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# House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PASTOR of Arizona).

## DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*April 21, 2010.*

I hereby appoint the Honorable ED PASTOR to act as Speaker pro tempore on this day.

NANCY PELOSI,
*Speaker of the House of Representatives.*

## PRAYER

Archbishop Oshagan Choloyan, Armenian Apostolic Church of America, New York, New York, offered the following prayer:

Almighty God, we seek Your grace and wisdom in our lives and in our leaders that they may serve Your people with truth and justice.

Remember Your faithful servants, the Armenian people, who for 95 Aprils have lived with the memory of the genocide of 1½ million of their nation. We pray that such barbarity never again be inflicted upon any of Your creatures. We give thanks for the blessings that You have bestowed upon the remnant of the Armenian people who were welcomed and given new life in the United States of America. We thank You for delivering us from the depths of despair into this land of liberty.

Bless America, the country of greatness and goodness. Renew the values of our American heritage so that America will remain the country of truth, freedom, justice, and peace.

We stand before You and ask this in Your name and for Your glory. Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

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

Mr. DAVIS of Kentucky led the Pledge of Allegiance as follows:

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

## WELCOMING ARCHBISHOP OSHAGAN CHOLOYAN

The SPEAKER pro tempore. Without objection, the gentlewoman from New York (Mrs. MALONEY) is recognized for 1 minute.

There was no objection.

Mrs. MALONEY. Mr. Speaker, as a proud member of the Congressional Caucus on Armenian Issues, and the Representative of a large and vibrant community of Armenian Americans, I rise to welcome His Eminence Archbishop Oshagan Choloyan in his offering of the opening prayer, and join my colleagues this week in the sad commemoration of the Armenian genocide.

On this 95th anniversary of the genocide, I join with a chorus of voices that grows louder with each passing year. We simply will not allow the planned elimination of an entire people to remain in the shadows of history. The Armenian genocide must be acknowledged, studied, and never, ever allowed to happen again.

The archbishop is the head of the Armenian Church in the United States, which is located in my district. As the spiritual shepherd of several hundred thousand Armenian Americans in the Eastern United States, he plays a significant role in the life of the Armenian community. It is a great honor to welcome him today.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

## INTRODUCING HOME HEALTH CARE PLANNING IMPROVEMENT ACT

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

Ms. SCHWARTZ. Seniors who see a nurse practitioner or physician's assistant as their primary care provider face unnecessary delays in receiving necessary home health services. Medicare recognizes that nurse practitioners and physician's assistants diagnose and care for patients, prescribe medications, and order nursing home services for seniors, all in accordance with State law.

But even when State laws explicitly include ordering home health care within the scope of practice for nurse practitioners, as Pennsylvania does, Medicare still requires a physician's signature for referral and payment. That Medicare allows nurse practitioners and PA's to sign the forms to place a senior in a nursing home but not for less expensive home health care just doesn't make sense. This requirement leads to unnecessary and costly delays.

I urge my colleagues to join with me to fix this problem and to ensure that seniors get the care that they need in appropriate and cost efficient settings by cosponsoring my bill, H.R. 4993, the Home Health Care Planning and Improvement Act, and make sure that



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seniors get the care they need in the right setting.

## NATIONAL DAY OF PRAYER RULING

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

Mr. DAVIS of Kentucky. Mr. Speaker, last week U.S. District Judge Barbara Crabb ruled that the National Day of Prayer violates the first amendment to the Constitution despite decades of statute and tradition. This is another disappointing example of activist judges making decisions that fly in the face of the Constitution, violating congressional intent, and the values of our Founders. John Adams declared, ''Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.''

Every year on the first Thursday of May we gather as a people to pray and acknowledge our Nation's need and place before eternity. George Washington said, ''Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness.''

This ruling is not what our Founders intended and does a disservice to our history as a religious Nation. I call on Attorney General Eric Holder to appeal this ruling.

## FINANCIAL REGULATORY REFORM

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

Mr. BACA. We need financial regulatory reform. In 2008, our country witnessed the failure of some of the biggest and most interconnected companies in our economy. Years of greed and irresponsible behavior allowed financial institutions to make casino bets with the money of hardworking American families.

Last year the Financial Services Committee and this Chamber passed a comprehensive set of reforms that will prevent these abuses from happening again. This reform finally put the American consumer over the bottom lines of banks. They will allow shareholders to have a say on the excessive bonuses that many executives receive regardless of performance, and they will end the problems of too big to fail.

The time has come for Members of both Chambers to stop making false accusations in return for political gains. Let's work together and pass financial regulatory reform. It's time for change.

## THE CASE OF JAMIE LEIGH JONES

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

Mr. POE of Texas. Mr. Speaker, Jamie Leigh Jones was a 20-year-old and went to Iraq as a civilian contractor. Here is her story: after being in Iraq just a few days, she said she was drugged and gang raped by fellow employees. She was held hostage in a cargo container for 24 hours without food or water. She was assaulted so badly that later she had to have reconstructive surgery.

She convinced one of the people guarding her to let her borrow a cell phone. She called her dad. Her dad called my office in Texas. With the help of the State Department, we helped immediately to rescue her, and she was quickly brought back to America.

But no one has been held accountable for these crimes. The rape kit and the forensic evidence apparently were compromised by somebody in Iraq. During this Victims' Rights Week, we need to realize that when citizens go to a war zone and serve their country and a crime is committed against them, they should have justice.

People like Jamie Leigh Jones deserve the protection of our law. The long arm of the law should reach in lands far away to hold perpetrators accountable for assaulting fellow Americans in time of war because justice is what we do in this country.

And that's just the way it is.

## WHOSE SIDE ARE WE ON?

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

Mr. KAGEN. Mr. Speaker, all across northeast Wisconsin, everywhere I go people are asking me whose side am I on? Whose side are we on?

Isn't it time we finally began to work together to solve these complex problems, to help rebuild our country, to rebuild our jobs, bring these jobs back home where they belong instead of sending them overseas? Whose side are we really on?

Isn't it time we pursued each and every one of the crooks on Wall Street who took our money? People in Wisconsin want their money back. They want their jobs back. And they are going to be asking the question whose side are we on? Well, let's work together, rebuild our families, our communities, and make certain that any bank, any bank or any investment firm that is too big to fail ceases to exist. Let's break up the big banks on Wall Street.

## IRAN'S MILITARY CAPABILITIES

(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, yesterday the Department of Defense released the Military Power Report on Iran. The report is designed to provide Congress and the White House with an assessment of Iran's current military capabilities and the regime's future military strategy.

The report served as a stark reminder of the military and nuclear realities in the region. Sadly, it is incomplete because it lacked information about funding provided by Iran's military branches and also information about military doctrine. The information that the report does include confirms Iran's efforts to hide its nuclear infrastructure, their support of nuclear terrorist surrogates, and the terrifying investment in a missile that could hit America in less than 5 years.

Now is the time for the administration and Congress to put forward an effective strategy to deal with Iran. It is imperative that both parties work vigilantly with our allies around the world to ensure Iran does not continue down this dangerous road.

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

Congratulations Columbia Mayor-Elect Steve Benjamin and Councilwoman Leona Plaugh, joining Tameika Isaac Devine and Sam Davis.

## CONGRATULATING VILLA MARIA ACADEMY ON THEIR SECOND CONSECUTIVE STATE CHAMPIONSHIP IN BASKETBALL

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

Mrs. DAHLKEMPER. Mr. Speaker, I rise today to congratulate the women of Villa Maria Academy from Erie, Pennsylvania, my hometown, for their extraordinary basketball team on their second straight PIAA Class AA State Basketball Championship.

On March 26, Villa Maria sealed their state championship after defeating York Catholic High School 52–44 at Penn State University. More than 2,000 people filled the stands as the Villa Maria Victors lived up to their name. The team was led by seniors Kayla McBride, Ashley Prischak, Kaylyn Maruca, Cara Wyant, Kelly Ek, and Erica Webber, who all helped secure Villa's back-to-back State championships. Coach Scott Dibble steered this great team to victory and finished the season with a 28–2 record.

As a Villa Maria alum and former basketball player, I am so proud to offer well-deserved congratulations to the Villa Victors on behalf of the U.S. House of Representatives. I can't wait to see next year's three-peat.

## HONORING THE LIFE OF GENERAL MIKOLAJCIK

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

Mr. BROWN of South Carolina. Mr. Speaker, I rise today to honor the life of my good friend, General Thomas Mikolajcik, known to many of his

friends as General Mik, for his lasting commitment to our Nation's military and veterans.

After 27 years of active duty in the Air Force, General Mik returned to Charleston, where he served as chairman of the Charleston Chamber of Commerce's Military Affairs Committee. In 2005, he was diagnosed with ALS. At that time, the disease was not recognized as a service-connected disorder by the VA. Because of the high incidence rate among veterans, General Mik worked tirelessly with me, the entire VA Committee, and General Peake to change VA regulations to make ALS a presumptive disease. He also played an instrumental role in the establishment of the National ALS Registry.

Because of his valiant efforts, no veteran will ever have to fight for disability after they have been diagnosed with ALS. General Mik always put service to our country and his fellow countrymen first, and he will be greatly missed.

## FINANCIAL REGULATORY REFORM

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

Mr. BUTTERFIELD. Mr. Speaker, when I recently visited a restaurant in my rural district, a gentleman approached me to say that he was a Republican and had never voted for a Democrat, but he voted for President Obama. He stated his appreciation that the President was standing up to greed, that he was standing up to Wall Street and corporate America. He felt that corporate greed is among the greatest challenges facing our Nation, and he is absolutely correct.

The first day President Obama took office, the country was at the brink of economic ruin triggered by financial deregulation and banks that pursued reckless investments to produce quick profits. Wall Street was acting more like casinos than banks, taking big gambles, and when they lost, forcing the taxpayers to pay. They got rich, everyone else got squeezed.

Democrats have a solution. Wall Street doesn't like it, but we have a solution. We want transparency, we want accountability, and we will not stop until that happens.

□ 1015

## WE CAN DO BETTER

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

Mr. GINGREY of Georgia. Mr. Speaker, I come to the floor this morning with a simple message: we can do better. Just look around.

What has been accomplished under the Democratic leadership? A takeover of our health care system, otherwise known as ObamaCare, which spends money we don't have, without lowering the cost of health care. A cap-and-tax energy bill which would cost the average American family an additional $3,000 annually for the energy. And, of course, the failed stimulus legislation costing $861 billion that has yet to create a single non-government job, leaving our unemployment rate at an abysmal 9.7 percent.

Now the Senate is considering a permanent bailout for Wall Street, and the President's top economic adviser is pushing for a European-style value added tax on top of our current tax system.

Mr. Speaker, the American people deserve better than they're currently getting, and House Republicans have a commonsense solution that will create jobs, lower the tax burden for American families, and stop spending money that we don't have.

## HONORING EARTH DAY

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

Mrs. CAPPS. Mr. Speaker, this week we celebrate Earth Day. Since its inception following the tragic oil spill off Santa Barbara, Earth Day has become a call to action on behalf of the environment.

As one who represents this coastline, one of the most beautiful and sensitive areas in America, I know that every day is Earth Day. But the important thing about this year's celebration is that it marks a turning point for our Nation. Under Democratic leadership our country is finally poised to begin addressing our longstanding energy issues.

Through the Recovery Act, for example, we've launched a clean energy economy that's creating millions of jobs, reducing our dependence on dirty energy sources, and, through efficiencies, lowering energy costs for American families and businesses.

Now is the time to seize the unprecedented opportunity before us. The clean energy legislation we've passed in this Chamber will be the legacy we leave for our children and our grandchildren. To protect them and all who come after us, we must continue making these smart investments and meet the challenges of the 21st century.

## STOP THE ENDLESS BAILOUTS

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

Mr. PITTS. Mr. Speaker, beginning in the fall of 2008, Congress approved, and the Bush and Obama administrations began to hand out taxpayer money freely to banks and, eventually, auto companies, with little transparency and, in some cases, little hope that the money would be repaid.

Now, the Senate is set to consider legislation that will create a permanent culture of bailouts on Wall Street. The legislation moves us away from sending failed companies into bankruptcy and toward government-managed bailouts. There would be a different set of rules for the largest firms, rules that create a perverse incentive for these companies to take risks, rules that encourage lower rates for the largest firms because of the implicit government guarantee. Ultimately, we would be creating a dozen new Fannies and Freddies, not reforming a broken system of government oversight.

I think the American people have had enough of bailouts. The Dodd bill creates an endless cycle of failure where Wall Street bankers are the only ones who come out ahead. It should be stopped.

## AN INJUSTICE TO AMERICAN WORKERS AND TAXPAYERS

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

Mr. INSLEE. Mr. Speaker, I come to the floor to speak against a significant injustice to both American workers and the American taxpayer, and that is the decision by the Air Force to extend the deadline for offering bids for the Air Force's new imperative tanker, which has allowed an illegally subsidized competitor, the EADS Company, which has now taken advantage of that, to the disadvantage of American workers and the disadvantage of American taxpayers. It is inconceivable to me that we have extended this deadline to allow a competitor to offer a bid that will be illegally subsidized by European governments.

If this travesty is allowed to happen, we could lose thousands of jobs. The taxpayers would have been suffering seeing these illegal subsidies, and a great injustice will have been perpetrated.

This cannot stand. We should continue to fight this grave injustice.

## RESTORING U.S. COMPETITIVENESS

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

Mr. BOUSTANY. Mr. Speaker, our country is on an unsustainable path with trillion-dollar deficits annually, continued massive government spending, and an atmosphere of uncertainty as President Obama and congressional Democrats have enacted $760 million in gross new tax increases since 2009, with more tax increases planned. It's no wonder that unemployment remains stubbornly high and economic growth is sluggish. These policies are a threat to U.S. competitiveness.

We need a commonsense policy to promote growth. We need to cut government spending and adhere to a balanced budget. We need to increase U.S.

exports by implementing the three free trade agreements that we've already negotiated. That way, we show that America keeps its commitments. And we need to lower the corporate tax rate so that our U.S. companies can compete against foreign competitors.

These are commonsense policies that will lead to U.S. competitiveness, job growth, and economic growth.

## BATTLE OF SAN JACINTO DAY

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

Mr. GENE GREEN of Texas. Mr. Speaker, on April 21, 1836, 174 years ago today, Texas forces led by General Sam Houston dealt a decisive blow to General Antonio Lopez de Santa Anna and his oppressive government.

Several weeks after signing the Texas Declaration of Independence in March of 1836, roughly 900 members of the Texan army overpowered a much larger Mexican Army in a surprise attack. Some 700 Mexican soldiers were killed and 730 captured, while nine Texans died.

The Texas army quickly and silently moved toward Santa Anna's camp. They were able to get very close because General Santa Anna was still pleased with his victory at the Alamo and failed to post men to watch the Texans' actions. At close range, the ''Twin Sisters'' drawn by rawhide thongs, were wheeled into position to begin unloading shells at the napping Mexican Army. The cannons were gifts from the people of Cincinnati, Ohio.

Texas soldiers followed the bombardment and yelled and shouted ''Remember the Alamo'' and ''Remember Goliad'' stopping only a few yards from the Mexican solders to open fire in a surprise attack.

The Mexican soldiers were better trained than their Texas opponents. They were caught off guard. It was a bold attack in broad daylight.

Texas General Sam Houston, former Member of this Congress from Tennessee, future President of the Republic of Texas, future U.S. Senator and Governor of Texas, had two horses shot out from under him and was shot and his ankle was shattered.

Santa Anna was captured that day and held prisoner and signed peace treaties to give Texas independence.

The battle is memorialized along the San Jacinto River with a monument in our district in La Porte, Texas. A panel on the side of the monument states: ''Measured by its results, San Jacinto was one of the decisive battles of the world. The freedom of Texas from Mexico won here led to annexation and to the Mexican War, resulting in the acquisition by the United States of the States of Texas, New Mexico, Arizona, Nevada, California, Utah and parts of Colorado, Wyoming, Kansas and Oklahoma. Almost one-third of the present area of the American Nation, nearly one million square miles, changed sovereignty.''

That's what we're commemorating today.

## NATIONAL DAY OF SILENCE

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

Mr. FARR. Mr. Speaker, I rise today in observance of the National Day of Silence. April 16 was the 14th year we've commemorated the National Day of Silence, a time when students across the country remain silent for the whole day to draw attention to discrimination toward their LGBT peers.

Every day students who are lesbian, gay, bisexual and transgendered, as well as those who are perceived to be LGBT, are subjected to harassment, bullying, intimidation and violence. These actions are incredibly harmful to students, and they also damage our educational system.

In addition to supporting the National Day of Silence, I'm also proud to be cosponsor of H.R. 4530, the Student Nondiscrimination Act. This act is necessary because bullying and discrimination are the norm for so many LGBT young people. These youth face unique challenges in their physical and mental health. Last weekend a group of constituents hosted a Queer Youth Health Summit in Santa Cruz, California.

This group also works to identify mental and physical health needs and promote safe and healthy lifestyles for queer and questioning youth in the region. It's unfortunate a summit like this is necessary, but I commend these students for responding so compassionately.

Though many lesbian, gay, bisexual or transgender advocates and their straight allies were silent last Friday, we in Congress should never be. Our job is to speak for those who cannot speak for themselves.

## BRAZILIAN COTTON ISSUE

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

Mr. FLAKE. Mr. Speaker, April 6, 2010, marks the date that our farm subsidies—these are programs that, on a good day, are out of step with reality—took an unprecedented leap into the absurd. On that day the administration hatched an agreement on Brazil trade litigation that includes the U.S. paying Brazil $143.7 million a year for ''technical assistance and capacity building.'' Because our subsidies violate WTO rules, we're now paying millions to subsidize Brazilian agriculture.

Let's think about that for a minute. Our subsidies for U.S. farmers are out of step with the WTO. So what do we do in response? We subsidize our trade partners elsewhere in the world. So your tax dollars are not only going to pay subsidies for U.S. agriculture, but now to pay subsidies for our trade partners in other countries.

We have got to stop this, Mr. Speaker. It's Congress' responsibility to reform our cotton program and our agriculture subsidies.

## WALL STREET REFORM

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

Mr. HARE. Mr. Speaker, I rise today in strong support of Wall Street reform. With 8 million jobs lost at the hands of Wall Street tycoons recklessly gambling on the financial futures of our constituents, enough is enough.

This Democratic Caucus has made great progress in pulling our economy back from the brink of disaster, yet the hard work remains. It's my hope that we, in a bipartisan manner, can see that reforming Wall Street is not a political issue. It is an issue that will shape the financial security of all Americans and prevent future economic disasters.

When we enact this bill, it will end bailouts by helping ensure that taxpayers never again are on the hook for Wall Street's risky decisions. It will protect families' retirement funds, college savings, home and business financial futures from unnecessary risks, protect consumers from predatory lending abuses, fine print and industry gimmicks. It will inject transparency and accountability into the financial system which has run amuck.

Mr. Speaker, I say to opponents of this bill, enough is enough. It's time to vote in favor of Main Street all across this great country and against the Wall Street that has run roughshod over the future of too many American families.

## WE MUST REIN IN WALL STREET BANKS

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

Ms. TITUS. Mr. Speaker, 2 years ago our Nation suffered one of the greatest economic meltdowns in history when the financial markets nearly collapsed and sent the country into the deepest recession in a generation, one that my State of Nevada is still working to pull itself out of.

The hardworking people of southern Nevada have paid a steep price for the greed and dangerous under-regulation of Wall Street that created a foreclosure crisis resulting in far too many families losing their homes. Seniors lost their retirement nest eggs, and parents lost their savings to pay for their children to go to college.

It's time to ensure that the proper safeguards are in place so that we can prevent a crisis of this magnitude in the future. We must rein in Wall Street

banks that gave their executives obscene bonuses while steering our economy into the ditch. We must close regulatory loopholes and strengthen oversight enforcement so that government agencies cannot fall asleep at the wheel.

The House has already passed this important legislation that will permanently end taxpayer bailouts and hold Wall Street accountable. I urge the Senate to do so.

## TAX RELIEF

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

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, while we are beginning to see signs of recovery, hardworking families and small business owners are still contending with the worst economic downturn in decades. Creating jobs and helping to get Arizona back on track remains my top priority.

Washington can serve those goals by providing much needed tax relief for middle class households and entrepreneurs. It will be the American people, not the government alone, who will get our economy moving again. This Congress needs to support them by helping them keep more of their hard-earned money.

That's why I fought for the largest middle class tax cut in American history. According to a report by Citizens for Tax Justice, 99 percent of working Arizonans benefited from that package on tax day, saving an average of over $1,000 each.

Tax relief is putting money back into our local economies, spurring job creation and growth. I am proud to be standing up for this effort every step of the way.

□ 1030

## WALL STREET

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

Mr. ARCURI. Mr. Speaker, I understand that one of the biggest issues facing American families today is the cost of living and our economic future.

I'm disappointed that the health of our Nation's financial institutions has come into question as a result of unscrupulous lending and mortgage practices, preceded by years of inadequate regulation of the financial services industry. Republicans and Democrats alike, for too long, have failed to hold unscrupulous financial institutions accountable, and hardworking families across the country are paying the price.

At the same time, I know that many local banks have not engaged in the risky and irresponsible lending practices that led to the economic meltdown that we saw last year. The House-passed reform bill is about cleaning up that irresponsibility and protecting consumers, not about burdening local banks that play by the rules.

I have witnessed firsthand the valuable impacts that small- and medium-sized community banks make on the daily lives of New York's families, helping them buy their first home, finance their small business, and send their children to college. In these tough economic times, it is critical that Congress hold financial institutions to a higher standard while allowing local banks to continue to be able to invest in their communities.

## HIDTA AWARDS

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

Ms. GIFFORDS. Mr. Speaker, I rise today to pay tribute to the Arizona Region of the National High Intensity Drug Trafficking Area task force, also known as HIDTA. The HIDTA mission is to reduce drug trafficking in the areas of our Nation that are most impacted. This is done through a team effort among Federal, local, and State authorities.

At the recent HIDTA conference here in Washington, D.C., the Arizona HIDTA was honored for its interdiction successes and its financial investigations.

In 2009, the Arizona region completed a 4-year investigation which led to a $93 million settlement with Western Union. And the Southwest Border HIDTA, which includes Arizona, was named the national HIDTA region of the year. The Southwest HIDTA region covers the drug trafficking corridors through which more than 90 percent of the drugs that are brought into this country flow through.

I commend the men and women who carry out these essential and dangerous drug interdiction efforts. Thank you to the service these men and women give to our Nation. Thank you for helping us secure our borders.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

## CAREGIVERS AND VETERANS OMNIBUS HEALTH SERVICES ACT

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1963) to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the amendment is as follows:

Amendment:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Caregivers and Veterans Omnibus Health Services Act of 2010''.

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

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

TITLE I—CAREGIVER SUPPORT

Sec. 101. Assistance and support services for caregivers.
Sec. 102. Medical care for family caregivers.
Sec. 103. Counseling and mental health services for caregivers.
Sec. 104. Lodging and subsistence for attendants.

TITLE II—WOMEN VETERANS HEALTH CARE MATTERS

Sec. 201. Study of barriers for women veterans to health care from the Department of Veterans Affairs.
Sec. 202. Training and certification for mental health care providers of the Department of Veterans Affairs on care for veterans suffering from sexual trauma and post-traumatic stress disorder.
Sec. 203. Pilot program on counseling in retreat settings for women veterans newly separated from service in the Armed Forces.
Sec. 204. Service on certain advisory committees of women recently separated from service in the Armed Forces.
Sec. 205. Pilot program on assistance for child care for certain veterans receiving health care.
Sec. 206. Care for newborn children of women veterans receiving maternity care.

TITLE III—RURAL HEALTH IMPROVEMENTS

Sec. 301. Improvements to the Education Debt Reduction Program.
Sec. 302. Visual impairment and orientation and mobility professionals education assistance program.
Sec. 303. Demonstration projects on alternatives for expanding care for veterans in rural areas.
Sec. 304. Program on readjustment and mental health care services for veterans who served in Operation Enduring Freedom and Operation Iraqi Freedom.
Sec. 305. Travel reimbursement for veterans receiving treatment at facilities of the Department of Veterans Affairs.
Sec. 306. Pilot program on incentives for physicians who assume inpatient responsibilities at community hospitals in health professional shortage areas.
Sec. 307. Grants for veterans service organizations for transportation of highly rural veterans.
Sec. 308. Modification of eligibility for participation in pilot program of enhanced contract care authority for health care needs of certain veterans.

TITLE IV—MENTAL HEALTH CARE MATTERS

Sec. 401. Eligibility of members of the Armed Forces who serve in Operation Enduring Freedom or Operation Iraqi Freedom for counseling and services through Readjustment Counseling Service.

Sec. 402. Restoration of authority of Readjustment Counseling Service to provide referral and other assistance upon request to former members of the Armed Forces not authorized counseling.

Sec. 403. Study on suicides among veterans.

TITLE V—OTHER HEALTH CARE MATTERS

Sec. 501. Repeal of certain annual reporting requirements.

Sec. 502. Submittal date of annual report on Gulf War research.

Sec. 503. Payment for care furnished to CHAMPVA beneficiaries.

Sec. 504. Disclosure of patient treatment information from medical records of patients lacking decision-making capacity.

Sec. 505. Enhancement of quality management.

Sec. 506. Pilot program on use of community-based organizations and local and State government entities to ensure that veterans receive care and benefits for which they are eligible.

Sec. 507. Specialized residential care and rehabilitation for certain veterans.

Sec. 508. Expanded study on the health impact of Project Shipboard Hazard and Defense.

Sec. 509. Use of non-Department facilities for rehabilitation of individuals with traumatic brain injury.

Sec. 510. Pilot program on provision of dental insurance plans to veterans and survivors and dependents of veterans.

Sec. 511. Prohibition on collection of copayments from veterans who are catastrophically disabled.

Sec. 512. Higher priority status for certain veterans who are medal of honor recipients.

Sec. 513. Hospital care, medical services, and nursing home care for certain Vietnam-era veterans exposed to herbicide and veterans of the Persian Gulf War.

Sec. 514. Establishment of Director of Physician Assistant Services in Veterans Health Administration.

Sec. 515. Committee on Care of Veterans with Traumatic Brain Injury.

Sec. 516. Increase in amount available to disabled veterans for improvements and structural alterations furnished as part of home health services.

Sec. 517. Extension of statutorily defined copayments for certain veterans for hospital care and nursing home care.

Sec. 518. Extension of authority to recover cost of certain care and services from disabled veterans with health-plan contracts.

TITLE VI—DEPARTMENT PERSONNEL MATTERS

Sec. 601. Enhancement of authorities for retention of medical professionals.

Sec. 602. Limitations on overtime duty, weekend duty, and alternative work schedules for nurses.

Sec. 603. Reauthorization of health professionals educational assistance scholarship program.

Sec. 604. Loan repayment program for clinical researchers from disadvantaged backgrounds.

TITLE VII—HOMELESS VETERANS MATTERS

Sec. 701. Per diem grant payments to nonconforming entities.

TITLE VIII—NONPROFIT RESEARCH AND EDUCATION CORPORATIONS

Sec. 801. General authorities on establishment of corporations.

Sec. 802. Clarification of purposes of corporations.

Sec. 803. Modification of requirements for boards of directors of corporations.

Sec. 804. Clarification of powers of corporations.

Sec. 805. Redesignation of section 7364A of title 38, United States Code.

Sec. 806. Improved accountability and oversight of corporations.

TITLE IX—CONSTRUCTION AND NAMING MATTERS

Sec. 901. Authorization of medical facility projects.

Sec. 902. Designation of Merril Lundman Department of Veterans Affairs Outpatient Clinic, Havre, Montana.

Sec. 903. Designation of William C. Tallent Department of Veterans Affairs Outpatient Clinic, Knoxville, Tennessee.

Sec. 904. Designation of Max J. Beilke Department of Veterans Affairs Outpatient Clinic, Alexandria, Minnesota.

TITLE X—OTHER MATTERS

Sec. 1001. Expansion of authority for Department of Veterans Affairs police officers.

Sec. 1002. Uniform allowance for Department of Veterans Affairs police officers.

Sec. 1003. Submission of reports to Congress by Secretary of Veterans Affairs in electronic form.

Sec. 1004. Determination of budgetary effects for purposes of compliance with Statutory Pay-As-You-Go-Act of 2010.

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

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

## TITLE I—CAREGIVER SUPPORT

**SEC. 101. ASSISTANCE AND SUPPORT SERVICES FOR CAREGIVERS.**

(a) ASSISTANCE AND SUPPORT SERVICES.—

(1) IN GENERAL.—Subchapter II of chapter 17 is amended by adding at the end the following new section:

**"§ 1720G. Assistance and support services for caregivers**

''(a) PROGRAM OF COMPREHENSIVE ASSISTANCE FOR FAMILY CAREGIVERS.—(1)(A) The Secretary shall establish a program of comprehensive assistance for family caregivers of eligible veterans.

''(B) The Secretary shall only provide support under the program required by subparagraph (A) to a family caregiver of an eligible veteran if the Secretary determines it is in the best interest of the eligible veteran to do so.

''(2) For purposes of this subsection, an eligible veteran is any individual who—

''(A) is a veteran or member of the Armed Forces undergoing medical discharge from the Armed Forces;

''(B) has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001; and

''(C) is in need of personal care services because of—

''(i) an inability to perform one or more activities of daily living;

''(ii) a need for supervision or protection based on symptoms or residuals of neurological or other impairment or injury; or

''(iii) such other matters as the Secretary considers appropriate.

''(3)(A) As part of the program required by paragraph (1), the Secretary shall provide to family caregivers of eligible veterans the following assistance:

''(i) To each family caregiver who is approved as a provider of personal care services for an eligible veteran under paragraph (6)—

''(I) such instruction, preparation, and training as the Secretary considers appropriate for the family caregiver to provide personal care services to the eligible veteran;

''(II) ongoing technical support consisting of information and assistance to address, in a timely manner, the routine, emergency, and specialized caregiving needs of the family caregiver in providing personal care services to the eligible veteran;

''(III) counseling; and

''(IV) lodging and subsistence under section 111(e) of this title.

''(ii) To each family caregiver who is designated as the primary provider of personal care services for an eligible veteran under paragraph (7)—

''(I) the assistance described in clause (i);

''(II) such mental health services as the Secretary determines appropriate;

''(III) respite care of not less than 30 days annually, including 24-hour per day care of the veteran commensurate with the care provided by the family caregiver to permit extended respite;

''(IV) medical care under section 1781 of this title; and

''(V) a monthly personal caregiver stipend.

''(B) Respite care provided under subparagraph (A)(ii)(III) shall be medically and age-appropriate and include in-home care.

''(C)(i) The amount of the monthly personal caregiver stipend provided under subparagraph (A)(ii)(V) shall be determined in accordance with a schedule established by the Secretary that specifies stipends based upon the amount and degree of personal care services provided.

''(ii) The Secretary shall ensure, to the extent practicable, that the schedule required by clause (i) specifies that the amount of the monthly personal caregiver stipend provided to a primary provider of personal care services for the provision of personal care services to an eligible veteran is not less than the monthly amount a commercial home health care entity would pay an individual in the geographic area of the eligible veteran to provide equivalent personal care services to the eligible veteran.

''(iii) If personal care services are not available from a commercial home health entity in the geographic area of an eligible veteran, the amount of the monthly personal caregiver stipend payable under the schedule required by clause (i) with respect to the eligible veteran shall be determined by taking into consideration the costs of commercial providers of personal care services in providing personal care services in geographic areas other than the geographic area of the eligible veteran with similar costs of living.

''(4) An eligible veteran and a family member of the eligible veteran seeking to participate in the program required by paragraph (1) shall jointly submit to the Secretary an application therefor in such form and in such manner as the Secretary considers appropriate.

''(5) For each application submitted jointly by an eligible veteran and family member, the Secretary shall evaluate—

''(A) the eligible veteran—

''(i) to identify the personal care services required by the eligible veteran; and

''(ii) to determine whether such requirements could be significantly or substantially satisfied through the provision of personal care services from a family member; and

''(B) the family member to determine the amount of instruction, preparation, and training, if any, the family member requires to provide the personal care services required by the eligible veteran—

''(i) as a provider of personal care services for the eligible veteran; and

''(ii) as the primary provider of personal care services for the eligible veteran.

''(6)(A) The Secretary shall provide each family member of an eligible veteran who makes a joint application under paragraph (4) the instruction, preparation, and training determined to be required by such family member under paragraph (5)(B).

''(B) Upon the successful completion by a family member of an eligible veteran of instruction, preparation, and training under subparagraph (A), the Secretary shall approve the family member as a provider of personal care services for the eligible veteran.

''(C) The Secretary shall, subject to regulations the Secretary shall prescribe, provide for necessary travel, lodging, and per diem expenses incurred by a family member of an eligible veteran in undergoing instruction, preparation, and training under subparagraph (A).

''(D) If the participation of a family member of an eligible veteran in instruction, preparation, and training under subparagraph (A) would interfere with the provision of personal care services to the eligible veteran, the Secretary shall, subject to regulations as the Secretary shall prescribe and in consultation with the veteran, provide respite care to the eligible veteran during the provision of such instruction, preparation, and training to the family member so that the family member can participate in such instruction, preparation, and training without interfering with the provision of such services to the eligible veteran.

''(7)(A) For each eligible veteran with at least one family member who is described by subparagraph (B), the Secretary shall designate one family member of such eligible veteran as the primary provider of personal care services for such eligible veteran.

