.S. district judge for the Souther District of Indiana;

Calendar No. 775, Brian Anthony Jackson, to be U.S. district judge for the Middle District of Louisiana;

Calendar No. 776, Elizabeth Erny Foote, to be U.S. district judge for the Western District of Louisiana;

Calendar No. 777, Mark A. Goldsmith, to be U.S. district judge for the Eastern District of Michigan;

Calendar No. 778, Marc Treadwill, to be U.S. district judge for the Middle District of Georgia;

Calendar No. 779, Josephine Staton Tucker, to be U.S. district judge for the Central District of California;

Calendar No. 780, William N. Nettles, to be U.S. attorney for the District of South Carolina;

Calendar No. 781, Wilfredo A. Ferrer, to be U.S. attorney for the Southern District of Florida;

Calendar No. 782, Michael Peter Huerta, to be Deputy Administrator, Federal Aviation Administration;

Calendar No. 783, David T. Matsuda, to be Administrator, Maritime Administration;

Calendar No. 784, Michael F. Tillman, to be member, Marine Mammal Commission;

Calendar No. 785, Daryl J. Boness, to be member, Marine Mammal Commission, reappointment;

Calendar No. 787, Earl F. Weener, member, National Transportation Safety Board;

Calendar No. 788, Jeffrey R. Moreland, to be director, Amtrak board of directors;

Calendar No. 789, Larry Robinson, to be Assistant Secretary for Oceans and Atmosphere, Department of Commerce.

Calendar No. 790, VADM Robert J. Papp, Jr., to be Commandant of the U.S. Coast Guard and to the grade of admiral;

Calendar No. 791, RADM Sally Brice-O'Hare, to be Vice Commandant of the U.S. Coast Guard and to the grade of vice admiral;

Calendar No. 792, RADM Manson K. Brown, to be Commander, Pacific Area of the U.S. Coast Guard and to the grade of vice admiral;

Calendar No. 793, RADM Robert C. Parker, to be Commander, Atlantic Area of the U.S. Coast Guard and to the grade of vice admiral;

Calendar No. 794, Arthur Allen Elkins, inspector general, Environmental Protection Agency;

Calendar No. 795, David A. Capp, U.S. attorney for the Northern District of Indiana;

Calendar No. 796, Anne M. Tompkins, U.S. attorney for the Western District of North Carolina;

Calendar No. 797, Kelly McDade Nesbit, U.S. marshal for the Western District of North Carolina;

Calendar No. 798, Peter Christopher Munoz, U.S. marshal for the Western District of Michigan;

Calendar No. 799, Carolyn Hessler Radelet, Deputy Director of the Peace Corps;

Calendar No. 800, Elizabeth Littlefield, president of the Overseas Private Investment Corporation;

Calendar No. 801, Lana Pollack, to be Commissioner on the part of the United States on the International Joint Commission, United States and Canada;

Calendar No. 802, Victor H. Ashe, member, Broadcasting Board of Governors;

Calendar No. 803, Walter Isaacson to be a member and chairman of the Broadcasting Board of Governors;

Calendar No. 805, Michael Lynton, member, Broadcasting Board of Governors;

Calendar No. 806, Susan McCue, member, Broadcasting Board of Governors;

Calendar No. 807, Dennis Mulhaupt, member, Broadcasting Board of Governors;

Calendar No. 808, S. Enders Wimbush, member, Broadcasting Board of Governors;

Calendar No. 809, Bisa Williams, Ambassador to the Republic of Niger;

Calendar No. 810, Raul Yzaguirre, Ambassador to the Dominican Republic;

Calendar No. 811, Theodore Sedgwick, Ambassador to the Slovak Republic;

Calendar No. 812, Robert Stephen Ford, Ambassador to the Syrian Arab Republic;

Calendar No. 814, Gary Scott Feinerman, U.S. district judge for the Northern District of Illinois;

Calendar No. 815, Sharon Johnson Coleman, U.S. district judge for the Northern District of Illinois;

Calendar No. 816, Loretta E. Lynch, U.S. attorney for the Eastern District of New York;

Calendar No. 817, Noel Culver March, U.S. marshal for the District of Maine;

Calendar No. 818, George White, U.S. marshal for the Southern District of Mississippi;

Calendar No. 819, Brian Todd Underwood, U.S. marshal for the District of Idaho.

I ask unanimous consent that the Senate proceed to executive session to consider the calendar numbers as read; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table; that no further motions be in order; that the President be immediately notified of the Senate's action; and that any statements relating to the nominees be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Madam President, for the reasons indicated, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. MCCASKILL. Madam President, finishing up, hopefully, we do not have to do this again. Hopefully, we have turned a page on a new day and secret holds are going to go away.

Let me once again give kudos to Senator WYDEN and Senator GRASSLEY. They worked on this issue for years trying to clean up secret holds and thought they got it done when we passed S. 1 back in 2007. Similar to a bad habit that is hard to break, this one evidently has been very hard to break in the numbers I just went through. Those are all the people who have secret holds right now. Hopefully, by the end of the week, we will learn who it is in the Senate who does not want them to be nominated, who it is who does not want them to be confirmed, and that they are willing to speak out about their objections so we can answer them, move forward, and get these people to work for the people of this great country.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. BURRIS. Mr. President, I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The Senate is in morning business.

CELEBRATING THE LIFE OF CIVIL RIGHTS PIONEER DOROTHY HEIGHT

Mr. BURRIS. Mr. President, last week, I came before this body to speak of the loss of a great leader from Memphis, TN, by the name of Benjamin Hooks. It is with a heavy heart that I come to the floor of the Senate again for the loss of a distinguished American. Early this morning, our Nation lost a strong leader and a great civil

rights pioneer. I ask my colleagues to join me for a moment in reflecting upon the leadership, passion, and selfless dedication that defined the highly consequential life of Ms. Dorothy Height.

She began her career in the 1930s as a teacher in Brooklyn, NY. She became active in the United Christian Youth Movement shortly after it was founded. It was this cause that would first carry her to national leadership, though she was quite a young lady at the time.

In 1938, Dorothy was selected by First Lady Eleanor Roosevelt to help plan a World Youth Conference. She rose to this task with poise and determination and made a strong impression on the First Lady.

Later, Dorothy was asked to serve as a delegate to the World Congress on Life and Work of the Churches.

Also, in 1938, she was hired by the YWCA and quickly began to rise through the ranks of the national organization.

It was around this time that she caught the attention of Mary McLeod Bethune, founding president of the National Council of Negro Women, or NCNW, who recruited young Dorothy to join the fight for women's rights, one of the central issues that would become the cause of her life.

She remained deeply involved in the YWCA and also attained high leadership positions in the Delta Sigma Theta sorority, the U.S. Civil Rights Leadership, and a number of other organizations.

She helped to guide these pivotal groups through the stormy waters of the civil rights movement, looking always to the future and maintaining a steadfast dedication to cause and principle.

But it was Dorothy's distinguished leadership of the NCNW that would come to define her career. In 1957, Dorothy Height was elected fourth national president of NCNW, a position she would hold continuously until 1998. For more than four decades, she was at the helm of the preeminent leadership council for African-American women.

Thanks to her unrivaled expertise, transcendent vision, and lifelong dedication to this cause and to this great organization, by the time of her retirement in 1998, she lived in a country that was far more free, more fair, and more equal than the one she saw as a child.

For her extraordinary work, in 2004, this Congress bestowed upon her its highest civilian honor, the Congressional Gold Medal. President Bush presented her with this award on her 92nd birthday.

Today, as we celebrate Dorothy's life and mourn her loss, I ask my colleagues to join with me in honoring the immeasurable contributions she has made to this country.

I ask them to reflect on the leadership she has rendered and the causes she has championed and the countless lives she has touched. Without Dorothy Height, America might be a very different place today.

We owe a great deal for the difference she has made and for the lifetime of hard work she has devoted to her fellow citizens.

It is with a sad heart that I come to this floor again to eulogize one of our pioneers, one of our greatest Americans, and one of the major contributors to the civil rights movement to advance the cause of equality and justice in the United States of America.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FINANCIAL REGULATORY REFORM

Mr. BROWN of Ohio. Mr. President, for too long the interests of the middle class have gone ignored—simply an afterthought in a financial system that has enabled a few Americans to help themselves, to accumulate immense wealth, while middle-class wages stagnated.

Wherever I go in Ohio, the story is the same: From Toledo to Marietta, from Ashtabula to Middletown, the entrepreneurs and small business owners can't get the credit they need to expand operations and hire workers. College students are worried about signing away their financial future when signing up for college. They are worried a bank's exorbitant interest rate will follow them into their career, through parenthood, and into retirement. Neighborhoods across Ohio—especially in our cities, but it has spread way beyond that—have been shattered because of the housing crisis, caused in large part by Wall Street gambling with the American dream. Cities and towns face massive budget shortfalls, shortchanging vital public services such as education, law enforcement, and transportation.

Today, I brought to Washington—for the third straight year—55 presidents of colleges and universities, 2-year, 4-year, private and public, from Ohio to talk about what we do with public education. All of them face significant budget problems because of what Wall Street has done to our communities, to our colleges and universities, to our cities, towns, and small businesses.

Workers worry about their pensions—whether they spend their later years living off the fruits of their labor or working part-time jobs just to get by. The hallmarks of middle-class life—a stable job, a secure home, a safe community—in too many places in Ohio, in Colorado, and across the country are at risk.

Let's not forget what got us here in the first place. Some might say we don't need to pick winners in our economy, but we don't need to pick losers either. Yet look what we have done on Wall Street and in Washington. Washington's permissive attitude toward Wall Street has thrown our entire economy into turmoil. The financial sector can't be allowed to call the shots, as they have, when it comes to our economy.

Let me cite one quick statistic. In 1980, 35 percent of our Nation's GDP was manufacturing. Less than half that amount, less than one-sixth, was financial services. Today, those numbers have flipped—at least before this recession. Manufacturing accounted for only about 15 percent of our GDP, financial services was almost twice that. But look what that brought us. Look what it brings us in mining towns in Colorado or industrial towns in Ohio, where town after town after town has been hollowed out because of Wall Street, because of Federal policies from the last decade that have chosen financial services over manufacturing, that have chosen Wall Street over Main Street.

Megabanks can't hold such a large stake in our economy that their downfall becomes our economy's downfall. Despite the economic meltdown and bailout, our Nation remains vulnerable to the next economic crisis. Yet what is happening in this institution? People are trying to block us from action. The biggest banks grow bigger—the six largest U.S. banks have total assets equal to 63 percent of our overall GDP. Let me say that again. The six largest banks have total assets equal to 63 percent of our overall GDP. We must take action to ensure that no bank can hold so much of our Nation's wealth that if it fails our Nation either bails it out or our financial system crumbles.

What kind of a Hobson's choice is it for the House and the Senate, the President and the Federal Reserve to make when a bank is so big that if it is about to fail, we have two choices: Either we bail out that bank with taxpayer dollars—as we had to do a couple years ago, at the end of the Bush years—or we allow the financial system to implode and crumble.

But size alone is not the problem. We also have to cut back on Wall Street's risky speculative activity where taxpayer interests are involved. For decades we have had a system that incentivizes reckless behavior without accountability and very little consequence to the bankers who got us into it, all the while taxpayers and the middle class are left footing the bill.

That is why Wall Street reform is so important. It would make big Wall Street banks accountable and impose strict regulations to forbid Wall Street from gambling with our financial security. In the last 10 years, the banks got bigger, the speculation grew more rampant, and the risk from very highly paid Wall Street bankers, managers, and executives became more rampant. When everything fell apart, the middle class and poor people in this country

paid the price. They paid it through lost jobs, they paid it through lost homes, they paid it through more debt, they paid it through losing the American dream.

In the end, if we do Wall Street reform right, if we are able to overcome the opposition to Wall Street reform—the opposition from the Republican leader and those who follow him, which is all about protecting the banks—if we win this debate and outvote the Republican leader and the banks and all who would follow him, it would make Wall Street banks accountable, it would impose strict regulations, and prevent Wall Street from gambling. It would end taxpayer bailouts for good. Financial institutions, not American taxpayers, would then pay for their own mistakes.

If someone starts a small business in O'Leary, OH, and fails, he pays for it. If someone has a job and fails at her job, loses her job, she pays for it. When Wall Street banks fail at their work, they collect, in many cases, millions of dollars and suffer little punishment while the rest of us pay for it.

If we do this right, Wall Street reform will provide the strongest consumer protections for people in Ohio, in Colorado, and in every State in this country—no more of the tricks and the traps in the mortgage market and elsewhere that led to the near collapse of our economy. We need to bring new accountability to Wall Street that protects the pensions of our retirees, the home values of our families, and the jobs of our workers.

Those opposing financial reform—those who oppose Wall Street reform—as they did with health care reform, are protecting special interests. The Presiding Officer, the senior Senator from Colorado, and myself were on the floor many times during the health care debate, and over and over we pointed out how the opponents of the health care reform—similar to the opponents of Wall Street reform—were, in too many cases, simply representing the interest groups that were opposed to this. The Republicans' most important benefactor during health care reform was the insurance companies, and those insurance companies were major supporters of Republicans for decades. Well, we are seeing the same thing with Wall Street. The most important benefactor to Republicans and Wall Street reform are the big banks and the big Wall Street operators. Again, they are doing the bidding of banks and they are doing the bidding of the Wall Street operators.

They make other arguments. They never say: The reason I am opposed to this is because Wall Street and the big banks want me to. No, they come up with something else. There is an old saying from a Mississippi civil rights leader who said: Don't tell me what you believe. Show me what you do, and I will tell you what you believe. Well, watch what my friends on the other side of the aisle are doing; listen to what Republicans are saying. In the end, they know this choice is between Wall Street and Main Street. Behind closed doors they, of course, want to make the decision for Wall Street, but when they come out here, while they are protecting Wall Street, they want to make it sound as though they are protecting Main Street.

Americans are too smart to be fooled. Wall Street lobbyists have enlisted Republicans to kill a bill. They have had meeting after meeting behind closed doors with Wall Street lobbyists, bank lobbyists talking about how to kill this bill. You know that the Republican leader and those who follow him are saying directly to Wall Street lobbyists that if they want their help, then elect more Republicans in the Senate. That would help immensely. Of course it would, because if there are more Republicans in the Senate, there will be more people to block Wall Street reform.

So while cutting backroom deals to prevent reform, they are hoping the American people forget that it was Wall Street greed and excess; that it was deregulation of Wall Street—so they had no real rules to live under over the last 10 years—that put our economy on the brink of collapse. Well, the American people, this time, will not forget. No more meltdowns, no more bailouts.

We need rules that ensure Wall Street investors can't bet the farm in Chillicothe, can't bet the home in Cleveland Heights, can't bet the job in Wilmington on a financial bubble that is bound to burst. We need rules that support the entrepreneurs and small business owners on Main Street across the Nation, not rules that protect Wall Street in New York.

That is what reform will do. It is about protecting small business owners such as Teresa from Powell, OH, in central Ohio, who writes:

> My husband and I are small business owners in Ohio. Our business is successful and we want to grow and hire more employees. But the banks still aren't lending. We have a new product we would like to launch, but we need a loan. We have put everything in the business to make it a success. How is a business to grow when it cannot get financing even if it has a proven track record of success?

It is about JoAnn from Cincinnati, who writes:

> I am one of those small business owners who can't get money from the banks. If the situation continues, I and my family and my employees and their families will be out of luck and out of an income, and [into] unemployment. The banks are sitting on cash, cleaning up their balance sheets and killing us with fees.

Some Republicans claim banks are more important than protecting the American public. It is a false choice. The real choice comes this week and next week when this Wall Street reform comes to the Senate floor. The real choice is: Are you going to side with Wall Street or are you going to side with Main Street? That is the choice. If we in this body follow the Republican leader and side with Wall Street, we will be in another financial collapse sometime in the next decade or so. If we, however, in this body follow the Presiding Officer and me and others who think that Main Street is what represents the real values of this country, then we will see a financial system that will serve the American people and doesn't just serve the interests of Wall Street.

JUSTICE JOHN PAUL STEVENS

Mr. LEAHY. Mr. President, today is Justice John Paul Stevens' birthday, and I cannot help but think about that and some wonderful conversations I have had with him of late. As I said, his retirement from the Supreme Court will begin to draw to a close an extraordinary judicial career spanning four decades, including 35 years on the Nation's highest Court.

It is interesting, Justice Stevens and I both came to Washington in the wake of the Watergate scandal in 1975. President Ford was impressed by Justice Stevens' anticorruption record, including his investigation of two Illinois Supreme Court Justices who were charged with accepting bribes. His confirmation to the Supreme Court was the first of a dozen Supreme Court nominations I have considered and voted on in my years in the Senate. As a young freshman Senator, it was my privilege to support his confirmation in 1975. Incidentally, he was nominated by a Republican President and considered by an overwhelmingly Democratic Senate. From the time he was nominated until the time he was confirmed unanimously, it was 2½ weeks.

Justice Stevens is the only sitting Justice with Active military service during wartime. He is the last Justice from the ''Greatest Generation.'' He has never turned away when the Nation sought his service. He worked as a Navy intelligence officer during World War II, and that earned him a Bronze Star.

Justice Stevens' unique and enduring perspective is irreplaceable; his stalwart adherence to the rule of law is unparalleled. The Federal judiciary and indeed the entire Nation will miss his principled jurisprudence. Today, as he marks another milestone with the celebration of his 90th birthday, and as we continue to honor his legacy, I want to mention just a few of his most notable opinions.

During my 35 years in the Senate, I have submitted briefs to the Supreme Court in only a few cases. The most recent case was very important to me. It involved a Vermont musician named Diana Levine.

Ms. Levine was forced—remember, she is a musician—she was forced to endure the amputation of her arm after she was injected with a drug to treat nausea. The drug maker failed to include critical information on its warning label that could have saved Ms. Levine's arm, and she ultimately sued the

drug maker for this failure. A Vermont jury awarded Ms. Levine damages for the injuries that forever altered her life and career. Justice Stevens wrote the Court's opinion in that important case. He concluded that Food and Drug Administration approval of a drug for sale does not prevent that corporation from being held accountable under State consumer protection laws. In Ms. Levine's case, a Vermont jury heard all the facts and determined that the corporation had improperly labeled its product and failed to warn about the risks of injecting the drug. Justice Stevens' opinion in the Levine case ensured that millions of Americans who rely on pharmaceuticals will be protected by their own state laws, and will not be denied access to justice if they are injured. Although most Americans never expect that they will need to go to court, the right to do so is enshrined in our Constitution. Justice Stevens wrote a similarly compelling decision for the Court in a case called Tennessee v. Lane.

Justice Stevens has written important opinions in cases in which the Supreme Court has upheld the power of Congress to pass legislation that protects the Americans we represent. He has brought to his opinions a keen understanding of the distinct roles set forth in our Constitution for courts and for the democratically elected Congress. He has maintained a fervent respect for both.

In Gonzales v. Raich and in Tennessee v. Lane, Justice Stevens authored the Supreme Court's opinions upholding the actions of Congress to protect Americans. I suspect these precedents will be even more important as the Supreme Court continues to examine laws passed by Congress to protect Americans from discriminatory health insurance policies and fraudulent Wall Street practices.

Justice Stevens has also written important decisions that involve the enforcement of laws duly passed by Congress. He authored a powerful opinion for the Court in one of the most important environmental protection decisions in recent memory. In Massachusetts v. EPA, the Court concluded that the Environmental Protection Agency had to live up to its name and mission in implementing the Clean Air Act, despite the Bush administration's refusal to do so. Justice Stevens wrote: ''Because greenhouse gases fit well within the Clean Air Act's definition of air pollutant' we hold that EPA has the statutory authority to regulate the emission of such gases from new motor vehicles.'' The Court rejected the Bush administration's rationale for refusing to enforce the law. The Nation will be better served for that decision.

Some of the most important cases decided by this Supreme Court in the last decade have involved the limits of Presidential power in time of war, and Justice Stevens has left his mark on many of them. His experience serving this country in wartime no doubt contributed to his understanding. I said earlier that he is the only member of the Supreme Court who has served his country in wartime in the military. In Rasul v. Bush, the Court held that our Federal courts have jurisdiction over detainees held by the Government, even though they are not citizens of the United States. A few years later, Justice Stevens wrote for the court in Hamdan v. Rumsfeld, and concluded that our Government has to follow our laws, including the Geneva Conventions, in trying prisoners detained at Guantnamo Bay. At their core, these decisions upheld the notion that the rule of law applies even in a time of war—something the Founders of this country believed.

As the most senior Justice on the Court, Justice Stevens has the authority to write the opinion of the Court when the Chief Justice is in dissent. In two of the most important civil rights cases of the decade, Grutter v. Bollinger and Lawrence v. Texas, Justice Stevens extended the privilege of the writing the majority opinion to other Justices. In Grutter, the Court upheld the University of Michigan Law School's admissions policy in an opinion by Justice Sandra Day O'Connor. Justice Stevens joined that opinion, which recognized a compelling educational interest in racial diversity. In Lawrence v. Texas, the Court held that consensual sexual conduct was protected by the Constitution from government intrusion. The majority opinion, in which Justice Stevens joined, was written by Justice Anthony Kennedy. The impact of these two rulings on hardworking Americans was immediate; I hope they will endure.

A decade ago, the Supreme Court unnecessarily waded into the political thicket to determine the outcome of the 2000 Presidential election. In a scathing dissent, Justice Stevens lamented that the decision would damage the Court's reputation as impartial. Of course, he was right, and it did damage the Court's reputation. He had noted, and I quote:

> Although we may never know with complete certainty the identity of the winner of this year's Presidential election, the identity of the loser is perfectly clear. It is the Nation's confidence in the judge as an impartial guardian of the rule of law.

He was right to speak so critically of what was a blatant political decision.

While the public's memory of that politically charged decision finally began to recede, the Supreme Court again opened the floodgates, issuing its latest election-related decision in the Citizens United case. In Citizens United, five Justices with the stroke of a pen overturned a century of law to permit corporations to overwhelm and distort the democratic process. Those five justices substituted their own preferences for that of Congress, which had built on decades of legal development to pass bipartisan campaign finance reform legislation after an open and extensive debate. In order to reach its divisive decision granting corporations, banks, and insurance companies rights that were once reserved for individual Americans, the Court overstepped the proper judicial role, and rejected not just the conclusions of the elected branches, but also its own recent precedent upholding the very same law it now overturned. In what may be his most powerful dissent, Justice Stevens noted that the ''Court's ruling threatens to undermine the integrity of elected institutions across the nation. The path it has taken to reach its outcome will, I fear, do damage to this institution.''

I agree with Justice Stevens in both of these dissents. I join him in his concern for the Court's reputation. Two of the three branches of government are involved in campaigns and elections. When the American people see the courts reaching out to influence those elections, they rightly get suspicious of its impartiality.

While I supported his confirmation, as I said before, as a very junior, very new Senator, I have not always agreed with Justice Stevens. But my admiration for his service is not based merely on the results of the cases that came before him, nor solely on his judgment or his forthrightness, but, rather, also on the manner in which he approached the law and his vigilant concern for public confidence in our courts.

If we lose that public confidence in our Court, we lose one of the greatest mainstays of our democracy. If a society does not have confidence in the integrity and the independence of their courts, there is no way they can maintain a democracy, there is no way they can maintain a check and balance.

I have always respected the way in which Justice Stevens has conducted himself as a Justice and the way he has explained his conclusions. He and I share a view of government transparency that is a vital element of our democracy. No one can question Justice Stevens' integrity, nor his dedication to public service.

Today, I join a grateful nation in wishing Justice John Paul Stevens a very happy 90th birthday. We are indebted to him for his service. I hope the next nomination to the Supreme Court will honor his extraordinary legacy.

The choice of a Supreme Court nominee is one of the most important and enduring decisions any President can make. A year before he died, President Gerald Ford wrote this about Justice Stevens: ''I am prepared to allow history's judgment of my term in office to rest (if necessary, exclusively) on my nomination 30 years ago of John Paul Stevens to the U.S. Supreme Court.'' What a tribute. No doubt every President would want to be able to say that about the quality of his Court selections.

The law is not a game to be played or a puzzle to be solved. The law is intended to serve the people—protecting the freedom of individuals from the

tyranny of government or the mob, and helping to organize our society for the good of all. No Justice should substitute his or her personal preferences and overrule congressional efforts to protect hardworking Americans pursuant to our constitutional role.

I am looking forward to meeting with President Obama tomorrow to discuss his selection of a nominee to succeed Justice Stevens. Then, and in any private discussions, I will suggest that he pick someone who approaches every case with an open mind and a commitment to fairness. Someone who will heed the Vermont marble inscribed above the entrance of the Supreme Court which pledges ''Equal Justice Under Law.'' Someone like Justice John Paul Stevens.

EQUAL PAY DAY

Mr. LEAHY. Mr. President, today is Equal Pay Day: After 16 months of work, professional women today will finally have earned what their male counterparts earned in just 12 months of work last year. It is shameful that gender discrimination still exists in our country, and I hope today will serve as an important reminder that we must redouble our efforts to fully close the wage gap.

Forty-six years have passed since the Equal Pay Act was enacted, yet the disparity between women's and men's salaries stubbornly remains. Congress passed title VII of the Civil Rights Act to protect employees against discrimination with respect to compensation because of an individual's race, color, religion, sex or national origin. Unfortunately, a narrow ruling by the Supreme Court in 2008 meant that those who are subject to pay discrimination have no claim to remedies unless a suit is filed no more than 180 days after the pay discrimination first takes place, even if they were unaware of the discriminatory pay. This ruling eroded longstanding interpretation of discrimination laws and created a new obstacle for victims of pay discrimination to receive justice.

Last year, the new Congress achieved what could not be done before: We enacted the ''Lilly Ledbetter Fair Pay Act'', which I was proud to cosponsor with Senators MIKULSKI, KENNEDY and others. This bill restored victim's ability to file suit for pay discrimination and became the first bill President Obama signed into law. Lilly Ledbetter, the courageous woman who was the subject of decades of pay discrimination, continues to fight to ensure other women do not experience the same wage disparity she did for so many years. Lilly visited Vermont last fall as the keynote speaker at the Women's Economic Conference I host every year. Vermonters who attended that conference have written me and stopped me in the street to tell me how much her story meant to them. I hope Lilly continues to speak to inspire thousands more women to pursue pay equity.

The ''Lilly Ledbetter Fair Pay Act'' was an important first step in supporting equal pay for equal work, but our efforts must not stop there. Today, women are still paid just 77 cents on average for every dollar a man makes. Over the course of a womans career, the pay gap will mean between $400,000 and $2 million in lost wages. Eight years ago Vermont acted to pass an equal pay act, which prohibits paying female or male workers differently for equal work that requires equal skill, effort, and responsibility under similar working conditions. Now in Vermont, employers cannot require wage nondisclosure agreements and employees are protected from retaliation for disclosing their own wage. As a result, Vermont leads the country in having one of the narrowest wage gaps between women and men. Today, in celebration of Equal Pay Day, Vermont's Business & Professional Women and the Vermont Commission on Women will join their member organizations at the Vermont State House for a proclamation signing and discussion of important issues relative to women.

Two bills awaiting action in the Senate include provisions similar to those enacted in Vermont. The ''Paycheck Fairness Act'', originally introduced by Senator Clinton, of which I am an original cosponsor, creates stronger incentives for employers to follow the law, strengthens penalties for equal pay violations, and prohibits retaliation against workers for disclosing their own wage information. This bill passed the House with bipartisan support more than a year ago and deserves action in the Senate. The ''Fair Pay Act'', introduced by Senator HARKIN—another bill that I cosponsor—requires employers to pay equally for jobs of comparable skill, efforts and working conditions and requires employers to disclose pay scales and rates for all job categories at a given company. To effectively close the wage gap we must address the systemic problems that are resulting in pay disparities. I believe both these bills are essential steps to closing the wage gap.

This is not a Democratic or Republican issue but an issue of inherent fairness. Sadly, wage discrimination affects women of every generation and every socioeconomic background and is not limited to one career path or level of education. We should pass the ''Paycheck Fairness Act'' and the ''Fair Pay Act'' and work toward other solutions to ensure our daughters and granddaughters are not subject to the same discrimination that has burdened American women for decades.

Ms. MIKULSKI. Mr. President, I rise today to bring attention to Equal Pay Day. It is today, April 20, that represents how long women had to work into 2010 to earn what men made in 2009. It is an unfortunate occasion.

Women make this country run—we are business leaders, entrepreneurs, politicians, mothers and more. But we earn just 78 cents for every dollar our male counterpart makes. Women of color get paid even less.

As a U.S. Senator, I am fighting for jobs today and jobs tomorrow. I am on the side of a fair economy and I am the side of good-guy businesses. We need an economy that works for everyone.

I was proud to sponsor the Lilly Ledbetter Fair Pay Act in the Senate, and even prouder to stand next to President Obama as he signed his first bill into law. This law overturns the Supreme Court's decision in Ledbetter v. Goodyear Tire & Rubber Co. so that the laws against pay discrimination apply to every paycheck or other compensation a worker receives. This protects victims of discrimination and allows them to file a lawsuit any time that they find they have been treated unfairly.

But more needs to be done. The next step is the Paycheck Fairness Act. This bill will help close the wage gap between men and women. It will help empower women to negotiate for equal pay, create strong incentives for employers to obey the laws already in place, and strengthen enforcement.

It is time to recommit to closing the wage gap. From the day I first entered Congress I have worked hard to guarantee equality to everyone under the law. I firmly believe that all forms of discrimination should be prohibited. I believe people should be judged by their individual skills, competence, unique talents and nothing else. And once you get that job because of your skills and talents you better get equal pay for equal work. It is time to tell all of those who have suffered wage discrimination—it is a new day.

Mr. HARKIN. Mr. President, today Americans are observing Equal Pay Day. It is the date that marks the 110 extra days that women must work into 2010 in order to equal what men earned in 2009.

In 1963, responding to the fact that the 25 million female workers in our workforce earned just 60 percent of the average pay for men, Congress enacted the Equal Pay Act to end this brazen yet widely tolerated discrimination.

Over the past 47 years, we have made progress towards the great goal of equal pay for women. But, progress has been stalled in the last decade. As we observe Equal Pay Day this year, it is a sad fact that too many women in this country still do not get paid what men do for the exact same work. On average, a woman makes only 77 cents for every dollar that a man makes. The circumstances are even worse for Latinas and women of color.