''(B) A primary provider of personal care services designated for an eligible veteran under subparagraph (A) shall be selected from among family members of the eligible veteran who—

''(i) are approved under paragraph (6) as a provider of personal care services for the eligible veteran;

''(ii) elect to provide the personal care services to the eligible veteran that the Secretary determines the eligible veteran requires under paragraph (5)(A)(i);

''(iii) has the consent of the eligible veteran to be the primary provider of personal care services for the eligible veteran; and

''(iv) are considered by the Secretary as competent to be the primary provider of personal care services for the eligible veteran.

''(C) An eligible veteran receiving personal care services from a family member designated as the primary provider of personal care services for the eligible veteran under subparagraph (A) may, in accordance with procedures the Secretary shall establish for such purposes, revoke consent with respect to such family member under subparagraph (B)(iii).

''(D) If a family member designated as the primary provider of personal care services for an eligible veteran under subparagraph (A) subsequently fails to meet any requirement set forth in subparagraph (B), the Secretary—

''(i) shall immediately revoke the family member's designation under subparagraph (A); and

''(ii) may designate, in consultation with the eligible veteran, a new primary provider of personal care services for the eligible veteran under such subparagraph.

''(E) The Secretary shall take such actions as may be necessary to ensure that the revocation of a designation under subparagraph (A) with respect to an eligible veteran does not interfere with the provision of personal care services required by the eligible veteran.

''(8) If an eligible veteran lacks the capacity to make a decision under this subsection, the Secretary may, in accordance with regulations and policies of the Department regarding appointment of guardians or the use of powers of attorney, appoint a surrogate for the eligible veteran who may make decisions and take action under this subsection on behalf of the eligible veteran.

''(9)(A) The Secretary shall monitor the well-being of each eligible veteran receiving personal care services under the program required by paragraph (1).

''(B) The Secretary shall document each finding the Secretary considers pertinent to the appropriate delivery of personal care services to an eligible veteran under the program.

''(C) The Secretary shall establish procedures to ensure appropriate follow-up regarding findings described in subparagraph (B). Such procedures may include the following:

''(i) Visiting an eligible veteran in the eligible veteran's home to review directly the quality of personal care services provided to the eligible veteran.

''(ii) Taking such corrective action with respect to the findings of any review of the quality of personal care services provided an eligible veteran as the Secretary considers appropriate, which may include—

''(I) providing additional training to a family caregiver; and

''(II) suspending or revoking the approval of a family caregiver under paragraph (6) or the designation of a family caregiver under paragraph (7).

''(10) The Secretary shall carry out outreach to inform eligible veterans and family members of eligible veterans of the program required by paragraph (1) and the benefits of participating in the program.

''(b) PROGRAM OF GENERAL CAREGIVER SUPPORT SERVICES.—(1) The Secretary shall establish a program of support services for caregivers of covered veterans who are enrolled in the health care system established under section 1705(a) of this title (including caregivers who do not reside with such veterans).

''(2) For purposes of this subsection, a covered veteran is any individual who needs personal care services because of—

''(A) an inability to perform one or more activities of daily living;

''(B) a need for supervision or protection based on symptoms or residuals of neurological or other impairment or injury; or

''(C) such other matters as the Secretary shall specify.

''(3)(A) The support services furnished to caregivers of covered veterans under the program required by paragraph (1) shall include the following:

''(i) Services regarding the administering of personal care services, which, subject to subparagraph (B), shall include—

''(I) educational sessions made available both in person and on an Internet website;

''(II) use of telehealth and other available technologies; and

''(III) teaching techniques, strategies, and skills for caring for a disabled veteran;

''(ii) Counseling and other services under section 1782 of this title.

''(iii) Respite care under section 1720B of this title that is medically and age appropriate for the veteran (including 24-hour per day in-home care).

''(iv) Information concerning the supportive services available to caregivers under this subsection and other public, private, and nonprofit agencies that offer support to caregivers.

''(B) If the Secretary certifies to the Committees on Veterans' Affairs of the Senate and the House of Representatives that funding available for a fiscal year is insufficient to fund the provision of services specified in one or more subclauses of subparagraph (A)(i), the Secretary shall not be required under subparagraph (A) to provide the services so specified in the certification during the period beginning on the date that is 180 days after the date the certification is received by the Committees and ending on the last day of the fiscal year.

''(4) In providing information under paragraph (3)(A)(iv), the Secretary shall collaborate with the Assistant Secretary for Aging of the Department of Health and Human Services in order to provide caregivers access to aging and disability resource centers under the Administration on Aging of the Department of Health and Human Services.

''(5) In carrying out the program required by paragraph (1), the Secretary shall conduct outreach to inform covered veterans and caregivers of covered veterans about the program. The outreach shall include an emphasis on covered veterans and caregivers of covered veterans living in rural areas.

''(c) CONSTRUCTION.—(1) A decision by the Secretary under this section affecting the furnishing of assistance or support shall be considered a medical determination.

''(2) Nothing in this section shall be construed to create—

''(A) an employment relationship between the Secretary and an individual in receipt of assistance or support under this section; or

''(B) any entitlement to any assistance or support provided under this section.

''(d) DEFINITIONS.—In this section:

''(1) The term 'caregiver', with respect to an eligible veteran under subsection (a) or a covered veteran under subsection (b), means an individual who provides personal care services to the veteran.

''(2) The term 'family caregiver', with respect to an eligible veteran under subsection (a), means a family member who is a caregiver of the veteran.

''(3) The term 'family member', with respect to an eligible veteran under subsection (a), means an individual who—

''(A) is a member of the family of the veteran, including—

''(i) a parent;

''(ii) a spouse;

''(iii) a child;

''(iv) a step-family member; and

''(v) an extended family member; or

''(B) lives with the veteran but is not a member of the family of the veteran.

''(4) The term 'personal care services', with respect to an eligible veteran under subsection (a) or a covered veteran under subsection (b), means services that provide the veteran the following:

''(A) Assistance with one or more independent activities of daily living.

''(B) Any other non-institutional extended care (as such term is used in section 1701(6)(E) of this title).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the programs required by subsections (a) and (b)—

''(1) $60,000,000 for fiscal year 2010; and

''(2) $1,542,000,000 for the period of fiscal years 2011 through 2015.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by inserting after the item related to section 1720F the following new item:

''1720G. Assistance and support services for caregivers.''.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this subsection shall take effect on the date that is 270 days after the date of the enactment of this Act.

(B) IMPLEMENTATION.—The Secretary of Veterans Affairs shall commence the programs required by subsections (a) and (b) of section 1720G of title 38, United States Code, as added by paragraph (1) of this subsection, on the date on which the amendments made by this subsection take effect.

(b) IMPLEMENTATION PLAN AND REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) develop a plan for the implementation of the program of comprehensive assistance for family caregivers required by section 1720G(a)(1) of title 38, United States Code, as added by subsection (a)(1) of this section; and

(B) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on such plan.

(2) CONSULTATION.—In developing the plan required by paragraph (1)(A), the Secretary shall consult with the following:

(A) Individuals described in section 1720G(a)(2) of title 38, United States Code, as added by subsection (a)(1) of this section.

(B) Family members of such individuals who provide personal care services to such individuals.

(C) The Secretary of Defense with respect to matters concerning personal care services for members of the Armed Forces undergoing medical discharge from the Armed Forces who are eligible to benefit from personal care services furnished under the program of comprehensive assistance required by section 1720G(a)(1) of such title, as so added.

(D) Veterans service organizations, as recognized by the Secretary for the representation of veterans under section 5902 of such title.

(E) National organizations that specialize in the provision of assistance to individuals with the types of disabilities that family caregivers will encounter while providing personal care services under the program of comprehensive assistance required by section 1720G(a)(1) of such title, as so added.

(F) National organizations that specialize in provision of assistance to family members of veterans who provide personal care services to such veterans.

(G) Such other organizations with an interest in the provision of care to veterans and assistance to family caregivers as the Secretary considers appropriate.

(3) REPORT CONTENTS.—The report required by paragraph (1)(B) shall contain the following:

(A) The plan required by paragraph (1)(A).

(B) A description of the individuals, caregivers, and organizations consulted by the Secretary of Veterans Affairs under paragraph (2).

(C) A description of such consultations.

(D) The recommendations of such individuals, caregivers, and organizations, if any, that were not adopted and incorporated into the plan required by paragraph (1)(A), and the reasons the Secretary did not adopt such recommendations.

(c) ANNUAL EVALUATION REPORT.—

(1) IN GENERAL.—Not later than two years after the date described in subsection (a)(3)(A) and annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a comprehensive report on the implementation of section 1720G of title 38, United States Code, as added by subsection (a)(1).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) With respect to the program of comprehensive assistance for family caregivers required by subsection (a)(1) of such section 1720G and the program of general caregiver support services required by subsection (b)(1) of such section—

(i) the number of caregivers that received assistance under such programs;

(ii) the cost to the Department of providing assistance under such programs;

(iii) a description of the outcomes achieved by, and any measurable benefits of, carrying out such programs;

(iv) an assessment of the effectiveness and the efficiency of the implementation of such programs; and

(v) such recommendations, including recommendations for legislative or administrative action, as the Secretary considers appropriate in light of carrying out such programs.

(B) With respect to the program of comprehensive assistance for family caregivers required by such subsection (a)(1)—

(i) a description of the outreach activities carried out by the Secretary under such program; and

(ii) an assessment of the manner in which resources are expended by the Secretary under such program, particularly with respect to the provision of monthly personal caregiver stipends under paragraph (3)(A)(ii)(v) of such subsection (a).

(C) With respect to the provision of general caregiver support services required by such subsection (b)(1)—

(i) a summary of the support services made available under the program;

(ii) the number of caregivers who received support services under the program;

(iii) the cost to the Department of providing each support service provided under the program; and

(iv) such other information as the Secretary considers appropriate.

(d) REPORT ON EXPANSION OF FAMILY CAREGIVER ASSISTANCE.—

(1) IN GENERAL.—Not later than two years after the date described in subsection (a)(3)(A), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the feasibility and advisability of expanding the provision of assistance under section 1720G(a) of title 38, United States Code, as added by subsection (a)(1), to family caregivers of veterans who have a serious injury incurred or aggravated in the line of duty in the active military, naval, or air service before September 11, 2001.

(2) RECOMMENDATIONS.—The report required by paragraph (1) shall include such recommendations as the Secretary considers appropriate with respect to the expansion described in such paragraph.

**SEC. 102. MEDICAL CARE FOR FAMILY CAREGIVERS.**

Section 1781(a) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by inserting ''and'' at the end; and

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

''(4) an individual designated as a primary provider of personal care services under section 1720G(a)(7)(A) of this title who is not entitled to care or services under a health-plan contract (as defined in section 1725(f) of this title),''.

**SEC. 103. COUNSELING AND MENTAL HEALTH SERVICES FOR CAREGIVERS.**

(a) IN GENERAL.—Section 1782(c) is amended—

(1) in paragraph (1), by striking ''; or'' and inserting a semicolon;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) a family caregiver of an eligible veteran or a caregiver of a covered veteran (as those terms are defined in section 1720G of this title); or''.

(b) CONFORMING AMENDMENT.—The section heading of section 1782 is amended by adding at the end, the following: ''**and caregivers**''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by striking the item relating to section 1782 and inserting the following new item:

''1782. Counseling, training, and mental health services for immediate family members and caregivers.''.

**SEC. 104. LODGING AND SUBSISTENCE FOR ATTENDANTS.**

Section 111(e) is amended—

(1) by striking ''When'' and inserting the following: ''(1) Except as provided in paragraph (2), when''; and

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

''(2)(A) Without regard to whether an eligible veteran entitled to mileage under this section for travel to a Department facility for the purpose of medical examination, treatment, or care requires an attendant in order to perform such travel, an attendant of such veteran described in subparagraph (B) may be allowed expenses of travel (including lodging and subsistence) upon the same basis as such veteran during—

''(i) the period of time in which such veteran is traveling to and from a Department facility for the purpose of medical examination, treatment, or care; and

''(ii) the duration of the medical examination, treatment, or care episode for such veteran.

''(B) An attendant of a veteran described in this subparagraph is a provider of personal care services for such veteran who is approved under paragraph (6) of section 1720G(a) of this title or designated under paragraph (7) of such section 1720G(a).

''(C) The Secretary may prescribe regulations to carry out this paragraph. Such regulations may include provisions—

''(i) to limit the number of attendants that may receive expenses of travel under this paragraph for a single medical examination, treatment, or care episode of an eligible veteran; and

''(ii) to require such attendants to use certain travel services.

''(D) In this subsection, the term 'eligible veteran' has the meaning given that term in section 1720G(a)(2) of this title.''.

## TITLE II—WOMEN VETERANS HEALTH CARE MATTERS

**SEC. 201. STUDY OF BARRIERS FOR WOMEN VETERANS TO HEALTH CARE FROM THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) STUDY REQUIRED.—The Secretary of Veterans Affairs shall conduct a comprehensive study of the barriers to the provision of comprehensive health care by the Department of Veterans Affairs encountered by women who are veterans. In conducting the study, the Secretary shall—

(1) survey women veterans who seek or receive hospital care or medical services provided by the Department of Veterans Affairs as well as women veterans who do not seek or receive such care or services;

(2) administer the survey to a representative sample of women veterans from each Veterans Integrated Service Network; and

(3) ensure that the sample of women veterans surveyed is of sufficient size for the study results to be statistically significant and is a larger sample than that of the study referred to in subsection (b).

(b) USE OF PREVIOUS STUDY.—In conducting the study required by subsection (a), the Secretary shall build on the work of the study of the Department of Veterans Affairs titled ''National Survey of Women Veterans in Fiscal Year 2007–2008''.

(c) ELEMENTS OF STUDY.—In conducting the study required by subsection (a), the Secretary shall conduct research on the effects of the following on the women veterans surveyed in the study:

(1) The perceived stigma associated with seeking mental health care services.

(2) The effect of driving distance or availability of other forms of transportation to the nearest medical facility on access to care.

(3) The availability of child care.

(4) The acceptability of integrated primary care, women's health clinics, or both.

(5) The comprehension of eligibility requirements for, and the scope of services available under, hospital care and medical services.

(6) The perception of personal safety and comfort in inpatient, outpatient, and behavioral health facilities.

(7) The gender sensitivity of health care providers and staff to issues that particularly affect women.

(8) The effectiveness of outreach for health care services available to women veterans.

(9) The location and operating hours of health care facilities that provide services to women veterans.

(10) Such other significant barriers as the Secretary considers appropriate.

(d) DISCHARGE BY CONTRACT.—The Secretary shall enter into a contract with a qualified independent entity or organization to carry out the study and research required under this section.

(e) MANDATORY REVIEW OF DATA BY CERTAIN DEPARTMENT DIVISIONS.—

(1) IN GENERAL.—The Secretary shall ensure that the head of each division of the Department of Veterans Affairs specified in paragraph (2) reviews the results of the study conducted under this section. The head of each such division shall submit findings with respect to the study to the Under Secretary for Health and to other pertinent program offices within the Department of Veterans Affairs with responsibilities relating to health care services for women veterans.

(2) SPECIFIED DIVISIONS.—The divisions of the Department of Veterans Affairs specified in this paragraph are the following:

(A) The Center for Women Veterans established under section 318 of title 38, United States Code.

(B) The Advisory Committee on Women Veterans established under section 542 of such title.

(f) REPORTS.—

(1) REPORT ON IMPLEMENTATION.—Not later than six months after the date on which the Department of Veterans Affairs publishes a final report on the study titled ''National Survey of Women Veterans in Fiscal Year 2007–2008'', the Secretary shall submit to Congress a report on the status of the implementation of this section.

(2) REPORT ON STUDY.—Not later than 30 months after the date on which the Department publishes such final report, the Secretary shall submit to Congress a report on the study required under this section. The report shall include recommendations for such administrative and legislative action as the Secretary considers appropriate. The report shall also include the findings of the head of each division of the Department specified under subsection (e)(2) and of the Under Secretary for Health.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs $4,000,000 to carry out this section.

**SEC. 202. TRAINING AND CERTIFICATION FOR MENTAL HEALTH CARE PROVIDERS OF THE DEPARTMENT OF VETERANS AFFAIRS ON CARE FOR VETERANS SUFFERING FROM SEXUAL TRAUMA AND POST-TRAUMATIC STRESS DISORDER.**

Section 1720D is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

''(d)(1) The Secretary shall carry out a program to provide graduate medical education, training, certification, and continuing medical education for mental health professionals who provide counseling, care, and services under subsection (a).

''(2) In carrying out the program required by paragraph (1), the Secretary shall ensure that—

''(A) all mental health professionals described in such paragraph have been trained in a consistent manner; and

''(B) training described in such paragraph includes principles of evidence-based treatment and care for sexual trauma and post-traumatic stress disorder.

''(e) Each year, the Secretary shall submit to Congress an annual report on the counseling, care, and services provided to veterans pursuant to this section. Each report shall include data for the year covered by the report with respect to each of the following:

''(1) The number of mental health professionals, graduate medical education trainees, and primary care providers who have been certified under the program required by subsection (d) and the amount and nature of continuing medical education provided under such program to such professionals, trainees, and providers who are so certified.

''(2) The number of women veterans who received counseling and care and services under subsection (a) from professionals and providers who received training under subsection (d).

''(3) The number of graduate medical education, training, certification, and continuing medical education courses provided by reason of subsection (d).

''(4) The number of trained full-time equivalent employees required in each facility of the Department to meet the needs of veterans requiring treatment and care for sexual trauma and post-traumatic stress disorder.

''(5) Such recommendations for improvements in the treatment of women veterans with sexual trauma and post-traumatic stress disorder as the Secretary considers appropriate.

''(6) Such other information as the Secretary considers appropriate.''.

**SEC. 203. PILOT PROGRAM ON COUNSELING IN RETREAT SETTINGS FOR WOMEN VETERANS NEWLY SEPARATED FROM SERVICE IN THE ARMED FORCES.**

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out, through the Readjustment Counseling Service of the Veterans Health Administration, a pilot program to evaluate the feasibility and advisability of providing reintegration and readjustment services described in subsection (b) in group retreat settings to women veterans who are recently separated from service in the Armed Forces after a prolonged deployment.

(2) PARTICIPATION AT ELECTION OF VETERAN.—The participation of a veteran in the pilot program under this section shall be at the election of the veteran.

(b) COVERED SERVICES.—The services provided to a woman veteran under the pilot program shall include the following:

(1) Information on reintegration into the veteran's family, employment, and community.

(2) Financial counseling.

(3) Occupational counseling.

(4) Information and counseling on stress reduction.

(5) Information and counseling on conflict resolution.

(6) Such other information and counseling as the Secretary considers appropriate to assist a woman veteran under the pilot program in reintegration into the veteran's family, employment, and community.

(c) LOCATIONS.—The Secretary shall carry out the pilot program at not fewer than three locations selected by the Secretary for purposes of the pilot program.

(d) DURATION.—The pilot program shall be carried out during the two-year period beginning on the date of the commencement of the pilot program.

(e) REPORT.—Not later than 180 days after the completion of the pilot program, the Secretary shall submit to Congress a report on the pilot program. The report shall contain the findings and conclusions of the Secretary as a result of the pilot program, and shall include such recommendations for the continuation or expansion of the pilot program as the Secretary considers appropriate.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs for each of fiscal years 2010 and 2011, $2,000,000 to carry out the pilot program.

**SEC. 204. SERVICE ON CERTAIN ADVISORY COMMITTEES OF WOMEN RECENTLY SEPARATED FROM SERVICE IN THE ARMED FORCES.**

(a) ADVISORY COMMITTEE ON WOMEN VETERANS.—Section 542(a)(2)(A) is amended—

(1) in clause (ii), by striking ''and'' at the end;

(2) in clause (iii), by striking the period at the end and inserting ''; and''; and

(3) by inserting after clause (iii) the following new clause:

''(iv) women veterans who are recently separated from service in the Armed Forces.''.

(b) ADVISORY COMMITTEE ON MINORITY VETERANS.—Section 544(a)(2)(A) is amended—

(1) in clause (iii), by striking ''and'' at the end;

(2) in clause (iv), by striking the period at the end and inserting ''; and''; and

(3) by inserting after clause (iv) the following new clause:

''(v) women veterans who are minority group members and are recently separated from service in the Armed Forces.''.

(c) APPLICABILITY.—The amendments made by this section shall apply to appointments made on or after the date of the enactment of this Act.

**SEC. 205. PILOT PROGRAM ON ASSISTANCE FOR CHILD CARE FOR CERTAIN VETERANS RECEIVING HEALTH CARE.**

(a) PILOT PROGRAM REQUIRED.—The Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of providing, subject to subsection (b), assistance to qualified veterans described in subsection (c) to obtain child care so that such veterans can receive health care services described in subsection (c).

(b) LIMITATION ON PERIOD OF PAYMENTS.—Assistance may only be provided to a qualified veteran under the pilot program for receipt of child care during the period that the qualified veteran—

(1) receives the types of health care services described in subsection (c) at a facility of the Department; and

(2) requires travel to and return from such facility for the receipt of such health care services.

(c) QUALIFIED VETERANS.—For purposes of this section, a qualified veteran is a veteran who is—

(1) the primary caretaker of a child or children; and

(2)(A) receiving from the Department—

(i) regular mental health care services;

(ii) intensive mental health care services; or

(iii) such other intensive health care services that the Secretary determines that provision of assistance to the veteran to obtain child care would improve access to such health care services by the veteran; or

(B) in need of regular or intensive mental health care services from the Department, and but for lack of child care services, would receive such health care services from the Department.

(d) LOCATIONS.—The Secretary shall carry out the pilot program in no fewer than three Veterans Integrated Service Networks selected by the Secretary for purposes of the pilot program.

(e) DURATION.—The pilot program shall be carried out during the two-year period beginning on the date of the commencement of the pilot program.

(f) FORMS OF CHILD CARE ASSISTANCE.—

(1) IN GENERAL.—Child care assistance under this section may include the following:

(A) Stipends for the payment of child care offered by licensed child care centers (either directly or through a voucher program) which shall be, to the extent practicable, modeled after the Department of Veterans Affairs Child Care Subsidy Program established pursuant to section 630 of the Treasury and General Government Appropriations Act, 2002 (Public Law 107–67; 115 Stat. 552).

(B) Direct provision of child care at an on-site facility of the Department of Veterans Affairs.

(C) Payments to private child care agencies.

(D) Collaboration with facilities or programs of other Federal departments or agencies.

(E) Such other forms of assistance as the Secretary considers appropriate.

(2) AMOUNTS OF STIPENDS.—In the case that child care assistance under this section is provided as a stipend under paragraph (1)(A), such stipend shall cover the full cost of such child care.

(g) REPORT.—Not later than six months after the completion of the pilot program, the Secretary shall submit to Congress a report on the pilot program. The report shall include the findings and conclusions of the Secretary as a result of the pilot program, and shall include such recommendations for the continuation or expansion of the pilot program as the Secretary considers appropriate.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs to carry out the pilot program $1,500,000 for each of fiscal years 2010 and 2011.

**SEC. 206. CARE FOR NEWBORN CHILDREN OF WOMEN VETERANS RECEIVING MATERNITY CARE.**

(a) IN GENERAL.—Subchapter VIII of chapter 17 is amended by adding at the end the following new section:

**''§ 1786. Care for newborn children of women veterans receiving maternity care**

''(a) IN GENERAL.—The Secretary may furnish health care services described in subsection (b) to a newborn child of a woman veteran who is receiving maternity care furnished by the Department for not more than seven days after the birth of the child if the veteran delivered the child in—

''(1) a facility of the Department; or

''(2) another facility pursuant to a Department contract for services relating to such delivery.

''(b) COVERED HEALTH CARE SERVICES.—Health care services described in this subsection are all post-delivery care services, including routine care services, that a newborn child requires.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by inserting after the item relating to section 1785 the following new item:

''1786. Care for newborn children of women veterans receiving maternity care.''.

## TITLE III—RURAL HEALTH IMPROVEMENTS

**SEC. 301. IMPROVEMENTS TO THE EDUCATION DEBT REDUCTION PROGRAM.**

(a) INCLUSION OF EMPLOYEE RETENTION AS PURPOSE OF PROGRAM.—Section 7681(a)(2) is amended by inserting ''and retention'' after ''recruitment'' the first time it appears.

(b) EXPANSION OF ELIGIBILITY.—Section 7682 is amended—

(1) in subsection (a)(1), by striking ''a recently appointed'' and inserting ''an''; and

(2) by striking subsection (c).

(c) INCREASE IN MAXIMUM ANNUAL AMOUNT OF PAYMENTS.—Paragraph (1) of subsection (d) of section 7683 is amended—

(1) by striking ''$44,000'' and inserting ''$60,000''; and

(2) by striking ''$10,000'' and inserting ''$12,000''.

(d) EXCEPTION TO LIMITATION ON AMOUNT FOR CERTAIN PARTICIPANTS.—Such subsection is further amended by adding at the end the following new paragraph:

''(3)(A) The Secretary may waive the limitations under paragraphs (1) and (2) in the case of a participant described in subparagraph (B). In the case of such a waiver, the total amount of education debt repayments payable to that participant is the total amount of the principal and the interest on the participant's loans referred to in subsection (a).

''(B) A participant described in this subparagraph is a participant in the Program who the Secretary determines serves in a position for which there is a shortage of qualified employees by reason of either the location or the requirements of the position.''.

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

(a) ESTABLISHMENT OF PROGRAM.—Part V is amended by inserting after chapter 74 the following new chapter:

**''CHAPTER 75—VISUAL IMPAIRMENT AND ORIENTATION AND MOBILITY PROFESSIONALS EDUCATIONAL ASSISTANCE PROGRAM**

''Sec.
''7501. Establishment of scholarship program; purpose.
''7502. Application and acceptance.
''7503. Amount of assistance; duration.
''7504. Agreement.
''7505. Repayment for failure to satisfy requirements of agreement.

**''§ 7501. Establishment of scholarship program; purpose**

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

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

''(2) enter into an agreement with the Secretary as described in section 7504 of this title.

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

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

**''§ 7502. Application and acceptance**

''(a) APPLICATION.—(1) To apply and participate in the scholarship program under this chapter, an individual shall submit to the Secretary an application for such participation together with an agreement described in section 7504 of this title under which the participant agrees to serve a period of obligated service in the Department as provided in the agreement in return for payment of educational assistance as provided in the agreement.

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

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

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

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

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

**''§ 7503. Amount of assistance; duration**

''(a) AMOUNT OF ASSISTANCE.—The amount of the financial assistance provided an individual under the scholarship program under this chapter shall be the amount determined by the Secretary as being necessary to pay the tuition and fees of the individual. In the case of an individual enrolled in a program of study leading to a dual degree or certification in both the areas of study described in section 7501(a)(1) of this title, the tuition and

fees shall not exceed the amounts necessary for the minimum number of credit hours to achieve such dual degree or certification.

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

''(c) MAXIMUM AMOUNT OF ASSISTANCE.—(1) The total amount of assistance provided under the scholarship program for an academic year to an individual who is a full-time student may not exceed $15,000.

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

''(3) The total amount of assistance provided to an individual under the scholarship program may not exceed $45,000.

''(d) MAXIMUM DURATION OF ASSISTANCE.—Financial assistance may not be provided to an individual under the scholarship program for more than six academic years.

**''§ 7504. Agreement**

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

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

''(2) the participant's agreement—

''(A) to accept such financial assistance;

''(B) to maintain enrollment and attendance in the program of study described in section 7501(a)(1) of this title;

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

''(D) after completion of the program, to serve as a full-time employee in the Department for a period of three years, to be served within the first six years after the participant has completed such program and received a degree or certificate described in section 7501(a)(1) of this title; and

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

**''§ 7505. Repayment for failure to satisfy requirements of agreement**

''(a) IN GENERAL.—An individual who receives educational assistance under the scholarship program under this chapter shall repay to the Secretary an amount equal to the unearned portion of such assistance if the individual fails to satisfy the requirements of the agreement entered into under section 7504 of this title, except in circumstances authorized by the Secretary.

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

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

''(1) noncompliance by the individual is due to circumstances beyond the control of the individual; or

''(2) the Secretary determines that the waiver or suspension of compliance is in the best interest of the United States.

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

(b) CLERICAL AMENDMENTS.—The tables of chapters at the beginning of title 38, and of part V, are each amended by inserting after the item relating to chapter 74 the following new item:

''75. Visual Impairment and Orientation and Mobility Professionals Educational Assistance Program 7501''.

(c) IMPLEMENTATION.—The Secretary of Veterans Affairs shall implement chapter 75 of title 38, United States Code, as added by subsection (a), not later than six months after the date of the enactment of this Act.

**SEC. 303. DEMONSTRATION PROJECTS ON ALTERNATIVES FOR EXPANDING CARE FOR VETERANS IN RURAL AREAS.**

(a) IN GENERAL.—The Secretary of Veterans Affairs may, through the Director of the Office of Rural Health, carry out demonstration projects to examine the feasibility and advisability of alternatives for expanding care for veterans in rural areas, which may include the following:

(1) Establishing a partnership between the Department of Veterans Affairs and the Centers for Medicare and Medicaid Services of the Department of Health and Human Services to coordinate care for veterans in rural areas at critical access hospitals (as designated or certified under section 1820 of the Social Security Act (42 U.S.C. 1395i–4)).

(2) Establishing a partnership between the Department of Veterans Affairs and the Department of Health and Human Services to coordinate care for veterans in rural areas at community health centers.

(3) Expanding coordination between the Department of Veterans Affairs and the Indian Health Service to expand care for Indian veterans.

(b) GEOGRAPHIC DISTRIBUTION.—The Secretary shall ensure that the demonstration projects carried out under subsection (a) are located at facilities that are geographically distributed throughout the United States.

(c) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit a report on the results of the demonstration projects carried out under subsection (a) to—

(1) the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2010 and each fiscal year thereafter.

**SEC. 304. PROGRAM ON READJUSTMENT AND MENTAL HEALTH CARE SERVICES FOR VETERANS WHO SERVED IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM.**

(a) PROGRAM REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a program to provide—

(1) to veterans of Operation Enduring Freedom and Operation Iraqi Freedom, particularly veterans who served in such operations while in the National Guard and the Reserves—

(A) peer outreach services;

(B) peer support services;

(C) readjustment counseling and services described in section 1712A of title 38, United States Code; and

(D) mental health services; and

(2) to members of the immediate family of veterans described in paragraph (1), during the three-year period beginning on the date of the return of such veterans from deployment in Operation Enduring Freedom or Operation Iraqi Freedom, education, support, counseling, and mental health services to assist in—

(A) the readjustment of such veterans to civilian life;

(B) in the case such veterans have an injury or illness incurred during such deployment, the recovery of such veterans from such injury or illness; and

(C) the readjustment of the family following the return of such veterans.

(b) CONTRACTS WITH COMMUNITY MENTAL HEALTH CENTERS AND OTHER QUALIFIED ENTITIES.—In carrying out the program required by subsection (a), the Secretary may contract with community mental health centers and other qualified entities to provide the services required by such subsection only in areas the Secretary determines are not adequately served by other health care facilities or vet centers of the Department of Veterans Affairs. Such contracts shall require each contracting community health center or entity—

(1) to the extent practicable, to use telehealth services for the delivery of services required by subsection (a);

(2) to the extent practicable, to employ veterans trained under subsection (c) in the provision of services covered by that subsection;

(3) to participate in the training program conducted in accordance with subsection (d);

(4) to comply with applicable protocols of the Department before incurring any liability on behalf of the Department for the provision of services required by subsection (a);

(5) for each veteran for whom a community mental health center or other qualified entity provides mental health services under such contract, to provide the Department with such clinical summary information as the Secretary shall require;

(6) to submit annual reports to the Secretary containing, with respect to the program required by subsection (a) and for the last full calendar year ending before the submittal of such report—

(A) the number of the veterans served, veterans diagnosed, and courses of treatment provided to veterans as part of the program required by subsection (a); and

(B) demographic information for such services, diagnoses, and courses of treatment; and

(7) to meet such other requirements as the Secretary shall require.

(c) TRAINING OF VETERANS FOR PROVISION OF PEER-OUTREACH AND PEER-SUPPORT SERVICES.—In carrying out the program required by subsection (a), the Secretary shall contract with a national not-for-profit mental health organization to carry out a national program of training for veterans described in subsection (a) to provide the services described in subparagraphs (A) and (B) of paragraph (1) of such subsection.

(d) TRAINING OF CLINICIANS FOR PROVISION OF SERVICES.—The Secretary shall conduct a training program for clinicians of community mental health centers or entities that have contracts with the Secretary under subsection (b) to ensure that such clinicians can

provide the services required by subsection (a) in a manner that—

(1) recognizes factors that are unique to the experience of veterans who served on active duty in Operation Enduring Freedom or Operation Iraqi Freedom (including their combat and military training experiences); and

(2) uses best practices and technologies.

(e) VET CENTER DEFINED.—In this section, the term ''vet center'' means a center for readjustment counseling and related mental health services for veterans under section 1712A of title 38, United States Code.

**SEC. 305. TRAVEL REIMBURSEMENT FOR VETERANS RECEIVING TREATMENT AT FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) ENHANCEMENT OF ALLOWANCE BASED UPON MILEAGE TRAVELED.—Section 111 is amended—

(1) in subsection (a), by striking ''traveled,'' and inserting ''(at a rate of 41.5 cents per mile),''; and

(2) by amending subsection (g) to read as follows:

''(g)(1) Beginning one year after the date of the enactment of the Caregivers and Veterans Omnibus Health Services Act of 2010, the Secretary may adjust the mileage rate described in subsection (a) to be equal to the mileage reimbursement rate for the use of privately owned vehicles by Government employees on official business (when a Government vehicle is available), as prescribed by the Administrator of General Services under section 5707(b) of title 5.

''(2) If an adjustment in the mileage rate under paragraph (1) results in a lower mileage rate than the mileage rate otherwise specified in subsection (a), the Secretary shall, not later than 60 days before the date of the implementation of the mileage rate as so adjusted, submit to Congress a written report setting forth the adjustment in the mileage rate under this subsection, together with a justification for the decision to make the adjustment in the mileage rate under this subsection.''.

(b) COVERAGE OF COST OF TRANSPORTATION BY AIR.—Subsection (a) of section 111, as amended by subsection (a)(1), is further amended by inserting after the first sentence the following new sentence: ''Actual necessary expense of travel includes the reasonable costs of airfare if travel by air is the only practical way to reach a Department facility.''.

(c) ELIMINATION OF LIMITATION BASED ON MAXIMUM ANNUAL RATE OF PENSION.—Subsection (b)(1)(D)(i) of such section is amended by inserting ''who is not traveling by air and'' before ''whose annual''.

(d) DETERMINATION OF PRACTICALITY.—Subsection (b) of such section is amended by adding at the end the following new paragraph:

''(4) In determining for purposes of subsection (a) whether travel by air is the only practical way for a veteran to reach a Department facility, the Secretary shall consider the medical condition of the veteran and any other impediments to the use of ground transportation by the veteran.''.

(e) NO EXPANSION OF ELIGIBILITY FOR BENEFICIARY TRAVEL.—The amendments made by subsections (b) and (d) of this section may not be construed as expanding or otherwise modifying eligibility for payments or allowances for beneficiary travel under section 111 of title 38, United States Code, as in effect on the day before the date of the enactment of this Act.

(f) CLARIFICATION OF RELATION TO PUBLIC TRANSPORTATION IN VETERANS HEALTH ADMINISTRATION HANDBOOK.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall revise the Veterans Health Administration Handbook to clarify that an allowance for travel based on mileage paid under section 111(a) of title 38, United States Code, may exceed the cost of such travel by public transportation regardless of medical necessity.

**SEC. 306. PILOT PROGRAM ON INCENTIVES FOR PHYSICIANS WHO ASSUME INPATIENT RESPONSIBILITIES AT COMMUNITY HOSPITALS IN HEALTH PROFESSIONAL SHORTAGE AREAS.**

(a) PILOT PROGRAM REQUIRED.—The Secretary of Veterans Affairs shall carry out a pilot program to assess the feasability and advisability of each of the following:

(1) The provision of financial incentives to eligible physicians who obtain and maintain inpatient privileges at community hospitals in health professional shortage areas in order to facilitate the provision by such physicians of primary care and mental health services to veterans at such hospitals.

(2) The collection of payments from third-party providers for care provided by eligible physicians to nonveterans while discharging inpatient responsibilities at community hospitals in the course of exercising the privileges described in paragraph (1).

(b) ELIGIBLE PHYSICIANS.—For purposes of this section, an eligible physician is a primary care or mental health physician employed by the Department of Veterans Affairs on a full-time basis.

(c) DURATION OF PROGRAM.—The pilot program shall be carried out during the three-year period beginning on the date of the commencement of the pilot program.

(d) LOCATIONS.—

(1) IN GENERAL.—The pilot program shall be carried out at not less than five community hospitals in each of not less than two Veterans Integrated Services Networks. The hospitals shall be selected by the Secretary using the results of the survey required under subsection (e).

(2) QUALIFYING COMMUNITY HOSPITALS.—A community hospital may be selected by the Secretary as a location for the pilot program if—

(A) the hospital is located in a health professional shortage area; and

(B) the number of eligible physicians willing to assume inpatient responsibilities at the hospital (as determined using the result of the survey) is sufficient for purposes of the pilot program.

(e) SURVEY OF PHYSICIAN INTEREST IN PARTICIPATION.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall conduct a survey of eligible physicians to determine the extent of the interest of such physicians in participating in the pilot program.

(2) ELEMENTS.—The survey shall disclose the type, amount, and nature of the financial incentives to be provided under subsection (h) to physicians participating in the pilot program.

(f) PHYSICIAN PARTICIPATION.—

(1) IN GENERAL.—The Secretary shall select physicians for participation in the pilot program from among eligible physicians who—

(A) express interest in participating in the pilot program in the survey conducted under subsection (e);

(B) are in good standing with the Department; and

(C) primarily have clinical responsibilities with the Department.

(2) VOLUNTARY PARTICIPATION.—Participation in the pilot program shall be voluntary. Nothing in this section shall be construed to require a physician working for the Department to assume inpatient responsibilities at a community hospital unless otherwise required as a term or condition of employment with the Department.

(g) ASSUMPTION OF INPATIENT PHYSICIAN RESPONSIBILITIES.—

(1) IN GENERAL.—Each eligible physician selected for participation in the pilot program shall assume and maintain inpatient responsibilities, including inpatient responsibilities with respect to nonveterans, at one or more community hospitals selected by the Secretary for participation in the pilot program under subsection (d).

(2) COVERAGE UNDER FEDERAL TORT CLAIMS ACT.—If an eligible physician participating in the pilot program carries out on-call responsibilities at a community hospital where privileges to practice at such hospital are conditioned upon the provision of services to individuals who are not veterans while the physician is on call for such hospital, the provision of such services by the physician shall be considered an action within the scope of the physician's office or employment for purposes of chapter 171 of title 28, United States Code (commonly referred to as the ''Federal Tort Claims Act'').

(h) COMPENSATION.—

(1) IN GENERAL.—The Secretary shall provide each eligible physician participating in the pilot program with such compensation (including pay and other appropriate compensation) as the Secretary considers appropriate to compensate such physician for the discharge of any inpatient responsibilities by such physician at a community hospital for which such physician would not otherwise be compensated by the Department as a full-time employee of the Department.

(2) WRITTEN AGREEMENT.—The amount of any compensation to be provided a physician under the pilot program shall be specified in a written agreement entered into by the Secretary and the physician for purposes of the pilot program.

(3) TREATMENT OF COMPENSATION.—The Secretary shall consult with the Director of the Office of Personnel Management on the inclusion of a provision in the written agreement required under paragraph (2) that describes the treatment under Federal law of any compensation provided a physician under the pilot program, including treatment for purposes of retirement under the civil service laws.

(i) COLLECTIONS FROM THIRD PARTIES.—In carrying out the pilot program for the purpose described in subsection (a)(2), the Secretary shall implement a variety and range of requirements and mechanisms for the collection from third-party payors of amounts to reimburse the Department for health care services provided to nonveterans under the pilot program by eligible physicians discharging inpatient responsibilities under the pilot program.

(j) REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter, the Secretary shall submit to Congress a report on the pilot program, including the following:

(1) The findings of the Secretary with respect to the pilot program.

(2) The number of veterans and nonveterans provided inpatient care by physicians participating in the pilot program.

(3) The amounts payable and collected under subsection (i).

(k) DEFINITIONS.—In this section:

(1) HEALTH PROFESSIONAL SHORTAGE AREA.—The term ''health professional shortage area'' has the meaning given the term in section 332(a) of the Public Health Service Act (42 U.S.C. 254e(a)).

(2) INPATIENT RESPONSIBILITIES.—The term ''inpatient responsibilities'' means on-call responsibilities customarily required of a physician by a community hospital as a condition of granting privileges to the physician to practice in the hospital.

**SEC. 307. GRANTS FOR VETERANS SERVICE ORGANIZATIONS FOR TRANSPORTATION OF HIGHLY RURAL VETERANS.**

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall establish a grant program to provide innovative transportation options to veterans in highly rural areas.

(2) ELIGIBLE RECIPIENTS.—The following may be awarded a grant under this section:

(A) State veterans service agencies.

(B) Veterans service organizations.

(3) USE OF FUNDS.—A State veterans service agency or veterans service organization awarded a grant under this section may use the grant amount to—

(A) assist veterans in highly rural areas to travel to Department of Veterans Affairs medical centers; and

(B) otherwise assist in providing transportation in connection with the provision of medical care to veterans in highly rural areas.

(4) MAXIMUM AMOUNT.—The amount of a grant under this section may not exceed $50,000.

(5) NO MATCHING REQUIREMENT.—The recipient of a grant under this section shall not be required to provide matching funds as a condition for receiving such grant.

(b) REGULATIONS.—The Secretary shall prescribe regulations for—

(1) evaluating grant applications under this section; and

(2) otherwise administering the program established by this section.

(c) DEFINITIONS.—In this section:

(1) HIGHLY RURAL.—The term ''highly rural'', in the case of an area, means that the area consists of a county or counties having a population of less than seven persons per square mile.

(2) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $3,000,000 for each of fiscal years 2010 through 2014 to carry out this section.

**SEC. 308. MODIFICATION OF ELIGIBILITY FOR PARTICIPATION IN PILOT PROGRAM OF ENHANCED CONTRACT CARE AUTHORITY FOR HEALTH CARE NEEDS OF CERTAIN VETERANS.**

Subsection (b) of section 403 of the Veterans' Mental Health and other Care Improvements Act of 2008 (Public Law 110–387; 122 Stat. 4125; 38 U.S.C. 1703 note) is amended to read as follows:

''(b) COVERED VETERANS.—For purposes of the pilot program under this section, a covered veteran is any veteran who—

''(1) is—

''(A) enrolled in the system of patient enrollment established under section 1705(a) of title 38, United States Code, as of the date of the commencement of the pilot program under subsection (a)(2); or

''(B) eligible for health care under section 1710(e)(3) of such title; and

''(2) resides in a location that is—

''(A) more than 60 minutes driving distance from the nearest Department health care facility providing primary care services, if the veteran is seeking such services;

''(B) more than 120 minutes driving distance from the nearest Department health care facility providing acute hospital care, if the veteran is seeking such care; or

''(C) more than 240 minutes driving distance from the nearest Department health care facility providing tertiary care, if the veteran is seeking such care.''.

## TITLE IV—MENTAL HEALTH CARE MATTERS

**SEC. 401. ELIGIBILITY OF MEMBERS OF THE ARMED FORCES WHO SERVE IN OPERATION ENDURING FREEDOM OR OPERATION IRAQI FREEDOM FOR COUNSELING AND SERVICES THROUGH READJUSTMENT COUNSELING SERVICE.**

(a) IN GENERAL.—Any member of the Armed Forces, including a member of the National Guard or Reserve, who serves on active duty in the Armed Forces in Operation Enduring Freedom or Operation Iraqi Freedom is eligible for readjustment counseling and related mental health services under section 1712A of title 38, United States Code, through the Readjustment Counseling Service of the Veterans Health Administration.

(b) NO REQUIREMENT FOR CURRENT ACTIVE DUTY SERVICE.—A member of the Armed Forces who meets the requirements for eligibility for counseling and services under subsection (a) is entitled to counseling and services under that subsection regardless of whether or not the member is currently on active duty in the Armed Forces at the time of receipt of counseling and services under that subsection.

(c) REGULATIONS.—The eligibility of members of the Armed Forces for counseling and services under subsection (a) shall be subject to such regulations as the Secretary of Defense and the Secretary of Veterans Affairs shall jointly prescribe for purposes of this section.

(d) SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—The provision of counseling and services under subsection (a) shall be subject to the availability of appropriations for such purpose.

**SEC. 402. RESTORATION OF AUTHORITY OF READJUSTMENT COUNSELING SERVICE TO PROVIDE REFERRAL AND OTHER ASSISTANCE UPON REQUEST TO FORMER MEMBERS OF THE ARMED FORCES NOT AUTHORIZED COUNSELING.**

Section 1712A is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) Upon receipt of a request for counseling under this section from any individual who has been discharged or released from active military, naval, or air service but who is not otherwise eligible for such counseling, the Secretary shall—

''(1) provide referral services to assist such individual, to the maximum extent practicable, in obtaining mental health care and services from sources outside the Department; and

''(2) if pertinent, advise such individual of such individual's rights to apply to the appropriate military, naval, or air service, and to the Department, for review of such individual's discharge or release from such service.''.

**SEC. 403. STUDY ON SUICIDES AMONG VETERANS.**

(a) STUDY REQUIRED.—The Secretary of Veterans Affairs shall conduct a study to determine the number of veterans who died by suicide between January 1, 1999, and the date of the enactment of this Act.

(b) COORDINATION.—In carrying out the study under subsection (a) the Secretary of Veterans Affairs shall coordinate with—

(1) the Secretary of Defense;

(2) veterans service organizations;

(3) the Centers for Disease Control and Prevention; and

(4) State public health offices and veterans agencies.

(c) REPORT TO CONGRESS.—The Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the study required under subsection (a) and the findings of the Secretary.

(d) VETERANS SERVICE ORGANIZATION DEFINED.—In this section, the term ''veterans service organization'' means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

## TITLE V—OTHER HEALTH CARE MATTERS

**SEC. 501. REPEAL OF CERTAIN ANNUAL REPORTING REQUIREMENTS.**

(a) NURSE PAY REPORT.—Section 7451 is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

(b) LONG-TERM PLANNING REPORT.—

(1) IN GENERAL.—Section 8107 is repealed.

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 81 is amended by striking the item relating to section 8107.

**SEC. 502. SUBMITTAL DATE OF ANNUAL REPORT ON GULF WAR RESEARCH.**

Section 707(c)(1) of the Persian Gulf War Veterans' Health Status Act (title VII of Public Law 102–585; 38 U.S.C. 527 note) is amended by striking ''Not later than March 1 of each year'' and inserting ''Not later than July 1, 2010, and July 1 of each of the five following years''.

**SEC. 503. PAYMENT FOR CARE FURNISHED TO CHAMPVA BENEFICIARIES.**

Section 1781 is amended by adding at the end the following new subsection:

''(e) Payment by the Secretary under this section on behalf of a covered beneficiary for medical care shall constitute payment in full and extinguish any liability on the part of the beneficiary for that care.''.

**SEC. 504. DISCLOSURE OF PATIENT TREATMENT INFORMATION FROM MEDICAL RECORDS OF PATIENTS LACKING DECISIONMAKING CAPACITY.**

Section 7332(b)(2) is amended by adding at the end the following new subparagraph:

''(F)(i) To a representative of a patient who lacks decision-making capacity, when a practitioner deems the content of the given record necessary for that representative to make an informed decision regarding the patient's treatment.

''(ii) In this subparagraph, the term 'representative' means an individual, organization, or other body authorized under section 7331 of this title and its implementing regulations to give informed consent on behalf of a patient who lacks decision-making capacity.''.

**SEC. 505. ENHANCEMENT OF QUALITY MANAGEMENT.**

(a) ENHANCEMENT OF QUALITY MANAGEMENT THROUGH QUALITY MANAGEMENT OFFICERS.—

(1) IN GENERAL.—Subchapter II of chapter 73 is amended by inserting after section 7311 the following new section:

**''§ 7311A. Quality management officers**

''(a) NATIONAL QUALITY MANAGEMENT OFFICER.—(1) The Under Secretary for Health shall designate an official of the Veterans Health Administration to act as the principal quality management officer for the quality-assurance program required by section 7311 of this title. The official so designated may be known as the 'National Quality Management Officer of the Veterans Health Administration' (in this section referred to as the 'National Quality Management Officer').

''(2) The National Quality Management Officer shall report directly to the Under Secretary for Health in the discharge of responsibilities and duties of the Officer under this section.

''(3) The National Quality Management Officer shall be the official within the Veterans Health Administration who is principally responsible for the quality-assurance program referred to in paragraph (1). In carrying out that responsibility, the Officer shall be responsible for the following:

''(A) Establishing and enforcing the requirements of the program referred to in paragraph (1).

''(B) Developing an aggregate quality metric from existing data sources, such as the Inpatient Evaluation Center of the Department, the National Surgical Quality Improvement Program, and the External Peer Review Program of the Veterans Health Administration, that could be used to assess reliably the quality of care provided at individual Department medical centers and associated community based outpatient clinics.

''(C) Ensuring that existing measures of quality, including measures from the Inpatient Evaluation Center, the National Surgical Quality Improvement Program, System-Wide Ongoing Assessment and Review reports of the Department, and Combined Assessment Program reviews of the Office of Inspector General of the Department, are monitored routinely and analyzed in a manner that ensures the timely detection of quality of care issues.

''(D) Encouraging research and development in the area of quality metrics for the purposes of improving how the Department measures quality in individual facilities.

''(E) Carrying out such other responsibilities and duties relating to quality management in the Veterans Health Administration as the Under Secretary for Health shall specify.

''(4) The requirements under paragraph (3) shall include requirements regarding the following:

''(A) A confidential system for the submittal of reports by Veterans Health Administration personnel regarding quality management at Department facilities.

''(B) Mechanisms for the peer review of the actions of individuals appointed in the Veterans Health Administration in the position of physician.

''(b) QUALITY MANAGEMENT OFFICERS FOR VISNS.—(1) The Regional Director of each Veterans Integrated Services Network shall appoint an official of the Network to act as the quality management officer of the Network.

''(2) The quality management officer for a Veterans Integrated Services Network shall report to the Regional Director of the Veterans Integrated Services Network, and to the National Quality Management Officer, regarding the discharge of the responsibilities and duties of the officer under this section.

''(3) The quality management officer for a Veterans Integrated Services Network shall—

''(A) direct the quality management office in the Network; and

''(B) coordinate, monitor, and oversee the quality management programs and activities of the Administration medical facilities in the Network in order to ensure the thorough and uniform discharge of quality management requirements under such programs and activities throughout such facilities.

''(c) QUALITY MANAGEMENT OFFICERS FOR MEDICAL FACILITIES.—(1) The director of each Veterans Health Administration medical facility shall appoint a quality management officer for that facility.

''(2) The quality management officer for a facility shall report directly to the director of the facility, and to the quality management officer of the Veterans Integrated Services Network in which the facility is located, regarding the discharge of the responsibilities and duties of the quality management officer under this section.

''(3) The quality management officer for a facility shall be responsible for designing, disseminating, and implementing quality management programs and activities for the facility that meet the requirements established by the National Quality Management Officer under subsection (a).

''(d) AUTHORIZATION OF APPROPRIATIONS.—(1) Except as provided in paragraph (2), there are authorized to be appropriated such sums as may be necessary to carry out this section.

''(2) There is authorized to be appropriated to carry out the provisions of subparagraphs (B), (C), and (D) of subsection (a)(3), $25,000,000 for the two-year period of fiscal years beginning after the date of the enactment of this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 is amended by inserting after the item relating to section 7311 the following new item:

''7311A. Quality management officers.''.

(b) REPORTS ON QUALITY CONCERNS UNDER QUALITY-ASSURANCE PROGRAM.—Section 7311(b) is amended by adding at the end the following new paragraph:

''(4) As part of the quality-assurance program, the Under Secretary for Health shall establish mechanisms through which employees of Veterans Health Administration facilities may submit reports, on a confidential basis, on matters relating to quality of care in Veterans Health Administration facilities to the quality management officers of such facilities under section 7311A(c) of this title. The mechanisms shall provide for the prompt and thorough review of any reports so submitted by the receiving officials.''.

(c) REVIEW OF CURRENT HEALTH CARE QUALITY SAFEGUARDS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall conduct a comprehensive review of all current policies and protocols of the Department of Veterans Affairs for maintaining health care quality and patient safety at Department medical facilities. The review shall include a review and assessment of the National Surgical Quality Improvement Program, including an assessment of—

(A) the efficacy of the quality indicators under the program;

(B) the efficacy of the data collection methods under the program;

(C) the efficacy of the frequency with which regular data analyses are performed under the program; and

(D) the extent to which the resources allocated to the program are adequate to fulfill the stated function of the program.

(2) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the review conducted under paragraph (1), including the findings of the Secretary as a result of the review and such recommendations as the Secretary considers appropriate in light of the review.

**SEC. 506. PILOT PROGRAM ON USE OF COMMUNITY-BASED ORGANIZATIONS AND LOCAL AND STATE GOVERNMENT ENTITIES TO ENSURE THAT VETERANS RECEIVE CARE AND BENEFITS FOR WHICH THEY ARE ELIGIBLE.**

(a) PILOT PROGRAM REQUIRED.—The Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of using community-based organizations and local and State government entities—

(1) to increase the coordination of community, local, State, and Federal providers of health care and benefits for veterans to assist veterans who are transitioning from military service to civilian life in such transition;

(2) to increase the availability of high quality medical and mental health services to veterans transitioning from military service to civilian life;

(3) to provide assistance to families of veterans who are transitioning from military service to civilian life to help such families adjust to such transition; and

(4) to provide outreach to veterans and their families to inform them about the availability of benefits and connect them with appropriate care and benefit programs.

(b) DURATION OF PROGRAM.—The pilot program shall be carried out during the two-year period beginning on the date that is 180 days after the date of the enactment of this Act.

(c) PROGRAM LOCATIONS.—

(1) IN GENERAL.—The pilot program shall be carried out at five locations selected by the Secretary for purposes of the pilot program.

(2) CONSIDERATIONS.—In selecting locations for the pilot program, the Secretary shall consider the advisability of selecting locations in—

(A) rural areas;

(B) areas with populations that have a high proportion of minority group representation;

(C) areas with populations that have a high proportion of individuals who have limited access to health care; and

(D) areas that are not in close proximity to an active duty military installation.

(d) GRANTS.—The Secretary shall carry out the pilot program through the award of grants to community-based organizations and local and State government entities.

(e) SELECTION OF GRANT RECIPIENTS.—

(1) IN GENERAL.—A community-based organization or local or State government entity seeking a grant under the pilot program shall submit to the Secretary an application therefor in such form and in such manner as the Secretary considers appropriate.

(2) ELEMENTS.—Each application submitted under paragraph (1) shall include the following:

(A) A description of the consultations, if any, with the Department of Veterans Affairs in the development of the proposal under the application.

(B) A plan to coordinate activities under the pilot program, to the greatest extent possible, with the local, State, and Federal providers of services for veterans to reduce duplication of services and to enhance the effect of such services.

(f) USE OF GRANT FUNDS.—The Secretary shall prescribe appropriate uses of grant funds received under the pilot program.

(g) REPORT ON PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the completion of the pilot program, the Secretary shall submit to Congress a report on the pilot program.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The findings and conclusions of the Secretary with respect to the pilot program.

(B) An assessment of the benefits to veterans of the pilot program.

(C) The recommendations of the Secretary as to the advisability of continuing the pilot program.

**SEC. 507. SPECIALIZED RESIDENTIAL CARE AND REHABILITATION FOR CERTAIN VETERANS.**

Section 1720 is amended by adding at the end the following new subsection:

''(g) The Secretary may contract with appropriate entities to provide specialized residential care and rehabilitation services to a veteran of Operation Enduring Freedom or Operation Iraqi Freedom who the Secretary determines suffers from a traumatic brain

injury, has an accumulation of deficits in activities of daily living and instrumental activities of daily living, and because of these deficits, would otherwise require admission to a nursing home even though such care would generally exceed the veteran's nursing needs.''.

**SEC. 508. EXPANDED STUDY ON THE HEALTH IMPACT OF PROJECT SHIPBOARD HAZARD AND DEFENSE.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into a contract with the Institute of Medicine of the National Academies to conduct an expanded study on the health impact of Project Shipboard Hazard and Defense (Project SHAD).

(b) COVERED VETERANS.—The study required by subsection (a) shall include, to the extent practicable, all veterans who participated in Project Shipboard Hazard and Defense.

(c) USE OF EXISTING STUDIES.—The study required by subsection (a) may use results from the study covered in the report titled ''Long-Term Health Effects of Participation in Project SHAD'' of the Institute of Medicine of the National Academies.

**SEC. 509. USE OF NON-DEPARTMENT FACILITIES FOR REHABILITATION OF INDIVIDUALS WITH TRAUMATIC BRAIN INJURY.**

Section 1710E is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by inserting after subsection (a) the following new subsection (b):

''(b) COVERED INDIVIDUALS.—The care and services provided under subsection (a) shall be made available to an individual—

''(1) who is described in section 1710C(a) of this title; and

''(2)(A) to whom the Secretary is unable to provide such treatment or services at the frequency or for the duration prescribed in such plan; or

''(B) for whom the Secretary determines that it is optimal with respect to the recovery and rehabilitation for such individual.''; and

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

''(d) STANDARDS.—The Secretary may not provide treatment or services as described in subsection (a) at a non-Department facility under such subsection unless such facility maintains standards for the provision of such treatment or services established by an independent, peer-reviewed organization that accredits specialized rehabilitation programs for adults with traumatic brain injury.''.

**SEC. 510. PILOT PROGRAM ON PROVISION OF DENTAL INSURANCE PLANS TO VETERANS AND SURVIVORS AND DEPENDENTS OF VETERANS.**

(a) PILOT PROGRAM REQUIRED.—The Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of providing a dental insurance plan to veterans and survivors and dependents of veterans described in subsection (b).

(b) COVERED VETERANS AND SURVIVORS AND DEPENDENTS.—The veterans and survivors and dependents of veterans described in this subsection are as follows:

(1) Any veteran who is enrolled in the system of annual patient enrollment under section 1705 of title 38, United States Code.

(2) Any survivor or dependent of a veteran who is eligible for medical care under section 1781 of such title.

(c) DURATION OF PROGRAM.—The pilot program shall be carried out during the three-year period beginning on the date that is 270 days after the date of the enactment of this Act.

(d) LOCATIONS.—The pilot program shall be carried out in such Veterans Integrated Services Networks as the Secretary considers appropriate for purposes of the pilot program.

(e) ADMINISTRATION.—The Secretary shall contract with a dental insurer to administer the dental insurance plan provided under the pilot program.

(f) BENEFITS.—The dental insurance plan under the pilot program shall provide such benefits for dental care and treatment as the Secretary considers appropriate for the dental insurance plan, including diagnostic services, preventative services, endodontics and other restorative services, surgical services, and emergency services.

(g) ENROLLMENT.—

(1) VOLUNTARY.—Enrollment in the dental insurance plan under the pilot program shall be voluntary.

(2) MINIMUM PERIOD.—Enrollment in the dental insurance plan shall be for such minimum period as the Secretary shall prescribe for purposes of this section.

(h) PREMIUMS.—

(1) IN GENERAL.—Premiums for coverage under the dental insurance plan under the pilot program shall be in such amount or amounts as the Secretary shall prescribe to cover all costs associated with the pilot program.

(2) ANNUAL ADJUSTMENT.—The Secretary shall adjust the premiums payable under the pilot program for coverage under the dental insurance plan on an annual basis. Each individual covered by the dental insurance plan at the time of such an adjustment shall be notified of the amount and effective date of such adjustment.

(3) RESPONSIBILITY FOR PAYMENT.—Each individual covered by the dental insurance plan shall pay the entire premium for coverage under the dental insurance plan, in addition to the full cost of any copayments.

(i) VOLUNTARY DISENROLLMENT.—

(1) IN GENERAL.—With respect to enrollment in the dental insurance plan under the pilot program, the Secretary shall—

(A) permit the voluntary disenrollment of an individual in the dental insurance plan if the disenrollment occurs during the 30-day period beginning on the date of the enrollment of the individual in the dental insurance plan; and

(B) permit the voluntary disenrollment of an individual in the dental insurance plan for such circumstances as the Secretary shall prescribe for purposes of this subsection, but only to the extent such disenrollment does not jeopardize the fiscal integrity of the dental insurance plan.

(2) ALLOWABLE CIRCUMSTANCES.—The circumstances prescribed under paragraph (1)(B) shall include the following:

(A) If an individual enrolled in the dental insurance plan relocates to a location outside the jurisdiction of the dental insurance plan that prevents use of the benefits under the dental insurance plan.

(B) If an individual enrolled in the dental insurance plan is prevented by a serious medical condition from being able to obtain benefits under the dental insurance plan.

(C) Such other circumstances as the Secretary shall prescribe for purposes of this subsection.

(3) ESTABLISHMENT OF PROCEDURES.—The Secretary shall establish procedures for determinations on the permissibility of voluntary disenrollments under paragraph (1)(B). Such procedures shall ensure timely determinations on the permissibility of such disenrollments.

(j) RELATIONSHIP TO DENTAL CARE PROVIDED BY SECRETARY.—Nothing in this section shall affect the responsibility of the Secretary to provide dental care under section 1712 of title 38, United States Code, and the participation of an individual in the dental insurance plan under the pilot program shall not affect the individual's entitlement to outpatient dental services and treatment, and related dental appliances, under that section.

(k) REGULATIONS.—The dental insurance plan under the pilot program shall be administered under such regulations as the Secretary shall prescribe.

**SEC. 511. PROHIBITION ON COLLECTION OF COPAYMENTS FROM VETERANS WHO ARE CATASTROPHICALLY DISABLED.**

(a) IN GENERAL.—Subchapter III of chapter 17 is amended by adding at the end the following new section:

**''§ 1730A. Prohibition on collection of copayments from catastrophically disabled veterans**

''Notwithstanding subsections (f) and (g) of section 1710 and section 1722A(a) of this title or any other provision of law, the Secretary may not require a veteran who is catastrophically disabled, as defined by the Secretary, to make any copayment for the receipt of hospital care or medical services under the laws administered by the Secretary.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by inserting after the item relating to section 1730 the following new item:

''1730A. Prohibition on collection of copayments from catastrophically disabled veterans.''.

**SEC. 512. HIGHER PRIORITY STATUS FOR CERTAIN VETERANS WHO ARE MEDAL OF HONOR RECIPIENTS.**

Section 1705(a)(3) is amended by inserting ''veterans who were awarded the medal of honor under section 3741, 6241, or 8741 of title 10 or section 491 of title 14,'' after ''the Purple Heart,''.

**SEC. 513. HOSPITAL CARE, MEDICAL SERVICES, AND NURSING HOME CARE FOR CERTAIN VIETNAM-ERA VETERANS EXPOSED TO HERBICIDE AND VETERANS OF THE PERSIAN GULF WAR.**

Section 1710(e) is amended—

(1) in paragraph (3)—

(A) by striking ''subsection (a)(2)(F)—'' and all that follows through ''(C) in the case'' and inserting ''subsection (a)(2)(F) in the case''; and

(B) by redesignating clauses (i) and (ii) of the former subparagraph (C) as subparagraphs (A) and (B) of such paragraph (3) and by realigning the margin of such new subparagraphs two ems to the left; and

(2) in paragraph (1)(C)—

(A) by striking ''paragraphs (2) and (3)'' and inserting ''paragraph (2)''; and

(B) by inserting after ''on active duty'' the following: ''between August 2, 1990, and November 11, 1998,''.

**SEC. 514. ESTABLISHMENT OF DIRECTOR OF PHYSICIAN ASSISTANT SERVICES IN VETERANS HEALTH ADMINISTRATION.**

(a) IN GENERAL.—Section 7306(a) is amended by striking paragraph (9) and inserting the following new paragraph (9):

''(9) The Director of Physician Assistant Services, who shall—

''(A) serve in a full-time capacity at the Central Office of the Department;

''(B) be a qualified physician assistant; and

''(C) be responsible and report directly to the Chief Patient Care Services Officer of the Veterans Health Administration on all matters relating to the education and training, employment, appropriate use, and optimal participation of physician assistants within the programs and initiatives of the Administration.''.

(b) DEADLINE FOR IMPLEMENTATION.—The Secretary of Veterans Affairs shall ensure that an individual is serving as the Director

of Physician Assistant Services under paragraph (9) of section 7306(a) of title 38, United States Code, as amended by subsection (a), by not later than 120 days after the date of the enactment of this Act.

**SEC. 515. COMMITTEE ON CARE OF VETERANS WITH TRAUMATIC BRAIN INJURY.**

(a) ESTABLISHMENT OF COMMITTEE.—Subchapter II of chapter 73 is amended by inserting after section 7321 the following new section:

**"§ 7321A. Committee on Care of Veterans with Traumatic Brain Injury**

''(a) ESTABLISHMENT.—The Secretary shall establish in the Veterans Health Administration a committee to be known as the 'Committee on Care of Veterans with Traumatic Brain Injury'. The Under Secretary for Health shall appoint employees of the Department with expertise in the care of veterans with traumatic brain injury to serve on the committee.

''(b) RESPONSIBILITIES OF COMMITTEE.—The committee shall assess, and carry out a continuing assessment of, the capability of the Veterans Health Administration to meet effectively the treatment and rehabilitation needs of veterans with traumatic brain injury. In carrying out that responsibility, the committee shall—

''(1) evaluate the care provided to such veterans through the Veterans Health Administration;

''(2) identify systemwide problems in caring for such veterans in facilities of the Veterans Health Administration;

''(3) identify specific facilities within the Veterans Health Administration at which program enrichment is needed to improve treatment and rehabilitation of such veterans; and

''(4) identify model programs which the committee considers to have been successful in the treatment and rehabilitation of such veterans and which should be implemented more widely in or through facilities of the Veterans Health Administration.

''(c) ADVICE AND RECOMMENDATIONS.—The committee shall—

''(1) advise the Under Secretary regarding the development of policies for the care and rehabilitation of veterans with traumatic brain injury; and

''(2) make recommendations to the Under Secretary—

''(A) for improving programs of care of such veterans at specific facilities and throughout the Veterans Health Administration;

''(B) for establishing special programs of education and training relevant to the care of such veterans for employees of the Veterans Health Administration;

''(C) regarding research needs and priorities relevant to the care of such veterans; and

''(D) regarding the appropriate allocation of resources for all such activities.

''(d) ANNUAL REPORT.—Not later than June 1, 2010, and each year thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the implementation of this section. Each such report shall include the following for the calendar year preceding the year in which the report is submitted:

''(1) A list of the members of the committee.

''(2) The assessment of the Under Secretary for Health, after review of the findings of the committee, regarding the capability of the Veterans Health Administration, on a systemwide and facility-by-facility basis, to meet effectively the treatment and rehabilitation needs of veterans with traumatic brain injury.