This is wrong and unjust. But, even more, it threatens the economic security of our families. Millions of Americans are dependent on a woman's paycheck just to get by, put food on the table, pay for child care, and deal with rising health care bills. Two-thirds of mothers bring home at least a quarter of their family's earnings. In many families, the woman is the sole breadwinner. And, during the latest economic downturn, more men have lost

jobs than women, making households even more dependent than ever on women's earnings.

The fact is, America's women are working harder than ever, but they are not being fairly compensated for their contributions to our economy. On average, women lose an estimated $700,000 over their lifetimes due to unequal pay practices, and this inequality means real hardships for their families.

And, while many factors influence a worker's earnings—including educational attainment, work experience, and family status—even when controlling for many of these variables, a substantial portion of the wage gap cannot be explained by anything but discrimination.

This issue is highlighted by the experience of Lilly Ledbetter. Over nearly two decades of work, Lilly received performance awards and outstanding reviews. Yet, late in her career, she learned, through an anonymous note, that she had been paid significantly less than men in the company doing the exact same job. When she sued, a jury reviewed the evidence and concluded that she was paid less because of her gender.

Outrageously, the Supreme Court reversed the jury's verdict. They held that, even though Lilly's company, like so many others that discriminate, do so covertly and do not reveal what male workers earn, Lilly somehow should have known that she had been discriminated against within 180 days of when she was hired. Because workers like Lilly do not learn of pay inequities for years, the decision left no recourse for her and for other victims of wage discrimination.

Largely because of Lilly's determination to win justice for women, the first legislation passed by Congress and signed into law by President Obama was the Lilly Ledbetter Fair Pay Act. Very simply, this law reversed the Court's severely flawed decision.

We celebrate enactment of this important law, but we must recognize that it was only a first step. We need to do much more.

First, there are too many loopholes and too many barriers to effective enforcement of existing laws. That is why I strongly support the Paycheck Fairness Act. This bill—sponsored by Senator DODD, Senator MIKULSKI, and Representative ROSA DELAURO—would strengthen penalties for discrimination and give women the tools they need to identify and confront unfair treatment.

In January, the House of Representatives passed the bill overwhelmingly on a bipartisan basis. And, last month, the Senate Health, Education, Labor, and Pensions Committee, which I chair, held a hearing on this long-overdue bill. I hope that the Senate can pass the bill and send it to the President's desk this year.

In addition, we must recognize that the problem of unequal pay goes beyond insidious discrimination. As a nation, we unjustly devalue jobs traditionally performed by women, even when they require comparable skills to jobs traditionally performed by men. Why is a housekeeper worth less than a janitor? Why is a parking meter reader worth less than an electrical meter reader? To address this more subtle discrimination, last year on Equal Pay Day I introduced the Fair Pay Act to ensure that employers provide equal pay for jobs that are equivalent in skill, effort, responsibility and working conditions.

My bill would also require employers to publicly disclose their job categories and their pay scales, without requiring specific information on individual employees. Giving people better bargaining information in the first place will help alleviate the need for costly litigation by giving employees the leverage they need to have informed pay discussions with their employers. Right now, women who suspect pay discrimination must file a lawsuit and go through a drawn out legal discovery process to find out whether they make less than the man working beside them.

With pay statistics readily available, this expensive process could be avoided. In fact, I asked Lilly Ledbetter: If the Fair Pay Act had been law, would it have prevented her wage discrimination case? She made clear that, if she had been aware of the information about pay scales that the bill provides, she would have known she was a victim of sex discrimination.

The Fair Pay Act removes many of the systematic barriers that lead to unequal pay. We must act this year to pass this important legislation to eliminate the longstanding biases that prevent America's women workers from achieving true equality in the workplace.

On this Equal Pay Day, let us recommit ourselves to eliminating discrimination in the workplace and ensuring that all Americans receive equal pay for equal work. America's working women—and the families that rely on them—deserve fairness on the job. And, let me be clear, as chairman of the Health, Education, Labor, and Pensions Committee, I pledge to fight pay discrimination until we have achieved true equality in the workplace and there is no longer a need to observe Equal Pay Day.

NATIONAL CRIME VICTIMS' RIGHTS WEEK

Mr. LEAHY. Mr. President, this past Sunday marked the start of National Crime Victims' Rights Week. Since 1981, people across the Nation have observed this week with candlelight vigils and public rallies to renew our commitment to crime victims and their families. It is vitally important that we recognize the needs of crime victims and their family members, and work together to promote victims' rights and services.

My involvement with crime victims began more than three decades ago when I served as State's attorney in Chittenden County, VT, and witnessed first-hand how crime can devastate victims' lives. I have worked ever since to ensure that the criminal justice system is one that respects the rights and dignity of victims of crime, rather than one that presents additional ordeals for those already victimized.

I was honored to support the passage of the Victims of Crime Act of 1984, VOCA, which has been the principal means by which the Federal Government has supported essential services for crime victims and their families. This critical piece of legislation provides grants for direct services to victims, such as State crime victim compensation programs, emergency shelters, crisis intervention, counseling, and assistance in participating in the criminal justice system. These services are entirely funded from a reserve fund created from criminal fines and penalties, and are provided without a single dime of funding from Federal taxpayers.

I have worked hard over the years to protect the Crime Victims Fund. State victim compensation and assistance programs serve nearly 4 million crime victims each year, including victims of violent crime, domestic violence, sexual assault, child abuse, elder abuse, and drunk driving. Several years ago, we made sure the fund had a ''rainy day'' capacity so that in lean years, victims and their advocates would not have to worry that the Crime Victims Fund would run out of money, leaving them stranded. More recently, an annual cap has been set on the level of funding to be spent from the fund in a given year. When this cap was established, and when President Bush then sought to empty the Crime Victims Fund of unexpended funds, I joined with Senator CRAPO and others from both political parties to make sure that the Crime Victims Fund was preserved. These resources are appropriately set aside to assist victims of crime and their families. We have had to work hard to protect the Crime Victims Fund, and I have consistently supported raising the spending cap to allow more money out of the fund and into the field.

As we observe Crime Victims' Rights Week, I would like to highlight a program in Vermont that has developed a unique and innovative approach to supporting victims of crime. In 2006, I was pleased to help the Vermont Center for Crime Victim Services secure funding to design and implement the Burlington Parallel Justice Project. This program addresses the limitations of traditional criminal justice and restorative justice models, and represents a collaborative approach to repair the harm caused by crime. Under this program representatives from different sectors of the community, from government to law enforcement to service providers to local business, come together to address the needs of crime victims in a comprehensive manner.

The concept of parallel justice was developed by Susan Herman, a former executive director of the National Center for Crime Victims, who emphasized the importance of having a victim-driven path through the criminal justice system. With the help of Susan and the National Center for Crime Victims, the Vermont Center for Crime Victims Services, the Burlington Community Justice Center and the Burlington Police Department implemented her vision in their community by forming a Parallel Justice Commission. The commission responds to the needs of victims by working with local service providers and others to address those needs, whether it is emotional support, medical cost assistance, or property repair. By hearing from victims about their experiences with the criminal justice system, they also bring about systemic change where needed. The result is a comprehensive approach to victim assistance that enhances the relationships between different parts of the community and builds safer and stronger neighborhoods.

The Burlington Parallel Justice Project is a national demonstration project for parallel justice and has been able to thrive and expand due to funding from VOCA assistance grants. Last month, Burlington police chief Michael Schirling, a member of the Parallel Justice Commission, testified before the Senate Judiciary committee about innovative crime reduction strategies. He spoke about the success of the parallel justice program as an example of a community policing model and emphasized that developing innovative and effective strategies will be increasingly crucial to effective public safety. I could not agree more. I have often advocated for Federal support of meaningful, community-based solutions to crime and other issues we face in Vermont and across the Nation.

Both Congress and the States have become more sensitive to the rights of crime victims since I was a prosecutor. We have greatly improved our crime victims' assistance programs and made advances in recognizing crime victims' rights. But we still have more to do. As we observe National Crime Victims' Rights week this year, we must renew our national commitment to help crime victims by supporting programs like the Parallel Justice Project, and protecting the Crime Victims Fund.

I want to commend and thank Judy Rex, Karen Tronsgard-Scott, and the many other victims' advocates and service providers in Vermont and across the country who show their dedication every day of the year to crime victims. I am thankful for their advice and insights over the years, and I look forward to continuing our work to address the needs of victims everywhere.

NATURAL RESOURCE CHARTER

Mr. CARDIN. Mr. President, I am pleased to report to you and my colleagues on the excellent work that is being done to help developing countries capitalize on their natural resource wealth. This unique initiative is called the Natural Resource Charter, and it is designed to give countries the tools and knowledge they need to develop their natural resources for the good of their citizens in a transparent and accountable manner. As a collective work coordinated by established academics and development experts, the charter provides a set of policy principles for governments on the successful translation of natural resource wealth into fair and sustainable development.

At the U.S. Helsinki Commission we monitor 56 countries, including the United States, with the mandate to ensure compliance to commitments made under the Helsinki Final Act with focus on three dimensions: security, economics and the environment, and human rights.

The management of extractive industries has broad implications covering all three dimensions of the Helsinki process. We know that oil, gas, and mining are potential sources of conflict and their supply has a direct impact on our national security. The often negative economic consequences for resource rich countries are well documented and we see constant reminders of the environmental impact of extraction both at home and abroad. Finally, the resultant degradation of human rights in countries that are corrupted by resource wealth is a real concern that we must address.

When the charter was launched last year, I was struck by how far we have come in terms of bringing the difficult conversation on extractive industries into the lexicon of world leaders. Only a few short years ago, the word ''transparency'' was not used in the same sentence with oil, gas or mining revenue. After the launch of the Extractive Industries Transparency Initiative in 2002, we have seen a major shift in attitude. This was followed by G8 and G20 statements in support of greater revenue transparency as a means of achieving greater economic growth in developing countries.

But it is clear that given the challenge ahead, more than statements are needed. The Natural Resource Charter is a concrete and practical next step in the right direction.

Economists have found that many of the resource-rich countries of the world today have fared notably worse than their neighbors economically and politically, despite the positive opportunities granted by resource wealth. The misuse of extractive industry revenues has often mitigated the benefits of such mineral wealth for citizens of developing nations; in many cases the resources acting instead as a source of severe economic and social instability.

In addressing the factors and providing solutions for such difficulties, the Natural Resource Charter aims to be a global public resource for informed, transparent decisionmaking regarding extractive industry management.

The charter's overarching philosophy is that development of natural resources should be designed to secure maximum benefit for the citizens of the host country. To this end, its dialogue includes a special focus on the role of informed public oversight through transparency measures such as EITI in establishing the legitimacy of resource decisions and attracting foreign investment. On fiscal issues, the charter presents guidelines for the systematic reinvestment of resource revenues in national infrastructure and human capital with the goal of diminishing effects of resource price volatility and ensuring long-term economic growth.

This week the commission will hold a public briefing on the Natural Resource Charter and I am pleased to say that there was a candid conversation between the audience and the panel that revealed much about how the charter could be used to promote human rights and good governance. The briefing also addressed ways that U.S. support of democratic and economically sensible extractive industry standards could have a powerful effect in securing the welfare and freedoms of citizens in resource-rich countries. In particular, it was noted that the Energy Security Through Transparency Act, S. 1700, a bipartisan bill I introduced with my colleague Senator LUGAR and 10 other colleagues is consistent with the principles set out in the Natural Resource Charter.

I look forward to working with my colleagues to ensure our continued progress on these issues.

HOLD ON DEFENSE DEPARTMENT NOMINATIONS

Mr. WYDEN. Mr. President, last year, several of my colleagues and I wrote to Secretary Gates requesting a clear policy through which the Department of Defense would encourage renewable energy development while maintaining necessary protections for military missions. Among other recommendations, to facilitate the development of renewable energy projects consistent with national security needs, we specifically pointed to the Department's need to formally consolidate all decisionmaking into a single office to limit unnecessary conflict between the Department and renewable energy development. At that time, there were a wide array of projects where the Department of Defense had objected very late in the permitting process.

Since that time, conflicts between the siting of renewable energy projects and defense missions have only intensified in scale and now threaten to impede currently planned and permitted renewable energy projects, placing billions of investment dollars and thousands of new U.S. jobs at risk. Recent attempts to work with DOD for various

compromise and alternative solutions, such as expanding current radar capability, has produced few results.

For example, in my State of Oregon, the planned Shepherds Flat Wind Farm would produce more than 850 megawatts of electricity. It would be the largest wind farm in the world. Planners worked with numerous Federal agencies and cleared the project with the Navy. But just a month before groundbreaking, the Air Force halted the project because they believe it could potentially interfere with a radar array in eastern Oregon. Attempts to work with DOD, by the planners and by my office, have met with stiff resistance and no offers of compromise solutions. There is an attitude that resolving conflicts with civilian energy projects is simply not one of DOD's missions. The grim reality is that the Shepherds Flat Wind Farm is only the beginning of the problems in Oregon. The objection to this project will also halt at least 10 other projects in the works totaling over 3,000 megawatts of renewable energy. DOD appears content with the status quo. But status quo doesn't reduce our independence on foreign oil or generate new jobs.

Regrettably, it appears that the Department is not interested in identifying possible solutions. This surprises me given the critical nature of our future renewable energy program and its impact on our Nation's national security. Instead of being a partner in the process, DOD appears content to be a roadblock. It is long past time for the Department to give this issue the attention it requires and work to find solutions instead of just being a problem.

Therefore, until I receive assurance that DOD is taking appropriate action to address the increasing conflict between national renewable energy policy and national defense, I will object to any unanimous consent agreement for the nominations of Sharon E. Burke, to be Director of Operational Energy Plans and Programs at DOD; Katherine Hammack, to be Assistant Secretary of the Army; and Elizabeth A. McGrath, to be Deputy Chief Management Officer at DOD. I place these holds reluctantly. I am hopeful that the Department will take immediate and appropriate action to resolve current renewable energy conflicts and prevent future ones from occurring. Once that happens, I will be able to withdraw my holds so that DOD nominations can once again move through the Senate.

ADDITIONAL STATEMENTS

REMEMBERING BRIGADIER GENERAL THOMAS R. MIKOLAJCIK

• Mr. DEMINT. Mr. President, I am here today to celebrate the life and military service of a great American and an adopted South Carolinian, BG Thomas R. Mikolajcik. ''General Mik,'' as he was known to his many friends, passed from this life to the next on April 17, 2010, after a courageous 6½-year battle with ALS.

General Mikolajcik was a 1969 graduate of the U.S. Air Force Academy and a decorated veteran of the conflicts in Vietnam, Grenada, Panama, and the first gulf war. During his distinguished military career, he logged more than 4,000 hours as a command pilot, commanded the 437th Airlift Wing at Charleston Air Force Base in Charleston, SC, and served as director of transportation for the Air Force Deputy Chief of Staff for logistics.

General Mik was a tireless advocate for causes he believed in, and he won many allies locally and nationally for his work on behalf of the Charleston military community. The Mikolajcik Engineering Laboratory Center at the Space and Naval Warfare Systems Center in Charleston and the Mikolajcik Child Development Center at Charleston Air Force Base are named in his honor.

A warrior until the end, General Mik's fighting spirit was never more evident than after he was diagnosed with ALS in 2003. Following his diagnosis, he would often say, ''You can put your head down and feel sorry for yourself, or you can help others.'' He chose the latter. General Mik founded the first ALS support group in South Carolina and the ALS Clinic at the Medical University of South Carolina. He also fought for full ALS coverage for his fellow veterans, who are disproportionately more likely to suffer from this terrible disease than the general population. And like so many other battles General Mik fought, he won this one, too, in a 2008 Defense Department ruling.

General Mikolajcik was a noble spirit and inspirational leader, who, even through his long illness, never stopped caring for and impacting the lives of those fortunate enough to know him. I am honored to have called him a friend and to extend my deepest sympathies on behalf of a grateful nation to his devoted wife Carmen, along with their three children and seven grandchildren. Today, South Carolina mourns the passing of a true American hero.•

REMEMBERING BILL STANLEY

• Mr. LIEBERMAN. Mr. President, I wish to pay tribute to the extraordinary life and service of Bill Stanley, a statesman, a scholar, and a true American patriot who passed away on April 19, 2010. Bill was a valued public intellectual, historian, and leader in the Norwich, CT, community. Beloved for his brilliant mind and generous spirit, Bill Stanley will be missed deeply.

I knew Bill for many years, and I am grateful for all of the wisdom he offered me personally. Bill was a loyal and valued friend who was always generous with his time and advice. Mostly though, I treasure the example that Bill Stanley set in his career of devoted service to this country. Bill served America with courage and distinction in the U.S. Marine Corps, in Connecticut's State Senate for two successful terms, and through the many important causes that he championed in the city of Norwich and throughout our State.

Bill Stanley's desire to serve his community was boundless, as was his generosity. Bill's legacy of enormous contributions and achievements has touched thousands of people across our state. Among his many initiatives were the St. Jude Common, a center that has cared for thousands of seniors across Connecticut, and the Forgotten Founders Committee, an extraordinary project that will honor many of early America's most important—and often overlooked—historical figures.

Bill Stanley loved history, taught history, and made history. With his unique insight, energy, and passion, Bill Stanley illuminated our hearts and minds with his weekly columns for the Norwich Bulletin. Bill never hesitated to ask tough questions or take a contrarian stance on an issue. For this, he was respected and trusted by countless readers; many of whom he knew personally and others who admired him from afar.

Bill Stanley wrote about many of the most important figures and moments in Norwich's history and uniquely brought to life the stories that form the fabric of the city of Norwich, a city he understood and cherished like few others. Bill lifted his readers up to experience a new, exciting, and wider view of the past. In doing so, he has offered us a deeper understanding of the present and helped us chart the future course for our State, our country, and our world.

Our State and this Nation are blessed to have people like Bill Stanley who truly enrich our communities. We—his readers, his students, and his friends—were particularly blessed with the opportunity to have learned from him. Bill's brilliant mind, magnanimous spirit, and unforgettable stories will never fade from our memory.

I extend my condolences to Bill's wife Peg and his children Bill Jr., Carol, and Mary.•

RECOGNIZING ELMENDORF AIR FORCE BASE

• Ms. MURKOWSKI. Mr. President, as you are aware, last Friday the Secretary of Defense, Robert Gates, announced the winners of the 2010 Commander in Chief's Annual Award for Installation Excellence. Included on this prestigious list is Elmendorf Air Force Base in Anchorage, AK. This award recognizes the outstanding and innovative efforts of the brave men and women who operate and maintain our Nation's military installations. I would like to read the award citation for Elmendorf for the record.

The men and women of Elmendorf Air Force Base distinguished themselves by significantly improving the quality of life, productivity, and work environment for over

seventeen thousand Arctic Warrior Airmen and their families. They did this in part through the execution of the largest Military Construction program in base history, an unprecedented 460 million dollars in construction. Directly contributing to their success was the ability to obtain the lead contracting authority for four projects, an Air Force first. Elmendorf Air Force Base is also leading the way for the Air Force by being the one and only wing to use Air Force Reserve Command officers to fill active duty billets to leverage the stability and experience of reserve personnel to realize a true total force integration gain. They were also the first to implement a new Veteran's Affairs itemized billing process, increasing reimbursements by 20 percent, and becoming a model for other Joint Venture sites. This contributed to the hospital being named as the number one hospital in the Air Force for the second year in a row. Finally, through ceaseless efforts to protect natural resources, Elmendorf was named as having Pacific Air Force's number one environmental program, winning the coveted General White Awards for natural resource conservation and pollution prevention. The commitment to excellence demonstrated by the men and women of Elmendorf Air Force Base reflects great credit upon themselves and the United States Air Force.

Congratulations to the men and women of Elmendorf Air Force Base as well as to the other winners of the coveted Commander-In-Chief's Installation Excellence Award.●

TRIBUTE TO BOBBY COX

● Mr. ROCKEFELLER. Mr. President, as a lifelong Atlanta Braves fan, I am always delighted when my team comes to town. They visit Washington next month, and as always, the Braves' incredible manager, my dear friend Bobby Cox, will be at the helm. But this year, the joy is bittersweet. After 50 years in baseball, Bobby Cox will retire at the end of this season.

I am an enormous and longtime fan of Bobby Cox, for so many reasons. He is so good and easy with people, and he takes them for who they are. And in the case of baseball players, he takes them for what they have, and allows them to achieve incredible things with it: I have never heard a manager encouraging his hitters at the plate between every single pitch as Bobby does with such tremendous enthusiasm.

He is one of only a handful to spend at least 20 straight seasons managing the same team. And I always knew, without a doubt, that Bobby always had the team ready to play its best. His record makes that much abundantly clear—he guided Atlanta to 14 consecutive postseason appearances and of course, to a World Series title in 1995.

Unlike so many other heroes in baseball, Bobby is very approachable, so good at putting people at ease. I remember visiting with him, and in minutes we were discussing ''Dirt'' Lemke who he really admired and respected as a second baseman because he was so scrappy.

That is why Bobby is an icon. He brings out the best in his players and exemplifies what the sport of baseball is supposed to be about—hustle, grit, loyalty and determination. It is why he is one of the winningest managers in Major League history, and it is why the Braves are what they are today.

So I say to Bobby: I'll still be a Braves fan after you retire, but it just won't be the same without number six in the dugout.

It is no wonder players love to play for Bobby. It is no wonder his fans feel like they are part of the team. I am honored to call Bobby my friend and, I am grateful that he has led me to continue cherishing—and needing—baseball the way I do.

Bobby, congratulations on your well-deserved retirement. It is your kind of integrity and stature that brings the game great pride.●

● Mr. ISAKSON. Mr. President, today I wish to honor Bobby Cox, who is a great Georgian, a great American, and a great friend, in the RECORD of the Senate. After 25 remarkable years as the manager of the Atlanta Braves, Bobby will retire at the end of the 2010 season.

Bobby began his career by spending five years in the Dodgers' farm system before being selected by the Chicago Cubs in the November 1964 Minor League draft. He was acquired by the Braves in 1966 and spent 1967 playing for Triple-A Richmond. Bobby was traded to the New York Yankees where he played third base in 1968 and 1969. He retired as a player at the age of 30, and it was the coaching career that followed that would make him a baseball legend.

Bobby returned to manage the Braves from 1978 to 1981. Although he left Atlanta in 1982 to lead the Toronto Blue Jays, it seems he couldn't quite get our fair city out of his system. After leading the Blue Jays to the American League East crown with a 99–62 finish in 1985, Bobby was named Major League Manager of the Year by the Baseball Writers Association of America, the Associated Press and the Sporting News. He returned to the Braves as general manager in October 1985 and oversaw a farm system that produced some of the greatest players in Braves history and laid the foundation for the success that was to come.

In 1990, Bobby decided to return to the dugout as manager of the Braves, and I'm sure glad he did. While the Braves finished in last place in 1990, Bobby turned it around with a first place finish in 1991. I still remember that epic World Series battle against the Minnesota Twins as if it were yesterday. While the Braves fell short in the World Series, 1991 was just the beginning of an epic run that included 14 straight division titles.

During his illustrious career on the bench, Bobby has been named Manager of the Year four times. He led the Braves to a World Series title in 1995, defeating the Cleveland Indians four games to two. On June 8, 2009, Bobby won his 2,000th victory with the Braves. He's only the fourth skipper in major-league history to claim 2,000 wins with one team. His fiery spirit has also allowed him to capture another title. Bobby holds the all-time record for most ejections.

It gives me a great deal of pleasure and it is a privilege to recognize Bobby Cox for his contributions to America's favorite pastime and America's team, the Atlanta Braves. Although he plans on advising the team in baseball operations after he steps down as manager, Bobby will be sorely missed on the bench and will remain in the hearts of Atlanta Braves fans forever.●

RECOGNIZING STEWART ENTERPRISES

● Mr. VITTER. Mr. President, today I wish to honor Stewart Enterprises, headquartered in Jefferson, LA. They will be celebrating their centennial anniversary on April 26, 2010.

Stewart has been caring for Louisiana families since 1910 and is highly regarded for its ability to help families in times of critical need. It is also, with more than 5,000 employees, one of the largest publicly traded companies in Louisiana.

Based on their purpose of ''caring for people, making a difference'' they have always done an outstanding job in helping people celebrate the lives of their lost loved ones and making sure they are memorialized as the families wish. In a family's time of need, Stewart Enterprises treats the family with dignity and respect while providing them with funeral operations, cemetery operations, and prearrangements. They are dedicated to making difficult times a little easier.

Thus, today, I stand in recognition of Stewart Enterprises' centennial anniversary and thank them for their service and contributions not only to the State of Louisiana but also to families across our Nation.●

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–5461. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Aminopyralid; Pesticide Tolerances'' (FRL No. 8808–9) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5462. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Chlorantraniliprole; Extension of Time-Limited Pesticide Tolerances'' (FRL No. 8820–3) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5463. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Nicosulfuron; Pesticide Tolerances'' (FRL No. 8818–4) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5464. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pendimethalin; Pesticide Tolerances'' (FRL No. 8817–4) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5465. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (3) 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–5466. A communication from the Principal Deputy, Office of the Assistant Secretary (Energy, Installations and Environment), Department of the Navy, transmitting, pursuant to law, a report relative to the cancellation of (4) public-private competitions on February 25, 2010; to the Committee on Armed Services.

EC–5467. A communication from the Principal Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Transmission Relay Loadability Reliability Standard'' (FERC Docket No. RM08–13–000) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2010; to the Committee on Energy and Natural Resources.

EC–5468. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Idaho: Incorporation by Reference of Approved State Hazardous Waste Management Program'' (FRL No. 9122–8) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC–5469. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Mexico; Interstate Transport of Pollution'' (FRL No. 9134–8) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC–5470. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Control of Air Pollution from Motor Vehicles'' (FRL No. 9135–6) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC–5471. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Delaware; Reasonable Further Progress Plan, 2002 Base Year Inventory, Reasonably Available Control Measures, Contingency Measures, and Transportation Conformity Budgets for the Delaware Portion of the Philadelphia 1997 8-Hour Ozone Moderate Nonattainment Area'' (FRL No. 9134–9) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC–5472. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Arizona State Implementation Plan; Pinal County'' (FRL No. 9096–8) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC–5473. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Modification of Existing Qualified Facilities Program and General Definitions'' (FRL No. 9135–7) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC–5474. A communication from the Secretary of the Interior, transmitting, a report relative to the Preliminary Revised Outer Continental Shelf (OCS) Oil and Gas Leasing Program (PRP) for 2007–2012; to the Committee on Environment and Public Works.

EC–5475. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Prevention of Significant Deterioration (PSD): Reconsideration of Interpretation of Regulations that Determine Pollutants Covered by the Federal PSD Permit Program; to the Committee on Environment and Public Works.

EC–5476. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Industry Director's Directive No. 3 on IRC 172(f) Specified Liability Losses'' (LMSB–4–0210–009) received in the Office of the President of the Senate on April 15, 2010; to the Committee on Finance.

EC–5477. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Fringe Benefits Aircraft Valuation Formula'' (Revenue Ruling No. 2010–10) received in the Office of the President of the Senate on April 13, 2010; to the Committee on Finance.

EC–5478. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Industry Director's Directive No. 3 on Enhanced Oil Recovery Credit'' (LMSB–4–0210–007) received in the Office of the President of the Senate on April 13, 2010; to the Committee on Finance.

EC–5479. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Coordinated Issue: Distressed Asset Trust (DAT) Tax Shelters'' (LMSB–4–0210–008) received in the Office of the President of the Senate on April 13, 2010; to the Committee on Finance.

EC–5480. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Life Insurance Reserves—Actuarial Guideline XLIII'' (Notice No. 2010–29) received in the Office of the President of the Senate on April 13, 2010; to the Committee on Finance.

EC–5481. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Announcement and Report Concerning Advance Pricing Agreements'' (Announcement No. 2010–21) received in the Office of the President of the Senate on April 13, 2010; to the Committee on Finance.

EC–5482. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice No. 2010–36) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Finance.

EC–5483. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act (MMA) of 2003 for Calendar Year 2009''; to the Committee on Finance.

EC–5484. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010–0047—2010–0055); to the Committee on Foreign Relations.

EC–5485. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, two reports entitled ''The National Healthcare Quality Report 2009'' and ''The National Healthcare Disparities Report 2009''; to the Committee on Health, Education, Labor, and Pensions.

EC–5486. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–40; Small Entity Compliance Guide'' (FAC 2005–40) received in the Office of the President of the Senate on April 12, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–5487. A communication from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, (2) reports relative to vacancies in the Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–5488. A communication from the Associate Attorney General, Department of Justice, transmitting, pursuant to law, the Department's 2009 annual report on certain activities pertaining to the Freedom of Information Act; to the Committee on the Judiciary.

EC–5489. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration,

Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Electronic Prescriptions for Controlled Substances'' (RIN1117–AA61) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on the Judiciary.

EC–5490. A communication from the Deputy Associate Director for Management and Administration and Designated Reporting Official, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Director for Demand Reduction, Office of National Drug Control Policy; to the Committee on the Judiciary.

EC–5491. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Grants to States for Construction or Acquisition of State Home Facilities—Update of Authorized Beds'' (RIN2900–AM70) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2010; to the Committee on Veterans' Affairs.

EC–5492. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Revision of 38 CFR 1.17 to Remove Obsolete References to Herbicides Containing Dioxin'' (RIN2900–AN56) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2010; to the Committee on Veterans' Affairs.