''(3) The plans of the committee for further assessments.

''(4) The findings and recommendations made by the committee to the Under Secretary for Health and the views of the Under Secretary on such findings and recommendations.

''(5) A description of the steps taken, plans made (and a timetable for the execution of such plans), and resources to be applied toward improving the capability of the Veterans Health Administration to meet effectively the treatment and rehabilitation needs of veterans with traumatic brain injury.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 is amended by inserting after the item relating to section 7321 the following new item:

''7321A. Committee on Care of Veterans with Traumatic Brain Injury.''.

**SEC. 516. INCREASE IN AMOUNT AVAILABLE TO DISABLED VETERANS FOR IMPROVEMENTS AND STRUCTURAL ALTERATIONS FURNISHED AS PART OF HOME HEALTH SERVICES.**

(a) INCREASE.—Section 1717(a)(2) is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) in the case of medical services furnished under section 1710(a)(1) of this title, or for a disability described in section 1710(a)(2)(C) of this title—

''(i) in the case of a veteran who first applies for benefits under this paragraph before the date of the Caregivers and Veterans Omnibus Health Services Act of 2010, $4,100; or

''(ii) in the case of a veteran who first applies for benefits under this paragraph on or after the date of the Caregivers and Veterans Omnibus Health Services Act of 2010, $6,800; and

''(B) in the case of medical services furnished under any other provision of section 1710(a) of this title—

''(i) in the case of a veteran who first applies for benefits under this paragraph before the date of the Caregivers and Veterans Omnibus Health Services Act of 2010, $1,200; or

''(ii) in the case of a veteran who first applies for benefits under this paragraph on or after the date of the Caregivers and Veterans Omnibus Health Services Act of 2010, $2,000.''.

(b) CONSTRUCTION.—A veteran who exhausts such veteran's eligibility for benefits under section 1717(a)(2) of such title before the date of the enactment of this Act, is not entitled to additional benefits under such section by reason of the amendments made by subsection (a).

**SEC. 517. EXTENSION OF STATUTORILY DEFINED COPAYMENTS FOR CERTAIN VETERANS FOR HOSPITAL CARE AND NURSING HOME CARE.**

Subparagraph (B) of section 1710(f)(2) is amended to read as follows:

''(B) before September 30, 2012, an amount equal to $10 for every day the veteran receives hospital care and $5 for every day the veteran receives nursing home care.''.

**SEC. 518. EXTENSION OF AUTHORITY TO RECOVER COST OF CERTAIN CARE AND SERVICES FROM DISABLED VETERANS WITH HEALTH-PLAN CONTRACTS.**

Subparagraph (E) of section 1729(a)(2) is amended to read as follows:

''(E) for which care and services are furnished before October 1, 2012, under this chapter to a veteran who—

''(i) has a service-connected disability; and

''(ii) is entitled to care (or payment of the expenses of care) under a health-plan contract.''.

## TITLE VI—DEPARTMENT PERSONNEL MATTERS

**SEC. 601. ENHANCEMENT OF AUTHORITIES FOR RETENTION OF MEDICAL PROFESSIONALS.**

(a) SECRETARIAL AUTHORITY TO EXTEND TITLE 38 STATUS TO ADDITIONAL POSITIONS.—

(1) IN GENERAL.—Paragraph (3) of section 7401 is amended by striking ''and blind rehabilitation outpatient specialists.'' and inserting the following: ''blind rehabilitation outpatient specialists, and such other classes of health care occupations as the Secretary considers necessary for the recruitment and retention needs of the Department subject to the following requirements:

''(A) Such other classes of health care occupations—

''(i) are not occupations relating to administrative, clerical, or physical plant maintenance and protective services;

''(ii) that would otherwise receive basic pay in accordance with the General Schedule under section 5332 of title 5;

''(iii) provide, as determined by the Secretary, direct patient care services or services incident to direct patient services; and

''(iv) would not otherwise be available to provide medical care or treatment for veterans.

''(B) Not later than 45 days before the Secretary appoints any personnel for a class of health care occupations that is not specifically listed in this paragraph, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Office of Management and Budget notice of such appointment.

''(C) Before submitting notice under subparagraph (B), the Secretary shall solicit comments from any labor organization representing employees in such class and include such comments in such notice.''.

(2) APPOINTMENT OF NURSE ASSISTANTS.—Such paragraph is further amended by inserting ''nurse assistants,'' after ''licensed practical or vocational nurses,''.

(b) PROBATIONARY PERIODS FOR REGISTERED NURSES.—Section 7403(b) is amended—

(1) in paragraph (1), by striking ''Appointments'' and inserting ''Except as otherwise provided in this subsection, appointments'';

(2) by redesignating paragraph (2) as paragraph (4); and

(3) by inserting after paragraph (1) the following new paragraphs:

''(2) With respect to the appointment of a registered nurse under this chapter, paragraph (1) shall apply with respect to such appointment regardless of whether such appointment is on a full-time basis or a part-time basis.

''(3) An appointment described in subsection (a) on a part-time basis of a person who has previously served on a full-time basis for the probationary period for the position concerned shall be without a probationary period.''.

(c) PROHIBITION ON TEMPORARY PART-TIME REGISTERED NURSE APPOINTMENTS IN EXCESS OF TWO YEARS.—Section 7405 is amended by adding at the end the following new subsection:

''(g)(1) Except as provided in paragraph (3), employment of a registered nurse on a temporary part-time basis under subsection (a)(1) shall be for a probationary period of two years.

''(2) Except as provided in paragraph (3), upon completion by a registered nurse of the probationary period described in paragraph (1)—

''(A) the employment of such nurse shall—

''(i) no longer be considered temporary; and

''(ii) be considered an appointment described in section 7403(a) of this title; and

''(B) the nurse shall be considered to have served the probationary period required by section 7403(b).

''(3) This subsection shall not apply to appointments made on a term limited basis of less than or equal to three years of—

''(A) nurses with a part-time appointment resulting from an academic affiliation or teaching position in a nursing academy of the Department;

''(B) nurses appointed as a result of a specific research proposal or grant; or

''(C) nurses who are not citizens of the United States and appointed under section 7407(a) of this title.''.

(d) RATE OF BASIC PAY FOR APPOINTEES TO THE OFFICE OF THE UNDER SECRETARY FOR HEALTH SET TO RATE OF BASIC PAY FOR SENIOR EXECUTIVE SERVICE POSITIONS.—

(1) IN GENERAL.—Section 7404(a) is amended—

(A) by striking ''The annual'' and inserting ''(1) The annual'';

(B) by striking ''The pay'' and inserting the following:

''(2) The pay'';

(C) by striking ''under the preceding sentence'' and inserting ''under paragraph (1)''; and

(D) by adding at the end the following new paragraph:

''(3)(A) The rate of basic pay for a position to which an Executive order applies under paragraph (1) and is not described by paragraph (2) shall be set in accordance with section 5382 of title 5 as if such position were a Senior Executive Service position (as such term is defined in section 3132(a) of title 5).

''(B) A rate of basic pay for a position may not be set under subparagraph (A) in excess of—

''(i) in the case the position is not described in clause (ii), the rate of basic pay payable for level III of the Executive Schedule; or

''(ii) in the case that the position is covered by a performance appraisal system that meets the certification criteria established by regulation under section 5307(d) of title 5, the rate of basic pay payable for level II of the Executive Schedule.

''(C) Notwithstanding the provisions of subsection (d) of section 5307 of title 5, the Secretary may make any certification under that subsection instead of the Office of Personnel Management and without concurrence of the Office of Management and Budget.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the first day of the first pay period beginning after the day that is 180 days after the date of the enactment of this Act.

(e) SPECIAL INCENTIVE PAY FOR DEPARTMENT PHARMACIST EXECUTIVES.—Section 7410 is amended—

(1) by striking ''The Secretary may'' and inserting the following:

''(a) IN GENERAL.—The Secretary may''; and

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

''(b) SPECIAL INCENTIVE PAY FOR DEPARTMENT PHARMACIST EXECUTIVES.—(1) In order to recruit and retain highly qualified Department pharmacist executives, the Secretary may authorize the Under Secretary for Health to pay special incentive pay of not more than $40,000 per year to an individual of the Veterans Health Administration who is a pharmacist executive.

''(2) In determining whether and how much special pay to provide to such individual, the Under Secretary shall consider the following:

''(A) The grade and step of the position of the individual.

''(B) The scope and complexity of the position of the individual.

''(C) The personal qualifications of the individual.

''(D) The characteristics of the labor market concerned.

''(E) Such other factors as the Secretary considers appropriate.

''(3) Special incentive pay under paragraph (1) for an individual is in addition to all other pay (including basic pay) and allowances to which the individual is entitled.

''(4) Except as provided in paragraph (5), special incentive pay under paragraph (1) for an individual shall be considered basic pay for all purposes, including retirement benefits under chapters 83 and 84 of title 5, and other benefits.

''(5) Special incentive pay under paragraph (1) for an individual shall not be considered basic pay for purposes of adverse actions under subchapter V of this chapter.

''(6) Special incentive pay under paragraph (1) may not be awarded to an individual in an amount that would result in an aggregate amount of pay (including bonuses and awards) received by such individual in a year under this title that is greater than the annual pay of the President.''.

(f) PAY FOR PHYSICIANS AND DENTISTS.—

(1) NON-FOREIGN COST OF LIVING ADJUSTMENT ALLOWANCE.—Section 7431(b) is amended by adding at the end the following new paragraph:

''(5) The non-foreign cost of living adjustment allowance authorized under section 5941 of title 5 for physicians and dentists whose pay is set under this section shall be determined as a percentage of base pay only.''.

(2) MARKET PAY DETERMINATIONS FOR PHYSICIANS AND DENTISTS IN ADMINISTRATIVE OR EXECUTIVE LEADERSHIP POSITIONS.—Section 7431(c)(4)(B)(i) is amended by adding at the end the following: ''The Secretary may exempt physicians and dentists occupying administrative or executive leadership positions from the requirements of the previous sentence.''.

(3) EXCEPTION TO PROHIBITION ON REDUCTION OF MARKET PAY.—Section 7431(c)(7) is amended by striking ''concerned.'' and inserting ''concerned, unless there is a change in board certification or reduction of privileges.''.

(g) ADJUSTMENT OF PAY CAP FOR NURSES.—Section 7451(c)(2) is amended by striking ''level V'' and inserting ''level IV''.

(h) EXEMPTION FOR CERTIFIED REGISTERED NURSE ANESTHETISTS FROM LIMITATION ON AUTHORIZED COMPETITIVE PAY.—Section 7451(c)(2) is further amended by adding at the end the following new sentence: ''The maximum rate of basic pay for a grade for the position of certified registered nurse anesthetist pursuant to an adjustment under subsection (d) may exceed the maximum rate otherwise provided in the preceding sentence.''.

(i) INCREASED LIMITATION ON SPECIAL PAY FOR NURSE EXECUTIVES.—Section 7452(g)(2) is amended by striking ''$25,000'' and inserting ''$100,000''.

(j) LOCALITY PAY SCALE COMPUTATIONS.—

(1) EDUCATION, TRAINING, AND SUPPORT FOR FACILITY DIRECTORS IN WAGE SURVEYS.—Section 7451(d)(3) is amended by adding at the end the following new subparagraph:

''(F) The Under Secretary for Health shall provide appropriate education, training, and support to directors of Department health care facilities in the conduct and use of surveys, including the use of third-party surveys, under this paragraph.''.

(2) INFORMATION ON METHODOLOGY USED IN WAGE SURVEYS.—Section 7451(e)(4) is amended—

(A) by redesignating subparagraph (D) as subparagraph (E); and

(B) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) In any case in which the director conducts such a wage survey during the period covered by the report and makes adjustment in rates of basic pay applicable to one or more covered positions at the facility, information on the methodology used in making such adjustment or adjustments.''.

(3) DISCLOSURE OF INFORMATION TO PERSONS IN COVERED POSITIONS.—Section 7451(e), as amended by paragraph (2) of this subsection, is further amended by adding at the end the following new paragraph:

''(6)(A) Upon the request of an individual described in subparagraph (B) for a report provided under paragraph (4) with respect to a Department health-care facility, the Under Secretary for Health or the director of such facility shall provide to the individual the most current report for such facility provided under such paragraph.

''(B) An individual described in this subparagraph is—

''(i) an individual in a covered position at a Department health-care facility; or

''(ii) a representative of the labor organization representing that individual who is designated by that individual to make the request.''.

(k) ELIGIBILITY OF PART-TIME NURSES FOR ADDITIONAL NURSE PAY.—

(1) IN GENERAL.—Section 7453 is amended—

(A) in subsection (a), by striking ''a nurse'' and inserting ''a full-time nurse or part-time nurse'';

(B) in subsection (b)—

(i) in the first sentence—

(I) by striking ''on a tour of duty'';

(II) by striking ''service on such tour'' and inserting ''such service''; and

(III) by striking ''of such tour'' and inserting ''of such service''; and

(ii) in the second sentence, by striking ''of such tour'' and inserting ''of such service'';

(C) in subsection (c)—

(i) by striking ''on a tour of duty''; and

(ii) by striking ''service on such tour'' and inserting ''such service''; and

(D) in subsection (e)—

(i) in paragraph (1), by striking ''eight hours in a day'' and inserting ''eight consecutive hours''; and

(ii) in paragraph (5)(A), by striking ''tour of duty'' and inserting ''period of service''.

(2) EXCLUSION OF APPLICATION OF ADDITIONAL NURSE PAY PROVISIONS TO CERTAIN ADDITIONAL EMPLOYEES.—Paragraph (3) of section 7454(b) is amended to read as follows:

''(3) Employees appointed under section 7408 of this title performing service on a tour of duty, any part of which is within the period commencing at midnight Friday and ending at midnight Sunday, shall receive additional pay in addition to the rate of basic pay provided such employees for each hour of service on such tour at a rate equal to 25 percent of such employee's hourly rate of basic pay.''.

(l) ENHANCED AUTHORITY TO INCREASE RATES OF BASIC PAY TO OBTAIN OR RETAIN SERVICES OF CERTAIN PERSONS.—Section 7455(c) is amended to read as follows:

''(c)(1) Subject to paragraph (2), the amount of any increase under subsection (a) in the minimum rate for any grade may not (except in the case of nurse anesthetists, licensed practical nurses, licensed vocational nurses, nursing positions otherwise covered by title 5, pharmacists, and licensed physical therapists) exceed the maximum rate of basic pay (excluding any locality-based comparability payment under section 5304 of title 5 or similar provision of law) for the grade or level by more than 30 percent.

''(2) No rate may be established under this section in excess of the rate of basic pay payable for level IV of the Executive Schedule.''.

**SEC. 602. LIMITATIONS ON OVERTIME DUTY, WEEKEND DUTY, AND ALTERNATIVE WORK SCHEDULES FOR NURSES.**

(a) OVERTIME DUTY.—

(1) IN GENERAL.—Subchapter IV of chapter 74 is amended by adding at the end the following new section:

**"§ 7459. Nursing staff: special rules for overtime duty**

''(a) LIMITATION.—Except as provided in subsection (c), the Secretary may not require nursing staff to work more than 40 hours (or 24 hours if such staff is covered under section 7456 of this title) in an administrative work week or more than eight consecutive hours (or 12 hours if such staff is covered under section 7456 or 7456A of this title).

''(b) VOLUNTARY OVERTIME.—(1) Nursing staff may on a voluntary basis elect to work hours otherwise prohibited by subsection (a).

''(2) The refusal of nursing staff to work hours prohibited by subsection (a) shall not be grounds—

''(A) to discriminate (within the meaning of section 704(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–3(a))) against the staff;

''(B) to dismiss or discharge the staff; or

''(C) for any other adverse personnel action against the staff.

''(c) OVERTIME UNDER EMERGENCY CIRCUMSTANCES.—(1) Subject to paragraph (2), the Secretary may require nursing staff to work hours otherwise prohibited by subsection (a) if—

''(A) the work is a consequence of an emergency that could not have been reasonably anticipated;

''(B) the emergency is non-recurring and is not caused by or aggravated by the inattention of the Secretary or lack of reasonable contingency planning by the Secretary;

''(C) the Secretary has exhausted all good faith, reasonable attempts to obtain voluntary workers;

''(D) the nurse staff have critical skills and expertise that are required for the work; and

''(E) the work involves work for which the standard of care for a patient assignment requires continuity of care through completion of a case, treatment, or procedure.

''(2) Nursing staff may not be required to work hours under this subsection after the requirement for a direct role by the staff in responding to medical needs resulting from the emergency ends.

''(d) NURSING STAFF DEFINED.—In this section, the term 'nursing staff' includes the following:

''(1) A registered nurse.

''(2) A licensed practical or vocational nurse.

''(3) A nurse assistant appointed under this chapter or title 5.

''(4) Any other nurse position designated by the Secretary for purposes of this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 is amended by inserting after the item relating to section 7458 the following new item:

''7459. Nursing staff: special rules for overtime duty.''.

(b) WEEKEND DUTY.—Section 7456 is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) ALTERNATE WORK SCHEDULES.—

(1) IN GENERAL.—Section 7456A(b)(1)(A) is amended by striking ''three regularly scheduled'' and all that follows through the period at the end and inserting ''six regularly scheduled 12-hour tours of duty within a 14-day period shall be considered for all purposes to have worked a full 80-hour pay period.''.

(2) CONFORMING AMENDMENTS.—Section 7456A(b) is amended—

(A) in the subsection heading, by striking ''36/40'' and inserting ''72/80'';

(B) in paragraph (2)(A), by striking ''40-hour basic work week'' and inserting ''80-hour pay period''; and

(C) in paragraph (3), by striking ''regularly''.

**SEC. 603. REAUTHORIZATION OF HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE SCHOLARSHIP PROGRAM.**

(a) IN GENERAL.—Section 7618 is amended by striking ''December 31, 1998'' and inserting ''December 31, 2014''.

(b) EXPANSION OF ELIGIBILITY REQUIREMENTS.—Section 7612(b)(2) is amended by striking ''(under section'' and all that follows through ''or vocational nurse.'' and inserting the following: ''as an appointee under paragraph (1) or (3) of section 7401 of this title.''.

(c) ADDITIONAL PROGRAM REQUIREMENTS.—Subchapter II of chapter 76, as amended by subsections (a) and (b), is further amended—

(1) by redesignating section 7618 as section 7619; and

(2) by inserting after section 7617 the following new section:

**"§ 7618. Additional program requirements**

''(a) PROGRAM MODIFICATION.—Notwithstanding any provision of this subchapter, the Secretary shall carry out this subchapter after the date of the enactment of this section by modifying the Scholarship Program in such a manner that the program and hiring processes are designed to fully employ Scholarship Program graduates as soon as possible, if not immediately, upon graduation and completion of necessary certifications, and to actively assist and monitor graduates to ensure certifications are obtained in a minimal amount of time following graduation.

''(b) CLINICAL TOURS.—The Secretary shall require participants in the Scholarship Program to perform clinical tours in assignments or locations determined by the Secretary while the participants are enrolled in the course of education or training for which the scholarship is provided.

''(c) MENTORS.—The Secretary shall ensure that at the commencement of the period of obligated service of a participant in the Scholarship Program, the participant is assigned to a mentor who is employed in the same facility where the participant performs such service.''.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 76 is amended by striking the item relating to section 7618 and inserting the following new items:

''7618. Additional program requirements.
''7619. Expiration of program.''.

**SEC. 604. LOAN REPAYMENT PROGRAM FOR CLINICAL RESEARCHERS FROM DISADVANTAGED BACKGROUNDS.**

(a) IN GENERAL.—The Secretary of Veterans Affairs may, in consultation with the Secretary of Health and Human Services, use the authorities available in section 487E of the Public Health Service Act (42 U.S.C. 288–5) for the repayment of the principal and interest of educational loans of appropriately qualified health professionals who are from disadvantaged backgrounds in order to secure clinical research by such professionals for the Veterans Health Administration.

(b) LIMITATIONS.—The exercise by the Secretary of Veterans Affairs of the authorities referred to in subsection (a) shall be subject to the conditions and limitations specified in paragraphs (2) and (3) of section 487E(a) of the Public Health Service Act (42 U.S.C. 288–5(a)(2) and (3)).

(c) FUNDING.—Amounts for the repayment of principal and interest of educational loans under this section shall be derived from amounts available to the Secretary of Veterans Affairs for the Veterans Health Administration for Medical Services.

## TITLE VII—HOMELESS VETERANS MATTERS

**SEC. 701. PER DIEM GRANT PAYMENTS TO NONCONFORMING ENTITIES.**

Section 2012 is amended by adding at the end the following new subsection:

''(d) PER DIEM PAYMENTS TO NONCONFORMING ENTITIES.—(1) The Secretary may make funds available for per diem payments under this section to the following grant recipients or eligible entities:

''(A) Grant recipients or eligible entities that—

''(i) meet each of the transitional and supportive services criteria prescribed by the Secretary pursuant to subsection (a)(1); and

''(ii) furnish services to homeless individuals, of which less than 75 percent are veterans.

''(B) Grant recipients or eligible entities that—

''(i) meet at least one, but not all, of the transitional and supportive services criteria prescribed by the Secretary pursuant to subsection (a)(1); and

''(ii) furnish services to homeless individuals, of which not less than 75 percent are veterans.

''(C) Grant recipients or eligible entities that—

''(i) meet at least one, but not all, of the transitional and supportive services criteria prescribed by the Secretary pursuant to subsection (a)(1); and

''(ii) furnish services to homeless individuals, of which less than 75 percent are veterans.

''(2) Notwithstanding subsection (a)(2), in providing per diem payments under this subsection, the Secretary shall determine the rate of such per diem payments in accordance with the following order of priority:

''(A) Grant recipients or eligible entities described by paragraph (1)(A).

''(B) Grant recipients or eligible entities described by paragraph (1)(B).

''(C) Grant recipients or eligible entities described by paragraph (1)(C).

''(3) For purposes of this subsection, an eligible entity is a nonprofit entity and may be an entity that is ineligible to receive a grant under section 2011 of this title, but whom the Secretary determines carries out the purposes described in that section.''.

## TITLE VIII—NONPROFIT RESEARCH AND EDUCATION CORPORATIONS

**SEC. 801. GENERAL AUTHORITIES ON ESTABLISHMENT OF CORPORATIONS.**

(a) AUTHORIZATION OF MULTI-MEDICAL CENTER RESEARCH CORPORATIONS.—

(1) IN GENERAL.—Section 7361 is amended—

(A) by redesignating subsection (b) as subsection (e); and

(B) by inserting after subsection (a) the following new subsection (b):

''(b)(1) Subject to paragraph (2), a corporation established under this subchapter may facilitate the conduct of research, education, or both at more than one medical center. Such a corporation shall be known as a 'multi-medical center research corporation'.

''(2) The board of directors of a multi-medical center research corporation under this subsection shall include the official at each Department medical center concerned who is, or who carries out the responsibilities of, the medical center director of such center as specified in section 7363(a)(1)(A)(i) of this title.

''(3) In facilitating the conduct of research, education, or both at more than one Department medical center under this subchapter, a multi-medical center research corporation

may administer receipts and expenditures relating to such research, education, or both, as applicable, performed at the Department medical centers concerned.''.

(2) EXPANSION OF EXISTING CORPORATIONS TO MULTI-MEDICAL CENTER RESEARCH CORPORATIONS.—Such section is further amended by adding at the end the following new subsection:

''(f) A corporation established under this subchapter may act as a multi-medical center research corporation under this subchapter in accordance with subsection (b) if—

''(1) the board of directors of the corporation approves a resolution permitting facilitation by the corporation of the conduct of research, education, or both at the other Department medical center or medical centers concerned; and

''(2) the Secretary approves the resolution of the corporation under paragraph (1).''.

(b) RESTATEMENT AND MODIFICATION OF AUTHORITIES ON APPLICABILITY OF STATE LAW.—

(1) IN GENERAL.—Section 7361 as amended by subsection (a) of this section, is further amended by inserting after subsection (b) the following new subsection (c):

''(c) Any corporation established under this subchapter shall be established in accordance with the nonprofit corporation laws of the State in which the applicable Department medical center is located and shall, to the extent not inconsistent with any Federal law, be subject to the laws of such State. In the case of any multi-medical center research corporation that facilitates the conduct of research, education, or both at Department medical centers located in different States, the corporation shall be established in accordance with the nonprofit corporation laws of the State in which one of such Department medical centers is located.''.

(2) CONFORMING AMENDMENT.—Section 7365 is repealed.

(c) CLARIFICATION OF STATUS OF CORPORATIONS.—Section 7361, as amended by this section, is further amended—

(1) in subsection (a), by striking the second sentence; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d)(1) Except as otherwise provided in this subchapter or under regulations prescribed by the Secretary, any corporation established under this subchapter, and its officers, directors, and employees, shall be required to comply only with those Federal laws, regulations, and executive orders and directives that apply generally to private nonprofit corporations.

''(2) A corporation under this subchapter is not—

''(A) owned or controlled by the United States; or

''(B) an agency or instrumentality of the United States.''.

(d) REINSTATEMENT OF REQUIREMENT FOR 501(C)(3) STATUS OF CORPORATIONS.—Subsection (e) of section 7361, as redesignated by subsection (a)(1), is further amended by inserting ''section 501(c)(3) of'' after ''exempt from taxation under''.

**SEC. 802. CLARIFICATION OF PURPOSES OF CORPORATIONS.**

(a) CLARIFICATION OF PURPOSES.—Subsection (a) of section 7362 is amended in the first sentence—

(1) by striking ''Any corporation'' and all that follows through ''facilitate'' and inserting ''A corporation established under this subchapter shall be established to provide a flexible funding mechanism for the conduct of approved research and education at one or more Department medical centers and to facilitate functions related to the conduct of''; and

(2) by inserting before the period at the end the following: ''or centers''.

(b) MODIFICATION OF DEFINED TERM RELATING TO EDUCATION AND TRAINING.—Subsection (b) of such section is amended in the matter preceding paragraph (1) by striking ''the term 'education and training' '' and inserting ''the term 'education' includes education and training and''.

(c) REPEAL OF ROLE OF CORPORATIONS WITH RESPECT TO FELLOWSHIPS.—Paragraph (1) of subsection (b) of such section is amended by striking the flush matter following subparagraph (C).

(d) AVAILABILITY OF EDUCATION FOR FAMILIES OF VETERAN PATIENTS.—Paragraph (2) of subsection (b) of such section is amended by striking ''to patients and to the families'' and inserting ''and includes education and training for patients and families''.

**SEC. 803. MODIFICATION OF REQUIREMENTS FOR BOARDS OF DIRECTORS OF CORPORATIONS.**

(a) REQUIREMENTS FOR DEPARTMENT BOARD MEMBERS.—Paragraph (1) of section 7363(a) is amended to read as follows:

''(1) with respect to the Department medical center—

''(A)(i) the director (or directors of each Department medical center, in the case of a multi-medical center research corporation);

''(ii) the chief of staff; and

''(iii) as appropriate for the activities of such corporation, the associate chief of staff for research and the associate chief of staff for education; or

''(B) in the case of a Department medical center at which one or more of the positions referred to in subparagraph (A) do not exist, the official or officials who are responsible for carrying out the responsibilities of such position or positions at the Department medical center; and''.

(b) REQUIREMENTS FOR NON-DEPARTMENT BOARD MEMBERS.—Paragraph (2) of such section is amended—

(1) by inserting ''not less than two'' before ''members''; and

(2) by striking ''and who'' and all that follows through the period at the end and inserting ''and who have backgrounds, or business, legal, financial, medical, or scientific expertise, of benefit to the operations of the corporation.''.

(c) CONFLICTS OF INTEREST.—Subsection (c) of section 7363 is amended by striking '', employed by, or have any other financial relationship with'' and inserting ''or employed by''.

**SEC. 804. CLARIFICATION OF POWERS OF CORPORATIONS.**

(a) IN GENERAL.—Section 7364 is amended to read as follows:

**''§ 7364. General powers**

''(a) IN GENERAL.—(1) A corporation established under this subchapter may, solely to carry out the purposes of this subchapter—

''(A) accept, administer, retain, and spend funds derived from gifts, contributions, grants, fees, reimbursements, and bequests from individuals and public and private entities;

''(B) enter into contracts and agreements with individuals and public and private entities;

''(C) subject to paragraph (2), set fees for education and training facilitated under section 7362 of this title, and receive, retain, administer, and spend funds in furtherance of such education and training;

''(D) reimburse amounts to the applicable appropriation account of the Department for the Office of General Counsel for any expenses of that Office in providing legal services attributable to research and education agreements under this subchapter; and

''(E) employ such employees as the corporation considers necessary for such purposes and fix the compensation of such employees.

''(2) Fees charged pursuant to paragraph (1)(C) for education and training described in that paragraph to individuals who are officers or employees of the Department may not be paid for by any funds appropriated to the Department.

''(3) Amounts reimbursed to the Office of General Counsel under paragraph (1)(D) shall be available for use by the Office of the General Counsel only for staff and training, and related travel, for the provision of legal services described in that paragraph and shall remain available for such use without fiscal year limitation.

''(b) TRANSFER AND ADMINISTRATION OF FUNDS.—(1) Except as provided in paragraph (2), any funds received by the Secretary for the conduct of research or education at a Department medical center or centers, other than funds appropriated to the Department, may be transferred to and administered by a corporation established under this subchapter for such purposes.

''(2) A Department medical center may reimburse the corporation for all or a portion of the pay, benefits, or both of an employee of the corporation who is assigned to the Department medical center if the assignment is carried out pursuant to subchapter VI of chapter 33 of title 5.

''(3) A Department medical center may retain and use funds provided to it by a corporation established under this subchapter. Such funds shall be credited to the applicable appropriation account of the Department and shall be available, without fiscal year limitation, for the purposes of that account.

''(c) RESEARCH PROJECTS.—Except for reasonable and usual preliminary costs for project planning before its approval, a corporation established under this subchapter may not spend funds for a research project unless the project is approved in accordance with procedures prescribed by the Under Secretary for Health for research carried out with Department funds. Such procedures shall include a scientific review process.

''(d) EDUCATION ACTIVITIES.—Except for reasonable and usual preliminary costs for activity planning before its approval, a corporation established under this subchapter may not spend funds for an education activity unless the activity is approved in accordance with procedures prescribed by the Under Secretary for Health.

''(e) POLICIES AND PROCEDURES.—The Under Secretary for Health may prescribe policies and procedures to guide the spending of funds by corporations established under this subchapter that are consistent with the purpose of such corporations as flexible funding mechanisms and with Federal and State laws and regulations, and executive orders, circulars, and directives that apply generally to the receipt and expenditure of funds by nonprofit organizations exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986.''.

(b) CONFORMING AMENDMENT.—Section 7362(a), as amended by section 802(a)(1) of this Act, is further amended by striking the last sentence.

**SEC. 805. REDESIGNATION OF SECTION 7364A OF TITLE 38, UNITED STATES CODE.**

(a) REDESIGNATION.—Section 7364A is redesignated as section 7365.

(b) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 73 is amended—

(1) by striking the item relating to section 7364A; and

(2) by striking the item relating to section 7365 and inserting the following new item:

''7365. Coverage of employees under certain Federal tort claims laws.''.

**SEC. 806. IMPROVED ACCOUNTABILITY AND OVERSIGHT OF CORPORATIONS.**

(a) ADDITIONAL INFORMATION IN ANNUAL REPORTS.—Subsection (b) of section 7366 is amended to read as follows:

''(b)(1) Each corporation shall submit to the Secretary each year a report providing a detailed statement of the operations, activities, and accomplishments of the corporation during that year.

''(2)(A) A corporation with revenues in excess of $500,000 for any year shall obtain an audit of the corporation for that year.

''(B) A corporation with annual revenues between $100,000 and $500,000 shall obtain an audit of the corporation at least once every three years.

''(C) Any audit under this paragraph shall be performed by an independent auditor.

''(3) The corporation shall include in each report to the Secretary under paragraph (1) the following:

''(A) The most recent audit of the corporation under paragraph (2).

''(B) The most recent Internal Revenue Service Form 990 'Return of Organization Exempt from Income Tax' or equivalent and the applicable schedules under such form.''.

(b) CONFLICT OF INTEREST POLICIES.—Subsection (c) of such section is amended to read as follows:

''(c) Each director, officer, and employee of a corporation established under this subchapter shall be subject to a conflict of interest policy adopted by that corporation.''.

(c) ESTABLISHMENT OF APPROPRIATE PAYEE REPORTING THRESHOLD.—Subsection (d)(3)(C) of such section is amended by striking ''$35,000'' and inserting ''$50,000''.

## TITLE IX—CONSTRUCTION AND NAMING MATTERS

**SEC. 901. AUTHORIZATION OF MEDICAL FACILITY PROJECTS.**

(a) AUTHORIZATION OF FISCAL YEAR 2010 MAJOR MEDICAL FACILITY PROJECTS.—The Secretary of Veterans Affairs may carry out the following major medical facility projects in fiscal year 2010, with each project to be carried out in the amount specified for such project:

(1) Construction (including acquisition of land) for the realignment of services and closure projects at the Department of Veterans Affairs Medical Center in Livermore, California, in an amount not to exceed $55,430,000.

(2) Construction (including acquisition of land) for a new medical facility at the Department of Veterans Affairs Medical Center in Louisville, Kentucky, in an amount not to exceed $75,000,000.

(3) Construction (including acquisition of land) for a clinical expansion for a Mental Health Facility at the Department of Veterans Affairs Medical Center in Dallas, Texas, in an amount not to exceed $15,640,000.