EC–5493. A communication from the Secretary, Office of the General Counsel, Federal Maritime Commission, transmitting, pursuant to law, the report of a rule entitled ''Repeal of Marine Terminal Agreement Exemption'' received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5494. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Invista Inc Facility Docks, Victoria Barge Canal, Victoria, TX'' ((RIN1625–AA00)(Docket No. USG–2009–0797)) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5495. A communication from the Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Commerce Acquisition Regulation (CAR); Correction'' (RIN0605–AA26) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5496. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Parts 25, 74, 78 and 101 of the Rules Regarding Coordination Between the Non-Geostationary and Geostationary Satellite Orbit Fixed Satellite Service and Fixed, Broadcast Auxiliary and Cable Television Relay Services in the 7 GHz, 10 GHz, and 13 GHz Frequency Bands'' ((ET Docket No. 03–254)(FCC 10–15)) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5497. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Halibut Fisheries; Catch Sharing Plan'' (RIN0648–AY31) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5498. 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 Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XV34) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5499. 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 Off Alaska; Pacific Cod for American Fisheries Act Catcher Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XV66) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5500. 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 Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XV45) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5501. 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 Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XV21) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5502. 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 Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska'' (RIN0648–XV51) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5503. 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 Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XU73) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5504. 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 Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska'' (RIN0648–XV32) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5505. 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 ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Modification of the Yellowtail Flounder Landing Limit for the U.S./Canada Management Area'' (RIN0648–XV49) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5506. 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 Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska'' (RIN0648–XV61) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5507. 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 Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 m) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XV54) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5508. A communication from the Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report relative to the foreign aviation authorities to which the Administration provided services during fiscal year 2009; to the Committee on Commerce, Science, and Transportation.

EC–5509. A communication from the President of the United States, transmitting, pursuant to law, a report relative to U.S. efforts to ensure the free flow of information to Iran and to enhance the abilities of Iranians to exercise their universal rights; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 878. A bill to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, and for other purposes (Rept. No. 111–170).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 933. A bill to amend the Federal Water Pollution Control Act and the Great Lakes Legacy Act of 2002 to reauthorize programs to address remediation of contaminated sediment (Rept. No. 111–171).

S. 937. A bill to amend the Federal Water Pollution Control Act to ensure that sewage treatment plants monitor for and report discharges of raw sewage, and for other purposes (Rept. No. 111–172).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER:

S. 3228. A bill to authorize the Administrator of the Small Business Administration to make grants to small business concerns to assist the commercialization of research developed with funds received under the second phase of the Small Business Innovation Research Program; to the Committee on Small Business and Entrepreneurship.

By Mr. KERRY (for himself, Mr. CARDIN, and Mr. DURBIN):

S. 3229. A bill to direct the Administrator of the United States Agency for International Development to develop a strategy to foster sustainable urban development in developing countries that updates the Making Cities Work Urban Strategy; to the Committee on Foreign Relations.

By Mr. INHOFE (for himself, Mr. BARRASSO, Mr. VITTER, Mr. ENZI, Mr. RISCH, Mr. BENNETT, and Mr. ROBERTS):

S. 3230. A bill to prohibit the use of the National Environmental Policy Act of 1969 to document, predict, or mitigate the climate effects of specific Federal actions; to the Committee on Environment and Public Works.

By Mr. GRASSLEY (for himself, Mr. CONRAD, Mr. THUNE, Mr. NELSON of Nebraska, Mr. JOHANNS, Mr. JOHNSON, and Mr. HARKIN):

S. 3231. A bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for alcohol used as fuel and to amend the Harmonized Tariff Schedule of the United States to extend additional duties on ethanol; to the Committee on Finance.

By Mr. BURR (for himself and Mr. BURRIS):

S. 3232. A bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit; to the Committee on Finance.

By Mr. BARRASSO (for himself and Mr. NELSON of Nebraska):

S. 3233. A bill to amend the Atomic Energy Act of 1954 to authorize the Secretary of Energy to barter, transfer, or sell surplus uranium from the inventory of the Department of Energy, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Mrs. LINCOLN, Mr. BEGICH, Ms. KLOBUCHAR, Mr. REID, Mr. DURBIN, and Ms. MURKOWSKI):

S. 3234. A bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DORGAN (for himself, Mr. JOHNSON, Mr. TESTER, and Mr. UDALL of New Mexico):

S. 3235. A bill to amend the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior; to the Committee on Indian 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. BROWN of Ohio:

S. Res. 491. A resolution commemorating the 40th anniversary of the May 4, 1970, Kent State University shootings; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. HATCH, Mr. SCHUMER, Mr. VOINOVICH, Mr. SPECTER, Mr. BURRIS, Mrs. GILLIBRAND, Mr. WARNER, Mr. CASEY, Mr. LEVIN, Mr. WEBB, Mr. FEINGOLD, and Ms. LANDRIEU):

S. Res. 492. A resolution honoring the life and achievements of Dr. Dorothy I. Height; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mr. AKAKA, Mr. BEGICH, Mrs. GILLIBRAND, Mrs. LINCOLN, Mrs. MURRAY, Ms. MIKULSKI, Mr. BAYH, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. UDALL of Colorado, Ms. STABENOW, Mr. BINGAMAN, Mrs. HAGAN, Mr. NELSON of Nebraska, Mr. MENENDEZ, Mr. LIEBERMAN, Ms. COLLINS, Mr. GREGG, Mr. LEMIEUX, Mr. BURR, Mr. COCHRAN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. ISAKSON, Mrs. FEINSTEIN, and Mr. DODD):

S. Res. 493. A resolution designating April 23 through 25, 2010, as ''Global Youth Service Days''; considered and agreed to.

By Ms. LANDRIEU (for herself and Mr. WICKER):

S. Res. 494. A resolution honoring Ida B. Wells for her activism in the civil rights and women's rights movements and for her influential and inspirational leadership; considered and agreed to.

ADDITIONAL COSPONSORS

S. 182

At the request of Mr. DODD, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 231

At the request of Mr. LIEBERMAN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 231, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 584

At the request of Mr. HARKIN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 584, a bill to ensure that all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, are able to travel safely and conveniently on and across federally funded streets and highways.

S. 831

At the request of Mr. KERRY, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 1346

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1346, a bill to penalize crimes against humanity and for other purposes.

S. 1743

At the request of Mrs. LINCOLN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1743, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 1756

At the request of Mr. HARKIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1756, a bill to amend the Age Discrimination in Employment Act of 1967 to clarify the appropriate standard of proof.

S. 2106

At the request of Mrs. LINCOLN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 2106, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 2821

At the request of Mr. BROWN of Ohio, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 2821, a bill to require a review of existing trade agreements and renegotiation of existing trade agreements based on the review, to establish terms for future trade agreements, to express the sense of the Congress that the role of Congress in making trade policy should be strengthened, and for other purposes.

S. 2920

At the request of Mr. LAUTENBERG, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2920, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 2947

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2947, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 2962

At the request of Mr. DODD, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2962, a bill to amend title II of the Social Security Act to apply an earnings test in determining the amount of monthly insurance benefits for individuals entitled to disability insurance benefits based on blindness.

S. 3030

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3030, a bill to amend the

Public Works and Economic Development Act of 1965 to eliminate cost-sharing requirements in connection with economic adjustment grants made to assist communities that have suffered economic injury as a result of military base closures and realignments, defense contactor reductions in force, and Department of Energy defense-related funding reductions.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3141

At the request of Mr. BINGAMAN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3141, a bill to amend the Internal Revenue Code of 1986 to provide special rules for treatment of low-income housing credits, and for other purposes.

S. 3152

At the request of Mr. DEMINT, the names of the Senator from Kansas (Mr. BROWNBACK), the Senator from North Carolina (Mr. BURR), the Senator from Kentucky (Mr. BUNNING), the Senator from Arizona (Mr. MCCAIN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 3152, a bill to repeal the Patient Protection and Affordable Care Act.

S. 3171

At the request of Mrs. LINCOLN, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 3171, a bill to amend title 38, United States Code, to provide for the approval of certain programs of education for purposes of the Post-9/11 Educational Assistance Program.

S. 3207

At the request of Mr. MENENDEZ, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 3207, a bill to protect victims of crime or serious labor violations from deportation during Department of Homeland Security enforcement actions, and for other purposes.

S. CON. RES. 57

At the request of Mr. LEMIEUX, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Con. Res. 57, a concurrent resolution establishing an expedited procedure for consideration of a bill returning spending levels to 2007 levels.

S. RES. 488

At the request of Mr. SPECTER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 488, a resolution congratulating the Pennsylvania State University IFC/Panhellenic Dance Marathon (THON) on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. CONRAD, Mr. THUNE, Mr. NELSON of Nebraska, Mr. JOHANNS, Mr. JOHNSON, and Mr. HARKIN):

S. 3231. A bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for alcohol used as fuel and to amend the Harmonized Tariff Schedule of the United States to extend additional duties on ethanol; to the Committee on Finance.

Mr. GRASSLEY. 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. 3231

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 ''Grow Renewable Energy from Ethanol Naturally Jobs Act of 2010'' or the ''GREEN Jobs Act of 2010''.

SEC. 2. EXTENSION OF INCOME TAX CREDIT FOR ALCOHOL USED AS FUEL.

(a) IN GENERAL.—Paragraph (1) of section 40(e) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''December 31, 2010'' in subparagraph (A) and inserting ''December 31, 2015'', and

(2) by striking ''January 1, 2011'' in subparagraph (B) and inserting ''January 1, 2016''.

(b) CELLULOSIC BIOFUEL.—Subparagraph (H) of section 40(b)(6) of such Code is amended by striking ''January 1, 2013'' and inserting ''January 1, 2016''.

(c) REDUCED AMOUNT FOR ETHANOL BLENDERS.—Paragraph (2) of section 40(h) of such Code is amended by striking ''2010'' and inserting ''2015''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 3. EXTENSION OF EXCISE TAX CREDIT FOR ALCOHOL USED AS FUEL.

(a) IN GENERAL.—Paragraph (6) of section 6426(b) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2010'' and inserting ''December 31, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 4. EXTENSION OF ADDITIONAL DUTIES ON ETHANOL.

Headings 9901.00.50 and 9901.00.52 of the Harmonized Tariff Schedule of the United States are each amended in the effective period column by striking ''1/1/2011'' and inserting ''1/1/2016''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 491—COMMEMORATING THE 40TH ANNIVERSARY OF THE MAY 4, 1970, KENT STATE UNIVERSITY SHOOTINGS

Mr. BROWN of Ohio submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 491

Whereas the year 2010 marks the 40th anniversary of the Kent State University shootings that occurred on May 4, 1970;

Whereas, on May 4, 1970, Ohio National Guardsmen opened fire on Kent State students who were protesting the United States invasion of Cambodia and the ongoing Vietnam War;

Whereas 4 unarmed students (Allison Krause, Jeffrey Miller, Sandra Scheuer, and William Schroeder) were killed and 9 others (Alan Canfora, John Cleary, Thomas Grace, Dean Kahler, Joseph Lewis, Donald MacKenzie, James Russell, Robert Stamps, and Douglas Wrentmore) were injured;

Whereas, in February 2010, the site of the May 4 shootings was entered in the National Register of Historic Places, the official list of the historic places in the United States worthy of preservation;

Whereas, to preserve the memory of the May 4 shootings and encourage inquiry, learning, and reflection, Kent State has established a number of resources, including the May 4 Memorial, individual student memorial markers and scholarships in memory of the 4 students who were killed, an experimental college course entitled ''May 4, 1970 and its Aftermath'', and an annual commemoration sponsored by the May 4 Task Force; and

Whereas Kent State has engaged the internationally renowned design services firm, Gallagher and Associates, to assist in the development of the May 4 visitors center as a central place where individuals can explore and better understand the May 4 shootings: Now, therefore, be it

Resolved, That the Senate, in commemoration of the 40th anniversary of the Kent State University shootings that occurred on May 4, 1970—

(1) recognizes the tragedy of the May 4 shootings and the implications that the shootings have had not only on Kent State and the local community, but also on the Nation and the world; and

(2) applauds the development of the May 4 visitors center as an additional primary resource to preserve and communicate the history of the May 4 shootings, its larger ethical and societal context and impact, and its enduring meaning for our democratic Nation.

SENATE RESOLUTION 492—HONORING THE LIFE AND ACHIEVEMENTS OF DR. DOROTHY I. HEIGHT

Mr. CARDIN (for himself, Mr. HATCH, Mr. SCHUMER, Mr. VOINOVICH, Mr. SPECTER, Mr. BURRIS, Mrs. GILLIBRAND, Mr. WARNER, Mr. CASEY, Mr. LEVIN, Mr. WEBB, Mr. FEINGOLD, and Ms. LANDRIEU) submitted the following resolution; which was considered and agreed to:

S. RES. 492

Whereas Dr. Dorothy I. Height was born in Richmond, Virginia, on March 24, 1912;

Whereas Dorothy Height died on April 20, 2010, at the age of 98, in Washington, D.C., and was survived by her sister Anthanette Height Aldridge;

Whereas Dorothy Height was valedictorian of her high school and won a national oratorical contest;

Whereas Dorothy Height attended New York University and graduated in 3 years, receiving a master's degree in educational psychology;

Whereas Dorothy Height began her career as a caseworker for the Department of Social Services of New York City;

Whereas Dorothy Height joined the Harlem Young Women's Christian Association (referred to in this preamble as the ''YWCA'') and remained a full time employee until 1975;

Whereas Dorothy Height organized and became the director of the YWCA Center for Racial Justice in 1965;

Whereas, in 1957, Dorothy Height became the fourth president of the National Council of Negro Women, a the social services organization with more than 4,000,000 members nationwide, that is comprised of a number of civic, church, educational, labor, community, and professional groups, and served as president for 40 years;

Whereas Dorothy Height became arguably the most influential woman of the civil rights movement;

Whereas Dorothy Height spent her life fighting for racial justice and gender equality;

Whereas Dorothy Height was known for her insistent voice that commanded attention on civil rights issues;

Whereas Dorothy Height liked to say, ''If the times aren't ripe, you have to ripen the times.'';

Whereas Dorothy Height was honored in 1994 with the Presidential Medal of Freedom, the highest civilian honor in the United States, by President William Jefferson Clinton;

Whereas Dorothy Height received numerous awards, including honorary doctorates from more than 20 universities and colleges;

Whereas Dorothy Height was honored in March 2004 with the Congressional Gold Medal, the highest decoration Congress can bestow; and

Whereas the passing of Dorothy Height is a great loss to the Nation: Now, therefore be it

Resolved, That the Senate—

(1) recognizes the outstanding contributions of Dr. Dorothy I. Height to the civil rights and women's rights movement;

(2) pays tribute to Dr. Dorothy I. Height, and her passion, dedication to service, and unwavering commitment to equality; and

(3) requests the Secretary of the Senate to transmit an enrolled copy of this resolution to the Washington, D.C. headquarters of the National Council of Negro Women, Inc.

SENATE RESOLUTION 493—DESIGNATING APRIL 23 THROUGH 25, 2010, AS ''GLOBAL YOUTH SERVICE DAYS''

Ms. MURKOWSKI (for herself, Mr. AKAKA, Mr. BEGICH, Mrs. GILLIBRAND, Mrs. LINCOLN, Mrs. MURRAY, Ms. MIKULSKI, Mr. BAYH, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. UDALL of Colorado, Ms. STABENOW, Mr. BINGAMAN, Mrs. HAGAN, Mr. NELSON of Nebraska, Mr. MENENDEZ, Mr. LIEBERMAN, Ms. COLLINS, Mr. GREGG, Mr. LEMIEUX, Mr. BURR, Mr. COCHRAN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. ISAKSON, Mrs. FEINSTEIN, and Mr. DODD) submitted the following resolution; which was considered and agreed to:

S. RES. 493

Whereas Global Youth Service Days is an annual campaign that celebrates and mobilizes the millions of children and youths who improve their communities each day through community service and service-learning programs;

Whereas the goals of Global Youth Service Days are—

(1) to mobilize and support young people to identify and address the needs of their communities, schools, and organizations; and

(2) to provide opportunities for—

(A) youth engagement; and

(B) the public, the media, and policymakers to recognize and raise awareness of young people as assets and resources;

Whereas Global Youth Service Days, a program of Youth Service America, is the largest service event in the world and the only service event dedicated to youth engagement;

Whereas, in 2010, Global Youth Service Days is being observed for the 22nd consecutive year in the United States and, in more than 100 countries, for the 11th year globally;

Whereas Global Youth Service Days engages millions of young people worldwide with the support of more than 200 national and international partners, 85 State and local lead agencies, and thousands of local partners;

Whereas high quality community service and service-learning programs—

(1) increase the academic engagement and achievement of young people;

(2) prepare young people for the workforce; and

(3) provide young people with the skills necessary to achieve success in the 21st century;

Whereas community service and service-learning programs provide opportunities for young people to apply their knowledge, idealism, energy, creativity, and unique perspectives to solving critical issues, including health, childhood obesity, education, illiteracy, poverty, hunger, the environment, violence, and natural disasters;

Whereas Global Youth Service Days is an opportunity for citizen diplomacy that increases intercultural understanding and promotes the sense that youths are global citizens, as evidenced by the growing number of projects that involve youths working collaboratively across borders to address global issues;

Whereas thousands of participants in schools and community-based organizations are planning Global Youth Service Days activities as a part of Semester of Service, a program that includes the Martin Luther King, Jr. Day of Service, in which young people spend the semester addressing meaningful community needs connected to intentional learning goals or academic standards over at least 70 hours;

Whereas thousands of youth volunteers learn, create, and implement innovative solutions to global issues on Global Youth Service Days through ''Get Ur Good On,'' an online network of youths supporting each other in the mission to do good works in their communities;

Whereas Global Youth Service Days provides young children, teenagers, and young adults with an opportunity to contribute their abilities and talents as active citizens and community leaders;

Whereas Global Youth Service Days provides schools, community organizations, faith-based organizations, government agencies, businesses, and families with an opportunity to engage youths as leaders and problem solvers; and

Whereas section 198(g) of the National and Community Service Act of 1990 (42 U.S.C. 12653(g)) recognizes Global Youth Service Days as national days of service and calls on the Corporation for National and Community Service, other Federal agencies and departments, and the President of the United States to recognize and support youth-led activities on the designated days: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and commends the significant contributions of the youths of the United States and encourages the cultivation of a civic bond between young people dedicated to serving their neighbors, their communities, and the Nation;

(2) designates April 23 through 25, 2010, as ''Global Youth Service Days''; and

(3) calls on the people of the United States to observe Global Youth Service Days by—

(A) encouraging youths to participate in community service and service-learning projects;

(B) recognizing the volunteer efforts of the young people of the United States throughout the year; and

(C) supporting the volunteer efforts of young people and engaging young people in meaningful community service, service-learning, and decision-making opportunities, as an investment in the future of the United States.

SENATE RESOLUTION 494—HONORING IDA B. WELLS FOR HER ACTIVISM IN THE CIVIL RIGHTS AND WOMEN'S RIGHTS MOVEMENTS AND FOR HER INFLUENTIAL AND INSPIRATIONAL LEADERSHIP

Ms. LANDRIEU (for herself and Mr. WICKER) submitted the following resolution; which was considered and agreed to:

S. RES. 494

Whereas, Ida B. Wells was born on July 16 1862, and died March 25, 1931;

Whereas in 1884, Ida B. Wells refused to give up her seat on a Chesapeake and Ohio Railroad Company train because of her skin color;

Whereas in 1889, Ida B. Wells became co-owner and editor of *Free Speech and Headlight*, an anti-segregationist newspaper based in Memphis, Tennessee that published articles about racial injustice;

Whereas Ida B. Wells conducted investigative journalism about the practice of lynching, printing many articles in an effort to combat this practice;

Whereas Ida B. Wells worked with Frederick Douglass and other Black leaders in organizing a boycott of the 1893 World's Columbian Exposition in Chicago;

Whereas in 1893, Ida B. Wells began working with the *Chicago Conservator*, the oldest African-American newspaper in the city;

Whereas Ida B. Wells formed the Women's Era Club, the first civic organization for African-American women which later became the Ida B. Wells Club in honor of its founder;

Whereas Ida B. Wells traveled throughout the British Isles and the United States teaching and giving speeches to bring awareness to the lynching problems in America,

Whereas Ida B. Wells settled in Chicago and worked to improve conditions for the rapidly growing African-American population there; and

Whereas on February 1, 1990, the United States Postal Service issued a 25-cent postage stamp in honor of Ida B. Wells: Now therefore, be it

Resolved, That the Senate—

(1) commends the life of Ida B. Wells and her success as an African-American activist and business woman;

(2) recognizes the many efforts Ida B. Wells made in advancing the interests of African-Americans in the fight for equality; and

(3) requests the Secretary of the Senate to transmit an enrolled copy of this resolution for appropriate display in the hearing room of the Senate Committee on Small Business and Entrepreneurship.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 20, 2010, at 9:30 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on April 20, 2010, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 20, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The President's Proposed Fee on Financial Institutions Regarding TARP: Part 1''.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate to conduct a hearing entitled ''Protection from Unjustified Premiums'' on April 20, 2010. The hearing will commence at 9:30 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 20, 2010, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the U.S. Department of Justice, Civil Rights Division.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 20, 2010, at 11 a.m. to conduct a hearing entitled ''Border Security: Moving Beyond the Virtual Fence.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 20, 2010, at 2 p.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 20, 2010, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Jordan DiMaggio and David Williams of Senator BINGAMAN's office be given the privileges of the floor for today, April 20, 2010.

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

HONORING DR. DOROTHY I. HEIGHT

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 492, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 492) honoring the life and achievements of Dr. Dorothy I. Height.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MIKULSKI. Mr. President, it is with great sadness that I rise to commemorate the life of a great woman and civil rights pioneer, Dr. Dorothy Height. Her passing this morning is a great loss to our country, but each day her legacy lives on, in civil rights, women's rights, and addressing the social problems that face our Nation.

Dr. Height was present at every turn when it came to advancing and pushing for social change. Born in Richmond in 1912 and raised in Rankin, PA, Dr. Height faced her own struggles for equality, none of which slowed her drive for social progress and change. She earned a scholarship to Barnard College, only to be denied admission when they had reached their quota of Black student admittees that semester, two. After completing college at New York University, she began her career as a social worker, working to help the poorest citizens. She worked for the YWCA in 1937, which brought her to Washington. She became the president of the National Council of Negro Women in 1957, and held that position for 40 years. She played a key role in every aspect of the civil rights movement.

A favorite phrase of Dr. Height's was that ''if the times aren't right, you ripen the times.'' She was a crusader for justice, and never stopped fighting for an empowerment agenda. Dr. Height was an instrumental voice in making this country a better place for people of every race, faith, and gender. From school desegregation to fair pay for women, Dr. Height was there, breaking down barriers to equality. Dr. Height was a sister social worker. Like me, she believed that real change must come from the local community. I was proud to recognize her life's work by introducing the Dorothy I. Height and Whitney M. Young, Jr., Social Work Reinvestment Act, to expand the number of social workers to combat the social problems facing our Nation.

Today we honor the life and legacy of Dorothy Height, a tireless fighter for social justice and the empowerment of all people.

Mr. BROWN of Ohio. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on 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. 492) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 492

Whereas Dr. Dorothy I. Height was born in Richmond, Virginia, on March 24, 1912;

Whereas Dorothy Height died on April 20, 2010, at the age of 98, in Washington, D.C., and was survived by her sister Anthanette Height Aldridge;

Whereas Dorothy Height was valedictorian of her high school and won a national oratorical contest;

Whereas Dorothy Height attended New York University and graduated in 3 years, receiving a master's degree in educational psychology;

Whereas Dorothy Height began her career as a caseworker for the Department of Social Services of New York City;

Whereas Dorothy Height joined the Harlem Young Women's Christian Association (referred to in this preamble as the ''YWCA'') and remained a full time employee until 1975;

Whereas Dorothy Height organized and became the director of the YWCA Center for Racial Justice in 1965;

Whereas, in 1957, Dorothy Height became the fourth president of the National Council of Negro Women, a the social services organization with more than 4,000,000 members nationwide, that is comprised of a number of civic, church, educational, labor, community, and professional groups, and served as president for 40 years;

Whereas Dorothy Height became arguably the most influential woman of the civil rights movement;

Whereas Dorothy Height spent her life fighting for racial justice and gender equality;

Whereas Dorothy Height was known for her insistent voice that commanded attention on civil rights issues;

Whereas Dorothy Height liked to say, ''If the times aren't ripe, you have to ripen the times.'';

Whereas Dorothy Height was honored in 1994 with the Presidential Medal of Freedom, the highest civilian honor in the United States, by President William Jefferson Clinton;

Whereas Dorothy Height received numerous awards, including honorary doctorates from more than 20 universities and colleges;

Whereas Dorothy Height was honored in March 2004 with the Congressional Gold Medal, the highest decoration Congress can bestow;

Whereas the passing of Dorothy Height is a great loss to the Nation: Now, therefore be it

Resolved, That the Senate—

(1) recognizes the outstanding contributions of Dr. Dorothy I. Height to the civil rights and women's rights movement;

(2) pays tribute to Dr. Dorothy I. Height, and her passion, dedication to service, and unwavering commitment to equality; and

(3) requests the Secretary of the Senate to transmit an enrolled copy of this resolution to the Washington, D.C. headquarters of the National Council of Negro Women, Inc.

GLOBAL YOUTH SERVICE DAYS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 493, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 493) designating April 23 through 25, 2010, as ''Global Youth Service Days.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN of Ohio. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on 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. 493) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 493

Whereas Global Youth Service Days is an annual campaign that celebrates and mobilizes the millions of children and youths who improve their communities each day through community service and service-learning programs;

Whereas the goals of Global Youth Service Days are—

(1) to mobilize and support young people to identify and address the needs of their communities, schools, and organizations; and

(2) to provide opportunities for—

(A) youth engagement; and

(B) the public, the media, and policymakers to recognize and raise awareness of young people as assets and resources;

Whereas Global Youth Service Days, a program of Youth Service America, is the largest service event in the world and the only service event dedicated to youth engagement;

Whereas, in 2010, Global Youth Service Days is being observed for the 22nd consecutive year in the United States and, in more than 100 countries, for the 11th year globally;

Whereas Global Youth Service Days engages millions of young people worldwide with the support of more than 200 national and international partners, 85 State and local lead agencies, and thousands of local partners;

Whereas high quality community service and service-learning programs—

(1) increase the academic engagement and achievement of young people;

(2) prepare young people for the workforce; and

(3) provide young people with the skills necessary to achieve success in the 21st century;

Whereas community service and service-learning programs provide opportunities for young people to apply their knowledge, idealism, energy, creativity, and unique perspectives to solving critical issues, including health, childhood obesity, education, illiteracy, poverty, hunger, the environment, violence, and natural disasters;

Whereas Global Youth Service Days is an opportunity for citizen diplomacy that increases intercultural understanding and promotes the sense that youths are global citizens, as evidenced by the growing number of projects that involve youths working collaboratively across borders to address global issues;

Whereas thousands of participants in schools and community-based organizations are planning Global Youth Service Days activities as a part of Semester of Service, a program that includes the Martin Luther King, Jr. Day of Service, in which young people spend the semester addressing meaningful community needs connected to intentional learning goals or academic standards over at least 70 hours;

Whereas thousands of youth volunteers learn, create, and implement innovative solutions to global issues on Global Youth Service Days through ''Get Ur Good On,'' an online network of youths supporting each other in the mission to do good works in their communities;

Whereas Global Youth Service Days provides young children, teenagers, and young adults with an opportunity to contribute their abilities and talents as active citizens and community leaders;

Whereas Global Youth Service Days provides schools, community organizations, faith-based organizations, government agencies, businesses, and families with an opportunity to engage youths as leaders and problem solvers; and

Whereas section 198(g) of the National and Community Service Act of 1990 (42 U.S.C. 12653(g)) recognizes Global Youth Service Days as national days of service and calls on the Corporation for National and Community Service, other Federal agencies and departments, and the President of the United States to recognize and support youth-led activities on the designated days: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and commends the significant contributions of the youths of the United States and encourages the cultivation of a civic bond between young people dedicated to serving their neighbors, their communities, and the Nation;

(2) designates April 23 through 25, 2010, as ''Global Youth Service Days''; and

(3) calls on the people of the United States to observe Global Youth Service Days by—

(A) encouraging youths to participate in community service and service-learning projects;

(B) recognizing the volunteer efforts of the young people of the United States throughout the year; and

(C) supporting the volunteer efforts of young people and engaging young people in meaningful community service, service-learning, and decision-making opportunities, as an investment in the future of the United States.

HONORING IDA B. WELLS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 494, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 494) honoring Ida B. Wells for her activism in the civil rights and women's rights movements and for her influential and inspirational leadership.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN of Ohio. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on 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. 494) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 494

Whereas, Ida B. Wells was born on July 16 1862, and died March 25, 1931;

Whereas in 1884, Ida B. Wells refused to give up her seat on a Chesapeake and Ohio Railroad Company train because of her skin color;

Whereas in 1889, Ida B. Wells became co-owner and editor of *Free Speech and Headlight*, an anti-segregationist newspaper based in Memphis, Tennessee that published articles about racial injustice;

Whereas Ida B. Wells conducted investigative journalism about the practice of lynching, printing many articles in an effort to combat this practice;

Whereas Ida B. Wells worked with Frederick Douglass and other Black leaders in organizing a boycott of the 1893 World's Columbian Exposition in Chicago;

Whereas in 1893, Ida B. Wells began working with the *Chicago Conservator*, the oldest African-American newspaper in the city;

Whereas Ida B. Wells formed the Women's Era Club, the first civic organization for African-American women which later became the Ida B. Wells Club in honor of its founder;

Whereas Ida B. Wells traveled throughout the British Isles and the United States teaching and giving speeches to bring awareness to the lynching problems in America,

Whereas Ida B. Wells settled in Chicago and worked to improve conditions for the rapidly growing African-American population there;

Whereas on February 1, 1990, the United States Postal Service issued a 25-cent postage stamp in honor of Ida B. Wells: Now therefore, be it

Resolved, That the Senate—

(1) commends the life of Ida B. Wells and her success as an African-American activist and business woman;

(2) recognizes the many efforts Ida B. Wells made in advancing the interests of African-Americans in the fight for equality; and

(3) requests the Secretary of the Senate to transmit an enrolled copy of this resolution for appropriate display in the hearing room of the Senate Committee on Small Business and Entrepreneurship.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, pursuant to Public Law 85–874, as amended, appoints the following individual to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: the Honorable KENT CONRAD of North Dakota vice the Honorable Edward M. Kennedy of Massachusetts.

ORDERS FOR WEDNESDAY, APRIL 21, 2010

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. Wednesday, April 21; 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 there be a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first 30 minutes, and the Republicans controlling the final 30 minutes; that following morning business the Senate proceed to executive session to consider the nomination of Christopher Schroeder to be Assistant Attorney General as provided for under the previous order.

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

PROGRAM

Mr. BROWN of Ohio. There will be up to 3 hours for debate prior to a vote on confirmation of the Schroeder nomination. Senators should expect that vote to occur around lunchtime.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN of Ohio. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:33 p.m., adjourned until Wednesday, April 21, 2010, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Tuesday, April 20, 2010:

THE JUDICIARY

MARISA J. DEMEO, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

STUART GORDON NASH, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

DEPARTMENT OF THE TREASURY

LAEL BRAINARD, OF THE DISTRICT OF COLUMBIA, TO BE AN UNDER SECRETARY OF THE TREASURY.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

EXTENSIONS OF REMARKS

TRIBUTE TO THE CHOPIN SINGING SOCIETY

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. PASCRELL. Madam Speaker, I would like to call to your attention the work of an accomplished choral group, The Chopin Singing Society, that is celebrating its 100th anniversary of creating beautiful music and inspiring the Polish community of New Jersey and the surrounding area.

It is only fitting that The Chopin Singing Society be honored in this, the permanent record of the greatest democracy ever known, for the artistic musical group has done much to help Polish-Americans and the community at large understand the rich tradition of Polish music while also celebrating American classics. The deep reverence of the Society's members for their heritage helps to enrich the multicultural tapestry of the District I represent.

The Chopin Singing Society #182 Polish Singers Alliance of America of Passaic, NJ, is one of the oldest independent male choral groups active in the United States. The Society was officially organized on March 10, 1910, in honor of the 100th anniversary of Fryderyk Chopin's birth. The choral group's first Musical Director was Edmund A. Sennert.

The Society's first performance was a commemorative program honoring Polish patriots who fought and died in the 1830 revolt against Russian occupation. When World War I began, 75 percent of the chorus joined the newly organized American Legion of the Polish Army. After the Armistice, the chorus reorganized and one of its first accomplishments was to appear in the American performance of Giuseppe Verdi's opera, eleven Trovatore, starring Giovanni Martinelli.

In 1997 and 1998 the Society was the featured choir with the Jimmy Sturr Christmas Show tour appearing at Felician College, Lodi, New Jersey, and in theaters in Wilkes-Barre, Pennsylvania, Middletown, New York, Springfield, Massachusetts, Easton, Pennsylvania, and the Taj Mahal in Atlantic City. The choir has achieved the highest score at international choral competitions of the Polish Singers Alliance of America, PSAA. In doing so, the choir has been awarded the traveling Cardinal Hlond Trophy and maintains the distinction of being the only chorus to win the trophy three times, twice in succession.

The choir prides itself in having in its repertoire the ability to sing Polish, classical, folk and patriotic songs, a complete Latin Mass, as well as American classic and barber shop songs. The Society's busiest time of the year is the Christmas season, fulfilling requests to present its time-honored Polish Christmas concert and to appear as guest choir during the celebration of Mass at many churches throughout the Metropolitan area. The current musical director is Alicja Rusewicz-Pagorek.

The chorus has two recordings to its credit: Polskie koledy (Polish Christmas Carols) and Songs of Poland, a mix of traditional Polish songs. This album (Songs of Poland) was remastered on to CD this year and is currently available. Also, this year, the chorus will introduce a new CD of traditional Polish Christmas carols. The success of the Chopin Singing Society stems from its members' dedication and desire to promote and maintain Polish culture through song.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to learning about and recognizing the efforts of wonderful, thriving cultural groups such as The Chopin Singing Society.

Madam Speaker, I ask that you join the members of The Chopin Singing Society, all those whose lives have been culturally enriched throughout the years, and me in recognizing the outstanding contributions of The Chopin Singing Society to New Jersey's Eighth Congressional District community and beyond.

HONORING CARLOS BEDOLLA

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Carlos Bedolla upon being awarded with the "Lifetime Achievement Award" by the Veterans of Foreign Wars, Post 9896. Mr. Bedolla was honored on Saturday, January 30, 2010, in Chowchilla, California.

Mr. Carlos Bedolla was born in Gilroy, California, and graduated from Gilroy High School. In 1965, shortly after graduation, Mr. Bedolla was enlisted into the United States Army. He completed basic training at Fort Hood, Texas, and was sent to Virginia for advanced training. Mr. Bedolla was designated as an infantryman and was assigned to the 11th Armored Cavalry Regiment at Fort Meade, Maryland. For several months the regiment took part in advanced unit training and in 1966 he boarded a ship in Oakland, California, for a 23-day voyage to Southeast Asia.

Upon arriving in Vietnam, Mr. Bedolla was assigned to the 2nd Squadron of the 11th Cavalry Regiment, the "Blackhorse Regiment." The regiment's mission was to conduct "search and destroy" operations on all Viet Cong and North Vietnam regular forces in their area of operation. They provided reconnaissance and security for the 101st and 173rd Airborne and supported several other units. Mr. Bedolla participated in two major operations: Iron Triangle and Junction City. Both operations focused on eliminating enemy strongholds and jungle clearing. It was during these operations that tunnel complexes were found containing tons of rice and supplies for enemy troops.

Mr. Bedolla served as an infantry squad leader and an armored personnel carrier track commander during operations. He directly provided reconnaissance for his unit and employed tactics to ensure the safety of his men.

Upon completing his tour in Vietnam, Sergeant Bedolla returned to the United States and was honorably discharged in April of 1967. For his service he was awarded the National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Medal with device, the Republic of Vietnam Unit Gallantry Cross with frame and palm, the Combat Infantryman's Badge, and the Army Sharpshooter Badge.

After his discharge, Mr. Bedolla returned to Gilroy, where he met and married his wife, Jessica. He was employed in the retail grocery industry as a store director for 34 years. Mr. and Mrs. Bedolla have 2 sons, 1 daughter, 11 grandchildren and 1 great-grandchild. Mr. Bedolla is a Life Member of Chowchilla Veterans of Foreign Wars Post 9896, the St. Columba Catholic Church and the Young Men's Institute.

Madam Speaker, I rise today to commend and congratulate Carlos Bedolla upon being named as a "Distinguished Life Member" by the Veterans of Foreign Wars, Post 9896. I invite my colleagues to join me in wishing Mr. Bedolla many years of continued success.

HONORING THE LIFE AND LEGACY OF FRANK McCOY

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. COURTNEY. Madam Speaker, I rise today to recognize and celebrate the life and legacy of former Vernon, Connecticut, Mayor Frank J. McCoy. Frank passed away on Tuesday, April 6, 2010, at the age of 87.

Frank was a monumental figure in his beloved town of Vernon. His lifetime of public service began early, serving as an enlisted man in The U.S. Army for 3 years and attaining the rank of sergeant. As a medic, he saw combat in the European Theater of World War II and fought in the Battle of the Bulge. While this contribution alone would have enshrined him forever as a public hero, Frank chose to continue serving his community for decades.

After the war, Frank pursued his education. He graduated from Yale University in 1949 and the University of Connecticut School of Law in 1956. He practiced law for 54 years and served as attorney for the Vernon Fire District during its consolidation with the City of Rockville in forming the Town of Vernon. After two terms on the Vernon Town Council, Frank was first elected Mayor of Vernon in 1969, where he served three consecutive terms. In 1977, he was again elected to a fourth and final term and was the President of the Connecticut Conference of Mayors. Simultaneously, he somehow found time to work as a service officer for the Soldier Sailors Marine Fund for over 40 years helping wartime veterans who were in need of financial assistance.

Frank often found ways to combine his love for his community with his love of team sports. In 1960, he formed the Vernon Midget Football League, which eventually led to the creation of the Rockville High School football team. For over 40 years, he coached recreational basketball, baseball, and football in Vernon. In 1965, he formed and sponsored the Vernon Orioles semi-pro baseball team, who won the Greater Hartford Twilight League playoff title in 1996. For Frank, it must have been a truly heartwarming achievement.

Frank has now joined his wife Jeanette, who passed away last year. He is survived by his five children and four grandchildren who, like the rest of us, remember him as an exceptional family man, patriot, public servant and sports enthusiast. Madam Speaker, I ask my colleagues to join with me and my constituents in celebrating Frank McCoy's life and offering condolences to his family.

PERSONAL EXPLANATION

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. NEUGEBAUER. Madam Speaker, I was absent from votes on April 15, 2010 due to official travel. Had I been present, I would have voted as follows: Rollcall 207 "nay"; Rollcall 208 "yea"; Rollcall 209 "nay"; Rollcall 210 "yea"; and Rollcall 211 "nay."

HONORING MR. DONALD MICHALAK

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 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. Donald Michalak. Mr. Michalak served his constituency faithfully and justly during his tenure as the Villenova Town Attorney.

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. Michalak 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. Michalak is one of those people and that is why Madam Speaker I rise in tribute to him today.

HONORING RAQUEL RUBIO GOLDSMITH

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. GRIJALVA. Madam Speaker, Raquel Rubio Goldsmith, honored teacher, researcher and community activist, retires after 40 years of teaching at Pima Community College and the University of Arizona in Tucson, AZ. She coordinates the Binational Migration Institute housed in the Mexican-American Research and Studies Center at the University of Arizona, where she began teaching in 1983. She retired from Pima Community College in 1999 and has received many honors for her teaching and mentoring of students and younger faculty.

Born in the border community of Douglas, AZ, she is the oldest of a family of nine children. At the age of 16, Raquel graduated from high school in Douglas and was granted a scholarship to the Autonomous University of Mexico (UNAM). She had no choice in 1952 but to accept, since the opportunities in higher education were extremely limited for Mexican Americans, especially those from rural communities and working class backgrounds. Her father was a railroad worker.

In Mexico City she was fortunate to live with a great aunt who was a concert pianist and introduced her to a world of artists, intellectuals, and writers. She received undergraduate and advanced degrees in law and philosophy from UNAM. Upon returning to Douglas in 1961, she met, and later married, Charles Barclay Goldsmith. Barclay was a reporter and a recent graduate of Stanford University. He joined the United States Diplomatic Corps as a cultural attaché shortly thereafter and they were stationed in Merida, Mexico, and later in Buenos Aires, Argentina. Several years and two sons later, they moved to Pittsburgh, PA, where Raquel worked in a poverty program and Barclay completed a Masters in Fine Arts in directing from Carnegie Mellon University. In 1969 they moved to Tucson, where Raquel became a founding faculty member of Pima Community College. With others, she was charged with establishing the curriculum in an educational environment that followed a participatory democracy management model, from the janitor to the students to the faculty to the administration. All had a voice.

Professor Rubio Goldsmith flourished in this creative world, and she became a leader in institutionalizing diversity at all levels, instituting open-enrollment, establishing Mexican-American, African-American and Women's Studies, teaching Yaqui and Tohono O'odham histories and languages, and pioneering classes for credit in barrio community centers. She championed computer technology even before it had a widespread role in higher education. She fought tirelessly for hiring minorities at all levels, and became a master teacher and constant advocate for students. She was especially focused on older female students, and helped form an exemplary program for female bilingual aides in public education. With her support, many of those women went on to become bilingual teachers not only in Spanish but in the native languages of the borderlands.

Professor Goldsmith also established a long record of publication and centered her research on women of the borderlands. She researched the cultural impact of a community of Mexican nuns in Douglas and the importance of gardens for women in the isolation of the desert. She became a recognized specialist in women's studies, focusing on Chicana/Mexicana women. She pioneered surveys to document human rights violations suffered by migrants (and citizens) that offered the first important empirical evidence of the impact that growing border militarization was having in border communities, and how those impacts were moving into the interior.

Recently, her research has centered on the post-1994 period that has led to a "funnel" effect of migrant movement that has caused so many deaths. Her cutting-edge scholarship is acknowledged by invitations to present at local, national and international forums and participate in academic, policy-making and community-based discussions. Professor Goldsmith has always made an effort to present academic research to the community by setting up presentations in neighborhood centers. At one time she conducted local radio programs on Spanish-language radio, teaching the history of Mexico and having on-air, call-in cultural discussions with the community. She believed that information should be shared with the community instead of isolated at educational institutions.

Professor Rubio Goldsmith has also devoted herself to working in promoting human rights. From her student years to the present, she has engaged in community-based activism. She worked on local issues with El Concilio Manzo in Tucson in the early 1970s and issues of immigration advocacy with them through the mid-1980s. She led the Zapatista movement in Tucson with Pueblo Por La Paz, participating in Chiapas with Zapatista convocations. She was the co-author of a play about the Zapatista uprising, "Tres Dias/Thirteen Days", performed by Borderlands Theater locally and the San Francisco Mime Troupe nationally. She is a member of Derechos Humanos and has been a board member of the Little Chapel of All Nations. She has been an active and tireless supporter of Raza Studies in high schools, and has served on the advisory council of the Institute of Mexicans Abroad (Instituto de los Mexicanos en el Exterior) of the Mexican Ministry of Foreign Relations.

Professor Raquel Rubio Goldsmith has been a wonderful mother to two sons, Chris and Pat. Christopher Goldsmith is a poet and has been a teacher of English for many years at Tucson High School. Patrick Goldsmith is a professor of sociology at the University of Wisconsin. She has two grandchildren, who are the joy of her life, and is married to Barclay Goldsmith with whom she has shared a lifetime. Our community is very blessed for the service of Raquel Rubio Goldsmith, whose life's work continues to enrich us all.

RECOGNITION OF THE BYRD POLAR RESEARCH CENTER

HON. MARY JO KILROY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. KILROY. Madam Speaker, I rise today to honor The Byrd Polar Research Center at The Ohio State University for fifty years of leadership in polar and alpine research. My staff and I had the pleasure of visiting this innovative research center on the campus of The Ohio State University where we met with Director Ellen Mosley-Thompson and Dr. Lonnie Thompson and saw some of their pioneering research first hand. We visited interactive classrooms, the cold lab, and cold storage facility, which houses the research center's impressive collection of ice cores.

Founded in 1960 as the Institute for Polar Studies, The Byrd Polar Research Center focuses on the history and evolution of global climate systems and the role of cold regions in climate change. In 1987 the facility was renamed for famous American Polar Explorer, Admiral Richard E. Byrd. The Research Center now includes eight research groups, a library, an archival program, and the U.S. Polar Rock Repository. Undergraduate and graduate students at The Ohio State University are able to participate in and learn from this cutting edge facility that organizes expeditions around the world. To reconstruct past climate trends The Byrd Polar Research Center uses a variety of methods, including the study of chemical records preserved in ice cores collected from glaciers in Greenland, Asia, North and South America, and Antarctica.

Our planet is in peril and during this critical time The Byrd Polar Research Center has advanced our knowledge of how cold regions play a role in our Earth's changes. The phenomenon of climate change has been well documented in the scientific community by groups like The Byrd Polar Research Center. Climate change demands immediate attention and action; for fifty years The Byrd Polar Research Center has contributed to our understanding of climate change and our ability to mitigate and adapt to its effects.

The Byrd Polar Research Center strives to improve our understanding of the environment and the changes that are occurring to it and provides central Ohioans with a world-class education and research facility. I am proud to recognize and honor The Byrd Polar Research Center and its hard working staff for fifty years of dedication to the advancement of scientific understanding of the world around us.

RECOGNIZING HOPE LEARNING ACADEMY

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. ISSA. Madam Speaker, I rise today to recognize a wonderful program operated by New Hope Community Church in Canyon Lake, California, that has set the standard for helping troubled youth by introducing a new concept to learning. Just this past weekend, Menifee Councilman Scott Mann and I had the pleasure to visit the Hope Learning Academy, seeing firsthand how this program's mentors steer at-risk youth onto a positive path and equip them with the tools they need to lead successful lives.

Regrettably, a substantial number of youth in our communities are failing school, struggling with behavioral issues in and out of the home, and many are ''slipping through the cracks.''

That is why Hope Learning Academy, which represents just one of the many ways that New Hope Community Church serves its community, is an outstanding example of providing at-risk youth with opportunities to grow. Their combination of guidance, encouragement and years of experience working with youth has proven successful in helping both students and parents implement a strategy of change in their lives during what are considered a teenager's most challenging years.

There is no question that the staff at Hope Learning Academy is committed to finding ways to help the youth in our community. They have effectively executed a niche program to put youth on a course for success while partnering with parents to give them the tools they need to effectively parent their child.

Madam Speaker, I ask that my colleagues please join me in recognizing the success of Hope Learning Academy and I look forward to hearing more about valuable programs such as this that make a positive difference in the lives of our local youth.

HONORING ERIC MICHAEL ROTHMIER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Eric Michael Rothmier, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 138, and in earning the most prestigious award of Eagle Scout.

Eric has been very active with his troop, participating in many scout activities. Over the many years Eric has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Eric Michael Rothmier for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING UTICA POLICE OFFICERS SCOTT BERGER AND MICHAEL PETRIE

HON. MICHAEL A. ARCURI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. ARCURI. Madam Speaker, in the early morning on Sunday, September 20th 2009, a great tragedy occurred in my hometown of Utica, New York. A horrific fire in an apartment building claimed the lives of four people.

While this loss of life can never be replaced, the loss would have been much more severe had it not been for the courageous acts of two Utica Police Officers, Scott Berger and Michael Petrie.

When Officers Berger and Petrie arrived on scene, the apartment building was heavily engulfed in smoke and flames. Without regard to their safety, Officers Berger and Petrie ran into the building and pounded on the doors on the first, second and third floors, yelling to residents to evacuate the premise.

While trying to enter the back door, an explosion blew out the door, which sent Officers Berger and Petrie scrambling for safety.

Due to their honor, courage and dedication to protecting the public, Officers Berger and Petrie were named Police Officers of the Year by the American Legion's Utica Post 229.

Madam Speaker, I call on my colleagues to join me in recognizing the Utica Police Department, and specifically, Officers Berger and Petrie, for exemplifying the characteristics of true public servants. Our community and country is a better and safer place because of their efforts.

CONGRATULATING MR. DENNIS TICE

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. SHUSTER. Madam Speaker, I rise today to congratulate Mr. Dennis Tice for his recognition as Bedford County's Historian of the Year for 2010. Mr. Tice will receive his award at the Bedford County Historical Society Annual Banquet on April 24, 2010.

Mr. Tice earned this award for his commitment to chronicle Bedford County's World War II veterans. Recognizing the importance of the Greatest Generation's legacy, Mr. Tice began working on a project that would bring its story to life. The result of his efforts was a feature-length film entitled ''Bedford County Veterans WWII,'' which premiered at the Pitt Theatre in Bedford in December of 2009, with 2,100 tickets sold to the public and many subsequent DVD sales. Such a reception by the people of Bedford County is a testament to the accuracy, accessibility, and authenticity of Mr. Tice's work.

Our World War II veterans have many inspiring stories to tell, and Dennis Tice's dedication to ensuring these stories are told is truly admirable. I commend Mr. Tice for his contribution to the understanding of our past, which shall guide and encourage us in our future. May his work continue to enrich Bedford County now and for years into the future.

HONORING STEPHEN SMITH

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Stephen Smith upon his retirement as Stanislaus County Assistant Auditor-Controller. Mr. Smith will be honored by the Stanislaus County Board of Supervisors during a regularly scheduled Board of Supervisors meeting to be held on March 26, 2010.

Mr. Stephen Smith was born in New York and was raised in Germany, Virginia and California. Upon graduating from Atwater High School, he attended California State University, Stanislaus. In 1979 he graduated with a Bachelor of Arts Degree in accounting.

After earning his license as a Certified Public Accountant in 1981, Mr. Smith started his career with Stanislaus County as a Controller at the Scenic General Hospital. In 1983, he was promoted to the Chief Internal Auditor and in 1987 he was promoted to Chief Deputy Auditor-Controller. In 2002, Mr. Smith became the Assistant Auditor-Controller for the County. Mr. Smith has been a vital member of the Auditor-Controller's Strategic Plan development team. He served on the WORKS Purchasing Card implementation team, the Oracle 11i upgrade team and the Travel and Purchasing Card policy revision team. Mr. Smith

has also served on the Deferred Compensation Committee, Accounting Standards and Procedures Committee, Audit Chief's Committee and Accounting Chief's Committee of the California Association of Auditor-Controllers.

Outside of the office, Mr. Smith has been involved with various non-profit organizations. He has participated in the annual American Heart Association's Heart Walk, Youth in Government Day, United Way campaign and the American Cancer Society's annual Walk-a-Thon. For twenty-eight years, Mr. Smith has provided dedicated service to Stanislaus County and its residents.

Madam Speaker, I rise today to commend and congratulate Stephen Smith upon his retirement from Stanislaus County after twenty-eight years of service. I invite my colleagues to join me in wishing Mr. Smith many years of continued success.

IN RECOGNITION OF THE 50TH WEDDING ANNIVERSARY OF BOB AND KAY LORD

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. ROGERS of Alabama. Madam Speaker, I rise today to pay tribute to a very special occasion. On April 23, 2010, Bob and Kay Lord will celebrate their 50th Wedding Anniversary.

On April 23, 1960, Bobby Ray and Francis Kay Lord were united in holy matrimony in Beaumont, Texas. Bob and Kay have one daughter, Anieca, the joy of their lives. As they have worked and traveled throughout the world, their house was always open.

Whether you were a young person needing the love and structure of a solid home, or just a place to gather for good food and music, you were always welcomed. All were blessed to witness their faith, love and generosity.

To celebrate their anniversary, family and friends will gather in their honor in Colmesneil, Texas at Lake Amanda, to recognize Bob and Kay's life together and share the great memories over the years.

I salute this lovely couple on the 50th year of their life together and join their family and friends in honoring them on this special occasion.

TRIBUTE TO DR. ARNOLD SPEERT

HON. BILL PASCRELL, Jr.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. PASCRELL. Madam Speaker, I would like to call to your attention the work of an outstanding individual, Dr. Arnold Speert, who was recognized on Friday, April 16, 2010 upon his retirement as president of William Paterson University in Wayne, NJ, for his many years of dedicated service to not only the university, but the community at large as well.

It is only fitting that he be honored in this, the permanent record of the greatest democracy ever known, for he has been a true public servant and educator and someone whose commitment to excellence has helped to enhance countless lives.

Arnold began his journey in academia at the City College of the City University of New York. A Phi Beta Kappa, Dr. Speert graduated cum laude with honors in chemistry. He went on to earn a doctorate in chemistry from Princeton University where he was a National Institute of Health Fellow. He is a member of the American Chemical Society and the American Association for the Advancement of Science.

Dr. Speert's career at William Paterson began in 1970 when he joined the university's teaching staff as an assistant professor of chemistry. Later that year he assumed his initial administrative responsibilities as assistant to the dean of graduate and research programs. Dr. Speert was named assistant to the vice president for academic affairs in 1971 and became associate dean for academic affairs in 1978. In July 1979, he was named vice president for academic affairs. During the same period he rose through the faculty ranks and attained full professor status in 1980. On September 1, 1985, he became the sixth president of William Paterson University, reaching the pinnacle of leadership.

Though the university has always been central to Dr. Speert, his reach has extended far beyond William Paterson's campus. He has been active in a wide variety of community service activities. He has served as chair of the New Jersey Presidents' Council and been a member of the Commission on Higher Education and the Board of Examiners for the New Jersey Department of Education. His spirit of volunteerism doesn't just focus on education—he currently serves on the board of the State Farm Indemnity Company. Throughout the years, he has also served on the boards of the Tri-County Chamber of Commerce, Barnert Hospital, the Ramapo Bank, the Better Business Bureau, the Jewish Federation of North Jersey, YM-YWHA of Northern New Jersey, and the Respiratory Health Association.

Founded in 1855, William Paterson University is one of the nine state colleges and universities in New Jersey. During Dr. Speert's time as president, the university has continued to grow, striving to meet the need to prepare a growing student body to succeed in our rapidly changing world. The institution offers 30 undergraduate and 19 graduate programs through five colleges: Arts and Communication, the Christos M. Cotsakos College of Business, Education, Humanities and Social Sciences, and Science and Health. Located on 370 hilltop acres in Wayne, the university enrolls more than 10,500 students and provides housing for nearly 2,300 students. The institution's 363 full-time faculty are highly distinguished and diverse scholars and teachers, many of whom are recipients of prestigious awards and grants from the Fulbright Program, the Guggenheim Foundation, the National Endowment for the Humanities, the National Institutes of Health, the National Science Foundation and the American Philosophical Society.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to learning about and recognizing the impressive accomplishments of individuals like Dr. Arnold Speert.

Madam Speaker, I ask that you join our colleagues, Arnold's family and friends, all those whose lives have been touched by his work, and me in recognizing the outstanding and invaluable service of Dr. Arnold Speert.

CONTINUING EXTENSION ACT OF 2010

SPEECH OF

HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 2010

Mr. LINDER. Mr. Speaker, the legislation before us would extend for another 2 months special Federal programs that today mean unemployed workers can collect up to 99 weeks of benefits in most States. This compares with a total of up to 26 weeks of benefits in almost all States during normal times. Other Members note the massive expense of all this spending, which would grow by another $18 billion in just the next 2 months. None of it paid for, just as none of the more than $100 billion in ''emergency'' Federal unemployment spending has been paid for since this program began in mid–2008.

But stepping back, what are those 73 weeks of additional benefits, at a cost now of $7–8 billion per month, buying American workers and taxpayers? The answer is a whole lot of disincentives to work, according to recent articles.

The April 13 Wall Street Journal (''Incentives Not to Work: Larry Summers v. Senate Democrats on jobless benefits'') put it this way, summarizing the effect of unemployment benefits on returns to work:

> The second way government assistance programs contribute to long-term unemployment is by providing an incentive, and the means, not to work Each unemployed person has a 'reservation wage'—the minimum wage he or she insists on getting before accepting a job. Unemployment insurance and other social assistance programs increase [the] reservation wage, causing an unemployed person to remain unemployed longer.'' Any guess who wrote that? Milton Friedman, perhaps. Simon Legree? Sorry. Full credit goes to Lawrence H. Summers, the current White House economic adviser, who wrote those sensible words in his chapter on ''Unemployment'' in the Concise Encyclopedia of Economics, first published in 1999.

The experts at the Brookings Institution have reported that these unemployment extensions ''correspond to between 0.7 and 1.8 percentage points of the 5.5 percentage point increase in the unemployment rate witnessed in the current recession.'' So even if you accept the low end of the estimate, unemployment would be 9 percent instead of today's 9.7 percent rate. At the other end, the unemployment rate might be below 8 percent but for the effect of extended unemployment benefit extending and thus increasing unemployment.

And in case my colleagues on the other side say these effects only matter when unemployment is low and jobs are plentiful, guess again. As noted by the scholar Amity Shines this past week, ''Two scholars, Stepan Jurajda and Frederick Tannery, looked at Pittsburgh in the first half of the 1980s, a period when the Nation had two temporary increases in unemployment benefits. They determined that one third of those claiming unemployment found work within weeks of the expiration of their benefits, but not before.'' And that was when Pittsburgh had unemployment rates far above the US average today, suggesting that the

benefits and not the unemployment rate are reason behind extended and increased unemployment.

Mr. Speaker, we can do better than this. What unemployed workers really want are jobs and paychecks. We need to start over and do the things that really help create jobs for unemployed workers. That means repealing Democrats' government health care takeover law and scrapping their energy tax hike plans. It means extending expiring tax cuts on businesses and individuals and ending wasteful stimulus spending. And it means committing to not increase any tax until the economy has fully recovered.

HONORING RYAN A. FOLTZ

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Ryan A. Foltz, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1433, and in earning the most prestigious award of Eagle Scout.

Ryan has been very active with his troop, participating in many scout activities. Over the many years Ryan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Ryan A. Foltz for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING MARY ALICE ECKSTROM FOR HER DEVOTION TO HELPING OTHERS

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. PASTOR of Arizona. Madam Speaker, I rise before you today to praise and reflect upon the life and career of an outstanding community leader and dear friend, Mary Alice Eckstrom.

Mary Alice Eckstrom was born in Tucson, Arizona on October 29, 1946. Throughout her lifetime she always made herself available to help others, especially the less fortunate. She did all of this very quietly, never seeking personal praise or recognition. It was her abiding faith in God, her devotion to Our Lady of Guadalupe, and her dedication to St. Therese the Little Flower, which enabled her to effectively serve others.

Alice selflessly gave her time, talents, and resources to the community. She served for 20 years, including seven terms as President, with the League of Mexican American Women, which provided $2 million in postsecondary educational scholarships. She served the Diocese of Tucson for ten years, at St. Ambrose School, also serving on the School Board. She served on the Board of Catholic Community Services of Southern Arizona, and as a volunteer for the Pio Decimo Center. In February 2010, LULAC and the NAACP honored her with the Rosa Parks Lifetime Community Advocacy Award.

Within her family, Alice was the solid foundation from which her two children acquired and developed their individual knowledge, skills and talents. She was the main driving force in making sure that each of them were carefully nurtured and trained to become sustaining and contributing community members. She always provided a special guiding hand focusing on how to live proper and acceptable lives. To her children and all that knew her, Alice was an exceptional mother, teacher, mentor, confidant, and friend.

For more than a year, Alice waged a valiant battle to overcome Lymphoma. Fighting cancer was nothing new to her, which she had done in 1985, when stricken with Breast Cancer. [After a year of chemotherapy and radiation, her cancer was in remission for 23 years and she lived every day of her life to the fullest.] In October 2008, to celebrate another annual survival milestone, she led a grassroots fundraising effort in support of Susan G. Komen for the Cure Foundation, by successfully raising $2,500 in $5 contributions. One month later, after a routine chest x-ray, she was diagnosed with Lymphoma. She received chemotherapy treatments for more than a year and underwent a bone marrow transplant. During each of these aggressive medical treatments, she never complained, but was always sustained by her strong faith. She possessed an amazing spirit of survival, and always maintained an ever-present and radiant smile. She was hospitalized for several weeks before Christmas, but this did not prevent her from helping others. As she had done for 37 years, Alice helped raise needed funds so that 6,000 disadvantaged children could receive a new toy at Christmas.

On March 29, 2010, surrounded by her loving family, Alice left our earthly presence to begin her promised journey of eternal life. On "Holy Thursday," Rites of a Christian Burial were celebrated at Saint Augustine Cathedral. Her celebration of life was attended by more than 1,200 mourners, and it was led by the most Reverend Gerald F. Kicanas, Bishop of Tucson, Father James Hobert, Father Patrick Crino and Deacon Oscar Bueno. She was eulogized by her daughter Jennifer and son Daniel, who shared many lifetime memories and remembrances. A special honor guard and escort were provided by the Pima County Sheriff's Department and the South Tucson Police Department led the funeral procession to Holy Hope Cemetery, her final resting place.