(4) Construction (including acquisition of land) for a replacement bed tower and clinical expansion at the Department of Veterans Affairs Medical Center in St. Louis, Missouri, in an amount not to exceed $43,340,000.

(b) EXTENSION OF AUTHORIZATION FOR MAJOR MEDICAL FACILITY CONSTRUCTION PROJECTS PREVIOUSLY AUTHORIZED.—The Secretary of Veterans Affairs may carry out the following major medical facility projects in fiscal year 2010, as follows with each project to be carried out in the amount specified for such project:

(1) Replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, in an amount not to exceed $800,000,000.

(2) Construction of Outpatient and Inpatient Improvements in Bay Pines, Florida, in an amount not to exceed $194,400,000.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2010, or the year in which funds are appropriated, for the Construction, Major Projects account—

(A) $189,410,000 for the projects authorized in subsection (a); and

(B) $994,400,000 for the projects authorized in subsection (b).

(2) LIMITATION.—The projects authorized in subsections (a) and (b) may only be carried out using—

(A) funds appropriated for fiscal year 2010 pursuant to the authorization of appropriations in paragraph (1);

(B) funds available for Construction, Major Projects for a fiscal year before fiscal year 2010 that remain available for obligation;

(C) funds available for Construction, Major Projects for a fiscal year after fiscal year 2010 that remain available for obligation;

(D) funds appropriated for Construction, Major Projects for fiscal year 2010 for a category of activity not specific to a project;

(E) funds appropriated for Construction, Major Projects for a fiscal year before 2010 for a category of activity not specific to a project; and

(F) funds appropriated for Construction, Major Projects for a fiscal year after 2010 for a category of activity not specific to a project.

**SEC. 902. DESIGNATION OF MERRIL LUNDMAN DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC, HAVRE, MONTANA.**

(a) DESIGNATION.—The Department of Veterans Affairs outpatient clinic in Havre, Montana, shall after the date of the enactment of this Act be known and designated as the ''Merril Lundman Department of Veterans Affairs Outpatient Clinic''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the outpatient clinic referred to in subsection (a) shall be considered to be a reference to the Merril Lundman Department of Veterans Affairs Outpatient Clinic.

**SEC. 903. DESIGNATION OF WILLIAM C. TALLENT DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC, KNOXVILLE, TENNESSEE.**

(a) DESIGNATION.—The Department of Veterans Affairs Outpatient Clinic in Knoxville, Tennessee, shall after the date of the enactment of this Act be known and designated as the ''William C. Tallent Department of Veterans Affairs Outpatient Clinic''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the outpatient clinic referred to in subsection (a) shall be considered to be a reference to the William C. Tallent Department of Veterans Affairs Outpatient Clinic.

**SEC. 904. DESIGNATION OF MAX J. BEILKE DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC, ALEXANDRIA, MINNESOTA.**

(a) DESIGNATION.—The Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, shall after the date of the enactment of this Act be known and designated as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the outpatient clinic referred to in subsection (a) shall be considered to be a reference to the Max J. Beilke Department of Veterans Affairs Outpatient Clinic.

## TITLE X—OTHER MATTERS

**SEC. 1001. EXPANSION OF AUTHORITY FOR DEPARTMENT OF VETERANS AFFAIRS POLICE OFFICERS.**

Section 902 is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) Employees of the Department who are Department police officers shall, with respect to acts occurring on Department property—

''(A) enforce Federal laws;

''(B) enforce the rules prescribed under section 901 of this title;

''(C) enforce traffic and motor vehicle laws of a State or local government (by issuance of a citation for violation of such laws) within the jurisdiction of which such Department property is located as authorized by an express grant of authority under applicable State or local law;

''(D) carry the appropriate Department-issued weapons, including firearms, while off Department property in an official capacity or while in an official travel status;

''(E) conduct investigations, on and off Department property, of offenses that may have been committed on property under the original jurisdiction of Department, consistent with agreements or other consultation with affected Federal, State, or local law enforcement agencies; and

''(F) carry out, as needed and appropriate, the duties described in subparagraphs (A) through (E) when engaged in duties authorized by other Federal statutes.'';

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2), as redesignated by subparagraph (B) of this paragraph, by inserting '', and on any arrest warrant issued by competent judicial authority'' before the period; and

(2) by amending subsection (c) to read as follows:

''(c) The powers granted to Department police officers designated under this section shall be exercised in accordance with guidelines approved by the Secretary and the Attorney General.''.

**SEC. 1002. UNIFORM ALLOWANCE FOR DEPARTMENT OF VETERANS AFFAIRS POLICE OFFICERS.**

Section 903 is amended—

(1) by striking subsection (b) and inserting the following new subsection (b):

''(b)(1) The amount of the allowance that the Secretary may pay under this section is the lesser of—

''(A) the amount currently allowed as prescribed by the Office of Personnel Management; or

''(B) estimated costs or actual costs as determined by periodic surveys conducted by the Department.

''(2) During any fiscal year no officer shall receive more for the purchase of a uniform described in subsection (a) than the amount established under this subsection.''; and

(2) by striking subsection (c) and inserting the following new subsection (c):

''(c) The allowance established under subsection (b) shall be paid at the beginning of a Department police officer's employment for those appointed on or after October 1, 2010. In the case of any other Department police officer, an allowance in the amount established under subsection (b) shall be paid upon the request of the officer.''.

**SEC. 1003. SUBMISSION OF REPORTS TO CONGRESS BY SECRETARY OF VETERANS AFFAIRS IN ELECTRONIC FORM.**

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following new section:

**"§ 118. Submission of reports to Congress in electronic form**

''(a) IN GENERAL.—Whenever the Secretary or any other official of the Department is required by law to submit to Congress (or any committee of either chamber of Congress) a report, the Secretary or other official shall submit to Congress (or such committee) a copy of the report in an electronic format.

''(b) TREATMENT.—The submission of a copy of a report in accordance with this section shall be treated as meeting any requirement of law to submit such report to Congress (or any committee of either chamber of Congress).

''(c) REPORT DEFINED.—For purposes of this section, the term 'report' includes any certification, notification, or other communication in writing.''.

(b) TECHNICAL AND CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 1 is amended—

(1) by striking the item relating to section 117; and

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

''117. Advance appropriations for certain medical care accounts.

''118. Reports to Congress: submission in electronic form.''.

**SEC. 1004. DETERMINATION OF BUDGETARY EFFECTS FOR PURPOSES OF COMPLIANCE WITH STATUTORY PAY-AS-YOU-GO-ACT OF 2010.**

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Indiana (Mr. BUYER) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. FILNER. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on S. 1963, as amended.

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

There was no objection.

Mr. FILNER. I yield myself 4 minutes.

Mr. Speaker, when I became chairman of the Committee on Veterans' Affairs 3 years ago, the VA was strained to the breaking point by years of chronic underfunding. We were a country at war; yet, the Department of Veterans Affairs remained unprepared to care for the hundreds of thousands of new veterans returning from Iraq and Afghanistan.

It is simply our duty as a Nation, no matter where we stand on the war, to put our men and women in harm's way under the care of our Nation when they return. Under the Democratic leadership, Congress has provided almost a 60 percent increase for VA medical care funding over the last 3 years, adding over $20 billion to the VA budget baseline.

S. 1963 demonstrates America's commitment to the dedicated servicemembers who have served in uniform and puts front and center the health care needs of veterans and their families. It is our pledge to them that we have not forgotten the sacrifices they have made in defense of this country. So in this bill, we help caregivers of injured veterans, women veterans, rural veterans, homeless veterans, and veterans with mental health issues.

S. 1963 provides immediate support to the mothers, fathers, husbands, and wives caring for warriors from the current conflicts as well as from previous conflicts. Today we have the opportunity to recognize their tremendous sacrifice and share their heavy burden.

The bill also expands and improves VA services for the 1.8 million women veterans currently receiving VA health care and goes a step further by anticipating the expected increase of women warriors over the next 5 years. This bill seeks to build a VA health care system respectful of the unique medical needs of women veterans.

S. 1963 also advances America's commitment to end veterans' homelessness. Hundreds of thousands of veterans are at risk of homelessness because of poverty and the lack of support from family and friends. An increasing number of veterans of operations in Afghanistan and Iraq are falling into this category, and we must be vigilant in providing support to this population.

We expand the number of places where homeless vets may receive supportive services; and for our veterans struggling without a roof over their heads, this small change in the law will make a big difference in their lives.

The bill also includes key provisions to improve health care provided to our rural veterans by authorizing stronger partnerships with community providers and the Department of Health and Human Services. These collaborations will allow VA to offer health care options to servicemembers living far from the nearest medical facility.

In addition, we address the troubling reality of posttraumatic stress disorder and troubling incidents of suicide amongst the veterans' population. The bill requires a much-needed and long-awaited study on veteran suicide and requires the VA to provide counseling referrals for former members of the Armed Forces who are not otherwise eligible for readjustment counseling.

S. 1963 provides higher priority status for Medal of Honor recipients, establishes a director of physician assistant services, and creates a committee on care of veterans with traumatic brain injury. It requires the VA to provide health care for herbicide-exposed Vietnam veterans and veterans of the Persian Gulf War who have insufficient medical evidence to establish a service-connected disability, and it prohibits the VA from collecting copayments from veterans who are catastrophically disabled.

This bill, Mr. Speaker, demands our immediate attention. We owe our veterans a great debt of gratitude, and this bill represents an understanding that the sacrifices of our veterans are shared amongst all Americans.

I urge all of my colleagues to support passage of S. 1963, as amended, and reserve the balance of my time.

EXPLANATORY STATEMENT SUBMITTED BY MR. FILNER, CHAIRMAN OF THE HOUSE COMMITTEE ON VETERANS' AFFAIRS, REGARDING THE AMENDMENT OF THE HOUSE OF REPRESENTATIVES TO S. 1963

CAREGIVERS AND VETERANS OMNIBUS HEALTH SERVICES ACT OF 2010

S. 1963, as amended, the ''Caregivers and Veterans Omnibus Health Services Act of 2010,'' reflects the Compromise Agreement between the Committees on Veterans' Affairs of the Senate and the House of Representatives (the Committees) on health care and related provisions for veterans and their caregivers. The provisions in the Compromise Agreement are derived from a number of bills that were introduced and considered by the House and Senate during the 111th Congress. These bills include S. 1963, a bill to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes, which passed the Senate on November 19, 2009 (Senate bill); and H.R. 3155, a bill to provide certain caregivers of veterans with training, support, and medical care, and for other purposes, which passed the House on July 27, 2009 (House bill).

In addition, the Compromise Agreement includes provisions derived from the following bills which were passed by the House: H.R. 402, a bill to designate the Department of Veterans Affairs Outpatient Clinic in Knoxville, Tennessee, as the ''William C. Tallent Department of Veterans Affairs Outpatient Clinic,'' passed by the House on July 14, 2009; H.R. 1211, a bill to expand and improve health care services available to women veterans, especially those serving in Operation Enduring Freedom and Operation Iraqi Freedom, from the Department of Veterans Affairs, and for other purposes, passed by the House on June 23, 2009; H.R. 1293, a bill to provide for an increase in the amount payable by the Secretary of Veterans Affairs to veterans for improvements and structural alterations furnished as part of home health services, passed by the House on July 28, 2009; H.R. 2770, a bill to modify and update provisions of law relating to nonprofit research and education corporations, and for other purposes, passed by the House on July 27, 2009; H.R. 3157, a bill to name the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic,'' passed by the House on November 3, 2009; H.R. 3219, a bill to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to insurance and health care, and for other purposes, passed by the House on July 27, 2009; and H.R. 3949, a bill to make certain improvements in the laws relating to benefits administered by the Secretary of Veterans Affairs, and for other purposes, passed by the House on November 3, 2009.

The Compromise Agreement also includes provisions derived from the following House bills, which were introduced and referred to the Subcommittee on Health of the House Committee on Veterans' Affairs: H.R. 919, to enhance the capacity of the Department of Veterans Affairs to recruit and retain nurses and other critical health care professionals, and for other purposes, which was introduced on February 9, 2009; H.R. 3796, to improve per

diem grant payments for organizations assisting homeless veterans, which was introduced on October 13, 2009; and H.R. 4166, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to educational assistance for health professionals, and for other purposes, which was introduced on December 1, 2009, and was concurrently referred to the Committee on Energy and Commerce.

The House and Senate Committees on Veterans' Affairs have prepared the following explanation of the Compromise Agreement. Differences between the provisions contained in the Compromise Agreement and the related provisions in the bills listed above are noted in this document, except for clerical corrections and conforming changes, and minor drafting, technical, and clarifying changes.

TITLE I—CAREGIVER SUPPORT

*Assistance and Support Services for Family Caregivers (section 101)*

The Senate bill contains a provision (section 102) that would create a new program to help caregivers of eligible veterans who, together with the veteran, submit a joint application requesting services under the new program. Eligible veterans are defined as those who have a serious injury, including traumatic brain injury, psychological trauma, or other mental disorder, incurred or aggravated while on active duty on or after September 11, 2001. Within two years of program implementation, the Department of Veterans Affairs (VA) would be required to submit a report on the feasibility and advisability of extending the program to veterans of earlier periods of service. Severely injured veterans are defined as those who need personal care services because they are unable to perform one or more independent activities of daily living, require supervision as a result of neurological or other impairments, or need personal care services because of other matters specified by the VA. For accepted caregiver applicants, VA would be required to provide respite care as well as pay for travel, lodging and per-diem expenses while the caregiver of an eligible veteran is undergoing necessary training and education to provide personal care services. Once a caregiver completes training and is designated as the primary personal care attendant, this individual would receive ongoing assistance including direct technical support, counseling and mental health services, respite care of no less than 30 days annually, health care through the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA), and a monthly financial stipend. The provision in the Senate bill would require VA to carry out oversight of the caregiver by utilizing the services of home health agencies. A home health agency would be required to visit the home of a veteran not less often than once every six months and report its findings to VA. Based on the findings, VA would have the final authority to revoke a caregiver's designation as a primary personal care attendant. The provision also would require an implementation and evaluation report, and provide for an effective date 270 days after the date of the enactment of this Act.

The House bill contains comparable provisions (section 2 and section 4) with some key differences. The provisions in the House bill would provide educational sessions, access to a list of comprehensive caregiver support services available at the county level, information and outreach, respite care, and counseling and mental health services to family and non-family caregivers of veterans of any era. For family caregivers of eligible veterans who served in Operation Enduring Freedom (OEF) or Operation Iraqi Freedom (OIF), the House bill would require VA to provide a monthly financial stipend, health care service through CHAMPVA, and lodging and subsistence to the caregiver when the caregiver accompanies the veteran on medical care visits. Eligible OEF or OIF veterans are defined as those who have a service-connected disability or illness that is severe; in need of caregiver services without which the veteran would be hospitalized, or placed in nursing home care or other residential institutional care; and are unable to carry out activities (including instrumental activities) of daily living.

The Compromise Agreement contains the Senate provision modified to no longer require VA to enter into relationships with home health agencies to make home visits every six months. In addition, the Compromise Agreement follows the House bill in creating a separate program of general family caregiver support services for family and non-family caregivers of veterans of any era. Such support services would include training and education, counseling and mental health services, respite care, and information on the support services available to caregivers through other public, private, and nonprofit agencies. In the event that sufficient funding is not available to provide training and education services, the Secretary would be given the authority to suspend the provision of such services. The Secretary would be required to certify to the Committees that there is insufficient funding 180 days before suspending the provision of these services. This certification and the resulting suspension of services would expire at the end of the fiscal year concerned.

The overall caregiver support program for caregivers of eligible OEF or OIF veterans would authorize VA to provide training and supportive services to family members and certain others who wish to care for a disabled veteran in the home and to allow veterans to receive the most appropriate level of care. The newly authorized supportive services would include training and certification, a living stipend, and health care—including mental health counseling, transportation benefits, and respite.

The Compromise Agreement also includes an authorization for appropriations that is below the estimate furnished by the Congressional Budget Office. The lower authorization level is based on information contained in a publication (Economic Impact on Caregivers of the Seriously Wounded, Ill, and Injured, April 2009) of the Center for Naval Analyses (CNA). This study estimated that, annually, 720 post-September 11, 2001 veterans require comprehensive caregiver services. The Compromise Agreement limits the caregiver program only to ''seriously injured or very seriously injured'' veterans who were injured or aggravated an injury in the line of duty on or after September 11, 2001. CNA found that the average requirement for such caregiver services is 18 months, and that only 43 percent of veterans require caregiver services over the long-term. CNA also found that, on average, veterans need only 21 hours of caregiver services per week. Only 233 family caregivers were referred by VA for training and certification through existing home health agencies in FY 2008. This represented five percent of all home care referrals. In FY 2009, only 168 family caregivers were referred to home care agencies for training and certification.

*Medical Care for Family Caregivers (section 102)*

The Senate bill contains a provision (section 102) that would provide health care through the CHAMPVA program for individuals designated as the primary care attendant for eligible OEF or OIF veterans and who have no other insurance coverage.

The House bill contains a comparable provision (section 5), with a difference in the target population. Under the House bill, the target population would include all family caregivers of eligible OEF or OIF veterans, defined as those who have a service-connected disability or illness that is severe; are in need of caregiver services without which hospitalization, nursing home care, or other residential institutional care would be required; and, are unable to carry out activities (including instrumental activities) of daily living.

The Compromise Agreement contains the Senate provision.

*Counseling and Mental Health Services for Family Caregivers (section 103)*

The Senate bill contains a provision (section 102) that would provide counseling and mental health services for family caregivers of OEF or OIF veterans.

The House bill contains a comparable provision (section 3), except that counseling and mental health services would be available to caregivers of veterans of any era.

The Compromise Agreement contains the House provision.

*Lodging and Subsistence for Attendants (section 104)*

The Senate bill contains a provision (section 103) that would allow VA to pay for the lodging and subsistence costs incurred by any attendant who accompanies an eligible OEF or OIF veteran seeking VA health care.

The House bill contains a comparable provision (section 6), with a difference in the target population. Under the House bill, the target population would include all family caregivers of eligible OEF or OIF veterans, defined as those who have a service-connected disability or illness that is severe; are in need of caregiver services without which hospitalization, nursing home care, or other residential institutional care would be required; and, are unable to carry out activities (including instrumental activities) of daily living.

The Compromise Agreement contains the Senate provision.

TITLE II—WOMEN VETERANS HEALTH CARE MATTERS

*Study of Barriers for Women Veterans to Health Care from the Department of Veterans Affairs (section 201)*

The Senate bill contains a provision (section 201) that would require VA to report, by June 1, 2010, on barriers facing women veterans who seek health care at VA, especially women veterans of OEF or OIF.

H.R. 1211 contains a comparable provision (section 101) that would require a similar study of health care barriers for women veterans. The House provision also would define the parameters of the research study sample; direct VA to build on the work of an existing study entitled ''National Survey of Women Veterans in Fiscal Year 2007–2008;'' mandate VA to share the barriers study data with the Center for Women Veterans and the Advisory Committee on Women Veterans; and authorize appropriations of $4 million to conduct the study. VA would be required to submit to Congress a report on the implementation of this section within six months of the publication of the ''National Survey of Women Veterans in Fiscal Year 2007–2008'', and the final report within 30 months of publication.

The Compromise Agreement contains the House provision.

*Training and Certification for Mental Health Care Providers of the Department of Veterans Affairs on Care for Veterans Suffering from Sexual Trauma and Post-Traumatic Stress Disorder (section 202)*

The Senate bill contains a provision (section 204) that would require VA to implement a program for education, training, certification, and continuing medical education

for mental health professionals, which would include principles of evidence-based treatment and care for sexual trauma. VA would also be required to submit an annual report on the counseling, care, and services provided to veterans suffering from sexual trauma, and to establish education, training, certification, and staffing standards for personnel providing treatment for veterans with sexual trauma.

H.R. 1211 contains a similar provision (section 202), except it included no provision requiring VA to establish education, training, certification, and staffing standards for the mental health professionals caring for veterans with sexual trauma.

The Compromise Agreement contains the House provision.

*Pilot Program on Counseling in Retreat Settings for Women Veterans Newly Separated from Service in the Armed Forces (section 203)*

The Senate bill contains a provision (section 205) that would require VA to establish, at a minimum of five locations, a two-year pilot program in which women veterans newly separated from the Armed Forces would receive reintegration and readjustment services in a group retreat setting. The provision also would require a report detailing the pilot program findings and providing recommendations on whether VA should continue or expand the pilot program.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision but specifies that the program be carried out at a minimum of three, not five, locations.

*Service on Certain Advisory Committees of Women Recently Separated from Service in the Armed Forces (section 204)*

The Senate bill contains a provision (section 207) that would amend the membership of the Advisory Committee on Women Veterans and the Advisory Committee on Minority Veterans to require that such committees include women recently separated from the Armed Forces and women who are minority group members and are recently separated from the Armed Forces, respectively.

H.R. 1211 contains a similar provision (section 204) except that it would allow either men or women who are members of a minority group to serve on the Advisory Committee on Minority Veterans.

The Compromise Agreement contains the Senate provision.

*Pilot Program on Subsidies for Child Care for Certain Veterans Receiving Health Care (section 205)*

The Senate bill contains a provision (section 208) that would require VA to establish a pilot program through which child care subsidies would be provided to women veterans receiving regular and intensive mental health care and intensive health care services. The pilot program would be carried out in no fewer than three Veterans Integrated Service Networks (VISNs) for a duration of two years and, at its conclusion, there would be a requirement for a report to be submitted within six months detailing findings related to the program and recommendations on its continuation or extension. The provision also would direct VA, to the extent practicable, to model the pilot program after an existing VA Child Care Subsidy Program.

H.R. 1211 contains a comparable provision (section 203), but it does not stipulate that the child care program shall be executed through stipends. Rather, stipends are one option among several listed, including partnership with private agencies, collaboration with facilities or program of other Federal departments or agencies, and the arrangement of after-school care.

The Compromise Agreement contains the Senate provision, with a modification to clarify that the child care subsidy payments shall cover the full cost of child care services. In addition, the provision expands the definition of veterans who qualify for the child care subsidy to women veterans who are in need of regular or intensive mental health care services but who do not seek such care due to lack of child care services. Finally, the Compromise Agreement follows the House provision by allowing for other forms of child care assistance. In addition to stipends, child care services may be provided through the direct provision of child care at an on-site VA facility, payments to private child care agencies, collaboration with facilities or programs of other Federal departments or agencies, and other forms as deemed appropriate by the Secretary.

*Care for Newborn Children of Women Veterans Receiving Maternity Care (section 206)*

The Senate bill contains a provision (section 209) that would authorize VA to provide post-delivery health care services to a newborn child of a woman veteran receiving maternity care from VA if the child was delivered in a VA facility or a non-VA facility pursuant to a VA contract for delivery. Such care would be authorized for up to seven days.

H.R. 1211 contains a comparable provision (section 201), but would allow VA to provide care for a set seven-day period for newborn children of women veterans receiving maternity care.

The Compromise Agreement contains the Senate provision.

TITLE III—RURAL HEALTH IMPROVEMENTS

*Improvements to the Education Debt Reduction Program (section 301)*

The Senate bill contains a provision (section 301) that would eliminate the cap in current law on the total amount of education debt reduction payments that can be made over five years so as to permit payments equal to the total amount of principal and interest owed on eligible loans.

H.R. 4166 contains a provision (section 3), that would expand the purpose of the Education Debt Reduction Program (EDRP), set forth in subchapter VII of chapter 76 of title 38, United States Code, to include retention in addition to recruitment, as well as to modify and expand the eligibility requirements for participation in the program. In addition, the provision would increase the total education debt reduction payments made by VA from $44,000 to $60,000 and raise the cap on payments to be made during the fourth and fifth years of the program from $10,000 to $12,000. The provision would also provide VA with the flexibility to waive the limitations of the EDRP and pay the full principal and interest owed by participants who fill hard-to-recruit positions at VA.

The Compromise Agreement contains the House provision.

*Visual Impairment and Orientation and Mobility Professionals Education Assistance Program (section 302)*

The Senate bill contains a provision (section 302) that would require VA to establish a scholarship program for students accepted or enrolled in a program of study leading to certification or a degree in the areas of visual impairment or orientation and mobility. The student would be required to agree to maintain an acceptable level of academic standing as well as join VA as a full-time employee for three years following their completion of the program. VA would be required to disseminate information on the scholarship program throughout educational institutions, with a special emphasis on those with a high number of Hispanic students and Historically Black Colleges and Universities.

H.R. 3949 contains the same provision (section 302).

The Compromise Agreement contains this provision.

*Demonstration Projects on Alternatives for Expanding Care for Veterans in Rural Areas (section 303)*

The Senate bill contains a provision (section 305) that would authorize VA to carry out demonstration projects to expand care to veterans in rural areas through the Department's Office of Rural Health. Projects could include VA establishing a partnership with the Centers for Medicare and Medicaid Services to coordinate care for veterans in rural areas at critical access hospitals, developing a partnership with the Department of Health and Human Services to coordinate care for veterans in rural areas at community health centers, and the expanding coordination with the Indian Health Service to enhance care for Native American veterans.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Program on Readjustment and Mental Health Care Services for Veterans who Served in Operation Enduring Freedom and Operation Iraqi Freedom (section 304)*

The Senate bill contains a provision (section 306) that would require VA to establish a program providing OEF and OIF veterans with mental health services, readjustment counseling and services, and peer outreach and support. The program would also provide the immediate families of these veterans with education, support, counseling, and mental health services. In areas not adequately served by VA facilities, VA would be authorized to contract with community mental health centers and other qualified entities for the provision of such services, as well as provide training to clinicians and contract with a national non-profit mental health organization to train veterans participating in the peer outreach and support program. The provision would require an initial implementation report within 45 days after enactment of the legislation. Additionally, the Secretary would be required to submit a status report within one year of enactment of the legislation detailing the number of veterans participating in the program as well as an evaluation of the services being provided under the program.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision, but does not include the reporting requirement and authorizes rather than requires VA to contract with community mental health centers and other qualified entities in areas not adequately served by VA facilities.

*Travel Reimbursement for Veterans Receiving Treatment at Facilities of the Department of Veterans Affairs (section 305)*

The Senate bill contains a provision (section 308) that would authorize VA to increase the mileage reimbursement rate under section 111 of title 38, United States Code, to 41.5 cents per mile, and, a year after the enactment of this legislation, allow the Secretary to adjust the newly specified mileage rate to be equal to the rate paid to Government employees who use privately owned vehicles on official business. If such an adjustment would result in a lower mileage rate, the Secretary would be required to submit to Congress a justification for the lowered rate. The provision also would allow the Secretary to reimburse veterans for the reasonable cost of airfare when that is the only practical way to reach a VA facility.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Pilot Program on Incentives for Physicians Who Assume Inpatient Responsibilities at Community Hospitals in Health Professional Shortage Areas (section 306)*

The Senate bill contains a provision (section 313) that would require VA to establish a pilot program under which VA physicians caring for veterans admitted to community hospitals would receive financial incentives, of an amount deemed appropriate by the Secretary, if they maintain inpatient privileges at community hospitals in health professional shortage areas. Participation in the pilot program would be voluntary. VA would be required to carry out the pilot program for three years, in not less than five community hospitals in each of not fewer than two VISNs. In addition, VA would be authorized to collect third party payments for care provided by VA physicians to nonveterans while carrying out their responsibilities at the community hospital where they are privileged.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Grants for Veterans Service Organizations for Transportation of Highly Rural Veterans (section 307)*

The Senate bill contains a provision (section 315) that would require VA to establish a grant program to provide innovative transportation options to veterans in highly rural areas. Eligible grant recipients would include state veterans service agencies and veterans service organizations, and grant awards would not exceed $50,000.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Modifications of Eligibility for Participation in Pilot Program of Enhanced Contract Care Authority for Health Care Needs of Certain Veterans (section 308)*

The Senate bill contains a provision (section 316) that would clarify the definition of eligible veterans who are covered under a pilot program of enhanced contract care authority for rural veterans, created by section 403(b) of the Veterans' Mental Health and Other Care Improvements Act of 2008 (P.L. 110–387, 122 Stat. 4110). Eligible veterans would be defined to include those living more than 60 minutes driving distance from the nearest VA facility providing primary care services, living more than 120 minutes driving distance from the nearest VA facility providing acute hospital care, and living more than 240 minutes driving distance from the nearest VA facility providing tertiary care.

H.R. 3219 contains the same provision (section 206).

The Compromise Agreement contains this provision.

TITLE IV—MENTAL HEALTH CARE MATTERS

*Eligibility of Members of the Armed Forces Who Served in Operation Enduring Freedom or Operation Iraqi Freedom for Counseling and Services Through Readjustment Counseling Services (section 401)*

The Senate bill contains a provision (section 401) that would allow any member of the Armed Forces, including members of the National Guard or Reserve, who served in OEF or OIF to be eligible for readjustment counseling services at VA Readjustment Counseling Centers, also known as Vet Centers. The provision of such services would be limited by the availability of appropriations so that this new provision would not adversely affect services provided to the veterans that Vet Centers are currently serving.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Restoration of Authority of Readjustment Counseling Service to Provide Referral and Other Assistance upon Request to Former Members of the Armed Forces Not Authorized Counseling (section 402)*

The Senate bill contains a provision (section 402) that would require VA to help former members of the Armed Forces who have been discharged or released from active duty, but who are not otherwise eligible for readjustment counseling. VA would be authorized to help these individuals by providing them with referrals to obtain counseling and services from sources outside of VA, or by advising such individuals of their right to apply for a review of their release or discharge through the appropriate military branch of service.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Study on Suicides among Veterans (section 403)*

The Senate bill contains a provision (section 403) that would require VA to conduct a study to determine the number of veterans who committed suicide between January 1, 1999 and the enactment of the legislation. To conduct this study, VA would be required to coordinate with the Secretary of Defense, veterans' service organizations, the Centers for Disease Control and Prevention, and state public health offices and veterans agencies.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

TITLE V—OTHER HEALTH CARE MATTERS

*Repeal of Certain Annual Reporting Requirements (section 501)*

The Senate bill contains a provision (section 501) that would eliminate the reporting requirements, set forth in sections 7451 and 8107 of title 38, United States Code, on pay adjustments for registered nurses. These reporting requirements date to a time when VA facility directors had the discretion to offer annual General Schedule (GS) comparability increases to nurses. Current law requires VA to provide GS comparability increases to nurses so that that pay adjustment report is no longer necessary. The provision would also eliminate the reporting requirement on VA's long-range health care planning which included the operations and construction plans for medical facilities. The information contained in this report is already submitted in other reports and plans, in particular the Department's annual budget request.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Submittal Date of Annual Report on Gulf War Research (section 502)*

The Senate bill contains a provision (section 502) that would amend the due date of the Annual Gulf War Research Report from March 1 to July 1 of each of the five years with the first report due in 2010.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Payment for Care Furnished to CHAMPVA Beneficiaries (section 503)*

The Senate bill contains a provision (section 503) that would clarify that payments made by VA to providers who provide medical care to a beneficiary covered under CHAMPVA shall constitute payment in full, thereby removing any liability on the part of the beneficiary.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Disclosure of Patient Treatment Information from Medical Records of Patients Lacking Decision-making Capacity (section 504)*

The Senate bill contains a provision (section 504) that would authorize VA health care practitioners to disclose relevant portions of VA medical records to surrogate decision-makers who are authorized to make decisions on behalf of patients lacking decision-making capacity. The provision would only allow such disclosures where the information is clinically relevant to the decision that the surrogate is being asked to make.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Enhancement of Quality Management (section 505)*

The Senate bill contains a provision (section 506) that would create a National Quality Management Officer to act as the principal officer responsible for the Veteran Health Administration's quality assurance program.µ The provision would require each VISN and medical facility to appoint a quality management officer, as well as require VA to carry out a review of policies and procedures for maintaining health care quality and patient safety.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Pilot Program on Use of Community-Based Organizations and Local and State Government Entities To Ensure That Veterans Receive Care and Benefits for Which They are Eligible (section 506)*

The Senate bill contains a provision (section 508) that would require VA to create a pilot program to study the use of community organizations and local and State government entities in providing care and benefits to veterans. The grantees would be selected for their ability to increase outreach, enhance the coordination of community, local, state, and Federal providers of health care, and expand the availability of care and services to transitioning servicemembers and their families. The two-year pilot program would be required to be implemented in five locations and, in making the site selections, the Secretary would be required to give special consideration to rural areas, areas with high proportions of minority groups, areas with high proportions of individuals who have limited access to health care, and areas that are not in close proximity to an active duty military station.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision, but would give VA 180 days to implement the pilot program.

*Specialized Residential Care and Rehabilitation for Certain Veterans (section 507)*

The Senate bill contains a provision (section 509) that would authorize VA to contract for specialized residential care and rehabilitation services for certain veterans. Eligible veterans would be those who served in OEF or OIF, suffer from a traumatic brain injury (TBI), and possess an accumulation of deficits in activities of daily living and instrumental activities of daily living that would otherwise require admission to a nursing home.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Expanded Study on the Health Impact of Project Shipboard Hazard and Defense (section 508)*

The Senate bill contains a provision (section 510) that would require VA to contract with the Institute of Medicine (IOM) to study the health impact of veterans' participation in Project Shipboard Hazard and Defense (SHAD). The study would be intended

to cover, to the extent practicable, all veterans who participated in Project SHAD and may utilize results from the study included in IOM's report on ''Long-Term Health Effects of Participation in Project SHAD.''