Alice is survived by Dan Eckstrom, her husband of more than 37 years, a retired Chairman of the Pima County Board of Supervisors and Mayor of the City of South Tucson; her devoted children-daughter Jennifer Eckstrom, who serves as Mayor of the City of South Tucson and son Daniel William Eckstrom II, a Staff Assistant for U.S. Congressman Ed Pastor. She is also survived by her mother Felicita Rosales, her sisters Jenny and Grace; and her brothers Rudy, Robert, Julian and Louis. She is predeceased by her father Louis Rosales, her sister Anita Rosales and her beloved niece, Melissa Dian Gomez.

In keeping with her commitment to serving the less fortunate portion of our population, Alice's family, friends and supporters are continuing her legacy by establishing a memorial fund that will provide scholarships for deserving students attending Pima Community College-Desert Vista Campus.

Madam Speaker, I am honored to recognize the leadership of Mary Alice Eckstrom and the friendship she has given me and my family.

RECOGNITION OF WORLD MALARIA DAY

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mrs. CAPPS. Madam Speaker, I rise today to recognize the importance of World Malaria Day.

While anyone exposed to a malaria-causing parasite can be afflicted with the disease, pregnant women and children are malaria's most frequent victims.

Over ten percent of global maternal deaths are caused by malaria. Pregnant women are highly susceptible to malaria because their bodies' natural defense mechanisms are reduced during pregnancy. In these women, malaria causes high rates of miscarriage and severe anemia. Furthermore, malaria can cause low birth weight among newborn infants—a leading risk factor for infant mortality and impaired growth and development.

Malaria kills a child somewhere in the world every 30 seconds. In parts of the world where malaria is endemic, children are exposed repeatedly to the parasite, which is transmitted by mosquitoes. Although malaria is both preventable and treatable, if ineffective medicines are given or if treatment is delayed, the number of parasites in a child's body continues to increase. In these children, the disease can progress to a severe stage that is fatal in the majority of cases.

I have long been a supporter of U.S. programs to promote maternal and child health overseas, and malaria programming is a key aspect of that. We have proven, effective tools to prevent and treat malaria. But more must be done. I urge my colleagues to join me in support of scaled-up deployment of these tools to reduce soaring child and maternal mortality rates in the developing world.

HONORING THE UNIVERSITY OF CONNECTICUT WOMEN'S BASKETBALL TEAM ON THEIR SECOND CONSECUTIVE PERFECT SEASON

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. DELAURO. Madam Speaker, I rise with enormous pride to congratulate the UConn women's basketball team on a season of unprecedented athletic achievement. Under Coach Geno Auriemma, the Huskies not only won their second consecutive NCAA title this month, they concluded their second consecutive perfect season.

In fact, the Huskies have now won 78 straight games in a row—only ten below the record set in men's basketball by the teams under UCLA's John Wooden in the 1970's—and have won every single one of them, with

the exception of their gritty 53–47 title defense against Stanford, by double digits. In so doing, the University of Connecticut Women's team has eclipsed the previous record of 70 wins in a row, held by the Huskies since 2003.

Winning 78 games in a row in any sport is no small feat, and it takes more than talent to accomplish. Such a record takes perseverance, sacrifice, and a commitment to the team ideal, and the women of UConn have shown each in surpassing measure.

These young athletes are not role models to generations of women because they are winners—they are winners because they are role models. They have shown that, through hard work and dedication to a common goal, anything is possible. I congratulate them on two years of amazing victories, and I look forward to seeing them in action again next season.

HONORING PIEDAD AYALA

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Piedad Ayala upon receiving the ''Member of the Year Award'' by the Central California Hispanic Chamber of Commerce. Mr. Ayala will be honored at the twenty-sixth annual State of the Hispanic Chamber Gala to be held on Friday, March 12, 2010 in Fresno, California.

Mr. Piedad Ayala has worked with the Central California Hispanic Chamber of Commerce through his businesses and his newly formed organization, Water for All. Since 1976, Mr. Ayala has been working with the agriculture community and is currently the CEO of Ayala Enterprises, Ayala Corporation, Ayala Farm Inc. specializing in farm management, farm labor, agricultural farming and livestock. He is also the CEO of Big Daddy Portable Toilets Inc. and Azteca Furniture:

With a great passion for the farmers of the Central San Joaquin Valley, Mr. Ayala has always been involved with promoting legislation to support the area. Recently, Mr. Ayala created ''Water for All'', an organization that supports the development of additional water resources in California. With Mr. Ayala's strong leadership and partnership with the California Latino Water Coalition, the Central California Hispanic Chamber of Commerce and the Fresno County Farm Bureau, he has assisted in organizing multiple water rallies, including the March for Water held in 2009.

Mr. Ayala is a great supporter of business and education. Through his various businesses and the organizations that he works with, he has become a well known community activist, particularly in regard to water.

Madam Speaker, I rise today to commend and congratulate Piedad Ayala upon being awarded the ''Member of the Year Award.'' I invite my colleagues to join me in wishing Mr. Ayala many years of continued success.

CONGRATULATING BEVERLY HISCOX, HONOREE OF THE WILKES UNIVERSITY ALUMNI ASSOCIATION AND ITS SCHOLARSHIP FUND

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Beverly Blakeslee Hiscox, who is being honored by the Wilkes University Alumni Association and its Scholarship Fund for extraordinary service over many years.

Born in Hanover Township in 1932, Beverly graduated from E. L. Meyers High School in Wilkes-Barre and attended Wilkes College.

Mrs. Hiscox has served Wilkes University in many roles including as president of the Alumni Association, member of the Board of Trustees, an active member of the Advisory Board of the Creative Writing Program, and she continues as Trustee Emerita.

Her dedication to the Wilkes-Barre community does not stop with Wilkes University. Her commitments over the years have included 20 years as a member of the Wilkes-Barre General Hospital Auxiliary, an early organizer of the Lawyers' Wives, and as a member of the Board of Directors of the Wilkes-Barre YMCA.

She has been involved with the Northeastern Pennsylvania Philharmonic since its inception in 1972, serving on its Board of Directors and as president of the Board. She is also a member of the Westmoreland Club.

Ordained as an elder of the First Presbyterian Church in Wilkes-Barre, she was also active in the Women's Association of the church for many years. She has served on the Session of the First Presbyterian Church in Wilkes-Bane as an elder.

Mrs. Hiscox married attorney Harry Hiscox in 1956. They had five children: David, a lawyer in practice with his father; Richard, a family practice physician; Steven, president and CEO of Automotive Training Center, the top professional institution of its kind in the nation; Susan, a school psychologist in New York and Carol, an elementary school teacher in Wilkes-Barre.

Mr. and Mrs. Hiscox also have 10 grandchildren.

Madam Speaker, please join me in congratulating Mrs. Hiscox on this auspicious occasion. Her exemplary community service is inspirational and has earned her widespread respect and admiration throughout northeastern Pennsylvania.

HONORING CAPTAIN ROBERT R. O'BRIEN

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. PALLONE. Madam Speaker, I rise today to honor CAPT Robert R. O'Brien, Commander of the United States Coast Guard Sector New York. On April 6th of this year Captain O'Brien celebrated the anniversary of his enlistment in the Coast Guard in 1970. During Captain O'Brien's 40 consecutive years of brave service he rose from an enlisted member to commander of the Coast Guard's largest operations unit.

Captain O'Brien enlisted in the Coast Guard in 1970 at the rank of seaman apprentice. In 1976 he was assigned as Officer-in-Charge of the USCGC Blackberry at Oak Island, North Carolina. In 1978 he was assigned to St. Simon's Island, Georgia, and then in 1979 he was promoted again to Chief Boatswain's Mate on the largest Aids to Navigation Team in the Atlantic Area. In 1980 he was named Chief Warrant Officer of the Aids to Navigation Team on the Long Island Sound.

In 1983 Captain O'Brien continued his accelerated rise through the ranks, receiving his commission as a Lieutenant. Over the next several years he was assigned to various posts around the country including the Marine Safety Office in Galveston, Texas; Supervisor of the Marine Safety Detachment in Marietta, Ohio; the Marine Safety Office in Detroit, Michigan; the Fifth Coast Guard District Office in Portsmouth, Virginia, and the Marine Safety Office in Hampton Roads, Virginia. In 1999 Captain O'Brien was promoted to Commanding Officer of the Marine Safety Office in Memphis, Tennessee. In 2002 he left for Washington, DC, to serve as the Coast Guard Liaison to Navy's Military Sealift Command where he participated as an advisor in weekly senior staff meetings at Coast Guard headquarters. In 2003 he was promptly promoted again to Captain and assumed command of the Marine Safety Office in Hampton Roads. In July 2005 he was promoted one final time to his current position as Commander of the Sector Hampton Roads.

His rise from an enlisted service member at the lowest rank to his senior position is an increasingly rare and difficult feat in the United States armed services. Throughout his career Captain O'Brien has been recognized for his excellent service, receiving the Meritorious Service Medal, the Coast Guard Commendation Medal, the Coast Guard Achievement Medal, the Coast Guard Commandant's Letter of Commendation Ribbon, and three Coast Guard Good Conduct Medals. Captain O'Brien's dedication to service is an example for all Americans.

Madam Speaker, I sincerely hope my colleagues will join me in honoring CAPT Robert O'Brien for his brave service to our country, as well as congratulate him for completing his 40th consecutive year in the United States Coast Guard, and wish him the best as Captain O'Brien will begin in October of this year a most well-deserved retirement.

HONORING OLYMPIC SPEEDSKATERS JOHN ROBERT ''J.R.'' CELSKI AND APOLO ANTON OHNO

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. SMITH of Washington. Madam Speaker, this year's Olympic Winter Games in Vancouver were an incredible display of America's finest athletes representing our country. It is my great privilege to commend two of these athletes from the great State of Washington.

The Ninth District of Washington was honored to be represented by short track speedskater John Robert ''J.R.'' Celski of Federal Way, Washington. Celski sustained a severe injury during the Olympic Trials in which his skate blade cut deeply into his left quadriceps muscle, barely missing his artery, only 5 months before the 2010 Olympic Winter Games. Prior to his injury, he put up record performances in U.S. competitions against other world-class athletes.

Celski displayed an astonishing level of perseverance when he overcame this adversity to capture the bronze medal in the Men's 1500m and the Men's 5000m Relay. J.R. Celski embodied the spirit of this country with his resolve and determination.

Apolo Anton Ohno of Seattle, Washington, was another inspirational athlete at the Olympic Winter Games with ties to the Ninth District of Washington. Both Ohno and Celski grew up skating at Pattison's West Skating Center in Federal Way, Washington.

I am proud to represent a district that has significantly contributed to the success of U.S. speedskating. I ask my colleagues to please join me in congratulating both Apolo Anton Ohno and John Robert ''J.R.'' Celski for their perseverance and determination to overcome adversity and give historic performances in short track speedskating at the 2010 Olympic Winter Games.

HONORING JOHN M. WILLIAMS, JR., ON HIS DISTINGUISHED CAREER

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. PASTOR of Arizona. Madam Speaker, I rise before you today to praise and reflect upon the career of an outstanding community leader and a dear friend, John M. Williams, Jr. I would also like to congratulate John on his upcoming retirement.

John is the president of the Salt River Project (SRP), the nation's third-largest public power utility and the largest supplier of water to the greater Phoenix metropolitan area. John serves as president of both the Salt River Valley Water Users' Association, the water distribution side of the company, and the Salt River Project Agricultural Improvement and Power District, the electricity-generating side of the company. He began serving on the SRP council in 1964 and has served 28 years with SRP, including 12 years as vice president. He was elected SRP's 16th president in 2007.

During his tenure as president, John signed the largest-ever Indian water rights settlement; helped SRP expand its sustainable-energy portfolio to approximately seven percent of the total energy generated, including partnering on the state's first commercial wind farm; and presided over a far-reaching settlement that will help ensure the future sustainability of Arizona's Verde River.

John is a member of the Groundwater Users' Advisory Council, the American Public Power Association, the National Water Resources Association, the Colorado River Water Users' Association and the Cowman's Club. In addition, President George W. Bush appointed him to the National Infrastructure Advisory Council in 2008.

An Arizona native, John is active in numerous community-based efforts, including serving on the board of the Farmers Gin and as a committee member of the Maricopa County Farm Services Administration. He has been involved in many other community activities in the Laveen area. John, who owns John M. Williams Farms in Laveen, lives in the West Valley with his wife, Dawnetta.

I have been fortunate to have John as a friend for many years. I first became familiar with John's trademark black cowboy hat when he came to visit my office in Washington, DC. Since that time, I have seen him wear that same black cowboy hat twice a year at Corona Ranch, where we have enjoyed the music and good company together.

Madam speaker, I am honored to recognize the leadership of John Williams and the friendship he has given me and my family.

HONORING THE 40TH ANNIVERSARY OF PINE FORGE ATHLETIC ASSOCIATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. GERLACH. Madam Speaker, I rise today to honor the Pine Forge Athletic Association as it celebrates 40 years of providing and promoting baseball and softball for the youth in the Boyertown Area School District and neighboring communities.

The Association formed as a result of the vision and leadership of Merle Harner and Robert ''Skip'' Trainer, who wanted to create more opportunities for participating in youth sports. The Association has thrived since its first team began practicing and playing on a single, small field at Pine Forge Elementary School four decades ago. Today, more than 400 boys and girls play on more than 30 teams that have access to as many as 15 fields faithfully maintained by the Association.

While many things have changed since 1970, the Association remains committed to the core principles of teaching the fundamentals of the game, promoting good sportsmanship and helping youth learn the importance of team work, perseverance and hard work. The Association's tremendous success was made possible thanks to dedicated volunteers who generously give countless hours each year to serve as coaches, umpires, league officials and in various other roles.

Madam Speaker, I ask that my colleagues join me today in congratulating the Pine Forge Athletic Association as it commemorates this very special milestone and offering best wishes for continued success in enriching the lives of our youth and strengthening the bonds within our community.

TRIBUTE TO BILL AND MAURA SCULLY

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. PASCRELL. Madam Speaker, I would like to call to your attention the work of two outstanding individuals, Bill and Maura Scully, who are being honored by the Frank McGovern Association on Sunday, April 18, 2010, for their lifetime of friendship and service.

It is only fitting that they be honored in this, the permanent record of the greatest democracy ever known, for they have brought joy and comfort to many others through their dedication to community service and the preservation of Irish-American culture.

Bill was born August 14, 1937, in Glenamaddy, Co. Galway. His family moved to Middleton, Co. Cork, in 1950 when he was 13 years old. He is a product of the C.B.S. where he learned his skills of Human Interaction. Bill came to America on February 14, 1958, and started work as a waiter in McGovern's. Bill has one brother, Edward and one sister, Breda. Maura McGovern was born in Kinawley, Co. Fermanagh. Her family moved to Swanlinbar, Co. Cavan, where she attended the National School. She came to America in April 1955. Maura is the oldest of seven children. She has two brothers, Eamon and Freddie, and four sisters, Geraldine, Theresa, Patricia and Carmel. Bill and Maura are the proud aunt and uncle of many nieces and nephews.

Bill worked for Prudential in Newark before marrying Maura on May 6, 1961. The U.S. Army called him into service in August of that year and he headed to Hawaii, where he was stationed for the next 18 months. When he was discharged he went to work for Crown Furs.

Upon his retirement, Frank McGovern offered Bill and Maura the tavern and on July 10, 1968, they became the proud owners of the most popular Irish Tavern on the East Coast of the U.S. In April 2001 they turned the reins over to Patrick and Sean McGovern and young Mike Nagle. The boys have made the Scullys proud by ''Keeping the Tradition Alive.''

The Scullys have long worked to help keep their community strong and to keep alive Irish-American culture. Bill has been honored by many organizations such as the Independent Irish, the Peter Smith School of Irish Dancing, The Giblin Association, The Cryan Association, The Shillelagh Club, The Irish American Association of the Oranges, Project Children, the Emerald Society, the F.O.P. Local #12, and the Sheriff's Department P.B.A. Maura was honored as the Deputy Grand Marshal of the Newark Saint Patrick's Day Parade in 1971.

Throughout their lives, Bill and Maura have not only given much of their own time and energy to community efforts, but have also inspired others through the example they set. Bill and Maura are the Standard Bearers of the Frank McGovern Association and members of many civic, social and charitable organizations. They welcome this tribute and thank everyone for all the love and support over the last 50 years. It's their sincere wish for Peace with Justice for all the people of Ireland, both North and South.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to learning about and recognizing individuals like Bill and Maura Scully.

Madam Speaker, I ask that you join our colleagues, the Scullys' family and friends, the members of the Frank McGovern Association, everyone who has enjoyed a visit to McGovern's, and me in recognizing the contributions of Bill and Maura Scully.

IN HONOR AND RECOGNITION OF MICHAEL P. SOKOLOWSKI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and recognition of Michael P. Sokolowski as he is named the recipient of the 2010 Cleveland Society of Poles ''Good Joe'' Polish Heritage Award.

Mr. Sokolowski was born the youngest of three children in Cleveland to parents Bernard and Marion Sokolowski. He graduated from Cleveland Central Catholic High School in 1979. In 1983, he graduated from Otterbein College where he earned a Bachelor of Arts degree in Communications. After college, Mr. Sokolowski joined his sister Marylou and brother Bernie in running the family business—Sokolowski's University Inn. Mr. Sokolowski and his siblings are the third generation at the Inn, which was established in 1923. The Inn is a Cleveland landmark and has been featured several times on local TV, radio and the Food Network.

In addition to running the family business, Mr. Sokolowski is active in the community. He is a 20-year member of the Cleveland Society of Poles where he has volunteered as trustee, vice-president and president. He is a life-long parishioner at St. John Cantius Church where he sings and plays percussion in the choir. He also continues to support his alma mater, Cleveland Central Catholic. In 2004, he was awarded the Cleveland Central Catholic Alumni of the Year Award and for the past ten years he has served as coach for their football and baseball teams. Above all, Mr. Sokolowski is a dedicated husband, father and grandfather.

Madam Speaker and colleagues, please join me in honor and recognition of Michael P. Sokolowski, whose service to community and whose dedication to his Polish heritage continues to make a difference throughout our community.

TRIBUTE TO SERGEANT SEAN DURKIN, U.S. ARMY

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. COFFMAN of Colorado. Madam Speaker, there are many heroes from Colorado who have fought, and continue to fight, in the Global War on Terror. Today, I rise to pay tribute to one hero in particular: Army Sergeant Sean Durkin of Aurora, Colorado.

On March 27, 2010, Sergeant Sean Durkin and his fellow soldiers were on a mission near Forward Operating Base Wilson in Afghanistan, when their convoy was struck by an explosive device. Sergeant Sean Durkin and two other brave soldiers exited the vehicle to respond to the blast, but were all injured when a second improvised explosive device went off. Sergeant Sean Durkin was gravely wounded and ultimately succumbed to his injuries while recuperating at Walter Reed Army Medical Center.

In 2004, Sergeant Sean Durkin graduated from Eaglecrest High School in Centennial, Colorado and later attended Denver Auto Diesel College before enlisting in the United States Army in 2006. He is remembered as a fine young man who had always dreamed of becoming a soldier, and was also passionate about working on automobiles.

During his military service, Sergeant Sean Durkin was the recipient of numerous awards and qualifications, including the Expert Infantry Badge, Parachutist Badge and the Driver Mechanic Badge. Attached to the 1st Battalion, 12th Infantry Regiment, 4th Brigade Combat Team of the 4th Infantry Division, he was also a veteran of Operation Iraqi Freedom.

Sergeant Sean Durkin is a shining example of Army service and sacrifice. As a former member of the Army and retired Marine, my deepest sympathies go out to his family and to all who knew him.

CONGRATULATING THE NATIONAL DRUG ABUSE TREATMENT CLINICAL TRIALS NETWORK AT INSTITUTE ON DRUG ABUSE, CENTERS OF THE NATIONAL INSTITUTES OF HEALTH ON 10TH ANNIVERSARY

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. KENNEDY. Madam Speaker, I, along with my colleagues Representative JOHN SULLIVAN, Representative MARY BONO MACK, and Representative CAROL SHEA-PORTER, rise today to congratulate the National Drug Abuse Treatment Clinical Trials Network at Institute on Drug Abuse (NIDA), Centers of the National Institutes of Health (NIH) on their tenth anniversary. Ten years ago, the National Institute on Drug Abuse (NIDA), one of the 27 Institutes and Centers of the National Institutes of Health (NIH) embarked upon a bold initiative by creating the National Drug Abuse Treatment Clinical Trials Network (CTN) to accelerate the process of transforming research findings into proven treatments for use in community practice settings. The CTN focuses directly on studies that can demonstrate the effectiveness of treatments for people whose lives are affected by drug abuse in communities and neighborhoods nationwide.

The CTN established an egalitarian, bidirectional relationship between the research scientists and the community treatment programs. The challenge, which was successfully addressed by NIDA's CTN, was to collaborate with community treatment programs to design and execute rigorous scientific studies that yield accurate and reliable information that can be transferred into the treatment practices of the drug treatment community. In 2010, there are over 240 such treatment sites, in 35 states and Puerto Rico, partnering with 16 distinguished academic research centers working together to produce important research findings.

By blending the skills of researchers and experts in treatment practice, the CTN, working with counterparts in NIDA, other Institutes of the NIH, and the Substance Abuse and Mental Health Services Administration (SAMHSA), is working to accelerate the process that moves effective science-based treatment findings into our nation's drug treatment communities. The leadership of NIDA and the CTN are committed to accelerating the pace by which scientific evidence changes treatment practice.

The first cooperative agreements to carry out treatment research studies were awarded in October 1999. In just 10 short but highly productive years, the CTN enrolled more than 11,400 drug abusing patients in 25 protocols and 18 sub-studies as well as 5 secondary analyses arising from the primary protocols. These protocols have produced significant findings about medications, behavioral interventions and other important aspects of drug treatment, including methods to keep patients in treatment longer and drug-free. Clinical trials on HIV in the vulnerable drug user population, including rapid testing for HIV infection are also high priorities of the CTN.

The outgrowth of this prolific research has been remarkable. Results have been included in the publication of 96 papers in peer reviewed journals and seven Blending Conferences at which a total of 5,500 treatment providers have learned about cutting edge research findings from the CTN and other research programs supported by NIDA. The CTN work has also led to the establishment of a dissemination library that is available at no charge to the public, containing important findings and resource documents of the CTN and which has been accessed more than 35,000 times in the past 3.5 years. Additionally, research data from 21 CTN studies has been publicly posted in an effort to expedite the transfer of research results into knowledge, products and procedures to improve the public health. Most importantly, the treatment providers of the CTN and their scientific partners have become an army of change agents in their states and regions to advocate for the adoption of treatment interventions based upon proven, scientific evidence.

Madam Speaker, we congratulate the National Institute on Drug Abuse and its Clinical Trials Network on its important accomplishments over the past 10 years. Their work has lessened the suffering of many, and as Co-chairs and Vice Co-chairs of the Addiction, Treatment and Recovery Caucus, we look forward to continuing to work with NIDA and even greater achievements of the CTN the years to come.

IN HONOR AND MEMORY OF LECH ALEKSANDER KACZYNSKI, PRESIDENT OF THE REPUBLIC OF POLAND, AND HIS WIFE, MARIA KACZYNSKI, FIRST LADY OF THE REPUBLIC OF POLAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and memory of Lech Aleksander Kaczynski, President of the Republic of Poland, and his wife, Maria Kaczynski, First Lady of the Republic of Poland and a respected economist. President Kaczynski, his wife, and 95 others died suddenly and tragically in a plane crash while attempting to land at Smolensk-North airport in Russia on April 10, 2010.

President Kaczynski's legacy reflects his lifelong dedication to freedom for the people of

Poland. In 1980, President Kaczynski and his twin brother, Jaroslaw Kaczynski, who would later become the Prime Minister of Poland, were active participants in a workers' strike at Gdańsk Shipyard. The strike, led by Solidarity leader and future Polish President Lech Walesa, was supported around the world; it sparked the beginning of the Solidarity movement in Poland and marked the beginning of the end of communist rule in Central and Eastern Europe.

Following the workers' strike in Gdańsk, the Kaczynski brothers emerged as leaders in the Solidarity movement and built a strong national following. In 2002, President Kaczynski was elected Mayor of Warsaw by a large margin. In March of 2005, President Kaczynski declared his candidacy for president and won election in December of that year. As President, he worked to end government corruption, strengthen foreign partnerships, and empower the citizens of Poland.

Madam Speaker, please join me in honor and remembrance of Lech Kaczynski, President of the Republic of Poland, his wife, Maria Kaczynski, and all those who perished with them. I offer my deep condolences to their daughter, Marta, their granddaughter, to President Kaczynski's brother, and to the people of Poland. My district in Northeast Ohio is home to several generations of Polish immigrants, and we maintain strong ties to the country of Poland. Those who lost their lives in tragedy on April 10, 2010 shall be remembered in the greater Cleveland area and around the world.

RECOGNIZING THE KENO MICRO-FUND

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. WESTMORELAND. Madam Speaker, I rise today to recognize the Keno Micro-Fund for its role in promoting financial literacy.

IN the State of Georgia 69,980 businesses and non-businesses filed bankruptcy from July 1, 2008 through June 30, 2009. This makes Georgia's bankruptcy rate one of the highest in the country.

The number of 18- to 24-year-olds declaring bankruptcy continues to grow at an alarming rate.

The average debt level for 2008 graduates from Georgia colleges was over $17,000.

As the Nation recovers from one of the most devastating financial downturns in more than half a century, it is critical that we make a determined effort to promote financial literacy among America's youth. To that end, I offer my formal acknowledgement and deepest appreciation for organizations in the State of Georgia like the Keno Micro-Fund, which are dedicated to fostering a deeper understanding of financial principles and money management among young people.

HONORING THE GAY AND LESBIAN ACTIVISTS ALLIANCE OF WASHINGTON, DC (GLAA) ON ITS 39TH ANNIVERSARY, AND THE RECIPIENTS OF THE DISTINGUISHED SERVICE AWARD

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. NORTON. Madam Speaker, I ask the House of Representatives to join me in honoring America's oldest, continuously operational gay and lesbian rights organization: the Gay and Lesbian Activists Alliance of Washington, DC, GLAA, on its 39th anniversary, and the recipients of the Distinguished Service Award.

Since its founding in April 1971, GLAA has long been at the forefront of efforts to strengthen enforcement of the landmark D.C. Human Rights Act of 1977, and at the forefront of advocating for the gay, lesbian, bisexual, and transgendered, GLBT, community. GLAA played a key role in winning marriage equality in the District, working with coalition partners, DC officials and the wider public to craft and implement a strategy for achieving a strong, sustainable victory.

GLAA has fought to ensure that, GLBT, citizens are treated fairly and respectfully by DC agencies from the Metropolitan Police and Fire/Emergency Medical Services Departments to the Department of Consumer and Regulatory Affairs, as well as the DC Public Schools. GLAA has also participated in lobbying efforts against arbitrary federal restrictions on the District's budget aimed at lesbians and gay men.

On April 20, GLAA will hold its 39th anniversary Reception honoring this year's recipients of its Distinguished Service Awards: Joan E. Biren, Sean Bugg, Lou Chibbaro Jr., David Mariner, Michael Crawford, Rev. Monique Ellison, Brian K. Flowers, Mark Levine, Nick McCoy, Brian Moore, Sultan Shakir, and the DC Clergy United for Marriage Equality. The recipients contributed toward GLAA's effervescent fight to receive equality for the gay, lesbian, bisexual, and transgendered community in the District of Columbia.

GLAA's 39 year fight to secure inalienable American rights for the GLBT residents of Washington, DC is similar to the long struggle for full voting representation in Congress for U.S. citizens, living in our Nation's capital, who have served honorably in every American war, including the current conflicts in Afghanistan and Iraq, and are taxed without representation.

GLAA's open and forthright advocacy supports GLBT soldiers, who have sworn to protect our country with their lives and must serve in silence, without the open support of their families and communities.

I ask this House to join me in congratulating the Gay and Lesbian Activists Alliance on its 39th Anniversary, and the recipients of the Distinguished Service Award for their commitment to the gay, lesbian, bisexual, and transgendered community in Washington, DC.

TRIBUTE TO CARL D. BOCCHICCHIO

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. PASCRELL. Madam Speaker, I would like to call to your attention the work of an outstanding individual, Carl D. Bocchicchio, who is being recognized on the occasion of his retirement from an accomplished 34-year law enforcement career. It is only fitting that he be honored in this, the permanent record of the greatest democracy ever known, because he is the embodiment of the patriotism that makes our nation so great.

Carl was born in Brooklyn, NY, and was active in the NYPD Police Athletic League. In 1972, while attending Midwood High School, he began his journey in law enforcement as an NYPD Auxiliary Police Officer in the 63rd Precinct. While in college, he became a seasonal U.S. park ranger at the Gateway National Recreation Area. Later he served as a park ranger at the Blue Ridge Parkway in North Carolina and subsequently as a supervisory law enforcement park ranger at the Boston National Historical Park.

Along Carl's law enforcement journey he joined the U.S. Customs Service as a customs inspector on the Canadian border along New York State. Carl was later assigned as a customs patrol officer to the Office of Investigations, Special Agent in Charge office located in Newark, NJ. In 1984 he was selected and promoted as a customs special agent assigned to the Resident Agent in Charge, Fort Myers, FL, then became a customs agent in Miami, FL. During his tenure in Miami, he was assigned to open a U.S. Customs Service, Office of Internal Affairs, Resident Agent in Charge (RAC) office in Northern Virginia. The office was opened as a RAC Field Office servicing Virginia, Maryland, and Washington, DC. In 1989 he was selected to establish a U.S. Customs Service, Office of Internal Affairs (IA), Training Division at the Federal Law Enforcement Training Center (FLETC), Brunswick, GA. From Miami he would regularly travel to FLETC to develop curriculum and instruct and deploy Police Ethics and Integrity Training programs to all U.S. customs special agents and customs personnel stationed worldwide.

Always seeking to learn and grow, Carl attended St. John's University and College of Staten Island earning a BS in Administration of Criminal Justice. Carl served as a captain with the Georgia Department of Defense, National Guard Bureau, Georgia State Defense. Force. He attended the U.S. Army War College, Strategic Studies Institute, focusing on National Security Policy and Strategy, and earned a Graduate Certificate at the Institute of World Politics focusing on Intelligence and National Security Policy.

He is married to his wife Judy for 28 years and they have two sons, Matthew, 21 years old, and Christopher, 15 years old, and they reside in Peachtree City, GA.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to being able to acknowledge great Americans like Carl.

Madam Speaker, I ask that you join our colleagues, Carl's family and friends, all those whose lives have been touched by him, and

me in recognizing the outstanding contributions of Carl D. Bocchicchio to his profession and to this great nation.

INTRODUCTION OF H.R. —, THE ''FAIR PAYMENT OF COURT FEES ACT OF 2010''

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to introduce H.R. —, the Fair Payment of Court Fees Act of 2010. This legislation is vital to preserve democracy and fair access to the courts.

It has come to my attention that provisions in the Federal Rules of Civil Procedure and the Federal Rules of Appellate Procedure, while well intentioned to discourage abuses to the appeal process and encourage settlement, have been shown in practice to unfairly and indiscriminately punish parties for declining an offer for settlement made before trial or seeking appellant review.

That policy quite simply goes too far, creating perverse results, and inevitably will prevent litigants from pursuing legitimate cases or appeals for fear of excessive penalties.

Recently, there was a national outcry when a Federal court ordered the family of a fallen soldier, Marine Lance Cpl. Matthew Synder of Westminster, Maryland, to pay $16,000 to the people who picketed the funeral of this hero who died in service to his country in Iraq.

You heard me correctly, the dead soldier's family was ordered to pay thousands of dollars to the people who picketed their son's funeral and who shouted ''You're going to Hell'' and ''Thank God for dead soldiers.''

This is not adding insult to injury; this is outrageous and cannot be allowed to stand.

The family of Matthew Synder's supposed ''fault'' was to defend the decision of the lower court when the picketers appealed.

Preposterous and outrageous. As Chairman of the Judiciary Committee Subcommittee on Courts and Competition policy, I cannot wait for the multi-year process of the Rules Enabling Act to correct this injustice. This problem must be corrected now.

The rules, as they stand, are a blanket policy to discourage pursuit of justice through the appeals process. That policy quite simply goes too far, creating perverse results, and inevitably will prevent litigants from pursuing legitimate appeals or encourage the parties to settle when they want a court to hear the case for fear of excessive penalties.

The bill I have introduced today will stop this travesty and open the court house doors to parties who are acting in the interest of justice.

Specifically, the ''Fair Payment of Court Fees Act of 2010'' would amend two procedural rules to ensure access to the Federal courts. My bill would amend Rule 39 of the Federal Rules of Appellate Procedure and Rule 68 of the Federal Rules of Civil Procedure, to give a court discretion to evaluate whether the payment should be waived in the interest of justice including instances where constitutional or other important precedent are at issue.

Strict application of the Rules has been detrimental to the public interest. So we would allow our Judges to use their discretion to determine when these fees should be waived. Our courthouse doors must remain open to pursue legitimate claims.

I hope that my colleagues will support this legislation.

IN HONOR OF HARRIET BEEKMAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor of Harriet Beekman, a dedicated advocate on behalf of veterans and the founder of We Do Care.

In 1968, Ms. Beekman received a letter from U.S. Marine Pfc. Steve Sarossy who had expressed his concern that ''no one seemed to care'' about service personnel overseas. Ms. Beekman was so disturbed by the sentiment that she wrote back in bold letters: STEVE, WE DO CARE. Tragically, Pfc. Sarossy was killed in the Quang Tri Republic of Vietnam later that year, but his words were not forgotten. Harriet Beekman took it upon herself to set up We Do Care, a support organization for our troops worldwide. Since the Vietnam conflict, We Do Care has sent more than 60,000 letters and 21,000 packages to service personnel. For more than four decades Ms. Beekman has led the charge in collecting, organizing and shipping several hundred tons of donated items to service personnel all over the world. We Do Care has sent goods to service members in places such as Vietnam, Bosnia-Herzegovina, Haiti, Somalia, Afghanistan and Iraq.

We Do Care has brought communities together in support of the men and women who risk their lives everyday. People of all ages and backgrounds gather together at dances, talent shows, community collection drives, recycling projects, rummage sales and dinners in order to raise funds and collect item donations to send our troops. In response to her efforts, Ms. Beekman has received more than 5,000 letters of appreciation from service personnel around the world.

Madam Speaker and colleagues, please join me in honoring Harriet Beekman, often referred to as the ''Florence Nightingale of Fairview Park.'' She continues to show our troops that, indeed, we do care. Even as she approaches her ninetieth birthday this July, Ms. Beekman continues to show the indomitable spirit of youth in continuing her work. Her volunteer spirit and dedication to those who serve our country uplifts and inspires resolve to live a more peaceful life.

HONORING RUTH ARDEN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. KAPTUR. Madam Speaker, I rise today in remembrance of Ruth Arden, a Toledoan, a pioneer, and tireless advocate for our most vulnerable people. Ruth passed away unexpectedly in December and her passing was noted by the well known and the unknown. Today those she served with and among gather to honor her efforts, pay special tribute, and remember a very fine lady.

Ruth Arden was the executive director of St. Paul's Community Center for many years. St. Paul's serves people who are homeless and mentally ill, and under Ruth's extraordinary vision and leadership the shelter served hundreds of people with respect. She and her team gave people dignity and the tools to navigate a difficult life. Ruth was an advocate for people who are homeless and mentally ill, and challenged leaders at the local, State and National levels to see their need. Jesus Christ reminded all that ''whatever you do to the least among you, that you do unto me.'' Few people follow His words as did Ruth, and her work inspired all around her.

Ruth Arden was an ardent advocate for the poor and downtrodden, but she was also an advocate of the arts. She enjoyed music—especially jazz—and supported local artists. Her support, advice and wise counsel were most appreciated, and in her quiet way Ruth moved mountains. Her life leaves an imprimatur on our community which stands well past her leave-taking, and her voice still echoes among those with whom she worked. She had an unforgettable spirit of caring and drive that we are guided by her spirit to carry forth.

PERSONAL EXPLANATION

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. MILLER of Florida. Madam Speaker, I missed roll call Vote Nos. 204–211 on April 15, 2010. Had I been present, I would have voted:

Roll Call Vote No. 204, Providing for consideration of the bill H.R. 4715, ''nay.''

Roll Call Vote No. 205, Recognizing the Coast Guard Group Astoria's more than 60 years of service to the Pacific Northwest, ''aye.''

Roll Call Vote No. 206, On Motion to Refer the Resolution, ''aye.''

Roll Call Vote No. 207, On Agreeing to the Amendment to H.R. 4715, ''nay.''

Roll Call Vote No. 208, On Motion to Recommit H.R. 4715 with Instructions, ''aye.''

Roll Call Vote No. 209, Final passage of H.R. 4715, the Clean Estuaries Act of 2010, ''nay.''

Roll Call Vote No. 210, Congratulating the Duke University men's basketball team for winning the 2010 NCAA Division I Men's Basketball National Championship, ''aye.''

Roll Call Vote No. 211, On Motion to Concur in the Senate Amendment to H.R. 4851, ''nay.''

A TRIBUTE TO JIM SEELEY IN RECOGNITION OF HIS RETIREMENT AFTER 34 YEARS OF SERVICE TO THE CITY OF LOS ANGELES

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. ROYBAL-ALLARD. Madam Speaker, on behalf of those of us who represent the great

City of Los Angeles, I rise to honor Jim Seeley for the 34 years of service he has given to the city as our Chief Federal Legislative Representative. As delegation Members and their staffs gather tonight to celebrate our friend and to wish him all the best in his retirement, we wanted to share with our colleagues in the House the wonderful legacy that this Los Angeles ''institution'' leaves behind.

Jim Seeley was born in the city he would one day represent, grew up in Los Angeles County, and made his way to Stanford University. He graduated in 1959, the same year he married the love of his life Jo Ann Browning. After a stint in Paris where Jo Ann studied at the Sorbonne, and then St. Louis where Jim did his six-month Army training, the couple settled in Washington, D.C. to build their successful careers and raise a large and wonderful family.

Following 8 years with the Department of Commerce, Jim accepted a position in the Washington Office of the State of Illinois. Assisting Illinois businesses in promoting their goods abroad at trade shows and on trade missions, Jim began to hone his government relations expertise as Deputy Director of the office serving under two Governors.

In 1976, after 7 years with the Illinois Washington Office, Jim returned to his roots when he accepted the position of Chief Federal Legislative Representative for the City of Los Angeles. Reporting first to the office of the Chief Legislative Analyst, and later directly to the Office of the Mayor, Jim has served the city and its residents with distinction under Mayors Tom Bradley, Richard Riordan, James Hahn, and Antonio Villaraigosa.

Over the years, he forged close working relationships with the Los Angeles Congressional Delegation Members and their staffs, as he led his own staff to further the federal legislative agenda of the Council and Mayor. Jim has flourished for more than three decades in his role as the city's ''go to'' guy in the nation's capital. Through changes in Mayors, Presidents, and Democratic and Republican House and Senate majorities, Jim has been a constant, adjusting the city's advocacy strategies to the changing times.

Jim guided the city's federal response to the Northridge earthquake in 1994, as city and county officials sought maximum federal relief to address the devastation caused by the quake. In the post 9/11 years, he has focused on homeland security and Los Angeles' efforts to improve airport security. He relished his work around the 1984 Olympics in his hometown, and has been an integral part of the effort to build our transportation infrastructure and move Angelinos out of their cars and onto subway and light rail.

For 34 years, LA congressional offices have benefited from Jim's deep knowledge of the city and the federal policies that impact Los Angeles and our constituents. We also have benefited from the pleasure of his company, as ''Seeley'' was always a welcome visitor. When he dropped by to touch base with staff, check up on the latest legislative rumor, or just banter with the congressional colleagues who had long since become friends, I think we all felt like City Hall was down the street—not 2700 miles away.

Jim officially retired from the City of Los Angeles at the end of March, but will continue to consult and share his vast institutional knowledge with the City of Los Angeles office. In the meantime, he and Jo Ann, who retired last year, will no doubt devote much of their free time to their 11 children and their 14 beautiful grandchildren.

On behalf of the Los Angeles Congressional Delegation, I ask my colleagues to join me in congratulating Jim Seeley on his retirement, and in thanking this dedicated public servant for his 34 years of service to the City of Los Angeles. We send our very best wishes to Jim and Jo Ann for a happy and fulfilling retirement.

CELEBRATING THE 100TH ANNIVERSARY OF THE FIRST BAPTIST CHURCH OF CRESTMONT

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. SCHWARTZ. Madam Speaker, I rise today to honor and congratulate the First Baptist Church of Crestmont on its momentous 100th Anniversary. Just north of Philadelphia, First Baptist Church of Crestmont was the very first church to be established in the town of Crestmont over a century ago.

The congregation that founded the First Baptist Church of Crestmont originally met in the homes of two of its members. The group was formally organized into a Baptist church in October of 1910. Determined to build a meeting place for their new congregation, the members of the church worked together to begin digging the foundation with their own hands. Neighborhood children assisted with fundraising by performing concerts and organizing social events. In the early 1920's, the congregation developed plans to construct a new building for their church, which was a fortunate decision as the original building was destroyed in a fire shortly before the new church was completed. This new building housed the congregation for decades before construction began on an updated building.

As the congregation continued to grow, transitioning from one pastor to the next, the commitment to community was passed down from generation to generation. In 2008 the sanctuary was once again destroyed by a fire. The First Baptist Church of Crestmont turned to their neighbors for support as they worked to repair their church. Last September the congregation returned to worship in their newly renovated edifice and fellowship hall.

For decades, this community has provided a place for generations of children and adults alike to learn and worship together. The congregation has overcome great hardships over the past 100 years and has emerged even stronger. Although First Baptist is a small assembly, it has served as a significant, steadfast source of spiritual sustenance for its people while remaining committed to working hand in hand with the community to create a positive environment in which to raise our children and keep our seniors safe.

Madam Speaker, I ask that my colleagues join me in celebrating First Baptist Church of Crestmont's 100th anniversary milestone and wishing the congregation many more years of community enrichment and service.

HONORING ROBERT ACREE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Robert Acree upon being awarded with the ''Lifetime Achievement Award'' by the Veterans of Foreign Wars, Post 9896. Mr. Acree was honored on Saturday, January 30, 2010 in Chowchilla, California.

Mr. Robert Acree was born and raised in Chowchilla, California. He attended Chowchilla High School, where he participated on the track team as a pole vaulter. He graduated from high school in 1965, and in 1967 enlisted in the United States Air Force.

Mr. Acree completed basic training at Lackland Air Force Base in Texas, and completed technical school as a Tactical Aircraft Maintenance Specialist at Sheppard Air Force Base in Texas. His first assignment was at Davis-Montham Air Force Base in Arizona where he worked on the F–4C ''Phantom.'' In September 1969, Mr. Acree received orders to deploy to Cam Ranh Bay, Vietnam. He joined the 558th Tactical Fighter Squadron, 12th Combat Support Group. He and his squadron kept the F–4 ''Phantoms'' in the air as the 558th conducted close air support for ground forces fighting the Viet Cong and the North Vietnamese. The squadron was also responsible for conducting interdiction and combat air patrol activities.

Mr. Acree was assigned to the 421st Tactical Fighter Squadron of the 366th Tactical Fighter Wing at Da Nang, Vietnam. With an aircraft landing or taking off every 52 seconds Da Nang Air Base is considered to be the busiest base in the world. The 421st, also known as the ''Black Widows,'' flew thousands of close air support missions and conducted interdiction and combat air activities. Toward the end of his military career, Mr. Acree was rotated to the States for one of several assignments at George Air Force Base in California. In April 1971, Mr. Acree received an Honorable Discharge from the Air Force; after only 88 days he re-enlisted back into the Air Force for 2 additional years. He served at Beale Air Force Base where he worked on the top secret SR–71 ''Blackbird'' spy plane. He was cross-trained in Aircraft Weapon Systems at Lowerly Air Force Base in Colorado and was then assigned to George Air Force Base. He completed his tour in Udorn, Thailand, working on F–4C's.

In 1976, Mr. Acree requested a tour in Korea and served at the Kunsan Air Base. He then spent 2 years at the Soesterberg Air Base in Holland, working on the F–4 Phantom and the F–15 Eagle. In 1979, he reported to Edwards Air Force Base. While at Edwards he met his soon to be wife, Amy. They spent 4 years at Hahn Air Base in Germany and finally landed back at George Air Force Base.

In July 1988, Master Sergeant Acree retired from the United States Air Force. During his twenty-one years of service, he earned an Associate of Science Degree in Aircraft Armament Systems Technology from the Community College of the Air Force. Upon his retirement, he was awarded the Air Force Commendation Medal with four oak leaf clusters, the Good Conduct Medal with five oak leaf

clusters, the Air Force Longevity Award with four oak leaf clusters, Small Arms Expert Marksmanship Ribbon, NCO Professional Military Education Ribbon with oak leaf cluster, National Defense Service Medal, Air Force Overseas Service Long Tour Ribbon with oak leaf cluster, Air Force Overseas Service Short Tour Ribbon with two oak leaf clusters, Air Force Training Ribbon, Vietnam Service Medal, Air Force Outstanding Unit Award with two oak leaf clusters, Republic of Vietnam Gallantry Cross with Palm and device, and the Republic of Vietnam Campaign Medal.

Mr. Acree and his family returned to Chowchilla, California after he retired. He was employed as the Utility Systems Supervisor for the City of Chowchilla. Mr. and Mrs. Acree have four sons and six grandchildren. Their two youngest sons currently serve in the Air Force. Mr. Acree is a Life Member of Chowchilla Veterans of Foreign Wars Post 9896. He is serving as the vice-president of the ''Sons of Thunder'' bike club and is a member of ''This Ain't Your Mamma's Church'' biker church.

Madam Speaker, I rise today to commend and congratulate Robert Acree upon being named as a ''Distinguished Life Member'' by the Veterans of Foreign Wars, Post 9896. I invite my colleagues to join me in wishing Mr. Acree many years of continued success.

HONORING COAL MINERS FROM UPPER BIG BRANCH MINE IN WEST VIRGINIA

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 2010

Mr. HOLT. Mr. Speaker, I rise in support of H. Res. 1236, which honors the coal miners who perished in the Upper Big Branch Mine—South in Raleigh County, West Virginia, extends condolences to their families, and recognizes the valiant efforts of emergency response workers at the mine disaster.

On April 5, America witnessed the worst coal mining disaster in 40 years when an explosion occurred at the Upper Big Branch—South Mine. Twenty-nine miners were killed in this tragedy, and my thoughts and prayers go out to their families, friends and colleagues during this difficult time.

I also would like to commend the rescue teams who bravely risked life and limb to search for missing miners after the disaster, and thank the volunteers who supported the community through this tragedy.

I feel strongly about the concerns of the mining industry because I was born and raised in West Virginia, where my father as a U.S. Senator, was known as one of the best friends a miner ever had. There is no question that mining has been a dangerous job. Today, coal mining is rated among the most dangerous jobs in America. It does not have to be that way.

Chairman MILLER has assured me that the Education and Labor Committee will be investigating any possible health and safety violations at the Upper Big Branch—South Mine to see if laws were circumvented and miners' lives were recklessly put at risk. If that was indeed the case, those responsible must be held accountable.

Too many families have suffered the loss of a loved one in a mining disaster. We in Congress need to fully investigate the factors that led to these tragedies. We need to investigate the deficiencies in laws, regulations and enforcement that may have contributed to these disasters.

We owe it to the families of miners lost in these disasters and the miners that work every day to take action to prevent these accidents from happening again. I urge my colleagues to support H. Res. 1236.

HONORING THE UNIVERSITY OF MICHIGAN'S MEN'S GYMNASTICS TEAM ON WINNING FOURTH NCAA CHAMPIONSHIP TITLE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. DINGELL. Madam Speaker, I rise today to congratulate the University of Michigan's men's gymnastics team on winning the 2010 NCAA national championship.

Michigan won the championship with a score of 360.500, edging defending champion Stanford, 359.800, and Oklahoma, 357.050. This is the program's fourth national championship, and Michigan's first varsity team championship since 2005.

The national championship capped a successful season for the team, as well as individuals. Chris Cameron won the NCAA men's all-around championship and Mel Anton Santander finished third. Michigan swept the high bar, with Ryan McCarthy, Ian Makowske, and Mel Anton Santander finishing first, second, and third, respectively. In all, Michigan finished with the team championship, all-around championship, seven individuals earning all-America honors, and the Elite 88, an award given to the competing student-athlete with the highest cumulative grade point average, which went to Ben Baldus-Strauss, a chemistry honors student.

In addition to its considerable athletic achievements, the team serves as a model of community service and academic excellence. The 20-member team is comprised of individuals from 13 States and Singapore. Members study topics as diverse as American culture, English, economics, political science, biology, and aerospace, biomedical, and mechanical engineering. The program also consistently has one of the highest team grade point averages at the University and is a leader in community service and volunteerism.

Madam Speaker, I ask that my colleagues join me in congratulating the student-athletes and coaches of the 2010 NCAA national championship-winning Michigan men's gymnastics team: Ben Baldus-Strauss, Syque Caesar, Kent Caldwell, Chris Cameron, David Chan, Devan Cote, Steve Crabtree, Phillip Goldberg, Adam Hamers, Garrett Hamers, Evan Heiter, Douglass Johnson, Jr., Thomas Kelley, Torrance Laury, Joe Levine, Ian Makowske, Ryan McCarthy, Mel Anton Santander, Rohan Sebastian, Andrew Vance, and coaches Kurt Golder, Geoff Corrigan, Xiao Yuan, and Ralph Rosso.

62ND ANNIVERSARY OF ISRAEL'S INDEPENDENCE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. HASTINGS of Florida. Madam Speaker, I rise in recognition of the 62nd anniversary of Israel's independence. I have always been deeply moved by the duality of Israel's independence celebration, at once both sorrowful and triumphant.

On one day—Yom Hazikaron, Israel's Memorial Day—Israel honors those who gave their lives defending their families, their neighbors, their communities, their people, and their country. Israel today recognizes even those who died before the state was officially declared in 1948. This year Israel honors 22,684 soldiers killed in the line of duty, and another 1,750 civilian victims of terrorism. These brave men and women died in service to the foundational belief of Israel: That in their ancient homeland the Jewish people can live in freedom.

But by the dawn of the morning following Yom Hazikaron, Israel exchanges tears of sadness for tears of joy, celebrating their official day of independence—the declaration of the State of Israel by David Ben Gurion in 1948. I know of no other country that combines such deep sadness with such unrelenting delight.

For 62 years now, Israel has stood as a vibrant democracy and a symbol of hope for millions of people around the world. For 62 years Israel has modeled a society where determination and passion, and an emphasis on social progress and education, can build a productive nation.

Madam Speaker, I have been to Israel 14 times as a Member of Congress, and every time I go I encounter ordinary citizens and government officials alike who are genuinely dedicated to living up to the ideals of Israel's independence. I am always impressed by the Israelis' intense desire to persevere. Israel deserves to be secure and prosperous, to live in peace with its neighbors, and to live free from fear and violence.

I look forward to returning to Israel in the near future, and on congratulating Israel again on its 63rd birthday . . . and its 64th, and 65th, and all the years after that.

HONORING DARWIN CREQUE AND HIS BROTHER, DR. LAURITZ CLUDGEMANN CREQUE

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mrs. CHRISTENSEN. Madam Speaker, I rise to honor the memory of two distinguished native sons of my district, the U.S. Virgin Islands, who during their productive lives distinguished themselves in the fields of medicine, education, literature, history, and public service. It is my honor to remember the lives of Darwin Creque and his brother, Dr. Lauritz Cludgemann Creque who attended Morehouse College and who are being honored there this week with the establishment of a memorial

scholarship in their name that will help young men of color enter the health professions.

Mr. Darwin Creque distinguished himself as a literary scholar, historian, newspaper founder and editor, economist, business man, health administrator and a commissioner of housing. He was born on St. Thomas on August 30, 1912 and graduated in the Charlotte Amalie High School Class of '32. He then attained a Bachelor of Arts from Morehouse College in 1936 and a Masters of Arts in Economics from Atlanta University in 1938. Upon returning to the Virgin Islands, he became head of the social science department of Christiansted High School and later Assistant Price Economist, Office of Price Administration, Tax Assessor, Water Commissioner, and Territorial Director, Office of Price Stabilization.

He then pursued further education in the field of health care and attended Harvard University, where he received a Masters in Science in Public Health Administration in 1954. After an internship in Hospital Administration at Harvard University School of Medicine in 1956, he received a certificate in Business and Industrial Management from the Massachusetts Institute of Technology in 1955. He returned to St. Thomas and there served as Executive Health Administrator at the Department of Health. He then returned to his training as an economist, becoming Assistant Commissioner of the Department of Commerce where he organized and headed the Division of Trade and Industry. During the administration of the late Governor Melvin H. Evans, the first elected Governor of the U.S. Virgin Islands, he served as the Commissioner of Housing and Community Renewal.

Darwin Creque led a multi-faceted life. He was at one time, the editor and co-owner of the St. Croix Avis and owner of a Main Street business called "The Smart Shop." He loved music and played the violin. He contributed to the historical and literary canon of the U.S. Virgin Islands, the most notable of which was The U.S. Virgin Islands and the Eastern Caribbean. He also prepared research papers for the Federal and local governments and served on many boards and commissions, including the V.I. Banking Board. He was a long time member of the Grand Lodge of England (Harmonic Lodge 356) and past president of St. Thomas Rotary II. For his years of dedicated service, he received many awards and citations including from his fraternity, Phi Beta Sigma, the Virgin Islands Legislature and the Federal Department of Commerce. He was named a Paul Harris Fellow by St. Thomas Rotary II for his commitment of service and to world harmony.

Madam Speaker, Darwin Creque's brother, Dr. Lauritz Cludgemann Creque lived an equally distinguished life. Born on St. Thomas in March of 1917, he too was a gifted musician, writer, and teacher who became a medical doctor after obtaining a Bachelor of Science in Physics from Morehouse College in 1948 and a medical degree from Meharry Medical College in 1952 with a specialty in general surgery. During his early career, he served as Chief of Staff of Kate Bitting Memorial Hospital, an African American Hospital serving diverse populations. He also served as Medical Examiner and County Coroner as well. He was a Member of the American Medical Association, the President of the North State Medical Association, the Twin City Medical Society and induction into the American College of Physicians and Surgeons. He worked to keep hospitals that served the African American community open after many of them were being absorbed into mainstream institutions. Dr. Creque went on to complete his training in pathology at Columbia University in New York and remained on the clinical faculty at Columbia University for almost 20 years. Fluent in three languages, he served diverse populations to include being the Director of the Blood Bank of Harlem Hospital and operating an independent clinic for Hispanics in Hunts Point, Bronx, New York.

Madam Speaker, with their scholarship, professionalism and service to others, the Creque brothers exemplify the best of what it means to be a Virgin Islander. I ask my colleagues to join me in this salute to their contributions.

HONORING ALMA POWELL AS RECIPIENT OF THE 10TH ANNUAL COMMONWEALTH ACADEMY CARE AWARD

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. MORAN of Virginia. Madam Speaker, I rise today to honor Alma Powell as recipient of the Commonwealth Academy's 10th Annual CARE Award. The Commonwealth Academy is a college preparatory day school in Alexandria, Virginia. As a recipient of the CARE Award, Mrs. Powell has demonstrated outstanding leadership in efforts to empower young people, including those who struggle with learning differences and AD/HD, to discover and reach achievement levels commensurate with their abilities.

Alma Powell sits on the boards of several educational, cultural, charitable and civic organizations. She is the chairman of the board of America's Promise Alliance, whose mission is to mobilize people from every sector of American life to build the character and competence of youth. Mrs. Powell also chairs the advisory board for the Pew Center for Civic Change. From 1989 to 2000, she has served as the chairman of the National Council of the Best Friends Foundation, an organization dedicated to improving the lives of young girls.

Mrs. Powell is the recipient of an Honorary Doctor of Human Letters from Emerson College, an Honorary Doctor of Humanities from Shenandoah University and the Civic Change Award from the Pew Partnership for Civic Change. She has also been honored by Washingtonian magazine as Washingtonian of the Year and is the recipient of the Leadership Award from the Women's Center in Virginia. In addition to her many service-minded activities, Mrs. Powell has added "author" to her list of credits. In 2003, her two children's books, My Little Wagon, and America's Promise were launched with great success.

Mrs. Powell was born and raised in Birmingham, Alabama. She graduated from Fisk University in Nashville, Tennessee, and went on to study speech pathology and audiology at Emerson College in Boston. She worked as the staff audiologist for the Boston Guild for the Hard of Hearing.

Alma married Colin Powell in 1962. Mrs. Powell spent the next 33 years raising a family and accompanying her husband on his various military assignments in the United States and overseas. While her husband was stationed at the Pentagon, she served as the Army liaison to the National Red Cross as part of a team of volunteer consultants from the military services. During General Powell's tenure as Chairman of the Joint Chiefs of Staff, she was the Advisor to the Red Cross of the Military District of Washington. Most recently, during her husband's tenure as the 65th Secretary of State, Mrs. Powell served as the honorary president of the Associates of the American Foreign Service Worldwide. She also sat on the advisory board of the Hospitality and Information Service and was an honorary member of the Department of State Fine Arts Committee.

It is my pleasure to congratulate Mrs. Powell on this prestigious award. I wish her the best in all of her future endeavors.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $12,831,193,383,690.69.

On January 6th, 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 $2,224,623,668,922.50 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans.

HONORING THE LEGACY OF JOSE MANUEL CASANOVA

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. ROS-LEHTINEN. Madam Speaker, recently, a greatly respected Cuban-American presidential appointee, community leader, and beloved husband and father, passed away. Jose Manuel Casanova, a true inspiration to all Americans, dedicated his life's work to serving our Nation.

A presidential appointee of Ronald Reagan, he served as the Executive Director of the Inter-American Development Bank. Through the Inter-American Development Bank Jose helped contribute to economic development in Latin America, promoting free market policies.

During his tenure at the Inter-American Development Bank, Jose was appointed by Secretary of the Treasury James A. Baker III to serve as U.S. Executive Director for the Inter-American Investment Corporation. There he worked to develop private enterprises in Latin America, providing expertise he gained through years of experience in banking and commerce.

Born in Cuba in 1930, Jose fled his homeland due to the despotic regime of Fidel Castro. Jose devoted his energies and talents to

providing a better life for his family and contributing to his adopted country that had given his family refuge from tyranny. Jose also dedicated his time to fundraising for important causes, including the United Way, the Cuban Refugee Fund, and Club de las Americas.

Although he was proud of his public and civic service, what meant the most to Jose was his dearly loved family.

Jose is survived by his wife of 50 years Alicia, seven children, seven grandchildren, three great-grandchildren, and his sister. He was a dedicated husband and father and a wonderful role-model for his family.

Jose's father was a great source of inspiration for him as he also worked in public service.

Those who knew Jose know that we mourn the passing of a committed leader, loyal friend, and a true pioneer for the Cuban-American community. Jose's story is a uniquely American story.

IN HONOR OF DR. DOROTHY HEIGHT

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. CROWLEY. Madam Speaker, I rise in honor of the life, and great works of Dr. Dorothy Height.

Widely recognized as one of the founding members of the Civil Rights movement, Dr. Height served as the president of the National Council of Negro Women for four decades, stepping down from the position in 1997. In her position with the Council, which connected nearly 4 million women worldwide, she tackled issues that affected women, including child care for working mothers, health and nutrition, education and adequate housing for families in need.

While I did not personally know Dr. Height, I have seen her good works embodied though the National Council of Negro Women Section in Co-op City, in the Bronx, New York.

Less than two weeks ago, I was visiting the National Council of Negro Women Co-op City Section to honor their work in the weekend mentoring of students between 2nd and 6th grades in the community.

Since 1972, the National Council of Negro Women Co-op City Section has provided after-school educational support for elementary school students. They have licensed teachers who work in small groups with children on strengthening their language and computational skills.

They meet on Saturday mornings, and the passion showed by the educators, administrators, students and parents is electric.

I have worked with several of the leaders of the Co-op City Section, including past presidents Maxine Sullivan and Joyce Howard, as well as the current President of the Co-op City Section of NCNW, Judith Roberson. These women embody the work of Dr. Dorothy Height every day in my community.