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Use of Non-Department Facilities for Rehabilitation of Individuals with Traumatic Brain Injury (section 509)*

The Senate bill contains a provision (section 511) that would clarify when non-VA facilities may be utilized to provide treatment and rehabilitative services for veterans and members of the Armed Forces with TBI. Specifically, the provision would allow non-VA facilities to be used when VA cannot provide treatment or services at the frequency or duration required by the individual plan of the veteran or servicemember with TBI. The provision also would allow the use of non-VA facilities if VA determines that it is optimal for the recovery and rehabilitation of the veteran or servicemember. Such non-VA facility would be required to maintain standards that have been established by an independent, peer-reviewed organization that accredits specialized rehabilitation programs for adults with TBI.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Pilot Program on Provision of Dental Insurance Plans to Veterans and Survivors and Dependents of Veterans (section 510)*

The Senate bill contains a provision (section 513) that would require VA to carry out a three-year pilot program to provide specified dental services through a contract with a dental insurer. Additionally, the provision would provide that the pilot program should take place in at least two but no more than four VISNs and that enrollment would be voluntary. The program would provide diagnostic services, preventive services, endodontic and other restorative services, surgical services, emergency services, and such other services as VA considers appropriate.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision, modified to provide that the pilot program may take place in any number of VISNs the Secretary deems appropriate. The purpose of providing the Secretary with this authority is to ensure the capability, should it be required, to maximize the number of voluntary enrollees insured under the dental program so as to reduce premium expenditures.

*Prohibition on Collection of Copayments from Veterans who are Catastrophically Disabled (section 511)*

The Senate bill contains a provision (section 515) that would add a new section 1730A in title 38, United States Code, to prohibit VA from collecting copayments from catastrophically disabled veterans for medical services rendered, including prescription drug and nursing home care copayments.

H.R. 3219 contains the same provision (section 203).

The Compromise Agreement contains this provision.

*Higher Priority Status for Certain Veterans who are Medal of Honor Recipients (section 512)*

H.R. 3519 contains a provision (section 201) that would amend section 1705 of title 38, United States Code, to place Medal of Honor recipients in priority group 3 for the purposes of receiving health care through VA. This would situate Medal of Honor recipients in a priority group with former prisoners of war and Purple Heart recipients.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

*Hospital Care, Medical Services, and Nursing Home Care for Certain Vietnam-Era Veterans Exposed to Herbicide and Veterans of the Persian Gulf War (section 513)*

H.R. 3219 contains a provision (section 202) that would amend section 1710 of title 38, United States Code, to provide permanent authorization for the special treatment authority of Vietnam-era veterans exposed to an herbicide and Gulf-War era veterans who have insufficient medical evidence to establish a service-connected disability.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

*Establishment of Director of Physician Assistant Services in Veterans Health Administration (section 514)*

H.R. 3219 contains a provision (section 204) that would create the position of Director of Physician Assistant Services in VA central office who would report directly to the Under Secretary for Health on all matters related to education, training, employment, and proper utilization of physician assistants.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision, modified to require the Director of Physician Assistant Services to report directly to the Chief of the Office of Patient Services instead of to the Under Secretary for Health.

*Committee on Care of Veterans with Traumatic Brain Injury (section 515)*

H.R. 3219 contains a provision (section 205) that would require VA to establish a Committee on Care of Veterans with Traumatic Brain Injury. This Committee would be required to evaluate VA's capacity to meet the treatment and rehabilitative needs of veterans with TBI, as well as make recommendations and advise the Under Secretary for Health on matters relating to this condition. Additionally, VA would be required to submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives an annual report on the Committee's findings and recommendations and the Department's response.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

*Increase in Amount Available to Disabled Veterans for Improvements and Structural Alterations Furnished as Part of Home Health Services (section 516)*

H.R. 1293 contains a provision that would increase, from $4,100 to $6,800, the amount authorized to be paid to veterans who have service-connected disabilities rated 50 percent or more disabling for home improvements and structural alterations. The provision would also increase from $1,200 to $2,000, the amount authorized to be paid to veterans with service-connected disabilities rated less than 50 percent disabling.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

*Extension of Statutorily Defined Copayments for Certain Veterans for Hospital Care and Nursing Home Care (section 517)*

Under current law, VA has the authority to provide hospital and nursing home care on a space available basis to veterans who do not otherwise qualify for such care. VA is authorized to collect from such a veteran an amount equal to $10 for every day that a veteran receives hospital care, and $5 for every day a veteran receives nursing home care. This authority expires on September 30, 2010.

Neither the House nor Senate bills contain a provision to extend this authority.

The Compromise Agreement contains a provision which would extend the statutorily defined copayments for certain veterans for hospital care and nursing home care to September 30, 2012.

*Extension of Authority to Recover Cost of Certain Care and Services from Disabled Veterans with Health-Plan Contracts (section 518)*

Under current law, VA is authorized to recover the costs associated with medical care provided to a veteran for a non-service-connected disability if, among other eligibility criteria, the veteran receives such care before October 1, 2010, the veteran has a service-connected disability, and the veteran is entitled to benefits for health care under a health-plan contract.

Neither the House nor Senate bills contain a provision to extend this authority.

The Compromise Agreement contains a provision which would extend the authority to recover the cost of such care and services from disabled veterans with health-plan contracts to October 1, 2012.

TITLE VI—DEPARTMENT PERSONNEL MATTERS

*Enhancement of Authorities for Retention of Medical Professionals (section 601)*

The Senate bill contains provisions (section 601) intended to improve VA's ability to recruit and retain health professionals. First, VA would be given the authority to apply the title 38 hybrid employment system to additional health care occupations to meet the recruitment and retention needs of VA. Next, the probationary period for full-time and part-time registered nurses would be set at two years; part-time registered nurses who served previously on a full-time basis would not be subject to a probationary period. In addition, VA would be authorized to waive the salary offset where the salary of an employee rehired after retirement from the Veterans Health Administration is reduced according to the amount of their annuity under a federal government retirement system.

Section 601 also would provide for a number of new or expanded pay authorities, including setting the pay for all senior executives in the Office of the Under Secretary for Health at Level II or Level III of the Executive Schedule; authorizing recruitment and retention special incentive pay for pharmacist executives of up to $40,000; amending the pay provisions of physicians and dentists by clarifying the determination of the non-foreign cost of living adjustment, exempting physicians and dentists in executive leadership positions from compensation panels, and allowing for a reduction in market pay for changes in board certification or a reduction of privileges; modifying the pay cap for registered nurses and other covered positions to Level IV of the Executive Schedule; allowing the pay for certified registered nurse anesthetists to exceed the pay caps for registered nurses; increasing the limitation on special pay for nurse executives from $25,000 to $100,000; adding licensed practical nurses, licensed vocational nurses, and nursing positions covered by title 5 to the list of occupations that are exempt from the limitations on increases in rates of basic pay; and expanding the eligibility for additional premium pay to part-time nurses. Finally, section 601 would improve VA's locality pay system by requiring VA to provide education, training, and support to the directors of VA health care facilities on the use of locality pay system surveys.

H.R. 919 contains a comparable provision (section 2) which would not, in contrast to

the Senate bill, restrict VA from applying hybrid title 38 status to positions that are administrative, clerical or physical plant maintenance and protective services, would otherwise be included under the authority of section 5332 of title 5, United States Code; do not provide direct patient care services, or would otherwise be available to provide medical care and treatment for veterans. The House provision also would not place restrictions on the categories of part-time nurses for whom the probationary period would be waived. The House section contains an additional provision which would provide comparability pay up to $100,000 per year to all individuals appointed by the Under Secretary for Health under the authority of section 7306 of title 38, United States Code, who are not physicians or dentists and who would be compensated at a higher rate in the private sector.

The Compromise Agreement contains the Senate provision, modified to eliminate the provision of the Senate bill that would provide VA with the authority to waive salary offsets for retirees who are reemployed in the Veterans Health Administration.

*Limitations on Overtime Duty, Weekend Duty, and Alternative Work Schedules for Nurses (section 602)*

The Senate bill contains a provision (section 602) that would prohibit VA from requiring nurses to work more than 40 hours in an administrative work week or more than 8 hours consecutively, except under unanticipated emergency conditions in which the nurses' skills are necessary and good faith efforts to find voluntary replacements have failed. The provision also would strike subsection 7456(c) of title 38, United States Code, which provides that nurses on approved sick or annual leave during a 12-hour work shift shall be charged at a rate of five hours of leave per three hours of absence. Finally, for recruitment and retention purposes, VA would be authorized to consider a nurse who has worked 6 regularly scheduled 12–hour work shifts within a 14–day period to have worked a full eighty-hour pay period.

H.R. 919 contains the same provision (section 3).

The Compromise Agreement contains this provision.

*Reauthorization of Health Professionals Educational Assistance Scholarship Program (section 603)*

H.R. 919 contains a provision (section 4) that would reinstate the Health Professionals Educational Assistance Scholarship Program. Section 2 of H.R. 4166 contains a similar provision which would also direct VA to fully employ program graduates as soon as possible following their graduation, require graduates to perform clinical rotations in assignments or locations determined by VA, and assign a mentor to graduates in the same facility in which they are serving.

The Senate bill contains a similar provision but did not include the requirement to fully employ graduates as soon as possible.

The Compromise Agreement contains the provision from section 2 of H.R. 4166.

*Loan Repayment Program for Clinical Researchers from Disadvantaged Backgrounds (section 604)*

H.R. 919 (section 4) and H.R. 4166 (section 4) contain identical provisions that would allow VA to utilize the authorities available in the Public Health Service Act for the repayment of the principal and interest of educational loans of health professionals from disadvantaged backgrounds in order to employ such professionals in the Veterans Health Administration to conduct clinical research.

The Senate bill contains the same provision (section 603).

The Compromise Agreement contains this provision.

TITLE VII—HOMELESS VETERANS MATTERS

*Per Diem Grant Payments (section 701)*

H.R. 3796 contains a provision that would authorize VA to make per diem payments to organizations assisting homeless veterans in an amount equal to the greater of the daily cost of care or $60 per bed, per day. The provision would also require VA to ensure that 25 percent of the funds available for per diem payments are distributed to organizations that meet some but not all of the criteria for the receipt of per diem payments. These would include (in order of priority) organizations that meet each of the transitional and supportive services criteria and serve a population that is less than 75 percent veterans; organizations that meet at least one but not all of the transitional and supportive services criteria, but have a population that is at least 75 percent veterans; or organizations that meet at least one but not all of the transitional and supportive services criteria and serve a population that is less than 75 percent veterans.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision, but does not require the minimum amount of $60 per bed, per day for the Grant and Per Diem program. In addition, VA would be authorized but not required to award the per diem grants to nonprofit organizations meeting some but not all of the criteria for the receipt of such payments.

TITLE VIII—NONPROFIT RESEARCH AND EDUCATION CORPORATIONS

*General Authorities on Establishment of Corporations (section 801)*

H.R. 2770 contains a provision (section 2) that would authorize Nonprofit Research and Education Corporations (NPCs) to merge, thereby creating multi-medical center research corporations.

The Senate bill contains the same provision (section 801).

The Compromise Agreement contains this provision.

*Clarification of Purposes of Corporations (section 802)*

H.R. 2770 contains a provision (section 3) that would clarify the purpose of NPCs to include specific reference to their role as funding mechanisms for approved research and education, in addition to their role in facilitating research and education.

The Senate bill contains the same provision (section 802).

The Compromise Agreement contains this provision.

*Modification of Requirements for Boards of Directors of Corporations (section 803)*

The Senate bill contains a provision (section 803) that would require that a minimum of two members of the Board of Directors of an NPC be other-than-federal employees. Additionally, the provision would allow for the appointment of individuals with expertise in legal, financial, or business matters. The provision also would conform the law relating to NPCs to other federal conflict of interest regulations by removing the requirement that members of the NPC boards have no financial relationship with any entity that is a source of funding for research or education by VA.

H.R. 2770 contains a comparable provision (section 4), but provides that the executive director of the corporation may be a VA employee.

The Compromise Agreement contains the House provision, with a modification which removes the provision allowing VA employees to serve as executive directors.

*Clarification of Powers of Corporations (section 804)*

H.R. 2770 contains a provision (section 5) that would clarify the NPCs' authority to accept, administer, and transfer funds for various purposes. NPCs would be allowed to enter into contracts and set fees for the education and training facilitated through the corporation.

The Senate bill contains the same provision (section 804).

The Compromise Agreement contains this provision.

*Redesignation of Section 7364A of Title 38, United States Code (section 805)*

H.R. 2770 contains a provision (section 6) that would provide clerical amendments associated with implementing this legislation concerning Nonprofit Research and Education Corporations.

The Senate bill contains the same provision (section 805).

The Compromise Agreement contains this provision.

*Improved Accountability and Oversight of Corporations (section 806)*

The Senate bill contains a provision (section 806) that would strengthen VA's oversight of NPCs by requiring those NPCs with revenues of over $10,000 to obtain an independent audit once every three years, or with revenues of over $300,000 to obtain such an audit each year, and to submit certain Internal Revenue Service forms.

H.R. 2770 contains a comparable provision (section 7), but would instead raise to $100,000 the threshold for requiring three-year audits and to $500,000 the revenue threshold that would require yearly audits. The provision also would revise conflict of interest policies to apply to the policies adopted by the corporation.

The Compromise Agreement contains the House provision.

TITLE IX—CONSTRUCTION AND NAMING MATTERS

*Authorization of Medical Facility Projects (section 901)*

The Senate bill contains a provision (section 901) that would authorize funds for the following major medical facility projects in FY 2010: Livermore, California; Walla Walla, Washington; Louisville, Kentucky; Dallas, Texas; St. Louis, Missouri; Denver, Colorado and Bay Pines, Florida.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision, but strikes the authorization for the construction project in Walla Walla, Washington, since authorization for this construction project was provided in Public Law 111–98, enacted on November 11, 2009.

*Designation of Merril Lundman Department of Veterans Affairs Outpatient Clinic, Havre, Montana (section 902)*

The Senate bill contains a provision (section 903) that would name VA outpatient clinic in Havre, Montana, as the ''Merril Lundman Department of Veterans Affairs Outpatient Clinic.''

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Designation of William C. Tallent Department of Veterans Affairs Outpatient Clinic, Knoxville, Tennessee (section 903)*

In the House, H.R. 402 contains a provision that would name the VA outpatient clinic in Knoxville, Tennessee as the ''William C. Tallent Department of Veterans Affairs Outpatient Clinic.''

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

*Designation of Max J. Beilke Department of Veterans Affairs Outpatient Clinic, Alexandria, Minnesota (section 904)*

In the House, H.R. 3157 contains a provision that would name the VA outpatient clinic in Alexandria, Minnesota as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic.''

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

TITLE X—OTHER MATTERS

*Expansion of Authority for Department of Veterans Affairs Police Officers (section 1001)*

The Senate bill contains a provision (section 1001) that would provide additional authorities to VA uniformed police officers, including the authority to carry a VA-issued weapon in an official capacity when off VA property and in official travel status, the authority to conduct investigations on and off VA property of offenses that may have been committed on VA property, expanded authority to enforce local and State traffic regulations when such authority has been granted by local or State law, and to make arrests based upon an arrest warrant issued by any competent judicial authority.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Uniform Allowance for Department of Veterans Affairs Police Officers (section 1002)*

The Senate bill contains a provision (section 1002) that would modify VA's authority to pay an allowance to VA police officers for purchasing uniforms. The provision would provide a uniform allowance in an amount which is the lesser of the amount prescribed by the Office of Personnel Management or the actual or estimated cost as determined by periodic surveys conducted by VA.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

*Submission of Reports to Congress by Secretary of Veterans Affairs in Electronic Form (section 1003)*

Under current law, there is no requirement for VA to submit Congressionally mandated reports in an electronic form.

Neither the House nor Senate bills contained a provision to change this procedure.

The Compromise Agreement contains a provision which would create a new section 118 in title 38, United States Code, which would require VA to submit reports to Congress, or any Committee thereof, in electronic format. Reports would be defined to include any certification, notification, or other communication in writing.

*Determination of Budgetary Effects for Purposes of Compliance with Statutory Pay-As-You-Go-Act of 2010 (section 1004)*

Neither the Senate nor House bills contain a provision relating to compliance with the Statutory Pay-As-You-Go-Act of 2010, Title I of P.L. 111–139, 124 Stat. 8.

The Compromise Agreement contains a procedural provision to require the determination of the budgetary effects of provisions contained in the Compromise Agreement to be based upon the statement entered into the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives.

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

I rise in support of S. 1963, as amended, the Caregivers and Veterans Omnibus Health Services Act of 2010.

This bill represents a bipartisan effort on behalf of the House and Senate, and I express my thanks to Chairman FILNER, Chairman AKAKA, and Ranking Member BURR for their leadership. I'd also like to thank Chairman MICHAUD and Ranking Member BROWN of the Subcommittee on Health for their efforts in bringing this legislation forward.

Reflecting the spirit of compromise and cooperation, S. 1963 is composed of a number of bills from both sides of the aisle. It would provide increased access to care, better outreach and support for wounded veterans, rural veterans, and homeless veterans, and also includes enhancements and provisions of mental health care and readjustment counseling for recent veterans of Iraq and Afghanistan.

I would like to thank my good friend and colleague from Kansas, JERRY MORAN, for his bill, H.R. 3103, that was included to help VA move forward with a pilot program to enhance contract care authority for highly rural veterans. This pilot, which was enacted in the last Congress, was Mr. MORAN's initiative.

I'd also like to thank my friend JOHN DUNCAN from Tennessee for introducing his bill, H.R. 402, which is included in this legislation. H.R. 402 would name the Veterans Affairs Outpatient Clinic in Knoxville, Tennessee, the William C. Tallent Veterans Outpatient Clinic. This gentleman honorably served in World War II and maintained a lifelong service to veterans.

S. 1963 would also establish a new, all-encompassing system of support for family caregivers. As we all know, some veterans of Iraq and Afghanistan have been severely wounded and will require a great deal of care for the rest of their lives. In previous wars, these veterans would probably not have survived their wounds, but significant improvements in battlefield medicine, the medicine logistics chain and the follow-up treatment have improved the survival rates for the most severely wounded combatants.

Family caregivers are more often than not at the core of what sustains the treatment and recovery of a severely wounded or injured soldier. Their commitment is strong and heartfelt; yet, it can be enormously challenging in a long recovery. There are many struggles that families face when assuming this role, including job absences, lost income, travel and relocation costs, child care concerns, exhaustion, and emotional and psychological stress. Many, understandably, become overwhelmed and eventually experience burnout. So there is a real problem, and the question is how to best address it.

I am concerned, however, about a provision in this bill that would establish an unprecedented stipend for certain family caregivers. I would have preferred to build upon and expand an existing successful Department of Veterans Affairs VA program known as Aid and Attendance. The Aid and Attendance program is paid directly to veterans so they can obtain the needed service in their own homes. The extent and types of services could be expanded, and last summer I proposed to do so in H.R. 3407, the Severely Injured Veterans' Benefits Act of 2009. It would provide a 50 percent increase in compensation for catastrophically injured veterans who are in need of assistance for daily personal needs, such as bathing and eating. It gives the veteran the choice of how to obtain services tailored to their unique needs and circumstances.

It is unclear how the caregiver stipend program in this bill will operate and how it will work in conjunction with the present Aid and Attendance or whether it replaces some of the current services.

Additionally, Mr. Speaker, we lack a Congressional Budget Office estimate of this compromised agreement. It appears that the Democrat majority has not been obtaining CBO cost estimates for discretionary bills, and we still don't have the official views of the administration on the compromised legislation. I am aware of their concerns. I requested the administration to address them in writing on March 18, 2010, and they were due on April 7. Although we have not yet read them, it is my understanding they are still in the concurrence process.

Based on legislative hearing testimony from last year, I believe the VA has concerns about the caregiver stipend as well as some of the other personnel provisions included in the bill. Dr. Cross, who is the principal deputy undersecretary for health, testified before the Senate Veterans Affairs Committee. This is in reference to the caregiver provisions. He stated, The VA does not support section 209. Currently we are able to contract for caregiver services with home health and similar public and private agencies. The contractor trains and pays them and affords them liability protection and oversees the quality of care. This remains the preferable arrangement as it does not divert VA from its primary mission of treating veterans and training clinicians. Moreover, it does not put VA in the position of having to tell family members how, at risk of losing their caregiver compensation, they have to care for their loved ones.

Mr. Speaker, it is unfortunate that the administration's concern regarding the caregiver stipend provision in this bill was not worked out because the bill, as a whole, does many good things for veterans. I hope this issue gets resolved with the administration, and I am pleased that legislation that I had sponsored, H.R. 1293, the Disabled Veterans Home Improvement and Structural Alteration Grant Increase Act of 2009, is in this bill. This would increase the amount VA is authorized to pay under its home health services to make modifications to a veteran's home to enable the veteran to be cared for in their home rather than in a hospital or institutional setting.

We should always be reminded that while veterans may spend only a short time in uniform, the wounds they carry home with them can last a lifetime and profoundly impact their daily lives.

I reserve my time.

Mr. FILNER. Mr. Speaker, the chairman of our Health Subcommittee, Mr. MICHAUD, and ranking member, Mr. BROWN of South Carolina, were the chief hard workers on this bill. We thank them all.

I yield 3½ minutes to Chairman MICHAUD.

□ 1045

Mr. MICHAUD. Thank you very much, Mr. Speaker, and thank you, Mr. Chairman. I also want to thank Ranking Member BUYER for all his hard work on this bill before us today, as well as my colleague, Mr. BROWN, for working in a bipartisan manner throughout the years on veterans affairs issues.

I rise today in strong support on S. 1963, the Caregivers and Veterans Omnibus Health Services Act. This landmark bill reflects a strong commitment to family caregivers, who are often underappreciated in their efforts to care for our wounded servicemembers. We must recognize that family caregivers in Maine and throughout our country often put their lives on hold to care for our injured veterans, and their duties take a heavy toll on them financially, emotionally, and physically.

Our brave men and women who serve our country have come to rely on our spouses, parents, siblings, and close friends to be there with them. We owe it to these devoted caregivers to offer them the support they need.

That's why this bill creates a robust, supportive services program for caregivers. This includes counseling services and respite care to help relieve the heavy emotional and physical stress of caregivers.

The bill also attempts to alleviate the financial difficulties facing eligible caregivers by providing a monthly financial stipend, as well as access to health care through the CHAMPVA program. The bill also recognizes the importance of caregivers being by veterans' sides during every step of their medical treatment. The bill authorizes the VA to pay lodging and other costs incurred by caregivers for accompanying veterans during medical appointments.

In addition to addressing the needs of caregivers, this bill helps the VA deliver high quality health care for our rural veterans. The bill improves the VA ability to recruit and retain qualified medical personnel. It addresses the barriers of long trips to medical appointments by providing reimbursement for air travel.

The bill also creates a more robust health care infrastructure in our rural areas. It does this by supporting collaboration with other Federal providers and fostering the VA's ability to contract with community providers.

I urge my colleagues to support this critical bill that supports caregivers and expands health care for our rural veterans.

Mr. BUYER. I reserve the balance of my time.

Mr. FILNER. Mr. Speaker, before I yield to our Speaker, I just want to say with gratitude, on the part of our Nation's veterans, in her 3½ years as Speaker and her years before that as minority leader, Ms. PELOSI focused like a laser on the needs of our veterans. We would not be here with this landmark bill were it not for our Speaker.

I yield 1 minute to the Speaker of the House, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding, I thank him for his leadership, and I am very pleased today that we have bipartisan support for this important legislation to benefit our veterans.

I, too, join my colleagues in rising to honor the sacrifice and service of the bravest among us, the men and women of our Armed Forces. In the name of our safety, they lay their lives on the line. In the name of our security, they fight our enemies far from home. In the name of our values, they serve as our Nation's greatest ambassadors, as champions of America's families.

Each and every day our soldiers, sailors, airmen and marines earn the respect of a grateful Nation. And as long as those in uniform continue the battle abroad, we must do everything in our power to support them here at home.

I would like to thank all Members of Congress on both sides of the aisle who worked so hard to strengthen this bill and bring it to the floor today. Again, I want to commend BOB FILNER, the chairman of the Committee on Veterans' Affairs, Chairman MIKE MICHAUD of the Health Subcommittee of the Committee on Veterans' Affairs, and Chairwoman STEPHANIE HERSETH SANDLIN of the Economic Opportunity Subcommittee of the Committee on Veterans' Affairs.

I also want to recognize the hard work and commitment to those who have worn our Nation's uniform by three key freshmen Members of Congress, Congressman TOM PERRIELLO, Congresswoman DEBBIE HALVORSON, and Congressman HARRY TEAGUE.

In both Houses, this has been a bipartisan effort, and I commend Ranking Member BUYER for his leadership. I know that everything is not in this bill. There is an endless list of everything we want to do for our veterans, but we are very proud of Senator BURR and the role that he has played in the Senate and all of the Members here. Thank you, Mr. BUYER.

The Caregivers and Veterans Omnibus Health Services Act is a landmark moment in the ongoing effort to give back to our veterans and their families. It's a tribute to their service. In the words of the Paralyzed Veterans of America, it will "provide valuable benefit for veterans and their families, benefits they need, have earned and so richly deserve."

This legislation will support family members and others who care for the disabled, ill or injured veterans. This is very important to families, military families. Our wounded soldiers and their families have made a serious sacrifice for our country, and this bill will bring them some relief. It will expand mental health services and health care access for veterans in rural areas and prohibit copays for our most severely wounded warriors.

Thank you, Chairwoman HERSETH SANDLIN, as this bill marks a step forward for the 1.8 million women in uniform, removing existing barriers to female veterans seeking medical care. In a sweeping change long overdue and with strong bipartisan support, we will provide care for newborns in the first time in history. Thank you, Congressman HENRY BROWN, for your leadership as well, my friend.

Today's vote is one in a series of actions taken by this Congress to give back to America's veterans. Our signature achievement remains our new GI Bill, providing those who serve with a full, 4-year college education. This is also transferable to a family member, and also a new improvement that we made was if a serviceman or woman dies in combat, that this opportunity is provided for their children or another family member.

Late last year, again in a bipartisan way, we celebrated the passage of the Veterans Health Care Budget Reform and Transparency Act, ensuring that the VA has timely and predictable funding and our veterans receive the high quality care they have earned. Working to make sure that our economic recovery truly benefits all Americans, the American Recovery and Reinvestment Act offered a tax credit for hiring veterans and a $250 payment to disabled veterans.

Just this past month we passed the TRICARE Affirmation Act, stating explicitly that our health care reform legislation will not impact the excellent health coverage our veterans and servicemembers already receive. In the last 3 years, we have given our troops a pay raise, helped restore military readiness and bolstered support for our military families. Today we strengthen the benefits our men and women in uniform receive.

Mr. Speaker, in the course of our meetings with the veterans service organizations and with the families of our men and women in uniform and our veterans, we hear directly from them what their needs are and try to establish their priorities and to make it a priority in allocating the resources of our country. In the course of those conversations, we have heard from the families that in the survey they took of their own membership of Blue Star Families, that 94 percent of them thought that most Americans did not have a clear understanding of their needs.

We promised them that in all we do here we will remove doubt in anyone's mind among our military families that we understand their needs, especially if they present them in a prioritized way and will make them our priority in the Congress. In every action we strive to live up to that commitment.

Just as the military on the battlefield has said, on the battlefield we will leave no soldier behind. So too when they come home, we will leave no veteran behind.

As the leaders of the American Legion have stated, this legislation offers bold solutions to major challenges facing servicemembers, veterans and their families on behalf of every American who wears the uniform.

I urge my colleagues to vote ''yes'' on this bill.

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

I would like to thank the Speaker for her kind remarks and her support of the bill. Also, I ask for your support, we have a problem we have to get worked out, and that deals with the widows, orphans, and the Spina Bifida Program was left out of the health care bill that we recently passed to ensure that it's defined as minimum essential benefit.

Madam Speaker, I hope for your support for this. The issue has been addressed in the Senate. The Senate passed it, the bill is at the desk, but it has to originate in the House, so I ask for your support on this.

Ms. PELOSI. Thank you, Mr. BUYER. The chairman has this legislation, as you may be aware, and it is going to Ways and Means and we will be taking it up soon, but we will look forward to working with you and will bring it together in a bipartisan way in the spirit that we owe our veterans. They are all Americans and so are we.

Mr. BUYER. Thank you, I appreciate that.

Ms. PELOSI. Thank you, Mr. BUYER, and thank you, Mr. BROWN, for your leadership as well.

Mr. BUYER. I now yield 3 minutes to the gentleman from South Carolina (Mr. BROWN).

Mr. BROWN of South Carolina. I thank the gentleman from Indiana for yielding me this time.

I rise today to express my strong support for S. 1963, the Caregivers and Veterans Omnibus Health Services Act of 2009. Chairman FILNER and Chairman MICHAUD, along with Ranking Member BUYER and I have brought this legislation forward in order to continue the great progress made by the VA toward providing the kind of health care veterans deserve, and I am proud to support it today.

I think it's pretty evident, as the Speaker alluded to earlier, that in the Committee on Veterans' Affairs, which I have had the privilege to serve now 10 years, we always leave our bipartisanship at the door when we enter that committee, and I am grateful that Mr. FILNER also continued in that same spirit when he became the chairman.

At a time when our soldiers are overseas keeping us safe here at home, the VA is faced with a number of unique challenges. It must respond to the signature wounds of the wars in Iraq and Afghanistan, to soldiers returning home who live far from VA facilities, to the ever-increasing number of women veterans, and to the families of veterans who cannot care for themselves, but it must also remain responsive to those whom it already serves. I believe this bill would accomplish this.

When soldiers return home from war, unable to care for themselves, their families often face difficult burdens. To help them help the veterans, this bill would establish a comprehensive assistance program for caregivers, making caregivers eligible to receive education and training and technical support, counseling, lodging and subsistence.

To serve the rural veterans, who may live a long distance from VA facilities, this bill would make the VA more flexible while increasing reach-out efforts. The VA would be allowed to partner with Medicare, Medicaid, the Department of Health and Human Services and the Indian Health Service in demonstration projects that could expand care.

Finally, two of the most common wounds of war in Iraq and Afghanistan have been post-traumatic stress disorder and traumatic brain injury. By expanding eligibility for readjustment counseling at Vet Centers to any members of the Armed Forces who have served in OIF/OEF and establishing the Committee on Care for Veterans with TBI, the VA will become more responsive to those who are transitioning back to civilian life.

In closing, I want to thank Chairman FILNER and Ranking Member BUYER of the Veterans' Affairs Committee, and Chairman MICHAUD of the Health Subcommittee, for their leadership in bringing this bill forward.

I urge my colleagues to stand up for America's true heroes and help continue to make the VA world class care even better.

Mr. FILNER. Mr. Speaker, I yield 2 minutes to Ms. HERSETH SANDLIN of South Dakota, the chair of our Economic Opportunity Subcommittee and the prime mover behind the section of this bill dealing with our women veterans.

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

I rise today in strong support of S. 1963, the Caregivers and Veterans Omnibus Health Services Act of 2010. I want to thank our full committee chairman, Mr. FILNER; our ranking member, Mr. BUYER; and Health Subcommittee Chairman MICHAUD and Ranking Member BROWN for their leadership, for their strong support of this legislation, which contains many important provisions related to caregiver support and rural health care for veterans. It also includes legislation I introduced, the Women Veterans Health Care Improvement Act.

This act will provide significant enhancements to the health care available for women veterans. Today women make up approximately 8 percent of veterans in the United States, and that percentage will continue to rise as more and more women answer the call to serve their country. With an increasing number of women seeking access to care within the VA, the challenge of providing adequate health care services for women veterans is one the VA must master, and I am confident that it can.

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This legislation addresses this challenge by taking several important steps to ensure adequate attention is given to women veterans and their health care programs so that women can access the quality primary health care and the specialized services they deserve and have earned.

Among its provisions, this bill improves the VA's sexual trauma and post-traumatic stress disorder programs for women by requiring the Secretary of the VA to ensure that all mental health professionals have been properly and consistently trained in the best methods and practices so women veterans feel secure in seeking treatment.

Childcare is another crucial issue for women veterans—and for male veterans as well—and the bill before us today tackles current barriers to care by authorizing a childcare pilot program and requiring the VA to carry out this program in at least three veteran service networks. We anticipate that this is going to help veterans keep their appointments.

The legislation also requires the VA to provide 7 days of medical care for newborn children of women veterans, representing an important policy update in the VA. Currently, the VA has no provision to provide care for these infants, yet 86 percent of Operation Enduring Freedom and Operation Iraqi Freedom women veterans are under the age of 40.

Accordingly, I urge all of my colleagues on both sides of the aisle to support this important legislation.

Mr. BUYER. Mr. Speaker, at this time, I yield 2 minutes to Ms. GINNY BROWN-WAITE of Florida.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, I rise today in support of S. 1963, the Caregivers and Veterans Omnibus Health Services Act of 2009.

As Members of Congress, we do have a responsibility to provide the best support we can to our Nation's veterans. With provisions for caregiver support, rural health improvement and mental health benefits, there are many reasons why I support this legislation. I could speak at length about these important and necessary benefits. However, in the interest of time, I would like to highlight just one: health care for women veterans.

While more and more women are joining the military, the VA's health care services for women veterans have not kept pace. Although approximately 14 percent of our troops are female, as a female veteran recently said in an interview with Good Housekeeping magazine, it is as if women are ''Martians, abnormalities descending on the VA health system.'' In fact, of the country's 153 VA medical centers, only about half even have a gynecologist on staff. This is despite the fact that between 23 and 29 percent of all female veterans seeking medical care through the VA have reported experiencing sexual assault. Is it any surprise, then, that the number of female veterans being treated for post-traumatic stress disorder rose from 1 to 19 percent in only 4 years?