Dr. Dorothy Height's vision and her legacy are hard at work in Co-op City, New York—just as it is in the communities of many of my colleagues.

While her family and friends—as well as our country—mourn her passing today, we also honor her for the contributions she made to our great nation.

Her legacy will live on for decades to come, and I hope her family and friends realize that her life's work will continue to benefit many more generations to come.

HONORING THE LIFE AND LEGACY OF BILL STANLEY

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. COURTNEY. Madam Speaker, I rise with a heavy heart today to honor the life and legacy of Bill Stanley, an icon in eastern Connecticut, who passed away Sunday, April 18, 2010, at the age of 80.

Stanley was a graduate of Norwich Free Academy and attended the New York School of Modern Photography before joining the United States Marine Corps. He returned to civilian life and joined with his brother Jim to co-host the WICH morning radio program. Later he became a stockbroker and published author.

The impact that Bill Stanley had on Norwich, Connecticut and its residents was profound. He delighted readers with his newspaper columns titled, "Once Upon A Time" which related countless stories of local lore and history to generations of readers in our area. No one individual had a better grasp on the issues and shared history that defined our region than Bill Stanley. He was also one of the most dedicated public servants of his time. He served two terms in the Connecticut State Senate and ran, albeit unsuccessfully, for the Congressional seat I am honored to hold today. While his career as an elected politician may have ended early on, his service to his fellow man continued until the day he died. Bill was active in a number of causes, raising money and supporting William Backus Hospital, Norwich Free Academy, St. Jude's Common, the Norwich Diocese and his beloved Norwich Historical Society which he founded. As everyone in Norwich knows, there wasn't a single major event in recent memory in which Bill was not involved.

Along with his love of Norwich, it was his love of history that perhaps motivated Bill most of all. He would regale countless schoolchildren and adults alike with tales of Benedict Arnold and Samuel Huntington. Stanley even gained national attention with his efforts to preserve the legacy of Huntington, who served as President of the Continental Congress. While Stanley may have been ultimately unsuccessful in the effort to establish Huntington as our Nation's first President, he was able to raise more than a $100,000 and public awareness about the importance of Huntington's role in American history.

Bill Stanley was an institution in the State of Connecticut and his memory will live on in the hearts and minds of the people he touched. Our thoughts and prayers go out to his beloved wife Margaret, his children William, Carol, and Mary, as well as his grandchildren. Madam Speaker, I ask that all Members of the House join me in honoring the life and legacy of Bill Stanley.

HONORING THE HANNA BOYS CENTER

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. WOOLSEY. Madam Speaker, I rise today to recognize and honor Hanna Boys Center, who has been providing a home and education to students in Northern California for 60 years.

The school began as an experimental program for neglected and troubled boys in 1944 in Menlo Park, south of San Francisco. The 25 original students were referred to the new school by social service agencies and parish priests. The demand quickly outweighed the physical resources of the small school and after a very successful speaking tour, enough funds were raised to purchase 157 acres in the Sonoma Valley, the school's home today.

By 1949, classrooms, an administration building, a chapel, gymnasium, swimming pool and one residence hall had been completed. The first students entered the Sonoma Valley campus by the end of that year. Today 109 boys ages 13 to 18 call the campus home.

Although Hanna students come to the school from throughout the country, many are from my Congressional district. Many are from troubled homes.

There is a fully accredited high school on campus and all students can participate in woodshop, choir, soccer, baseball, track and basketball. Football is provided at nearby Sonoma Valley High School.

Thirty-four Hanna graduates are currently serving in the military. Graduates include very successful businessmen and civic leaders or simply men who live quiet lives of contribution and contentment.

Only three directors have piloted the school in its 60 year history, founder Monsignor O'Connor for 23 years, Father James Pulskamp for 12 years and Father John Crews for the past 25 years, a testament itself to the loyalty the school inspires.

Madam Speaker, Hanna Boys Center changes lives. It has been a stabilizing influence on hundreds of young men who have passed through its doors. It is therefore appropriate to honor the school for 60 years of dedicated service to our community.

U.S.-ISRAEL FRIENDSHIP IMPORTANT ON ISRAEL'S INDEPENDENCE DAY

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. MORAN of Kansas. Madam Speaker, Today is Yom Ha'atzmaut—Israel's Independence Day. On this day, Israelis celebrate the establishment of the State of Israel as a place of refuge and national homeland for the Jewish people.

Although Jews have maintained a continuous presence in the Land of Israel for more than 3,000 years, it was not until 1948 that they reestablished a state in their traditional land. Since that time, Israel has faced many challenges to its existence. Neighboring Arab

nations have launched wars against Israel and attempted to cripple its economy through boycotts. Terrorists have attacked repeatedly, killing civilians and soldiers alike. Iranian leaders have threatened to ''wipe Israel off the map'' and are steadily moving toward acquiring the means to do so. Israel's enemies are engaged in a campaign to delegitimize the Jewish state.

Even in the face of continual efforts to defeat and destroy Israel, the Jewish state has been successful in establishing more peaceful relations with its neighbors and making its people more secure. Israel has signed peace treaties with Egypt and Jordan. Its efforts to combat terrorism have resulted in a reduction in terrorist attacks—cutting that number in half since 2006. Israel also continues to seek peace with the Palestinians.

Despite overwhelming odds, Israel has not only survived, but it has flourished for the past 62 years. Israel has established a representative democracy with an independent judicial system and strong rule of law. Its citizens are free to worship and speak as they wish.

Israel has also established itself as a world leader in technological innovation. Despite more than half its land being desert, Israelis have ''made the desert bloom,'' growing food for consumption and export. Its universities are first-rate, producing new generations of artists, entrepreneurs, scientists and doctors. And, despite its size, Israel produces more start ups than many larger nations. In fact, there are more Israeli companies than European companies listed on the NASDAQ exchange.

Israel is also a nation that cares about the fate of others. Immediately after learning of the devastating earthquake in Haiti this January, Israel sent hundreds of its citizens to treat the injured and search for survivors. The Israeli newspaper Haaretz reported after the earthquake that only an estimated 25 Jews lived in Haiti. But, that didn't stop Israel from committing manpower and money to do everything it could to save and preserve all life in Haiti.

Through struggles and achievements both, the United States has stood by Israel's side. Our nations share many of the same values and are partners in an effort to build a better world.

There are those that argue, however, that the United States would be better off if we distanced ourselves from Israel, if we weakened our alliance. I am here to say that this would be the worst thing we could do. The United States and Israel are both stronger when we work together against common threats. Economic and cultural ties between our two nations enrich the lives of Americans and Israelis. Our friendship is important and must remain strong.

Today, on Israel's Independence Day, I commend the people of Israel for their many remarkable achievements, congratulate them as they celebrate their 62nd anniversary of independence, and look forward to many more years of friendship and cooperation between our two nations.

TRIBUTE TO STAFF SERGEANT MICHAEL CARDENAZ

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. CALVERT. Madam Speaker, I rise to pay tribute to a hero from my congressional district, Staff Sergeant Michael Cardenaz, United States Army. Today I ask that the House of Representatives honor and remember this incredible young man who died in service to our country.

SSG Cardenaz was born in Corona, California in 1980. He attended local schools in Corona and loved his hometown. He joined the Army after high school and had been previously deployed twice to both Kosovo and Iraq. On February 20, 2010, SSG Cardenaz had been serving nine months with the 2–12 Infantry, 4th BCT, 4th Infantry Division in Afghanistan when he was killed by a rocket propelled grenade (RPG) in Kunar. He was 29 years old.

SSG Cardenaz is remembered fondly by friends and family as an avid Dodger fan who loved fishing, listening to music, visiting new places and making people laugh. He was also an exemplary soldier and had been awarded the Soldier's Medal which is awarded to an Army soldier of the United States who has distinguished himself by an act of heroism involving personal hazard and the voluntary risk of life under conditions not involving actual conflict with an enemy. A fellow service member wrote about an occurrence for which SSG Cardenaz received the Soldier's Medal in Baqubah, Iraq which said:

> Cardenaz and his platoon leader . . . risked their lives numerous times underwater trying to save a rolled over humvee with four trapped men inside. At times, both men ingested filthy canal water. They choked, gagged and vomited, only to go back under in attempts to get those men out. It was cold, they were in full kit, neither quit until the bodies were recovered. They were too late, but words can not begin to describe their sense of loyalty to their own. Every solider should be lucky enough to be around men who never quit to bring them back.

In addition to the Soldier's Medal, SSG Cardenaz also was awarded the Bronze Star and the Army Commendation with Valor. SSG Cardenaz is survived by his wife of seven years, Macarena; five children, Jason, Jasmine, Mariella, Mariliz and Marianna; parents, Miguel and Rosellen Cardenaz; three sisters, Priscilla, Sandra and Monica; brother, Steven; many aunts, uncles, and cousins; one niece and one nephew.

As we look at the incredibly rich military history of our country we realize that this history is comprised of men, just like SSG Cardenaz, who bravely fought for the ideals of freedom and democracy. Each story is unique and humbling for those of us who, far from the dangers they have faced, live our lives in relative comfort and ease. The day the Cardenaz family learned of their husband, father, son and brother's death was probably the hardest day they have ever faced and our thoughts, prayers and deepest gratitude for SSG Cardenaz's sacrifice goes out to them. There are no words that can relieve their pain and what words we can offer only begin to convey our deep respect and highest appreciation.

SSG Cardenaz's family have all given a part of themselves in the loss of their loved one and I hope they know that the goodness he brought to this world and the sacrifice he has made will never be forgotten.

RECOGNIZING THE HOWARD COLLEGE MEN'S BASKETBALL TEAM 2010 DIVISION I NJCAA NATIONAL CHAMPIONS

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. NEUGEBAUER. Madam Speaker, I proudly congratulate the Howard College Men's basketball team in Big Spring, Texas, for winning the NJCAA Division I Men's National Championship in 2010.

Led by the Division I Coach of the Year, Mark Adams, the Hawks finished the 2009–2010 season bringing home a National Championship. The championship squad includes Lamont Austin, Moses Sundufu, Dante Menter, Prince Obasi, Shaad O'Garro, Josh Watkins, Jordan Kinnear, Carlos Emory, Virgil Cissoko, Stefan Tica, Joe Bright, Damion McGee, and the Division I Player of the Year, Jae Crowder.

The Howard College Hawks provided NJCAA basketball fans with a memorable comeback in the title game as the Hawks clawed back from a nine point deficit with five minutes to play, forcing an overtime battle against Three Rivers Community College. The Hawks then never trailed, hanging on for the 85–80 victory and the opportunity to be called the NJCAA 2010 National Champions.

I applaud the Hawks' hard work and success. With great support from the community, the team proved itself as the best men's basketball team in the NJCAA Division I. The Howard College Hawks continue to exemplify the principles of competitive spirit and success on and off the court. Congratulations, Hawks!

RECOGNIZING REP. JACK BROWN

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. MITCHELL. Madam Speaker, I rise today to recognize Rep. Jack Brown of St. Johns, an exemplary public servant and an Arizona icon who is retiring from the Arizona State Legislature after a distinguished career that has spanned four decades.

Rep. Brown was elected to his first stint in the Legislature in 1962, during the Kennedy Administration. A rancher and an Arizona native, Jack Brown has worked tirelessly as an advocate for rural interests. But his leadership and influence—particularly on issues of private property rights, education and parks funding—will be felt across the entire State for generations to come.

Rep. Brown is respected and admired by his colleagues and constituents for his calm manner, good humor, and common sense. Among the many notable examples: Rep. Brown, a lifelong Democrat, worked across party lines with the late Senator Jake Flake and Rep. Bill

Konopnicki, both Republicans, to obtain funding for Northland Pioneer College. The college now has a strong campus presence serving Apache and Navajo counties.

Rep. Brown has held numerous leadership roles in both the Arizona House and the Senate. Currently, he is the Assistant House Minority Leader and previously served eight years in the Senate, where he served as Minority Leader and Floor Leader.

Rep. Brown has been honored numerous times over the years including being named one of the "Modern Arizona Legislature's Shining Stars" by The Arizona Republic in 2008 for his ability to build coalitions and bridge partisan differences.

I take particular pride in honoring Rep. Brown's accomplishments because I had the privilege of working alongside him in the Arizona Senate for eight years. Please join me in congratulating Rep. Brown on his many achievements, on his upcoming retirement, and on the lasting legacy that he leaves the people of Arizona.

RECOGNIZING RECIPIENTS OF THE 19TH ANNUAL BEST OF RESTON AWARDS FOR COMMUNITY SERVICE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today, joined by my colleague, Congressman JAMES MORAN, to recognize the recipients of the 19th Annual Best of Reston Awards for Community Service. The Best of Reston Awards are presented to individuals, organizations and businesses that have put forth tremendous effort in their commitment to community service and improving the lives of others. Local businesses, organizations, and individuals are recognized at this event for their contributions enriching our community. The Best of Reston Awards are the result of collaboration between Reston Interfaith and the Greater Reston Chamber of Commerce.

Reston Interfaith is a volunteer organization dedicated to providing social services to vulnerable individuals in Reston, Herndon and the surrounding area. Their mission is to "promote self-sufficiency through direct support and advocacy for our neighbors in need of food, immediate shelter, affordable housing, quality child care, and other human services." Founded in 1970 with the goal of making housing affordable, Reston Interfaith has grown to serve 13,000 residents and has expanded its service areas to include programs in housing, child care, food services and nutrition, social services, and other critical areas.

Recipients of the 2010 Best of Reston Awards for Community Service are:

Individual Community Members: Imam Mohamed Magid and Rabbi Robert Nosanchuk, Holly Norris, and Emily Ward.

Civic/Community Organization: Reston Historic Trust.

Small Business Leaders: The Virginia Spine Institute and Wetland Studies and Solutions, Inc.

Corporate Business Leaders: Reston Heights Hotels: The Sheraton Reston Hotel and The Westin Reston Heights.

Fairfax County 2009 First Responder Officers of the Year: Officer Eric R. Glueckert of the Fairfax County Police Department, and Ronald A. McNew and Craig S. Furneisen, Jr. of the Fairfax County Fire Department.

We congratulate the recipients of the 2010 Best of Reston Awards for Community Service as well as Reston Interfaith for its 40 years of work to better the lives of residents throughout the Reston area.

Madam Speaker, I ask that my colleagues join Rep. MORAN and me in paying tribute to Reston Interfaith and its 2010 honorees for their demonstrated commitment to our community. I also would like to express my sincere gratitude to these individuals for contributing their time and energy to make our community a better place for us all.

WORLD MALARIA DAY 2010

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. BISHOP of Georgia. Madam Speaker, I rise today to recognize the importance of World Malaria Day, which will be commemorated this year on April 25th.

Recently, there has been significant progress in the fight against malaria. The U.S. government provided 15.6 million artemisinin-based combination therapies (ACTs) to treat acute malarial illnesses in 2008 alone. As a result of increased efforts to provide life-saving treatment and prevention efforts, countries like Rwanda and Zambia have achieved great success. In fact, the prevalence of malaria fell by 53 percent in Zambia from 2006 to 2008.

But we cannot afford to stop the fight now. Malaria still causes 350–500 million infections, and kills nearly one million people throughout the world each year, most of whom are young African children.

Malaria also affects families, communities, and countries as a whole. It is estimated that Africa spends nearly 40 percent of all health expenditures on malaria and that the continent loses $12 billion a year due to the disease; however, no loss is as great as the loss of a loved one. The cultural and socio-economic devastation are incomparable to the grief borne by families who must deal with this terrible disease.

I urge my colleagues to join me in recognizing World Malaria Day and in raising awareness about this disease, so that together we can win the fight against malaria.

RECOGNIZING THE 62ND ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor and commemorate the 62-year history of the State of Israel.

Officially established as an independent nation on May 14, 1948, Israel has grown into a thriving society guided by the philosophy of individual freedom and remains a shining example of a stable democracy in a volatile region.

Israel's story is much like ours. It is a story of hope, perseverance and a desire for independence. Its people struggled to overcome thousands of years of hardship, and suffered the most horrendous of atrocities to create a proud and vibrant free society in an area of the world where, historically, freedom is all too elusive.

It is our shared belief and dedication to peace and liberty that has solidified our alliance with the most successful democracy in the Middle East. Our nation was the first to recognize the State of Israel, and for more than half a century, Israel and the United States have been strong partners, bound by common values and committed to ensuring freedom throughout the world.

Madam Speaker, I am proud to offer my ongoing support and friendship to the people of Israel, as they celebrate their independence. I am confident that Israel will continue to flourish and that together, our two nations will continue to be strong allies and partners in promoting peace and individual freedom.

PERSONAL EXPLANATION

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. WASSERMAN SCHULTZ. Madam Speaker, I was absent from the following Rollcall votes because I was attending to important matters in my Congressional District:

1. Rollcall Vote No. 199, Honoring the coal miners who perished in the Upper Big Branch Mine-South in Raleigh County, West Virginia, extending condolences to their families and recognizing the valiant efforts of emergency response workers at the mine disaster. If present, I would have voted "aye."

2. Rollcall Vote No. 200, To amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes. If present, I would have voted "aye."

3. Rollcall Vote No. 201, To require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission. If present, I would have voted "aye."

4. Rollcall Vote No. 202, On Motion to Refer the Resolution. If present, I would have voted "aye."

5. Rollcall Vote No. 203, Expressing sympathy to the people of Poland in the aftermath of the tragic plane crash that killed the country's President, First Lady, and 94 others on April 10, 2010. If present, I would have voted "aye."

6. Rollcall Vote No. 204, Providing for consideration of the bill (H.R. 4715), Clean Estuaries Act of 2010 and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules. If present, I would have voted "aye."

7. Rollcall Vote No. 205, Recognizing the Coast Guard Group Astoria's more than 60 years of service to the Pacific Northwest, and for other purposes. If present, I would have voted "aye."

8. Rollcall Vote No. 206, Raising a question of the privileges of the House. If present, I would have voted ''aye.''

9. Rollcall Vote No. 207, On Agreeing to the Shea-Porter of New Hampshire Amendment. If present, I would have voted ''aye.''

10. Rollcall Vote No. 208, On Motion to Recommit with Instructions. If present, I would have voted ''nay.''

11. Rollcall Vote No. 209, On Passage of the Clean Estuaries Act of 2010. If present, I would have voted ''aye.''

12. Rollcall Vote No. 210, Congratulating the Duke University men's basketball team for winning the 2010 NCAA Division I Men's Basketball National Championship. If present, I would have voted ''aye.''

13. Rollcall Vote No. 211, On Motion to Concur in the Senate Amendment of Continuing Extensions Act. If present, I would have voted ''aye.''

HONORING COLONEL DAVID F. EVERETT

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mrs. LOWEY. Madam Speaker, I rise today to pay tribute to Colonel David F. Everett whose commitment to military and civilian service will be honored at the Jewish Board of Family and Community Services in New York on April 21, 2010.

Col. Everett's decorated military career includes Operation Desert Storm in 1991, where, as a Major, he volunteered for active duty and served in Saudi Arabia, Iraq and Kuwait. In 2005, as a Colonel, he volunteered for service in Operation Iraqi Freedom, where he was assigned to the Civilian Police Assistance Training Team. While in Iraq, Mr. Everett was the principal Coalition Forces advisor to the Director of International Affairs of Iraq's Ministry of Interior. In 2009, David again volunteered for service in Operation Enduring Freedom and was deployed to Afghanistan as a Senior Military Advisor to the Chief of Police of Kabul.

Col. Everett was twice awarded the Bronze Star for his service in Operations Desert Storm and Iraqi Freedom as well as the Department of Defense Meritorious Service Medal for his service in Afghanistan. Col. Everett serves on the Service Academy Review Board for my congressional office where he works with young people in the 18th congressional district of New York who apply for nominations to the U.S. service academies. He has helped enrich the lives of countless youth seeking the opportunity to serve their country and become active citizens.

In 1981, Col. Everett became a Big Brother with the Jewish Board of Family and Community Services, dedicating his time to mentoring youth. Now, Col. Everett is Vice President of the Board and has been a trustee for nearly 20 years.

I urge you to join me in honoring this man who truly embodies the kind of service that makes our country great.

HONORING DELFINO LOZANO III

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. CUELLAR. Madam Speaker, I rise today to honor Mr. Delfino Lozano III. Mr. Lozano passed away recently, but will be remembered and honored for his kindness and contributions to the people of South Texas.

Mr. Lozano was born in 1939 in Laredo, Texas, and spent the majority of his life in South Texas. He graduated from St. Joseph's Academy in 1958 and went on to St. Mary's University in San Antonio. Later, he joined the Air Force Reserves. During his time in the Air Force, he was on active duty during the Pueblo crisis for more than a year. Aside from serving his country, he co-founded Med-Loz Lease Service Inc., which is based in Zapata, Texas. He held an active role in the operations of the business, which placed as one of the Nation's top 500 Hispanic-owned businesses in the ''Hispanic Business'' publication. Prior to his co-founding, he worked at the Texas Employment Commission and was also an avid rancher.

While spending time with family and friends, Mr. Lozano was also deeply committed to community volunteer work. His service included the Zapata County Fair Association as past president and director, as well as the Zapata County Little League Organization as president. In 1989, the Lozano family was honored as Grand Marshals of Zapata County Fair Parade. Mr. Lozano's kindness and generosity touched many people in the form of scholarships, financial assistance for home acquisitions, and financial assistance for medical problems.

Madam Speaker, I am proud to have this opportunity to recognize the contributions of Mr. Delfino Lozano III. I thank you for this time.

IN RECOGNITION OF HOT SPRINGS NATIONAL PARK

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. ROSS. Madam Speaker, I rise today to recognize two milestones for Hot Springs National Park located in my home state of Arkansas. This day not only marks the 178th anniversary of Hot Springs Reservation—which later became Hot Springs National Park—but it also marks the release date of the Hot Springs National Park quarter, the first installment of the U.S. Mint's America the Beautiful Quarters program.

On April 20, 1832, Hot Springs Reservation was the first piece of federal land set aside for preservation primarily because of the area's natural hot springs, which people have used for more than two hundred years for recreation and for their therapeutic qualities. The Reservation—eventually becoming known as ''The American Spa''—became Hot Springs National Park in 1921.

Because of its important place in American history, the U.S. Mint also released the Hot Springs National Quarter today as the first of 56 quarters in the America the Beautiful Quarters program, which Congress established in 2008. The U.S. Mint will subsequently release five new coins per year and one in 2021 honoring the rest of our Nation's many national parks, forests and wildlife refuges in the order they were first preserved by the federal government.

It is also fitting that we reach these two milestones during National Park Week, a time to celebrate and recognize national and state parks, national monuments, and historic sites in the United States.

I stand today proud to represent Hot Springs National Park, Arkansas. This truly is a great honor and will draw much-deserved recognition and unprecedented attention to one of our nation's most beautiful and unique national parks. God has blessed Arkansas with many natural wonders and Hot Springs National Park is just the beginning. I invite all Americans and their families to come to Arkansas and see what makes these hot springs and our state so special.

HONORING DONNA BEDNARSKI

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. McCOTTER. Madam Speaker, today I rise to honor Donna Bednarski of Canton, Michigan at the culmination of her term as President of the American Nephrology Nurses' Association.

Throughout her career, Donna has served our community through her work as a nurse practitioner and clinical nurse specialist at Harper University Hospital in Detroit. She is well respected in the health care profession and has been published in Nursing 2008 Critical Care, the Journal of Wound, Ostomy and Continence Nursing, and OstomyWound Management.

For the past 20 years, Donna has been an active member of the American Nephrology Nurses' Association and has served in various leadership roles. Notably, since May 2009, she has served as President and worked to implement initiatives which will improve care for patients dependent on dialysis and other kidney replacement treatments.

Madam Speaker, Donna Bednarski is a committed advocate for nephrology patients in Michigan and across the country. As she concludes her term as President of the American Nephrology Nurses' Association, I ask my colleagues to join me in honoring her dedication and recognizing her years of devoted service to our community and our country.

HONORING THE CITY OF KALAMAZOO, MICHIGAN

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. UPTON. Madam Speaker, it is with great pride I rise today in honor of the City of Kalamazoo, Michigan on the occasion of its 125th anniversary.

First settled in 1829 upon the Kalamazoo River, the city's namesake, the city was incorporated in 1885, midway between Detroit and Chicago.

Over the past 125 years, Kalamazoo has made a name for itself as a pioneer in the health sciences, industry, and higher education. The city is the birthplace of many classic American icons, such as Gibson Guitars, Shakespeare fishing rods, and Checker taxi cabs. As a leader in the medical field, Kalamazoo is also home to the Upjohn Company, the longtime pharmaceutical manufacturer, and Stryker Corporation, a global leader in the development of medical implants, equipment, and technologies. While many changes have come to the region over the years, hard work and innovation remain hallmarks of the local economy.

More recently, Kalamazoo attracted national recognition for the groundbreaking ''Kalamazoo Promise,'' a pledge made by a group of anonymous area donors to pay the tuition for graduates of Kalamazoo's public schools to attend any of the state's public colleges or universities. This philanthropic model has since been adopted in states across the country with great success.

Kalamazoo is home to Western Michigan University, the fourth largest higher education institution in our state as well as Kalamazoo College, one of the nation's oldest and most respected higher education institutions dedicated to the liberal arts. Kalamazoo Valley Community College has distinguished itself as a national leader in the development of alternative energy and other important technologies.

Over the years, Kalamazoo has also earned a reputation as a community passionately dedicated to the arts, a reflection of its cultural diversity and exceptional level of community engagement. Kalamazoo has also produced and attracted its share of national celebrities, including New York Yankees' Derek Jeter, Green Bay Packers' Greg Jennings, Seattle Seahawks' T.J. Duckett, and American Idol favorite Matt Giraud.

Despite the great economic challenges faced by our state, the people of Kalamazoo have continued to work together, as they always have, for the benefit of their entire community. This has been the secret to the city's long success and an example for other communities to replicate.

Again, it is my honor to stand today in recognition of the City of Kalamazoo for its rich 125 year history. Here is to the next 125 years.

HONORING THE LIFE OF MARY BUXTON WARD

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. HOLT. Madam Speaker, I rise to pay tribute to Mary Buxton Ward, a woman of valor and commitment who died on Tuesday, March 2nd in Princeton, New Jersey. She is mourned by her daughters, Shelley Rhodes and Heather Ward, her two grandsons, Justin and Shane Rhodes, and all who knew her and admired her life of service.

After serving with the State Department in Libya, Panama and Hong Kong, Mary returned to the United States and eventually settled in Princeton in the 1960's. For 16 years she served as the Executive Director of the Princeton Art Association, before leaving to work with the Coalition for Nuclear Disarmament as Secretary and Assistant Director for six years. She retired in 2004 from the University Medical Center at Princeton after 20 years of service in various capacities.

But it was for her role as a volunteer and activist that Mary Ward deserves to be remembered. Never one to sit back and watch, Mary made her presence and her ideals felt. She was arrested several times for demonstrating in support of civil rights, withdrawal from Vietnam, and nuclear disarmament. Her protest against nuclear testing at the Nevada Test Site in 1986 resulted in a 5–day jail sentence. She was never afraid to fight for what she believed was right.

Mary Ward was a life-long advocate for justice. During her years in Princeton, she served on the boards of Nuclear Dialogue, Coalition for Peace Action, Federated Art Associations of New Jersey, Teamwork Dance, and as a volunteer member of the court-appointed Child Placement Review Board of Mercer County. She also volunteered with Centurion Ministries, an advocacy group for those unjustly imprisoned.

Mary Ward was not a famous woman, but she was the kind of principled, committed citizen that makes America stronger. The world is a better place because of her.

HONORING THE LIFE OF BERTEL WACHTER HERZ

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. COHEN. Madam Speaker, I rise today to honor the life of Mrs. Bertel Wachter Herz, an extraordinary woman who overcame war and the death of loved ones to become a successful entrepreneur in Memphis, Tennessee. She was born to Pepi and Bernhard Wachter on January 4, 1907 in Stolberg, Germany.

Bertel Wachter Herz was the eldest of seven children, and the first to emigrate to the United States. Mrs. Herz first arrived in New York in April of 1939, and subsequently moved to Memphis with her husband, Arthur Sauerbrunn, at the request of Arthur's cousin, Phillip Belz. After settling in Memphis, Bertel worked to bring four of her siblings to the United States, providing refuge from the destruction of World War II and, thus, preventing the tragic fate that had already taken her parents and eldest brother.

Mrs. Herz, being accustomed to the working realm, found life for women in 1940's America unsatisfying. Realizing she had a natural talent for retail, Bertel opened a shop on Union Avenue called Trousseau, a shop that still continues to provide sophisticated, European-style lingerie and linens. Her elegant pieces appealed to many brides, mothers and families, which furthered Bertel's reputation for her exquisite taste and distinguished vision. Devoted employees and loyal customers alike always had nothing but the best to say about Mrs. Herz, who worked tirelessly until her retirement at age 95.

Bertel Herz was known as a woman who lived by a code of integrity, loyalty and love for her family. Her persistence and indomitable spirit served as an inspiration to her daughter and granddaughters to be strong, independent, assertive women. Even today, the third generation of women in her family continues to manage Trousseau, which will be celebrating its 61st anniversary this year.

On March 14, 2010, Mrs. Herz passed away at 103 years of age. She is survived by her daughter, Eden, two granddaughters, Amy Friedman and Pesha Izenberg, and her sister, Regina Farber. Mrs. Herz will be remembered by her fellow Memphians for her hard work, dedication and service to Memphis.

RECOGNIZING THE NATIONAL ASSOCIATION OF LETTER CARRIERS AND THEIR 18TH ANNUAL ''STAMP OUT HUNGER'' FOOD DRIVE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to recognize Lone Star Branch No. 132 of the National Association of Letter Carriers as they prepare for their 18th annual ''Stamp Out Hunger'' food drive.

During the ''Stamp Out Hunger'' food drive, letter carriers collect nonperishable food donations along their routes for the North Texas Food Bank and food pantries. Last year they collected more than 73 million pounds of food in one day, and by so doing, they helped to feed some of the neediest people in North Texas. Their hard work is greatly appreciated, and I extend my sincere thanks for their efforts.

Often considered America's ''hidden'' epidemic, hunger is a problem that affects numerous individuals across the country. In 2008, roughly 49 million Americans were food insecure, meaning that they were unsure as to whether or not they would have access to food. Additionally, it is important to note that African-American and Hispanic households experience food insecurity at a much higher rate than the national average. For this reason, events like the ''Stamp Out Hunger'' food drive are incredibly important in helping end this tragic problem.

Madam Speaker, I encourage my fellow colleagues to join me today in recognizing the efforts of Lone Star Branch No. 132 of the National Association of Letter Carriers for their efforts in helping to end hunger in North Texas and across the country.

A TRIBUTE TO LANCE CORPORAL TYLER OWEN GRIFFIN

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. COURTNEY. Madam Speaker, today I rise in tribute to an American patriot and fallen Connecticut son. A native of Voluntown, Lance Corporal Tyler Owen Griffin was killed on April 1, 2010 while supporting combat operations in Helmand Province, Afghanistan. He was 19 years old.

Tyler attended Griswold High School where he played on the football team. Shortly after graduating with the Class of 2008, he achieved what he considered his lifelong goal of becoming a Marine, joining the Marine Corps the following August. After completing boot camp, Tyler was assigned as a rifleman to 1st Battalion, 2nd Marine Regiment, Regimental Combat Team 7, Marine Expeditionary Brigade—Afghanistan. In March 2010 he deployed to Afghanistan in support of Operation Enduring Freedom.

To appreciate the impact that Tyler had on his community, one only had to point to his funeral service in Voluntown. Flags and banners of support lined the streets as thousands gathered to pay their final respects. All who knew him spoke both of his pride in fulfilling his dream of becoming a Marine and of his respect and compassion for others. Clearly, Tyler was a young man of exceptional character who touched many lives.

I had the honor of meeting Tyler's mother Susan and stepfather John last Tuesday and was moved by the courage they showed in the face of their tragic loss. His mother emphasized to me that he died doing what he always wanted to do, and that they were able to gain some degree of comfort from that fact. It is clear to see how such a fine family could raise such an honorable son.

In a manner befitting a true American hero, Tyler was laid to rest at Arlington National Cemetery yesterday in a moving ceremony attended by his family, his friends and his fellow Marines. My wife, Audrey, was honored to attend and join in honoring this young man. There, he has taken his place alongside so many others who paid the ultimate price for the freedom and security we enjoy as United States citizens. Tyler was a remarkable young man, eager to accept the noble task of protecting his Nation on its frontlines, wherever they may be. While his smile may no longer brighten the lives of those around him, the memory of his life shall always endure.

Madam Speaker, I ask all my colleagues to join me in honoring Lance Corporal Tyler Griffin and his service to our great Nation. Tyler and his sacrifice will forever be remembered by me, a mourning Connecticut, a grateful Nation, and family members who will never forget him.

PERSONAL EXPLANATION

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. GONZALEZ. Madam Speaker, a personal matter prevented my presence in the House this past Thursday, April 15, 2010. Had I been present, I would have voted "yea" during Rollcall vote 211 on final passage of the Continuing Extension Act of 2010 (H.R. 4851).

200TH ANNIVERSARY OF COLUMBIA PIKE

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. MORAN of Virginia. Madam Speaker, I am on the floor today to acknowledge the 200th anniversary of the creation of Columbia Pike and commend the Columbia Pike community for its achievements as a vibrant and visionary community.

"The Pike," as it is known more commonly to the citizens of Arlington, dates back to April 20, 1810, when Congress chartered a company to begin construction on the toll road. This legislation, which was signed into law by President James Madison, allowed the incorporation of a company for making certain turnpike roads in the District of Columbia.

Columbia Pike began as a privately owned toll road providing westward access from Long Bridge, situated near the current 14th Street Bridge, into Northern Virginia. The road was not paved, however, until 1928.

Columbia Pike has seen significant change in its two centuries of existence. In fact, the road became essential for military purposes during the Civil War. Several forts were built in Arlington to protect the federal city from attacks, and the Pike served as a means of transportation between the forts and district. It is likely that President Lincoln travelled on the Pike to Bailey's Crossroads in 1861 to attend the historic review of federal troops. I feel the road has had great historical significance not only for transportation, but also for communication and housing. The first cross-Atlantic radio broadcast was sent in 1915 from towers in the Penrose neighborhood, in the eastern Columbia Pike community, to the Eiffel Tower in France. In addition, during periods of rapid growth, such as the New Deal era and after World War II, the Pike became home to thousands of Federal employees. To accommodate the influx, garden and low-rise apartment buildings were constructed along Columbia Pike.

Today, the road continues to be of great importance and several organizations, including the Columbia Pike Revitalization Organization, have dedicated themselves to improving and revitalizing the Pike area. Currently, Arlington County is working to establish a new transit system along Columbia Pike to improve the area surrounding the Pike through advancing redevelopment and increasing and improving local land use.

Columbia Pike has a long and rich history. I wish Columbia Pike and its residents a heartfelt 200th anniversary.

THANKING DONNA OLIVER FOR HER SERVICE TO THE CLINTON REGION

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. BRALEY of Iowa. Madam Speaker, I rise to thank Donna Oliver for her service as CEO of Mercy Medical Center in Clinton, Iowa. Donna has led Mercy for the past 5 years. She is a passionate advocate for her community and her contributions to the Clinton region will be appreciated for years to come.

During Donna's tenure, the Mercy team has fulfilled its mission to assure excellent, cost effective health care services accessible to all persons. Donna has strengthened partnerships with other health care providers and schools training future caregivers. She has made the health and wellness of her coworkers and the broader community a top priority. And despite unprecedented economic hardships, Donna has maintained Mercy's support for programs that enhance the cultural and economic vitality of the Clinton community.

Donna has been a principled and effective advocate for health care reform, especially during the recent months of debate. She has consistently spoken publicly about the urgent need for Medicare reimbursement reform so physicians and hospitals in places like Clinton can meet the health and wellness needs of their community.

Madam Speaker, please allow me in thanking Donna Oliver and her team at Mercy Medical Center.

HONORING WALTER ''MISSISSIPPI SLIM'' HORN BLUES LEGEND

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. THOMPSON of Mississippi. Madam Speaker, I would like to recognize the life of Walter "Mississippi Slim" Horn, a Mississippi Blues legend.

Known for his trademark bright colorful hair and extravagant costumes, in addition to his popular performances and contributions to the blues genre, bluesman Walter "Mississippi Slim" Horn was born in Shelby, Mississippi, August 13, 1943 and grew up in Greenville, Mississippi.

Mississippi Slim, worked on a plantation during the day and sang the blues at night in local juke joints. Eventually, he decided to pursue performing full time and left the Mississippi Delta and joined other blues musicians for the "big city lights" of Chicago, Illinois. In 1974, "Mississippi Slim", also known as the "8th Wonder of the World," recorded Crying In The Arms of Another Love on Sunflower label.

Having traveled all over the United States, Mississippi Slim returned home in 1994, to be with his ailing mother. Upon his return, he teamed up with musical forces John Horton, Ricky Taliaferro, Albert Folks and Kenny Morris and continued to perform in and around the Mississippi Delta. "Mississippi Slim" performed at southern festivals and played on the Mississippi Blues and Heritage festival. A main attraction, he partnered with festival organizers to participate in the Arts In Education: "Blues in Schools" project to promote and enhance learning about the culture of the blues.

After releasing a few singles throughout the 1970s, Mississippi Slim recorded a CD, Miracles in 1998, You Cant Loose the Blues in 2008 and recently recorded Cotton Candy Love.

Although we mourn the loss of a prominent Mississippi blues figure, his legacy will live on through his music and legendary performances."

Please join me in saluting the life and legacy of Mississippi bluesman, Walter "Mississippi Slim" Horn.

HONORING THE LIFE OF MR. CHARLIE VERGOS

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. COHEN. Madam Speaker, I rise today to pay tribute to the life of Mr. Charlie Vergos, founder of the world-famous Rendezvous restaurant in downtown Memphis, Tennessee. He was known by Memphians as the dean of Memphis barbecuers. The son of Greek immigrants, Charlie Vergos was a World War II Army veteran who fought in the European theater. He was later transferred to the Philippines in preparation for the planned invasion of Japan when the atomic bombing of Hiroshima and Nagasaki ended the war.

Charlie Vergos was the definition of an entrepreneur. After returning from war, Mr. Vergos married Tasia and opened a tavern and sandwich shop in a downtown alley of Memphis in 1948. Mr. Vergos started out by selling ham and cheese sandwiches and beer until he discovered a coal chute in the basement of his diner. The chute gave him a vent for grilling which allowed him to expand from ham and cheese sandwiches to ribs. He specialized in dry rubbed ribs, a unique blend of seasonings and an acidic base that dries in the cooking process leaving the ribs impregnated with seasoning. Charlie Vergos built his business from selling about a box of ribs a week to what the Rendezvous cooks now—about a ton of ribs every day.

Since Charlie Vergos founded Rendezvous in 1948, the barbecue restaurant has served guests such as former Presidents Bill Clinton and George W. Bush and former Vice President Al Gore, along with entertainers such as Bill Cosby, Justin Timberlake, Kirk Catron, Eric Brown, Luke Laird, Travis Morris, Trevor McFarlin and Mick Jagger.

The Rendezvous was recently designated one of 50 All American Icons by Nation's Restaurant News magazine for its entrepreneurial spirit, its concept and its impact on the Memphis community. Rendezvous has catered events at the American Embassy in Ottawa Canada, meals on Air Force One and Air Force Two, President Bill Clinton's inaugural gala in 1992 and a Fourth of July celebration at the U.S. Embassy in Canberra, Australia.

Charleie Vergos loved Memphis and was a major force in the resurgence of downtown Memphis in the decades following the 1968 assassination of Dr. Martin Luther King Jr. He not only refused to relocate to the suburbs, but was active in the community through donations and sponsorships that increased the beauty and viability of Memphis, TN. His son, once my classmate and still my close friend, John Vergos, gave up his law practice and political career to join the family business. John explained that his father was always grateful to the citizens of Memphis who supported the business. The feeling is mutual and, around the world, Rendezvous Ribs are inextricably linked to the city of Memphis.

Charlie Vergos passed away on Saturday morning, March 27, 2010, at the age of 84. Charlie Vergos' legacy lives on through his wife, two sons and their wives, John and Ellen Vergos and Nick and Jenny Vergos, his daughter Tina Jennings—co-owners of Rendezvous—his brothers Pete, George and Nick Vergos, and eight grandchildren. We are truly honored for his dedication to Memphis, Tennessee and his contributions to Memphis barbecue.

HONORING JEAN TELEP

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. MCCOTTER. Madam Speaker, today I rise to honor and acknowledge Ms. Jean Telep, upon her receipt of the 2010 Suburban Republican Women's Tribute to Women Award.

A registered nurse employed by Providence Hospital Senior Wellness Center, Jean holds a Bachelor of Science Degree in Nursing, a Master of Science in Administration and a Business Certificate in dementia care, all from Madonna University.

Jean has been actively involved in promoting the conservative principles of the Republican Party in Michigan. She has supported and worked diligently on several campaigns of conservative candidates and as a poll worker during the November 2008 election.

More than 3 years ago, Jean became a member of the Suburban Republican Women's Club where she serves as Americanism Chairman. Actively recruiting for and reporting regularly to the general membership, Jean is a deserving recipient of the Suburban Republican Women's Club's highest honor, the 2010 Tribute to Women Award. Importantly, Jean is one of the founding members of Martha & Caty Tea Ladies, a group dedicated to providing a meeting place for conservative women to network while learning about the foundation of our country and empowering them to actively promote the conservative agenda to all levels of elected officials. Jean is also in the process of applying for membership in the Daughters of the American Revolution.

Madam Speaker, Jean's leadership and courage of convictions are an inspiration to her peers in the Suburban Republican Women's Club and our entire community. Thus, I ask my colleagues to join me in honoring Ms. Jean Telep for her selfless service to our community and our country.

RECOGNIZING THE 50TH ANNIVERSARY OF THE AUXILIARY SERVICE FOR INOVA FAIRFAX HOSPITAL

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, today I would like to recognize the members of the Auxiliary of Inova Fairfax Hospital, a group of volunteers dedicated to quality support to the hospital, patients and community, and commend them as they celebrate their 50th anniversary.

The Auxiliary of Inova Fairfax Hospital is the largest corps of volunteers serving the hospital. A small group of local women got together while the hospital was still in the planning stages, as a way for interested citizens to help make the hospital a reality. The first formal meeting of the Executive Board of the Auxiliary was in the fall of 1960, when the Auxiliary numbered fewer than 100 active members. Today, when you join the Auxiliary, you are joining an organization of about 1,200 volunteer members whose mission is to provide quality volunteer services, support and financial resources to the hospital, its patients and the community. The excellent health care services our community enjoys today are a result of their hard work.

In the organization's first year, volunteers logged more than 14,000 service hours. Since then, volunteers at Fairfax have contributed millions of hours of service to assist patients and allow hospital staff to focus on patient care.

Among the many successful results of the volunteers' fundraising efforts was a $3 million contribution—the largest gift in the Inova Health System's history at that time—to help build the Inova Heart and Vascular Institute, a 156-bed state-of-the-art cardiac facility that opened in 2004. The volunteers also raised money to contribute $1 million each to the Inova Fairfax Hospital Women's and Children's Center and the Physician's Conference Center.

Madam Speaker and my esteemed colleagues, I ask you to join me in congratulating the Auxiliary of Inova Fairfax Hospital on 50 years of extraordinary dedication for the betterment of Inova Fairfax Hospital and the greater Fairfax community.

CORRECTION

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2433–S2482

Measures Introduced: Eight bills and four resolutions were introduced, as follows: S. 3228–3235, and S. Res. 491–494. **Pages S2476–77**

Measures Reported:

S. 878, to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, with an amendment in the nature of a substitute. (S. Rept. No. 111–170)

S. 933, to amend the Federal Water Pollution Control Act and the Great Lakes Legacy Act of 2002 to reauthorize programs to address remediation of contaminated sediment. (S. Rept. No. 111–171)

S. 937, to amend the Federal Water Pollution Control Act to ensure that sewage treatment plants monitor for and report discharges of raw sewage. (S. Rept. No. 111–172) **Page S2476**

Measures Passed:

Honoring the Life of Dr. Dorothy I. Height: Senate agreed to S. Res. 492, honoring the life and achievements of Dr. Dorothy I. Height. **Pages S2480–81**

Global Youth Service Days: Senate agreed to S. Res. 493, designating April 23 through 25, 2010, as "Global Youth Service Days". **Page S2481**

Honoring Ida B. Wells: Senate agreed to S. Res. 494, honoring Ida B. Wells for her activism in the civil rights and women's rights movements and for her influential and inspirational leadership. **Page S2481**

Appointments:

John F. Kennedy Center for the Performing Arts Board of Trustees: The Chair, on behalf of the President of the Senate, pursuant to Public Law 85–874, as amended, appointed the following individual to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: The Honorable Kent Conrad of North Dakota vice The Honorable Edward M. Kennedy of Massachusetts. **Page S2482**

Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at approximately 10:30 a.m., on Wednesday, April 21, 2010, Senate resume consideration of the nomination of Christopher H. Schroeder, of North Carolina, to be an Assistant Attorney General; that there be three hours of debate with respect to the nomination; that upon the use or yielding back of time, Senate vote on confirmation of the nomination, and that the cloture motion with respect to the nomination be withdrawn; provided that upon disposition of the nomination, Senate resume consideration of the nomination of Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit; that there be three hours of debate with respect to the nomination; that upon the use or yielding back of time, Senate vote on confirmation of the nomination, and that the cloture motion with respect to the nomination be withdrawn; provided further, that on Thursday, April 22, 2010, following a period of morning business, Senate resume consideration of the nomination of Denny Chin, of New York, to be United States Circuit Judge for the Second Circuit; that there be 60 minutes for debate with respect to the nomination, that upon the use or yielding back of time, Senate vote on confirmation of the nomination, and that the cloture motion with respect to the nomination be withdrawn; with all time covered under this agreement equally divided and controlled between Senators Leahy and Sessions, or their designees. **Page S2462**

Nominations Confirmed: Senate confirmed the following nominations:

By 78 yeas 19 nays (Vote No. EX. 119), Lael Brainard, of the District of Columbia, to be an Under Secretary of the Treasury. **Pages S2441–46, S2482**

By 66 yeas 32 nays (Vote No. EX. 120), Marisa J. Demeo, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Subsequently, the motion to invoke cloture on the nomination was withdrawn. **Pages S2447–63, S2482**

Stuart Gordon Nash, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years. **Pages S2442–43, S2482**

Executive Communications: Pages S2474–76

Additional Cosponsors: Pages S2477–78

Statements on Introduced Bills/Resolutions: Pages S2478–79

Additional Statements: Pages S2473–74

Authorities for Committees to Meet: Page S2480

Privileges of the Floor: Page S2480

Record Votes: Two record votes were taken today. (Total—120) Pages S2445, S2459

Adjournment: Senate convened at 10 a.m. and adjourned at 6:33 p.m., until 9:30 a.m. on Wednesday, April 21, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2482.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs concluded a hearing to examine proposed budget estimates for fiscal year 2011 for operations and programs of the U.S. Agency for International Development, after receiving testimony from Rajiv Shah, Administrator, U.S. Agency for International Development.

DEFENSE AUTHORIZATION AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine ballistic missile defense policies and programs in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, after receiving testimony from James N. Miller, Principal Deputy Under Secretary for Policy, J. Michael Gilmore, Director, Operational Test and Evaluation, Office of the Secretary, Lieutenant General Patrick J. O'Reilly, USA, Director, Missile Defense Agency, and Rear Admiral Archer M. Macy, USN, Director, Joint Integrated Air and Missile Defense Organization, all of the Department of Defense.

ENERGY BILLS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 1856, to amend the Energy Policy Act of 2005 to clarify policies regarding ownership of pore space, and S. 1134, to ensure the energy independence and economic viability of the United States by promoting the responsible use of coal through accelerated carbon capture and storage and through advanced clean coal technology research, development, demonstration, and deployment programs, after receiving testimony from James Markowsky, Assistant Secretary of Energy for Fossil Energy; Anne Castle, Assistant Secretary of the Interior for Water and Science; Adam S. Vann, Legislative Attorney, American Law Division, Congressional Research Service, Library of Congress; Robert Hilton, Alstom Power, and Ben Yamagata, Coal Utilization Research Council, both of Washington, DC; Mark S. Brownstein, Environmental Defense Fund, New York, New York; and Kurt Zenz House, C12 Energy, Cambridge, Massachusetts.

TROUBLED ASSET RELIEF PROGRAM

Committee on Finance: Committee concluded a hearing to examine the President's proposed fee on financial institutions regarding the Troubled Asset Relief Program (TARP), after receiving testimony from Neil Barofsky, Special Inspector General for the Troubled Asset Relief Program (SIGTARP), Department of the Treasury.

BORDER SECURITY

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine border security, after receiving testimony from Alan Bersin, Commissioner, U.S. Customs and Border Protection, Department of Homeland Security; Dennis K. Burke, U.S. Attorney for the District of Arizona, Department of Justice; Mayor Octavio Garcia-Von Borstel, Nogales, Arizona; and Larry A. Dever, Sheriff of Cochise County, Arizona.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Michael D. Kennedy, of Georgia, and Dana Katherine Bilyeu, of Nevada, both to be a Member of the Federal Retirement Thrift Investment Board, Dennis P. Walsh, of Maryland, to be Chairman of the Special Panel on Appeals, and Milton C. Lee, Jr., Judith Anne Smith, and Todd E. Edelman, all to be an Associate Judge of the Superior Court of the District of Columbia, all introduced by Delegate Holmes Norton, after the nominees testified and answered questions in their own behalf.

HEALTH PREMIUMS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine protection from certain premiums, after receiving testimony from Senator Feinstein; Michael T. McRaith, Illinois Department of Insurance Director, Springfield; Phyllis Menke, City of Fonda Clerk, Fonda, Iowa; Karen Ignagni, America's Health Insurance Plans, Washington, DC; and Grace-Marie Turner, Galen Institute, Alexandria, Virginia.

DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION OVERSIGHT

Committee on the Judiciary: Committee concluded an oversight hearing to examine the Department of Justice, Civil Rights Division, after receiving testimony from Thomas E. Perez, Assistant Attorney General, Department of Justice.

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.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 23 public bills, H.R. 5065–5087; and 10 resolutions, H. Res. 1271–1280, were introduced. **Pages H2694–96**

Additional Cosponsors: **Pages H2696–98**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Larsen (WA) to act as Speaker pro tempore for today. **Page H2647**

Recess: The House recessed at 12:55 p.m. and reconvened at 2 p.m. **Page H2650**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Deposit Restricted Qualified Tuition Programs Act: H.R. 4178, amended, to amend the Federal Deposit Insurance Act to provide for deposit restricted qualified tuition programs; **Pages H2651–54**

Indian Veterans Housing Opportunity Act: H.R. 3553, to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family; **Pages H2654–56**

Supporting the goals and ideals of National Financial Literacy Month, 2010: H. Res. 1257, to support the goals and ideals of National Financial Literacy Month, 2010, by a ⅔ yea-and-nay vote of 397 yeas to 4 nays, Roll No. 212; and **Pages H2656–59, H2668**

Honoring the life and achievements of Rev. Benjamin Lawson Hooks: H. Res. 1271, to honor the life and achievements of Rev. Benjamin Lawson Hooks, by a ⅔ yea-and-nay vote of 407 yeas with none voting "nay". **Pages H2659–64, H2668–69**

Recess: The House recessed at 3:40 p.m. and reconvened at 6:30 p.m. **Page H2668**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Supporting the mission and goals of 2010 National Crime Victims' Rights Week: H. Res. 1104, to support the mission and goals of 2010 National Crime Victims' Rights Week to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States, no matter their country of origin or their creed, and to commemorate the National Crime Victims' Rights Week theme of "Crime Victims' Rights: Fairness. Dignity. Respect.". **Pages H2664–68**

Privileged Resolution—Intent to Offer: Representative Flake announced his intent to offer a privileged resolution. **Page H2670**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H2651.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H2668 and H2668–69. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:11 p.m.

Committee Meetings

SELECT INTELLIGENCE OVERSIGHT

Committee on Appropriations: Select Intelligence Oversight Panel met in executive session to hold a hearing on the National Security Agency FY 2011 Budget. Testimony was heard from LTG Keith B. Alexander, USA, Director, NSA.

PTSD/TRAUMATIC BRAIN INJURY CARE

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on implementation of the requirement to provide a medical examination before separating members diagnosed with Post-Traumatic Stress Disorder (PTSD) or Traumatic

Brain Injury (TBI) and the capacity of the Department of Defense to provide care to PTSD cases. Testimony was heard from the following officials of the Department of Defense: Charles Rice, M.D., Performing the Duties of the Assistant Secretary, Health Affairs, President, Uniformed Services University of Health Sciences; and Bill Carr, Deputy Under Secretary, Military Personnel Policy, Office of the Under Secretary, Personnel and Readiness.

LEHMAN BANKRUPTCY EXAMINER REPORT

Committee on Financial Services: Held a hearing entitled ''Public Policy Issues Raised by the Report of the Lehman Bankruptcy Examiner.'' Testimony was heard from Representatives Eshoo and Perlmutter; Timothy F. Geithner, Secretary of the Treasury; Ben S. Bernanke, Chairman, Board of Governors, Federal Reserve System; Mary L. Schapiro, Chairman, SEC; and public witnesses.

NUCLEAR POWER FEDERAL LOAN GUARANTEES

Committee on Oversight and Government Reform: Subcommittee on Domestic Policy held a hearing entitled ''Nuclear Power's Federal Loan Guarantees: The Next Multi-Billion Dollar Bailout?'' Testimony was heard from Peter Bradford, former member, NRC; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 21, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: business meeting to consider an original bill entitled, ''The Wall Street Transparency and Accountability Act of 2010'', 9:30 a.m., SD–G50.

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2011 for Missile Defense Agency programs, 10:30 a.m., SD–192.

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine nonproliferation programs at the Departments of Defense and Energy in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, 10 a.m., SR–222.

Subcommittee on Strategic Forces, to hold hearings to examine environmental management funding in review of the Defense Authorization request for fiscal year 2011 and funding under the American Recovery and Reinvestment Act, 2:30 p.m., SR–222.

Committee on the Budget: business meeting to consider the concurrent resolution on the budget for fiscal year 2011, 2:15 p.m., SD–608.

Committee on Commerce, Science, and Transportation: to hold hearings to examine securing the nation's rail and other surface transportation networks, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine S. 1546, to provide for the conveyance of certain parcels of land to the town of Mantua, Utah, S. 2798, to reduce the risk of catastrophic wildfire through the facilitation of insect and disease infestation treatment of National Forest System and adjacent land, S. 2830, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects, and S. 2963, to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land, 2:30 p.m., SD–366.

Committee on Environment and Public Works: business meeting to consider H.R. 2062, to amend the Migratory Bird Treaty Act to provide for penalties and enforcement for intentionally taking protected avian species, S. 2724, to provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin, H.R. 3305, to designate the Federal building and United States courthouse located at 224 South Boulder Avenue in Tulsa, Oklahoma, as the ''H. Dale Cook Federal Building and United States Courthouse'', and H.R. 1700 and S. 2129, bills to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum, and proposed resolutions relating to the Army Corps Study and the General Services Administration, 10 a.m., SD–406.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the lessons and implications of the Christmas Day attack, focusing on securing the visa process, 10 a.m., SD–342.

Committee on Small Business and Entrepreneurship: to examine the President's proposed budget request for fiscal year 2011 for the Small Business Administration, 2:30 p.m., SR–428A.

Committee on Veterans' Affairs: to hold an oversight hearing to examine implementation of the new post-9/11 Government Issue (GI) Bill, 9:30 a.m., SR–418.

House

Committee on Agriculture, hearing to review U.S. agriculture policy in advance of the 2012 Farm Bill, 11 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Defense, on National Capitol Region, 10 a.m., H–140 Capitol.

Subcommittee on Financial Services, and General Government, on FY 2011 Budget Request for the District of Columbia, 10 a.m., 2362–B Rayburn.

Subcommittee on Homeland Security, on Member Day/Public Witnesses, 10 a.m., 2358–C Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on FY 2011 Budget

Overview: Department of Health and Human Services, 10 a.m., 2359 Rayburn.

Subcommittee on Legislative Branch, on FY 2011 Budgets for the Library of Congress, GPO, and the Open World Leadership Center, 2 p.m., H–144 Capitol.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on the Status of the Federal Housing Administration including the FY 2011 Budget Request, 10 a.m., 2358–A Rayburn.

Committee on Armed Services, to mark up H.R. 5013, Implementing Management for Performance and Related Reforms to Obtain Value in Every Acquisition Act of 2010 , 10 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, hearing on the Defense Health Program, 1:30 p.m., 2118 Rayburn.

Subcommittee on Strategic Forces, hearing on the space posture review and the Fiscal Year 2011 National Defense Authorization Budget Request for national security space activities, 2 p.m., 210 HVC.

Committee on Education and Labor, hearing on Reforming the Juvenile Justice System to Improve Children's Lives and Public Safety, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, to mark up the Consumer Product Safety Enhancement Act of 2010, 10 a.m., 2123 Rayburn.

Subcommittee on Communications, Technology and the Internet, hearing entitled ''The National Broadband Plan: Deploying Quality Broadband Services to the Last Mile,'' 10 a.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''Corporate Governance and Shareholder Empowerment,'' 10 a.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, hearing entitled ''Legislative Proposals to Reform the National Flood Insurance Program,'' 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Stopping the Spread of Nuclear Weapons, Countering Nuclear Terrorism: The NPT Review Conference and the Nuclear Security Summit, 10 a.m., 2172 Rayburn.

Subcommittee on Middle East and South Asia, hearing on Neither Appeasement nor Improvement? Prospects for U.S. Engagement with Syria, 1:30 p.m., 2172 Rayburn.

Committee on Homeland Security, hearing entitled ''Viewpoints on Homeland Security: A Discussion with the WMD Commissioners,'' 10 a.m., 311 Cannon.

Committee on Natural Resources, hearing on the following bills: H.R. 4445, Indian Pueblo Cultural Center Clarification Act; H.R. 1554, Fountainhead Property Land Transfer Act; and H.R. 2340, Salmon Lake Selection Resolution Act, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform,, hearing entitled ''The Washington Metro System: Safety, Service and Stability,'' 10 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Technology and Innovation, to mark up Committee Print—National Institute of Standards and Technology programs, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing on oversight of the Small Business Administration and its Programs, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on NextGen: Long-Term Planning and Interagency Cooperation, 2 p.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, April 21, executive, briefing on Yemen, 3 p.m., 304 HVC.

Next Meeting of the SENATE

9:30 a.m., Wednesday, April 21

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will resume consideration of the nomination of Christopher H. Schroeder, of North Carolina, to be an Assistant Attorney General, and after a period of debate, vote on confirmation of the nomination; following which, Senate will resume consideration of the nomination of Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, and after a period of debate, vote on confirmation of the nomination.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, April 21

House Chamber

Program for Wednesday: Consideration of the following suspensions: (1) S. 1963—Caregivers and Veterans Omnibus Health Services Act; (2) H. Res. 855—Expressing support for designation of May 1 as ''Silver Star Service Banner Day''; (3) H. Res. 1262—Expressing condolences to the families, friends, and loved ones of the victims of the fire at the Tesoro refinery in Anacortes, Washington; (4) H. Con. Res. 255—Commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of Wisconsin; (5) H. Res. 1182—Congratulating Radford University on the 100th anniversary of the university; (6) H. Res. 1239—Commending the University of Connecticut Huskies for their historic win in the 2010 NCAA Division I Women's Basketball Tournament; (7) H.R. 1585—FIT Kids Act; (8) H. Res. 1263—Expressing support for Mathematics Awareness Month; (9) H. Res.—Recognizing the continued importance of volunteerism and national service and commemorating the anniversary of the signing of the landmark service legislation, the Edward M. Kennedy Serve America Act; (10) H. Res. 1216—Congratulating Reverend Daniel P. Coughlin on his tenth year of service as Chaplain of the House of Representatives. Motion to go to conference on H.R. 2194—Comprehensive Iran Sanctions, Accountability, and Divestment Act.

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