For this reason, my colleague, Representative HERSETH SANDLIN, and I introduced H.R. 1211, the Women Veterans Health Care Improvement Act. Although the Senate has not acted on our legislation, I am happy to see some of the key provisions, like studying the barriers preventing women veterans from receiving VA health care and developing a plan to improve that care for women veterans both immediately and in the long term, that actually made it into this bill.

Mr. FILNER. Mr. Speaker, the freshman members of our committee have added a new level of commitment and enthusiasm and have played a major part in this bill. I would like to yield 1½ minutes to one of those great freshmen, Mrs. HALVORSON of Illinois.

Mrs. HALVORSON. Mr. Speaker, I rise today for those veterans who can't. I rise today for the catastrophically injured veterans who have to battle their injuries and their rising health care costs. I rise today for those caregivers who dedicate their lives to supporting our wounded warriors and our military families. I rise today to support S. 1963 and the two provisions in the bill that I was proud to author.

The first provision, H.R. 1335, would relieve the burden of costly copayments from catastrophically disabled veterans who receive medical or nursing home care from the VA. This was the first piece of legislation that I introduced when I came to Congress because I knew that there are men and women who have served honorably that need our help. These are brave men and women who have sacrificed so much so that we can enjoy the freedoms that we have every day. These are men and women who struggle through their routines in life that we take for granted, and they should not have to struggle to make their copays.

Passing this measure into law would be a great way to show our support for our wounded warriors and to show that we are truly dedicated to making their lives better.

However, it is not just our injured veterans who need our help. Every day in districts across the country caregivers provide essential services to our veterans. When my stepson, Jay, was injured in Afghanistan and recuperating at Walter Reed, I spoke to so many of these families who just began their second battle, the battle to rehabilitate. That is why I worked to include in this bill H.R. 2898, the Wounded Warrior Caregiver Assistance Act, to provide support services to those taking care of our wounded warriors. Just as it is our duty to care for a disabled soldier, passing this provision would help care for those who work tirelessly every day to look after our injured veterans.

I urge my colleagues to join me in honoring those who have sacrificed for us by supporting this legislation.

Mr. BUYER. Mr. Speaker, I continue to reserve and defer to the chairman.

Mr. FILNER. Mr. Speaker, I yield 1½ minutes to another one of our great freshmen, Mr. PERRIELLO from Virginia.

Mr. PERRIELLO. Mr. Speaker, today is a good day for America's veterans and their families. I rise in support of S. 1963, the Caregivers and Veterans Omnibus Health Services Act of 2009, landmark legislation that makes good on our national commitment to our veterans and their families, including those in our rural communities. I also want to thank the chairs and the ranking members for putting our veterans ahead of our partisan divides.

Taking care of our veterans includes taking care of those who care for them when they are unable to care for themselves. Today, more than ever, revolutionary advances in military medicine have significantly increased servicemembers' chances of surviving a catastrophic injury sustained in combat, but in many cases surviving a catastrophic injury is only the first step in the battle. Recovering from such injuries requires a long-term commitment not only from the veteran, but also from those who love and care for them.

Once an injured veteran returns home from treatment at a DOD or VA facility, it is often a spouse, mother, father, or other loving family member who steps up to the challenge of providing ongoing care. And while this care is provided out of a sense of love, compassion, and devotion, it oftentimes shifts into a full-time commitment requiring the caregiver to make significant personal decisions regarding professional goals, commitments, and obligations.

To help better support family caregivers, I introduced H.R. 2734, the Health Care for Family Caregivers Act of 2009, a bill that will help provide much-needed assistance to those family caregivers facing the difficult decisions related to caring for a veteran confronting a catastrophic injury. I am pleased that this bill has included this, and I encourage its support.

Mr. FILNER. Mr. Speaker, Mr. TEAGUE from New Mexico authored an important provision in the bill, and I would yield to him 1½ minutes to explain that provision.

Mr. TEAGUE. Mr. Speaker, I rise today in support of S. 1963, which includes H.R. 2738, my bill to reimburse caregivers of disabled veterans for travel expenses to medical appointments. For those Members of Congress that represent vast rural districts with large veteran populations like mine, we know that this assistance has been needed for far too long.

Mr. Speaker, veterans throughout my district often volunteer their time to drive fellow veterans to medical appointments even though the drive can last over 3 or 4 hours. That means that veterans in Silver City must leave their homes at three in the morning to make a trip to the only VA hospital in our State. It means that many of my constituents must dedicate entire days to travel from their homes in Jal or Deming or Santa Rosa to a medical visit that may only take a few minutes.

This also means that the family of Airman Michael Malarsie, an airman from Bosque Farms who was blinded by an IED, would have to take time off work to travel to a VA medical center; and as the law currently stands, they must pay for that trip out of pocket whether they can afford it or not.

Mr. Speaker, that is just plain wrong. But we can right that wrong today by passing this bill and providing our wounded warriors and families with the help that they have earned and need. It is the very least that we can do to repay the debt that we as a Nation owe to our veterans and their courageous families.

Mr. FILNER. Mr. Speaker, another valued member of our committee, Mr. CIRO RODRIGUEZ of Texas, authored an important provision in this bill, and I would recognize him for 1½ minutes.

Mr. RODRIGUEZ. Mr. Speaker, our veterans deserve more. The proper care of our veterans is our most fervent duty to uphold. This bill permits us to advance this support even more with needed programs that will not only cover our veterans, but will also extend caregiver support to their families.

This bill makes marked improvements in rural health programs such as the partnering with the Department of Health and Human Services to expand care in rural areas. It also gives the Department of Veterans Affairs the flexibility it needs to contract mental health services in rural areas where there are no adequate VA facilities.

This bill also addresses the need for coordination between the Departments and the key stakeholders in the study to find solutions to the alarming suicide rates among our veterans and active duty forces and gives more resources to the Department of Veterans Affairs to address key areas such as veteran homelessness and women's health, and strengthens their quality assurance and other programs.

Additionally, this bill reestablishes the previous highly successful Health Professionals Education Assistance Scholarship Program in the Department of Veterans Affairs. Earlier this

year, I introduced H.R. 4166, a bill to bring back this successful program. I am glad that this bill includes my legislation.

We also need to recognize our soldiers and thank them for their service. We owe it to each and every one of our wounded warriors and all veterans to ensure their care and medical needs are properly taken care of. Their selfless sacrifices for our Nation's freedom and the sacrifices endured by their families warrant the passage of this bill.

Mr. FILNER. Mr. Speaker, how much time does each side have remaining?

The SPEAKER pro tempore. Four minutes.

Mr. FILNER. Mr. Speaker, one of the great provisions of this bill is an incentive program to get doctors in certain specialties into the VA. The author of that scholarship program is Ms. JACKSON LEE of Texas, and I would recognize her for 1 minute.

Ms. JACKSON LEE of Texas. Mr. Chairman, I am particularly grateful for your leadership and that of the ranking member. Thank you for guiding me on this legislation.

I rise to support S. 1963, the Caregivers and Veterans Omnibus Health Services Act, for the work it is doing on caregivers and dealing with suicide and unfortunate tragedies that occur among our military.

This morning I was with the United States Air Force and their Air Force Cares program. I am pleased that this legislation included H.R. 228, the Blind Veterans of America, an organization chartered by Congress in 1958, which has been for nearly 50 years the only veterans service organization exclusively dedicated to serving America's blind and visually impaired veterans.

There are approximately 160,000 legally blind veterans in the United States, but only approximately 35,000 are currently enrolled in the Veterans Health Administration services. It is estimated that there are 1 million low-vision veterans in the United States, and incidences of blindness among the approximate total veteran population of 26 million are expected to increase by about 40 percent over the next few years. This is because the most prevalent cause of blindness and low vision are age-related. This bill provides scholarships for training individuals, and I ask my colleagues to support it. And thank you for including H.R. 228.

I rise in support of S. 1963—to provide needed support to caregivers of our nation's veterans, to improve the full spectrum of healthcare and access provided to those we honor and recognize as our country's present and past warriors and defenders.

There are few if any higher obligations of the Congress, the President, and the American people than keeping faith with the men and women who have worn the uniform in service to our country.

I applaud the work of the all those who have worked on this bill and who are charged with legislative, oversight and investigative jurisdiction over education of veterans, employment and training of veterans, vocational rehabilitation, veterans' housing programs, and readjustment of servicemembers to civilian life.

S. 1963 addresses many of the important needs of our veterans relating to services for women's health care, rural health care, homelessness, employment, health, and education.

WOMEN VETERANS HEALTH CARE

The bill will expand and improve VA health care services for the 1.8 million women who have bravely served their country. It requires the VA to:

Conduct a study of barriers to women veterans seeking health care,

Educate and train mental health professionals caring for veterans with sexual trauma;

Implement a reintegration and readjustment pilot program;

Establish a child care pilot program for women receiving regular and intensive mental health care and intensive health care services, or who are in need of such services but do not seek care due to the lack of child care services;

Provide up to 7 days of post-delivery health care to a newborn child of a women veteran.

RURAL HEALTH IMPROVEMENTS

Improves health care for veterans living in rural areas, including by expanding transportation for veterans to local VA hospitals and clinics through VA grants to local Veterans Service Organizations.

MENTAL HEALTH CARE

Provides access to counseling and other mental health centers to any member of the Armed Forces (including members of the National Guard and Reserves, who served during Operation Iraqi Freedom and Operation Enduring Freedom but who are no longer on active duty) and Requires the VA to conduct a veterans' suicide study.

OTHER HEALTH CARE ISSUES

Prohibits the VA from collecting copayments from veterans who are catastrophically disabled.

Creates a pilot program, which would provide specified dental services to veterans, survivors, and dependents of veterans through a dental insurer.

Requires the VA to provide hospital care, medical services, and nursing home care for certain Vietnam-era veterans exposed to herbicide and Gulf War era veterans who have insufficient medical evidence to establish a service-connected disability.

Provides higher priority status for certain veterans who are Medal of Honor recipients.

HOMELESS VETERANS

Expands the organizations offering transitional housing and other support for homeless veterans that can receive grants or per diems from the VA, which is particularly important to veterans in rural areas.

I am extremely pleased to help answer the needs of America's veterans and am pleased that H.R. 228, a bill I introduced to establish a scholarship program for students learning to care for veterans with visual impairments is included in Title III, Section 302 of S. 1963. As we work to strengthen our efforts nationally to provide better care for veterans we can not afford to leave any issue unexamined or unaddressed. We must especially ensure that veterans have the access to the quality healthcare that they deserve.

The Blind Veterans of America, an organization chartered by Congress in 1958, and which has been for nearly 50 the only veterans service organization exclusively dedicated to serving America's blind and visually impaired veterans.

Mr. Speaker, there are approximately 160,000 legally blind veterans in the United States, but approximately only 35,000 are currently enrolled in Veterans Health Administration services.

In addition, it is estimated that there are over 1 million low-vision veterans in the United States, and incidences of blindness among the approximate total veteran population of 26 million are expected to increase by about 40% over the next few years. This is because the most prevalent causes of legal blindness and low vision are age-related, and the average age of the veteran population is increasing; the current average age is about 80 years old.

Members of the Armed Forces are important to our nation and we show them our appreciation by taking care of them even after they have completed their service. But the fact is that there are not enough blind rehabilitation specialists to serve all legally blind and low-vision veterans in the United States.

Blind rehabilitation training helps give these veterans awareness of and functioning in their surroundings and enables them to retain their independence and dignity. Veterans without these services may find it difficult to be self-sufficient, relying on others to perform certain skills or even simple tasks on their behalf.

Mr. Speaker, Public Law 104–262, the Eligibility Reform Act 1996, requires the Department of Veterans Affairs to maintain its capacity to provide specialized rehabilitative services to disabled veterans, but it cannot do so when there are not enough specialists to address these needs. That is why we must work harder to provide for the needs of our men and women who have served this Nation so valiantly.

We should all take a day to reflect on the sacrifices U.S. veterans and servicemembers have made, and are still making, for their country. However, to truly honor and pay tribute to these special Americans requires our commitment for the other 364 days of the year.

Veterans continue to have many unanswered needs, and we should continue to fight for the rights of our most patriotic Americans. I am a strong believer in the fact that veterans have kept their promise to serve our nation; they have willingly risked their lives to protect the country we all love. We must now ensure that we keep our promises to our veterans because the way a nation treats those who have stood in harms way to defend it, risking life, limb and psychological injury is extremely telling.

Members of the Armed Forces are important to our nation, and we show them our appreciation by passing this all encompassing healthcare legislation which directly impacts the Nation's ability to take care of servicemembers after they have completed their service.

There are 25.9 million veterans in the United States who have protected this country in military conflicts as early as WWI. The wars in Iraq and Afghanistan are however producing a new wave of veterans. Of 1.4 million who have served, more than 205,000 have sought to obtain health care this year. In part this is good news. Thanks to medical and technological advances, the survival and recovery rate is several times higher than in previous conflicts. However there are still many

inequities and system failures that mitigate veterans' getting proper and timely care.

Consequently, equipping veterans to navigate civilian life, often with severe mental and physical illnesses, has to be a national priority. Yet the Veterans Affairs Department, which provides millions of injured veterans with payments and care, has had issues responding to the inundation. Additionally, the Veterans' Disability Benefits Commission (VDBC) has reported that the VA falls woefully short in providing timely and fair disability payments, as well as adequate mental health care. The report cited an average delay of nearly six months in handing out payments. This legislation directly responds to these and many other pertinent issues which will allow us to meet the needs of all of our veterans, their families and caregivers.

Mr. FILNER. Mr. Speaker, this bill adds an important position to the Department of Veterans Affairs. The author of that legislation is Mr. HARE of Illinois. He was on our committee; I wish we had him back. I yield him 1 minute.

Mr. HARE. Mr. Speaker, this Congress, under the leadership of Speaker PELOSI and Chairman FILNER, has honored our veterans by dramatically increasing funding for VA health care and making it more timely, efficient, and predictable, hiring additional benefits claims processors and improving VA facilities. The bill before us builds on our earlier victories to improve the quality of health care for our Nation's veterans.

Mr. Speaker, I am particularly pleased that this veterans package includes a bill I introduced with Congressman JERRY MORAN to elevate the Department of Veterans Affairs physician assistant adviser to a full-time director. My bill would give 2,000 physician assistants employed at the VA who manage care for one-quarter of all primary care patients a fair and long-overdue voice within the VA.

With the director of physician assistant services, we can ensure that the PA workforce will continue to be an integral component within the VA health system and PAs are able to provide the best possible care to our veterans, especially those in underserved rural areas.

Mr. Speaker, I urge all of my colleagues to vote for S. 1963.

Mr. FILNER. Mr. Speaker, the gentlelady from Texas (Ms. EDDIE BERNICE JOHNSON), added an important provision with regard to retention and recruitment of the kind of professionals we need in the VA. I would yield to her 1 minute and thank her for her efforts.

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank the chairman and the ranking member for this bill, and I rise in strong support of the bill, the Caregivers and Veterans Omnibus Health Services Act.

It is our duty to ensure that our veterans who so courageously serve our country receive the medical support they deserve.

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My professional career as a nurse was spent in the veterans' system. I visited at a hospital after they had four suicides from the psychiatric unit, and one of the problems they had was noncompetitiveness with nurses' salaries, so I have introduced a bill to attempt to correct that. This bill has been incorporated, and I am pleased that it has been. The Senate companion bill is also included. It increases the pay limitations for VA nurses from level V to level IV of the executive schedule to address pay disparities, and also to increase special pay for nurse executives.

It is my pleasure to present this because I know firsthand what it is like to try to recruit good nurses.

I rise in strong support of S. 1963, the Caregivers and Veterans Omnibus Health Services Act.

I would like to thank Chairman FILNER and the Committee on Veterans' Affairs for their work on this legislation.

It is our duty to ensure that our veterans, who have so courageously served our country, receive the medical support they deserve.

The VA system must be able to successfully compete for the best health care providers in the United States.

I am also pleased that provisions in my bill, H.R. 919 and its Senate companion bill, are included in this legislation.

This bill will increase the pay limitations for VA nurses from Level V to Level IV of the Executive Schedule to address pay disparity, and also increase Special Pay for Nurse Executives.

As a result, the VA will be able to recruit and retain highly qualified Nurse Executives and raise their standing to be on par with other executive personnel.

Part-time nurses will now also be eligible for Title 38 status and additional nurse pay.

As a non-practicing Registered Nurse, I am pleased with these improvements for nurses who are on the front lines of care.

Overall, this legislation will recognize and treat our VA nurses, physicians, dentists, and pharmacist executives as the true professionals they are.

I am pleased to support this bill and urge my colleagues to do the same.

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

Mr. Speaker, in an exchange I just had in a colloquy with Speaker PELOSI with regard to her commitment to correct an error in the President's health package, I would like to place that commitment in some context.

Since late July of last year, when the debate on the President's health care package started, I tried on multiple occasions to ensure that the care our Nation's veterans and their families received from the Department would be considered minimum essential coverage. I did that during the markup in the Subcommittee on Health, in the Energy and Commerce Committee, and in the full committee. My efforts included trying to obtain jurisdiction for the Veterans' Affairs Committee on H.R. 3200 back in August of last year.

In November, during the floor debate on H.R. 3962, I again sought to obtain protections for our Nation's veterans and their families. At that time, not only I but Chairman FILNER received assurances in writing from the chairman of the House Ways and Means Committee, from the chairman of the House Energy and Commerce Committee, and from the Energy and Labor Committee that veterans and their families would, in fact, be protected.

I think this will be helpful to us, Mr. FILNER, as your bill proceeds.

Most recently, in March, I and Ranking Member BUCK MCKEON of the House Armed Services Committee offered an amendment to H.R. 3590, which would ensure that benefits offered under TRICARE and the Department of Veterans Affairs programs would be considered minimum essential coverage. However, our amendment was not allowed then under the rule, and I made that appeal to the Rules Committee.

This amendment was then introduced in a form of legislation, H.R. 4894, which then was referred to the Energy and Commerce Committee.

I raised the issue again, because in that recently passed Senate health bill, it did not include some of the veterans' programs in the definition of ''minimum essential coverage.'' Unfortunately, the bill did not mention the ''other veterans' programs'' under chapter 17. It mentioned veterans' programs but not the other veterans' programs under chapter 17 of title 38, which includes widows, orphans, and dependents covered by the Civilian Health and Medical Program of the VA, known as CHAMPVA. It also did not mention chapter 18, which includes the spina bifida program for the children of Korea and Vietnam veterans who have spina bifida as a result of their parents' exposure to Agent Orange.

I brought up that issue. When Chairman SKELTON recognized that the Senate health bill mentioned TRICARE for Life but did not mention TRICARE, he immediately brought a bill to the floor, and it was considered. I tried to amend that bill. I tried to get it withdrawn. At that time, I received a commitment from the chairman of the House Ways and Means Committee that he would work with us to get that corrected. I even raised the issue during the markup of the President's health bill, itself, on the floor. I know the VFW was very concerned, along with the American Legion.

Yet, as I raised these concerns that this bill had a large error, I was marginalized. I was marginalized by some in the House who said, Oh, those issues are not real. Even the White House issued a press release, along with the Secretary of Veterans Affairs, which read that it was unfounded. Well, it is founded. It is a problem that we have to fix. Senator AKAKA passed a bill to protect the veterans. It passed on unanimous consent. It is currently at the Speaker's desk. However, the parliamentarian has ruled that it is a revenue bill. Otherwise, I would immediately call it forward.

So what has happened? A little magic dust again.

I appreciate, with regard to this issue, that the chairman has recognized that there is an error which needs to be corrected. I am deeply appreciative. So is the Speaker. She has just exercised her commitment to correct the error in the bill.

Chairman FILNER has taken the language of the Akaka bill and has introduced his own bill. It has been referred now to the Ways and Means Committee. I have written a letter as a follow-up. From the colloquy I had with Chairman LEVIN of the House Ways and Means Committee, I have asked him to expedite Mr. FILNER's bill and to have it brought to the floor so that we can correct this error in the President's health bill and so that we may cover the widows, the orphans, the spina bifida program, and CHAMPVA, all of which were excluded from the definition of ''minimum essential coverage.'' That will correct the error, and I think that needs to be done. I had hoped that Mr. FILNER's bill would have been included in the bill we are presently considering. That would have cleaned this up now, but that didn't occur.

So I've taken every opportunity to try to correct this error, but for whatever reason, it just hasn't gotten done. It needs to be done. I think it was an error in the drafting. No one intended for widows, for orphans, and for the beneficiaries of the spina bifida program to be left out. I believe it was unintentional, but it is a real issue, and we need to correct it. Hopefully, we are going to do that.

I want to thank the chairman for his leadership to correct that error, and I want to thank the staff on both sides of the aisle for all of their efforts in the bill.

I would ask my colleagues to pass the bill that is before us, and I yield back the balance of my time.

Mr. FILNER. I yield myself the balance of my time, and I want to return the debate to the bill under consideration.

Mr. Speaker, this is a landmark bill. Finally, it gives some help to the caregivers of wounded warriors—family members who have to, perhaps, give up their jobs and spend almost full time with their loved ones. There is the issue of women veterans, which is a rising percentage in what was always a male institution, and we have to change the culture there in the VA. We help our homeless veterans. We help those who are in rural areas, and we provide more money for mental health care for all of our Nation's veterans. This is an important bill, and I urge unanimous approval.

Ms. GIFFORDS. Mr. Speaker, I rise today in support of the Caregivers and Veterans Omnibus Health Services Act. This bill will provide a number of additional benefits to our servicemembers and their families and I am pleased that the Chairman and the Ranking Member were able to get it to the floor.

I am particularly pleased that language from two of my behavioral healthcare bills, H.R. 2698 and 2699, were included in the final version of this landmark bill.

My language will provide increased access to Vet Centers for our Guardsmen and Reservists, ensuring they are never again turned away for the behavioral health care they need and deserve.

My language also authorizes the Vet Centers to provide veterans and servicemembers with referrals for behavioral health care so they can see their own doctor in their own community when they need it.

These two items will help remove some of the stigma from behavioral health issues and specifically grant access to care for those who need it the most.

When our men and women in uniform come home from war, it is our responsibility to ensure they receive the care they need and deserve.

My language and this bill provide them and their families with the care and peace of mind they have earned and we owe to them.

I strongly urge passage of this bill.

Mr. QUIGLEY. Mr. Speaker, I rise today in support of the house amendments to S. 1963, the Caregivers and Veterans Omnibus Health Services Act.

Today we are taking action to begin to address the needs of not only those who serve, but their families as well.

All too often we see families and friends altering their lives to care for those who served our country and then return home wounded or disabled.

Many caregivers have lost their jobs and benefits, and have had to dip into their hard-earned savings just to provide the care our wounded warriors so desperately need.

S. 1963 will begin to ensure that disabled veterans and their families will have the resources and support, both technical and financial, needed to provide care.

We can never fully repay our veterans and their families for their service and the personal sacrifices they continue to make.

The passage of this bill is a start—and will go a long way to ensure they receive the benefits they need, deserve, and have courageously earned.

Ms. SLAUGHTER. Mr. Speaker, over the past year, I have become increasingly concerned about veterans access to benefits, care and job training. We must encourage soldiers completing their active duty service to sign up with the U.S. Department of Veterans Affairs. This is a critical message we must reiterate to all our returning service men and women.

As the heroes of our country, we believe our veterans and their families deserve the very best benefits to ensure peace of mind. With this in mind, Congress has provided more than 185,000 servicemembers and veterans with $500 for every month they were forced to serve under stop-loss orders since 2001. In addition, we've created new claims processors to make sure our veterans earn their benefits in a timely manner. We built new transition centers for wounded warriors, more military child care centers, and better barracks and military family housing. With veterans' families in mind, Congress has increased support for veteran caregivers. And lastly, those disabled veterans can rest assured that their benefits will keep pace with the cost of living and their needs.

Today I rise in support of S. 1963, the Caregivers and Veterans Omnibus Health Services Act. This landmark legislation will provide support to family and others who care for disabled, ill, or injured veterans; will enhance health services for the 1.8 million women veterans, including care for newborns for the first time in history; to expand mental health services for veterans and health care access for veterans in rural areas; and to prohibit copayments for veterans who are catastrophically disabled.

To help meet the many hardships and sacrifices associated with lengthy recovery and rehabilitation from severe injuries of veterans, S. 1963 will provide support services to family and other caregivers of veterans, including education on how to be a better caregiver, counseling and mental health services, and respite care for family and other caregivers of all veterans. It also provides health care and a stipend for caregivers living with severely wounded veterans of Iraq and Afghanistan.

This support is vital for the wounded veterans of Iraq and Afghanistan and their families, as about 20 percent of active duty, 15 percent of reserve and 25 percent of retired and separated members have a family member or friend who has been forced to leave a job to care for the veteran full-time, according to the Dole/Shalala report.

The bill also expands and improves VA health care services for the women who have bravely served their country, working to remove existing barriers to women veterans seeking health care, providing up to seven days of care of newborn children of women veterans for the first time in history, and enhancing treatment for sexual trauma for women at the VA.

I urge my colleagues to vote ''yes'' in favor of this historic legislation for the sake of our heroes and their families. Our veterans deserve our gratitude and support at the very least.

Mr. SALAZAR. Mr. Speaker, I rise today to support S. 1963 the Caregivers and Veterans Omnibus Health Services Act of 2009.

As a veteran, I am proud to lend my support to this landmark bill.

With its provisions for women, homeless and rural veterans, S. 1963 addresses many critical sectors of the veteran's community.

Mr. Speaker, Colorado is home to over 427,000 veterans, 70,000 of which live in my district.

These veterans and their families face many of the same issues as their urban counterparts but must also deal with unique issues of accessibility and availability of resources.

This historic bill contains provisions that will be of particular importance to America's rural veterans.

I am encouraged that the bill specifically looks to improve health care for veterans living in rural areas and will provide financial assistance to help transport veterans to local VA hospitals and clinics.

S. 1963 will create a demonstration project to examine the feasibility and advisability of alternatives for expanding care for veterans in rural areas in addition to establishing goals for the recruitment of personnel in rural areas.

I encourage my colleagues on both sides of the aisle to support this legislation.

Mr. SKELTON. Mr. Speaker, let me share my support for the House Amendment to S. 1963, the Caregivers and Veterans Omnibus Health Services Act. This is a good bill for our nation's veterans and those who care for them, and I am thankful for all the hard work that has gone in to this legislation.

Missouri's Fourth Congressional District, which I have the honor to represent, is a rural district consisting of small towns, farms, and patriotic Americans, so I am particularly pleased with the provisions of the bill that focus on the needs of rural veterans. Veterans of all of our nation's conflicts, from World War II to today, call the Fourth District home, but the advantages of living in rural Missouri often come with long drives to the closest VA hospital or clinic. This legislation takes a number of steps to improve access to care for rural veterans, including increasing the mileage reimbursement rate for traveling to a VA health facility and partnering with veterans service organizations to provide transportation options for veterans living in rural areas. These moves would help address some of the concerns I often hear from veterans.

I am also pleased with the provisions of the legislation that impact the caregivers of our veterans. Oftentimes, the day-to-day care of a seriously injured or ill veteran is provided by a spouse, a child or a parent. These individuals give of themselves gladly, but many are forced to take time off of work or school, or to leave their jobs or their pursuit of higher education altogether. And many caregivers do not have the experience or training to provide the most effective care for their loved one. The bill before us today expands training and education for caregivers, provides access to them for counseling and mental health services, and for those caring for veterans of Operation Iraqi Freedom and Operation Enduring Freedom, provides a monthly stipend and health care through the CHAMPVA program. These caregivers are providing an important service for our veterans and this legislation gives proper consideration for their needs.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of the ''Caregivers and Veterans Omnibus Health Services Act of 2009.'' I want to thank Chairman BOB FILNER and my colleagues in the U.S. House Committee on Veterans' Affairs for their support and for bringing this bill before the House for consideration. I also want to commend the chief cosponsor of this bill and Chairman of the US Senate Committee on Veterans' Affairs, my good friend from the State of Hawaii, Senator AKAKA, for continuing to look out for the interest and the needs of those that have served in the armed forces of this great nation.

The bill before us today reaffirms our commitment to provide for the needs and to share the sacrifice borne by our veterans. Among other things, it will: provide immediate support for veteran caregivers; improve health care access for women veterans; improve rural health care delivery; and increase access to mental health support for servicemembers and veterans.

Mr. Speaker, I am very pleased that Congress recognizes the needs of the families and those that are taking care of our veterans. Today, more servicemembers are surviving the wounds of war than those injured in previous conflicts. For example, the ratio of wounded per fatality averaged approximately 1.7 in the first two World Wars compared to 3.1 in the Korea and Vietnam wars. This number jumped to 7.1 during Operation Enduring Freedom and Operation Iraqi Freedom (OEF/OIF), mainly due to improved body armor and superior battlefield medicine techniques.

As a result of this improvement, there is a growing need to provide continuing care to those injured and wounded from recent conflicts once they reach veterans status. Providing support and resources to caregivers and attendants that take care of our wounded and injured veterans is of a major concern.

The bill before us today makes it easier for a veteran to be accompanied by a family member when traveling to and from a treatment facility. In addition to mileage, lodging and subsistence will be provided for, especially for those veterans that want to stay close to their families. A caregiver support program is also created where caregivers of veterans of all eras would receive supportive services such as caregiver training and education, counseling and mental health services, and respite care. More significantly, our veterans would receive better treatment and quality of care.

I urge my colleagues to vote in support of this important piece of legislation.

Mrs. MCCARTHY of New York. Today, the House will consider an important bill—the Caregivers and Veterans Omnibus Health Services Act. This legislation will provide much-needed support for our veterans and their families.

According to the Dole/Shalala report, 20 percent of active duty, 15 percent of reserve, and 25 percent of retired and separated members of the military have a family member of friend who has been forced to leave a job to care for the veteran full-time. This places an incredible burden on many, many families across our country.

Today's bill offers an important array of support services for veterans and their caregivers such as: training and education, counseling and mental health services, lodging and subsistence payments for the caregiver when accompanying the veteran on medical care visits, and monthly financial stipends for caregivers. This bill takes important steps towards supporting those individuals who care for our veterans.

The bill also makes important investments in health care for women veterans. Over 1.8 million women have served our country and for too long many of their health care needs have gone unaddressed. This bill builds on the previous efforts of our Congress to correct that inequity.

S. 1963 expands and improves Veterans Administration health care for women by requiring the VA to conduct a study of barriers to women veterans seeking health care, educate and train mental health professionals caring for female veterans with sexual trauma, implement a reintegration and readjustment pilot program aimed a helping women veterans, establish a child care pilot program, and provide post-delivery health care to a new born child of a woman veteran.

I support this legislation and our Majority's efforts to support those men and women who have risked their lives for our country.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of S. 1963, the Caregivers and Veterans Omnibus Health Services Act. This legislation keeps the promises made to our troops, wounded warriors, and veterans. It is simply our duty as a Nation, when we put our men and women in harm's way, to care for them when they return home.

S. 1963 will provide support to families and those who care for disabled or injured veterans. This bill helps ease the many hardships and sacrifices that many families face during lengthy recovery and rehabilitation of severe injuries of their loved one. S. 1963 will provide support services to family members and other caregivers of veterans, including education on how to be a better caregiver, counseling and mental health services. The bill also provides health care and a stipend for caregivers living with severely wounded veterans of the Iraq and Afghanistan wars.

As a veteran myself, I strongly support making sure Congress honors its commitments to our veterans. Our support system should work for all those who sacrifice for our country and this bill improves health care for the women who have bravely served their country. It also improves mental health as an important part of overall health for our veterans.

Finally, this bill recognizes that more and more of our soldiers are women, and it removes existing barriers to women veterans seeking health care. Our military health care needs to provide everyone who has served our nation receives the services he or she needs. In particular, the legislation enables female veterans to receive up to seven days of care for newborn children and enhances sexual trauma treatment for women at the VA.

It is time to change the way we care for veterans by providing better support and training for those that care for them. The sacrifice of our veterans is appreciated by all Americans. S. 1963 represents compassion for those who served our country, and support for those who now serve them.

Mr. Speaker, this bill takes care of those who are keeping America safe. I urge my colleagues to join me in support of S. 1963, to fulfill our continued obligations to our nation's military.

Mr. STARK. Mr. Speaker, the service men and women serving overseas have born the brunt of the cost of the wars in Iraq and Afghanistan. The Caregivers and Veterans Omnibus Health Services Act ensures that when they return, they will obtain the quality treatment and health care they deserve.

This legislation addresses many of our veterans' most urgent needs. Record numbers of service men and women returning home are suffering from posttraumatic stress, and this bill ensures that mental health services are more accessible. The bill ensures that women don't get second-class health care by expanding coverage for women's health, including care for newborns. The bill also eliminates health care copayments for veterans who are catastrophically disabled.

Many politicians use the slogan ''support the troops'' when they mean ''support this war.'' This bill actually supports our troops—by providing them the care and support services they need when they return home. I urge my colleagues to support this bill.

Mr. CONYERS. Mr. Speaker, I rise in strong support of S. 1963, the ''Caregivers and Veterans Omnibus Health Services Act of 2009.'' As a Korean War veteran, I understand the various challenges that veterans face when returning home. This bill takes a significant step forward in terms of improving the overall access to quality, affordable health care for our nation's veterans and provides much needed assistance to the devoted families across this nation that provide housing, food, and full-time care for wounded veterans.

Under S. 1963, veterans who are catastrophically disabled would no longer be required to pay copayments for their medical

care. As we all know, in America, the sicker you are, the more you must pay in out-of-pocket costs. Passage of this bill means veterans and their caretakers will be able to live with less financial stress.

This bill also increases funding to expand VA clinics in rural areas where VA programs currently do not exist. Veterans living in rural areas must often travel hundreds of miles in order to receive care at a Veterans hospital—a crushing burden for veterans who need frequent health care services, and must pay for expensive travel due to increasing transportation costs.

The bill will also help address the many hardships and sacrifices associated with the lengthy recovery and rehabilitation associated with severe injuries. In particular, the bill improves access to counseling and mental health services. S. 1963 also provides health care and a stipend for caregivers living with severely wounded veterans of the wars Iraq and Afghanistan. This stipend should help reduce the enormous financial pressures on caregivers who are providing food, clothing, transportation, and housing to their wounded loved ones during one of the worst economic downturns since the Great Depression.

Again, I thank the Democratic leadership for introducing this important bill, which will go a long way in improving the lives of scores of veterans and their caregivers for years to come. I encourage my colleagues to support the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, S. 1963, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

## CONGRATULATING REVEREND DANIEL P. COUGHLIN ON 10TH YEAR OF SERVICE AS HOUSE CHAPLAIN

Mr. CAPUANO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1216) congratulating Reverend Daniel P. Coughlin on his 10th year of service as Chaplain of the House of Representatives.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1216

Whereas Reverend Daniel P. Coughlin has served honorably and faithfully as Chaplain of the House of Representatives since being sworn in as the 59th Chaplain on March 23, 2000;

Whereas Reverend Coughlin was born on November 8, 1934, in Chicago, Illinois;

Whereas Reverend Coughlin graduated from St. Mary of the Lake University in Mundelein, Illinois, becoming a Licentiate of Sacred Theology in 1960, and from Loyola University in Chicago, Illinois, with a degree in Pastoral Studies in 1968;

Whereas Reverend Coughlin was ordained for the Archdiocese of Chicago on May 3, 1960;

Whereas Reverend Coughlin was appointed the first Director of the Office for Divine Worship for the Archdiocese of Chicago;

Whereas Reverend Coughlin spent a year-long sabbatical in residence with the Trappist monks of the Abbey of Gethsemani in Kentucky, and served the poor through the Missionaries of Charity in Calcutta, India, in 1984;

Whereas Reverend Coughlin served as scholar-in-residence at North American College in Vatican City;

Whereas Reverend Coughlin was pastor at St. Francis Xavier Parish in La Grange, Illinois, from 1985 through 1990;

Whereas Reverend Coughlin worked as Vicar for Priests of the Archdiocese of Chicago under both Joseph Cardinal Bernardin and Francis Cardinal George from 1995 through 2000;

Whereas the Office of the Chaplain of the House of Representatives has served the House since May 1, 1789;

Whereas Reverend Coughlin is the first person of Roman Catholic faith to hold the Office of Chaplain of the House of Representatives; and

Whereas Reverend Coughlin opens proceedings in the House of Representatives with prayer, and additionally provides pastoral counseling and arranges memorial services for the House and its staff: Now, therefore, be it

*Resolved*, That the House of Representatives congratulates Reverend Daniel P. Coughlin on his 10th year of faithful service as Chaplain of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. CAPUANO) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. CAPUANO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous matter on House Resolution 1216.

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

There was no objection.

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

Mr. Speaker, this resolution recognizes the Reverend Daniel Coughlin. Where is he?

Come on, Father. Come on up if you're watching. We want to see you.

This resolution recognizes the service of Rev. Daniel P. Coughlin as the Chaplain of the U.S. House of Representatives.

Rev. Coughlin was sworn in as the 59th Chaplain of the House of Representatives on March 23 of the year 2000. The passing of that date this year marked a decade of providing spiritual counseling and prayer to both Members and staff. Rev. Coughlin follows in a tradition that has served this House since May 1, 1789, when Rev. William Linn was elected Chaplain of the House.

I urge all Members to support this resolution and to support Father Coughlin.

I would like to mention that Father Coughlin is the first Roman Catholic to serve this House, and as not necessarily the best Roman Catholic in the world, I will tell you that I have the deepest appreciation for what Father Coughlin has done for this House as our Chaplain, as a friend and also in service to this country. I've had many personal discussions with him, and I will tell you, in my opinion, if more of our religious leaders had the same demeanor, the same personality, the same openheartedness, the same attempt to understand the differences between us, and the same obvious willingness to forgive our differences and our difficulties, I think this world would be a much better place.

I will tell you that I not only want to congratulate him on his 10 years, but I also want to personally thank him for the many services rendered to so many Members of this House and for his ability to stand in such an esteemed position and to earn the respect of the Members here.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. I yield myself such time as I may consume.

Mr. Speaker, I rise today to join others in expressing our support for House Resolution 1216, congratulating our Chaplain, the Reverend Daniel Coughlin, on his 10th year of distinguished service to the United States House of Representatives. I think the only thing Father Coughlin is going to be upset about is that we're going to reveal his age here on the floor today.

Since the very first Congress, Members of the House have benefited from the services of chaplains and ministers. Throughout history, they have helped all of us, the individuals serving in the Congress. They have helped us navigate our responsibilities to the American people, and they have aided us in our quest to integrate faith and reason in our execution of the law.

As has been mentioned, Father Coughlin is the first Roman Catholic House Chaplain. Following after the Reverend James Ford, Father Coughlin has diligently, humbly, compassionately, and intelligently served this House, its Members, our families, and this Nation.

Born during the Great Depression, Father Coughlin has a prestigious record, one that demonstrates his deep desire to heal a broken society. A graduate of St. Mary of the Lake University in Illinois, he was ordained for the Archdiocese of Chicago in the spring of 1960. In addition to serving as a pastor and as a director in various offices within the Chicago diocese, Father Coughlin has studied world religions, has lived with Trappist monks, has

worked with the Missionaries of Charity in Calcutta, India, and has served as scholar-in-residence at the North American College in Rome.

We wouldn't ask him which of those he enjoyed the most and whether it was more difficult working among the Members of Congress or living with the Trappist monks. As a matter of fact, I recall that no one has ever compared us to the Trappist monks.

In March 2000, he was sworn in during the 106th Congress as the 59th Chaplain of the United States House of Representatives.

Mr. Speaker, as you can see, Father Coughlin has brought a wealth of experience, education, and discernment to this House. We have all benefited from his wisdom, from his patience, and from his kindness. We are right to honor the 10 years of service that Father Coughlin has given us thus far, and I believe that we all wish him many more days with us as we deliberate in the people's body of this self-governing Republic. There is no doubt we need his help.

I thank the sponsor of the resolution, Congressman LIPINSKI, and I thank the chairman of our subcommittee for bringing this resolution to the floor.

I would urge my colleagues to vote in support of this resolution. Hopefully, we will get a unanimous vote.

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

Mr. CAPUANO. Mr. Speaker, I yield 4 minutes to my friend, the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. I thank the gentleman for yielding as it is an honor for me to join my colleagues in honoring Father Daniel Coughlin on his 50th year in the priesthood and 10 years as our House Chaplain.

□ 1130

Father Daniel Coughlin was honored last weekend by the Archdiocese of Chicago marking 50 years since his ordination, the last 10 years of which he has served as Chaplain of the U.S. House of Representatives. I am pleased to join as a cosponsor with Mr. LIPINSKI and the rest of my colleagues in the House to recognize Father Coughlin on this achievement.

Father Daniel Coughlin is the first Roman Catholic House Chaplain since the position was created in 1774. He was ordained for the Archdiocese of Chicago on May 3, 1960, and for the next 5 years served as an associate pastor for St. Raymond Parish in Mount Prospect, Illinois, before becoming an associate pastor at Chicago's Holy Name Cathedral. In 1969, he was appointed as the first director of the Archdiocese's Office for Divine Worship.

In 1984, Father Coughlin took a yearlong sabbatical, as my colleagues have noted, which sent him to serve with the Trappist monks in Kentucky, counsel the poor in Calcutta, and serve as a scholar-in-residence at North American College in Vatican City in Rome.

Following his sabbatical, Father Coughlin served as pastor of St. Francis Xavier Parish in La Grange, Illinois, and became Director of the Cardinal Stritch Retreat House in Mundelein, Illinois. Father Coughlin worked as Vicar for Priests of the Archdiocese of Chicago under both Cardinal Bernardin and Cardinal George, a position he held until he became House Chaplain.

When former Speaker Dennis Hastert looked to Cardinal George as he searched for the next House Chaplain, one of the names that Cardinal George kept mentioning was Father Coughlin. First interviewed on March 13, 2000, Father Coughlin was sworn in just 10 days later.

Just as there were those who questioned whether President Kennedy, as the Nation's first Catholic President, could govern without forcing his Catholicism on the Nation, there were those who questioned whether a Catholic Chaplain could appropriately serve the House. Father Coughlin has proven through his counsel of Members and the staff of many different faiths and varying degrees of spirituality that those concerns were and are unfounded. Many have benefited from his ecumenical approach as House Chaplain. Father Coughlin goes beyond the requirements of House Chaplain to make sure the spiritual needs of all Members, regardless of their faith, are met.

In addition to the Members of this Chamber, Father Coughlin has provided support to countless House Members, their staffs, and families during their time of need. In fact, right after Father Coughlin was sworn in as the House Chaplain, unfortunately, I lost my son, and Father Coughlin, who really didn't know me or my son that well, certainly provided great comfort to us in a great time of distress for us. And a few years ago, my Chief of Staff's mother was battling cancer, which took a toll on him and their family. Father Coughlin not only kept Scott and his mother, Pat, in his prayers but went above and beyond that, often writing heartfelt notes to both of them. Neither of them Catholic, the gesture from Father Coughlin meant a great deal to Pat in her final days and still means a great deal to Scott to this day.

Father Coughlin has offered insightful counsel to Members of this Chamber through some of the most difficult events in our recent history. He has provided spiritual guidance to those who sought it as they grappled with some of the biggest issues facing our country.

Therefore, I am pleased to join my colleagues today in supporting this resolution to honor the contributions and service of Father Daniel Coughlin as House Chaplain, as a spiritual leader, and congratulate him on his 50 years of service to the church and to the members who make up the church.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, now it is my pleasure to yield 5 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), a distinguished Episcopalian Member of this House who is also a heartfelt friend and admirer of Father Coughlin.

Mr. SENSENBRENNER. I thank the gentleman for yielding, and I rise in support of this resolution.

A lot of times people come to Members of Congress saying, Why do you need to have a Chaplain? And I tell them that we need to have a Chaplain here because of the tremendous pressures that are put on Members of Congress and their families, whether it's politically, whether it's spiritually, whether we have family crises and things like that, and in order to keep the Members of Congress grounded so that they can better discharge their duties, we need to have someone to talk to and to counsel us from a spiritual standpoint.

Father Dan Coughlin has done that for the last 10 years. He is the first Roman Catholic priest who has been named as a Chaplain to the House of Representatives, and there was a lot of chatter about that at the time, but I would just remind everybody that most of his predecessors as Chaplain were ordained in specific non-Roman Catholic denominations and they had the same job in dealing with Members of all faiths, and sometimes even no faith at all, and their families when times of crises came, whether it be a personal crisis or a political crisis. And I think that in the last 10 years, a tribute to Father Coughlin's immense talents is the fact that he is universally respected in this House of Representatives and beyond. And I can say personally that I think I am a better person for having known Father Coughlin and having been counseled by him.

Father Coughlin also is respected in his home diocese in Chicago. Last Saturday my wife, Cheryl, and I accepted his invitation to join him and others at a mass celebrating the 50th anniversary of his ordination to the priesthood. There were many priests celebrating with him, the church was filled, and it was an extremely moving demonstration of the respect that Father Coughlin has both with his colleagues as priests in Chicago as well as the laity that did show up to fill the chapel at the Archbishop Quigley Center. Cardinal Francis George, who is Father Coughlin's ecclesiastical boss, showed up during the reception, and I think that his presence there also is a tribute to the fact that Father Coughlin had done a very, very good job in Chicago before he was plucked by former Speaker Hastert to become our Chaplain of the House of Representatives.

All that being said, this House is in Father Coughlin's debt for the work that he has done with us as an institution, has done with us as individuals, regardless of what our faith is, and has done with our families in helping keep our personal lives as well as our official lives in a proper perspective. We are much in debt to Father Coughlin for

that, and I hope he is with us for many more years, rather than days, to come.

Mr. CAPUANO. Mr. Speaker, I yield 3 minutes to the author of the resolution, the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I rise today in strong support of this resolution congratulating and thanking the Reverend Daniel P. Coughlin for his 10 years of service as Chaplain of the House of Representatives.

For the past decade, Father Coughlin has admirably fulfilled his duties as Chaplain, blessing this Chamber with his thoughtful, eloquent prayers, conducting prayer meetings and spiritual exercises, and, most importantly, fortifying Members, their families, and congressional staff with his wise and generous counsel.

March 23 marked the 10th anniversary of Father Coughlin's swearing in as the 59th Chaplain of the House of Representatives and, most importantly, as some of my colleagues have mentioned, the first Catholic to hold this position. If you look back to the day that Father Coughlin assumed office, Pope John Paul II was visiting Israel for the first time. Gas was under $2 a gallon. And a certain attorney from the South Side of Chicago, the newspapers were just reporting on his bid, unsuccessfully, to join this body. It was indeed a long time ago and a lot has changed in those 10 years, but through it all Father Coughlin has responded to the demands of history, tradition, and faith with great devotion.

As many residents of my district in the Chicago region know, Father Coughlin's service dates back far beyond what he has rendered here over the past decade. In fact, just this past Saturday, as Representative SENSENBRENNER was just mentioning, I also had the opportunity, with my wife, Judy, to be a part of the celebration of Father Coughlin's 50th anniversary as a Catholic priest.

Father Coughlin grew up on the North Side of Chicago and knew from a young age he would become a priest. He received degrees from St. Mary of the Lake University and Loyola University.

He was a parish priest before he was named the first Director of the Office of Divine Worship in the Archdiocese of Chicago in 1969. His time during his year-long sabbatical, spending 5 months at a Trappist monastery in Kentucky, serving the poor in India, and serving as scholar-in-residence at North American College in Vatican City really shows the breadth and the depth of Father Coughlin's abilities. Upon his return, he spent 5 years as pastor of St. Francis Xavier Parish in La Grange in my district. I know that he is much beloved at his parish at St. Francis. I hear about it very often from many of my constituents and friends. Following this, he became Vicar for Priests in the Archdiocese of Chicago.

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

Mr. CAPUANO. I yield 1 more minute to the gentleman.

Mr. LIPINSKI. After 4 decades of service, Father Coughlin was appointed House Chaplain by Illinois' own former Speaker, Dennis Hastert, on the recommendation of Cardinal Francis George. In announcing his choice, former Speaker Hastert predicted that ''Daniel Coughlin will bring to the House a caring and healing heart.'' The past 10 years has shown that he was undoubtedly correct. I know this from my own time in the House, having seen and experienced this. My own experiences with Father Coughlin range from the opportunity I had with him 5 years ago this week in Rome to be a part of the inauguration of Pope Benedict XVI and also the many conversations I have had with Father Coughlin on what is currently happening in Chicago, including how his ageless mother and her Chicago Cubs are doing. I think this connection, being a Catholic from Chicago, has really especially made our relationship close over these 5-plus years I have been in the House.

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

Mr. CAPUANO. I yield 1 more minute to the gentleman.

Mr. LIPINSKI. Mr. Speaker, Father Coughlin's devotion to his faith and spiritual welfare of his fellow men and women is an inspiration. I urge my colleagues to join me in supporting this resolution.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Father Dan, I am glad to see that you have been able to join us, and I thank the gentleman for the time.

Mr. Speaker, I am also pleased to rise today to pay tribute to our Chaplain, Father Dan Coughlin, whom we honor today in his 10th year of service as House Chaplain and as its 59th Chaplain. On this occasion, I also wish to express my personal deep appreciation for Father Coughlin's steadfast support and wise counsel.

Public service in its essence demands much from those called to responsibility for the future of our Nation. It presents many weighty challenges that call upon Members of Congress to live out the transcendent principles that mark the immutable character of our great republic.

Father Dan works tirelessly to focus our attention on the values that actually do unite us at a time when so many forces seek to divide us. He challenges us to animate our drive for truth with compassion and to fortify our quest for compassion with truth. Members and staff have come to rely upon his insight, his openness, his unique ability to lead people of all faith traditions to thought-provoking introspection, based upon a lifetime dedicated to understanding the profound motivations of the human heart.

Called upon so often to help us and our families shoulder the burdens of state at discordant times in our history and particularly given the challenging time in the history of our world now, Father Coughlin exemplifies what it means to be a selfless servant and a true peacemaker. We are indeed fortunate for the grace of his presence among us, and it is an honor and privilege to acknowledge his 10 years of service to this institution.

Mr. Speaker, I would like to close by reading an excerpt of the prayer that Father Coughlin delivered on September 12, 2001, which I do believe remains as relevant today as it was then.

''Send forth Your Holy Spirit, Lord, upon all Members of Congress, the President, and all government leaders across this Nation. Free them of fear, any prejudice whatsoever, remove all doubt and confusion from their minds. With clear insight which comes from You and You alone, reveal all that is unholy and renew the desire of Your people to live lives of deepening faith, unbounding commitment, and lasting freedom here where liberty has made her home.

''We place our trust in You now and forever. Amen.''

Thank you, Father Coughlin, for your outstanding service.

□ 1145

Mr. CAPUANO. Mr. Speaker, I would like to yield 1 minute to the Speaker of the House, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and thank him and Mr. LUNGREN for bringing this important resolution to the floor. It is indeed a joy for us to salute our friend, our Chaplain, but our friend, Father Coughlin.

I am rarely in awe of anybody's opportunity. As the Speaker of the House, I am afforded many. But when Mr. SENSENBRENNER said that he and his wife Cheryl were present at the 50th anniversary of Father's ordination as a priest, I was frankly jealous. What a great honor for you to be there. What a great honor for Father Coughlin that you were there. And Mr. LIPINSKI, the maker of this motion, he was there as well. So we were proud to be represented in a bipartisan way at that celebration. And it was a reflection of the esteem that we all have for Father Coughlin in this House.

Father Coughlin has told me with great pride—now, not usually a proud man, usually a humble man—with great pride that 35 priests concelebrated the Mass that celebrated Father Coughlin's 50th anniversary of his celebration. How proud we all are of you.

But the proudest person in the world is Father's mother Lucille, 95 years old. To see her precious son 50 years a priest of the church, for 10 years the Chaplain of this House of Representatives, the first Catholic. It's really a remarkable achievement.

Every day of those 10 years when Father has opened the House with a prayer we have all listened attentively because we know that we will be guided well, that he will be our anchor, he will inspire us with words that reflect the values of faith and country.

His particular strength I believe springs from a sense of humility that he conveys. After his ordination, he spent time at a Trappist monastery in Kentucky, building strength and his religion and his faith. He spent time working among the poor in Calcutta, India, again living his faith.

St. Francis of Assisi, the patron saint of my City of San Francisco, has said, ''Preach the Gospel. Sometimes use words.'' While using words or deeds, Father Coughlin has been preaching the Gospel for these many decades. And we have been blessed that his path has crossed ours in this Congress.

Every Sunday in Catholic churches, and I know in other Christian churches as well, we hear the words ''Do this in memory of me,'' the words of Christ at the Last Supper. But I view it as not just about doing what happened at that Last Supper, but doing the good works that Christ performed here and set as an example for us.

And every day in saying the Mass, Father Coughlin does this in memory of Christ. But beyond the Mass, in his personal guidance to us and his work among the poor in India and his prayerfulness in the Trappist monastery in Kentucky, in his stint—is that the word, stint, Father, in Vatican City?—his stay in Vatican City, his enrichment, the enrichment of his faith and religiosity became more intense.

So we are all grateful to Dennis Hastert as Speaker of the House and the committee that worked with him to make the choice of what would be a new Chaplain for us 10 years ago. We were blessed that Father Coughlin had worked with Cardinal Bernardin in Chicago and Cardinal George after that, and he was recommended to our former Speaker, who was from Illinois and was well known to the people in Chicago. That connection is a connection that has blessed all of our lives.

So as we honor his 10 years of service to the Congress, that is a small number of years—I mean it is a long time to be in Congress and to serve as Chaplain—he has seen us through the dark and through the bright. He has helped us personally, and he has helped us understand our responsibilities to God's creation. And he has always understood. His generosity of spirit has given him an understanding so that when he speaks to any of us we know that we are hearing words of wisdom, words of values, words that are faith-based, but words that recognize our responsibilities to this great Nation as elected officials. He knows to render unto Caesar and to render unto God. We could not be better served.

And so it is with great joy that I join our colleagues, some little regret that fate had not placed me in a situation where I could be where Mr. SENSENBRENNER and his wife Cheryl were last weekend, and Mr. LIPINSKI and 35 concelebrants of the Mass of Holy Eucharist to celebrate the 50th anniversary of—how could it be 50 years, Father?

Congresswoman ESHOO and I were just talking about when we all went together in a bipartisanship delegation to Rome for the funeral of Pope John Paul, and what a moving experience that was. And what a force you were for all of us. To have us see the role that His Holiness played in history of course is well known to us. And I just want to mention Paula Nowakowski here, former staff person to JOHN BOEHNER, for whom John Paul II was a hero, as he was a personal hero to many of us. But the guide that you were to us to that funeral, to that liturgy, to that transition is something that we will never forget.

So for this and for every reason every single day that we serve, we thank you. Anyone who cares about the success of our Nation and our ability to work together is deeply indebted to you. Thank you, Father Coughlin. God has certainly blessed America with your service to this House and to our country. We love you. Thank you.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I reserve the balance of my time.

Mr. CAPUANO. I yield 4 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. I thank the gentleman from Massachusetts and the authors of this resolution honoring our Chaplain, Father Daniel Coughlin.

Mr. Speaker, when I think of Father Coughlin coming to the House, I think of the moment 10 years ago when our previous Chaplain had retired and the Speaker and the Minority Leader appointed a committee to come up with a recommendation. There was some turmoil that was a part of that. But I have always believed that the Spirit's hand was in this. And who came forward but Father Coughlin from Chicago?

Everyone has spoken about what he did before he came here. But essentially, Father Coughlin was a parish priest. And so from all of the experience that he had in tending that flock, he came to tend a new one, and that is the United States House of Representatives. And tend this flock he has.

As Mr. SENSENBRENNER said, there are many constituents that have asked why does the United States House of Representatives need a Chaplain? Look up above the Speaker's chair. It says, ''In God we trust.'' But many times what happens to human beings really shakes that trust. So the Chaplain of the House is the one that tends to each one. How important that is in not only the dark times, the dark periods in individuals' lives where they need the spiritual guidance, the support, the love, the quiet time, the trust with someone that will never break that trust. That is what Father Coughlin has done on an individual basis with Members throughout the House.

It matters not, as was said before, what faith background any Member comes from, and even if they don't have any faith background. That guidance feeds the soul and it helps to heal each person here that has gone through something traumatic in order to resume the public duties that are filled with burdens and blessings as Members of Congress. But there are national times of stress and burden, and he has been with us throughout those times as well.

Fifty years as a priest. I can't help but think of the words that are said at ordination. ''Thou art a priest forever.'' And 50 years. What a great blessing. An even greater blessing for your mother, Father Coughlin, to be present when you were ordained, throughout your priesthood, and 50 years, 10 years of that priesthood here with the United States House of Representatives. We honor you and we thank you for it.

And as a Roman Catholic, I want you to know that you are a special source of pride. But that pride I think is really felt by the entire House. Thank you for your quiet faith, for your steely faith, for the prayers that you offer here that when each one of us take those to heart it's a road map. It's a road map because it is faith that calls us to everything that we do in life. And today in 2010 in the 21st century those words of faith are our reality. And it calls us to do better for our country and people around the world.

So God bless you and thank you for your 50 years and your 10 sterling years here.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is somewhat ironic that we are recognizing Father Coughlin's service to our Nation and to this House as the Chaplain of the House of Representatives in the same week that a Federal judge has instructed us that the National Day of Prayer is somehow unconstitutional.

I look and I see, Mr. Speaker, over your head the words ''In God we trust,'' the national motto, which indicates that one does not have to be a person of faith to be an American citizen. But the idea of the worth of the individual and the idea that the rights of the individual came from God and not from some monarch is essential to the understanding of the beginnings of this Republic. And from the beginnings of this Republic we have had a Chaplain ministering to the needs of the Members. It is not a new idea or novel idea. It is an idea that is firmly entrenched in the tradition of this institution and this country. Father Coughlin has been a great example of that tradition. And we hope he continues.

I might say that he ministers to all of us no matter what party of which we are a member, but I sort of enjoy the fact that he ministers to those of us on

this side since I found myself in the minority on most of the years I have served here, and therefore by definition the underdog. So when I met Father Coughlin's great mother, who is dedicated to the great underdog of all time, the Chicago Cubs, I felt some kinship.

And I thought it interesting just a couple of years ago when Father told me that his mother, in her nineties, still serves as an usher at Wrigley Field. But to show you the ability that Father has to take a situation that may be fraught with some peril and give guidance, he told me that he finally convinced his mother that she should not be ushering both ends of a doubleheader. So that we do understand that she now goes home after the first game of a doubleheader at Wrigley Field.

□ 1200

It is that type of pragmatic guidance, combined with the great spiritual principles, that makes him such a great friend to all of us here in the House of Representatives, and allows us to do our job with a little more civility than we otherwise would, understanding that what we do is important, maybe we're not that important, even though we might be from time to time in our minds.

He reminds us of transcendent values and helps us through very difficult days with an objective of helping us to do the people's business here in the House of Representatives.

It is a pleasure and a privilege for me to serve in the House of Representatives. It is a privilege and a pleasure for me to have the friendship of Father Coughlin and the assistance of Father Coughlin as he gives that to all of us who serve here.

And so I would hope that all Members would join us in supporting House Resolution 1216.

I yield back the balance of my time.

Mr. CAPUANO. Mr. Speaker, we've heard lots of goods things about Father Coughlin, but there are still a few mysteries left that he has to help us unravel. I will tell you, Father, with good faith, with a lot of prayer sometime, and a good team, the Cubs will actually win a World Series. As a Red Sox fan, I can tell you it works.

Father, the other great mystery, as a good Irishman myself, you're going to have to explain to me Coughlin versus Coughlin. That will come later.

I wanted to do this today because of my respect for Father Coughlin as a human being and as a priest. But I think to be a good priest you have to be a good human being first. I don't think it's the other way around.

And I will tell that in the 10 years he's been here I've come to consider him a friend. I've come to see him as somebody in my mind who is one of the best representatives of the Catholic faith that I have ever known.

And I will tell you, Father, from my perspective I want to thank you, not just for your service to this House, but for being such a good person. From somebody who's gone from the streets of Calcutta to the Vatican to the House of Representatives, you have maintained your modesty, you have maintained your dignity. And as far as I'm concerned, you're a fine and wonderful human being that I am proud to call both the Chaplain of this House, but also my friend and someone I look up to.

Mr. POMEROY. Mr. Speaker, I rise to express my deep appreciation of the ministry of Father Daniel Coughlin, Chaplain of the House.

His presence in this Chamber is comforting and supportive. His kindness and concern is evident to all who know him. Father Coughlin's prayers before this Chamber are relevant, beautiful and timeless. I have no doubt his words—captured in the RECORD as a permanent part of the history of the House—will be quoted long after all of us presently serving are gone.

I was co-chairman of the bipartisan chaplain search committee commissioned by Speaker Dennis Hastert 10 years ago.

Unfortunately, a process begun with the best of intentions by the Speaker and all participants, ended up in partisan acrimony and finger pointing with each party believing the other was motivated by intentions highly unworthy of the task at hand—finding a Chaplain for the House.

God's hand must surely have guided Speaker Hastert as he jettisoned the failed selection process and—in consultation with church leaders in his home State of Illinois—picked Father Coughlin to serve as our Chaplain.

Father Coughlin was a parish priest, and we are blessed he accepted the assignment of the U.S. House of Representatives to be his new parish.

He has served us all in a pure ecumenical spirit. He has been a faithful friend, counselor and minister to us all.

I feel privileged to know Father Coughlin and extend my deepest congratulations to him on the twin milestones of 50 years in the priesthood and 10 years as Chaplain of the House.

God bless you, Father Coughlin. Thank you for your wonderful ministry.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of this resolution congratulating Father Coughlin on 10 years of service as House chaplain and want to thank my very good friend, Mr. LIPINSKI, for authoring it.

Since 2000 Father Coughlin has been a blessing to us, a presence of prayer, and a reminder of the grace we have to ask God for—beg God for—as we exercise our responsibilities in this House.

He has also been a personal friend to me and I want to thank him for that.

Mr. Speaker, I particularly appreciate Father Coughlin's moving prayers and his Web site where he puts up a "Thought for the Day" and keeps the House informed of spiritual events on Capitol Hill for Christians, Jews, and Muslims, and members of other faiths. I frequently read theses prayers and thoughts, and am grateful for his inspiration to me and my fellow members.

Today he has posted, as "Thought for the Day," a quote from Pope Benedict XVI, from his April 18 address to young people in Malta:

God loves every one of us with a depth and intensity that we can hardly begin to imagine. And he knows us intimately, he knows all our strengths and all our faults. Because he loves us so much, he wants to purify us of our faults and build up our virtues so that we can have life in abundance. When he challenges us because something in our lives is displeasing to him, he is not rejecting us, but he is asking us to change and become more perfect. That is what he asked of Saint Paul on the road to Damascus. God rejects no one. And the Church rejects no one. Yet in his great love, God challenges all of us to change and to become more perfect.

Thank you, Father Coughlin, for reminding us of this—we do our work differently, and better, when we carry with us an awareness of God's love.

Mr. Speaker, Mr. LIPINSKI's resolution also draws attention to Father Coughlin's 50 years of service to God, and His flock, as an ordained priest—Father Coughlin's fiftieth anniversary will be on May 3rd, and I want to congratulate and thank him for that as well.

Father Coughlin has also, as this resolution points out, served God with the Missionaries of Charity, in India, and in Rome, as a scholar-in-residence at the North American College. I am sure that his experience in both places enriched his service to the House.

Finally, I note from the resolution, that, while the House chaplaincy was instituted in 1789, in 2000 Father Coughlin became the first Catholic priest to hold the office of Chaplain of the House. He follows many others who have been a blessing on the House—and I have known several of them—and has certainly filled their shoes well.

Thank you, Father Coughlin.

I urge members to support this excellent resolution.

Mr. CAPUANO. Mr. Speaker, I yield back the balance of my time, and I would urge passage of this resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. CAPUANO) that the House suspend the rules and agree to the resolution, H. Res. 1216.

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. CAPUANO. 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.

## MULTIPLE SCLEROSIS AWARENESS WEEK

Mrs. CAPPS. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1116) supporting the goals and ideals of Multiple Sclerosis Awareness Week.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1116

Whereas multiple sclerosis can impact men and women of all ages, races, and ethnicities;

Whereas more than 400,000 Americans live with multiple sclerosis;

Whereas approximately 2,500,000 people worldwide have been diagnosed with multiple sclerosis;

Whereas every hour of every day, someone is newly diagnosed with multiple sclerosis;

Whereas it is estimated that between 8,000 and 10,000 children and adolescents are living with multiple sclerosis;

Whereas the exact cause of multiple sclerosis is still unknown;

Whereas the symptoms of multiple sclerosis are unpredictable and vary from person to person;

Whereas there is no laboratory test available that definitely defines a diagnosis for multiple sclerosis;

Whereas multiple sclerosis is not genetic, contagious, or directly inherited, but studies show there are genetic factors that indicate certain individuals are susceptible to the disease;

Whereas multiple sclerosis symptoms occur when an immune system attack affects the myelin in nerve fibers of the central nervous system, damaging or destroying it and replacing it with scar tissue, thereby interfering with or preventing the transmission of nerve signals;

Whereas in rare cases multiple sclerosis is so progressive it is fatal;

Whereas there is no known cure for multiple sclerosis;

Whereas the Multiple Sclerosis Coalition, an affiliation of multiple sclerosis organizations dedicated to the enhancement of the quality of life for all those affected by multiple sclerosis, recognizes, and celebrates Multiple Sclerosis Awareness Week;

Whereas the Multiple Sclerosis Coalition's mission is to increase opportunities for cooperation and provide greater opportunity to leverage the effective use of resources for the benefit of the multiple sclerosis community;

Whereas the Multiple Sclerosis Coalition recognizes and celebrates Multiple Sclerosis Awareness Week during 1 week in March every calendar year;

Whereas the goals of Multiple Sclerosis Awareness Week are to invite people to join the movement to end multiple sclerosis, encourage everyone to do something to demonstrate their commitment to moving toward a world free of multiple sclerosis, and to acknowledge those who have dedicated their time and talent to help promote multiple sclerosis research and programs; and

Whereas this year Multiple Sclerosis Awareness Week is recognized during the week of March 8, 2010, through March 14, 2010: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the goals and ideals of Multiple Sclerosis Awareness Week;

(2) encourages the President to issue a proclamation in support of the goals and ideals of Multiple Sclerosis Awareness Week;

(3) encourages States, territories, possessions of the United States, and localities to support the goals and ideals of Multiple Sclerosis Awareness Week by issuing proclamations designating Multiple Sclerosis Awareness Week;

(4) encourages media organizations to participate in Multiple Sclerosis Awareness Week and help educate the public about multiple sclerosis;

(5) commends the efforts of the States, territories, and possessions of the United States who support the goals and ideals of Multiple Sclerosis Awareness Week;

(6) recognizes and reaffirms the Nation's commitment to combating multiple sclerosis by promoting awareness about its causes and risks and by promoting new education programs, supporting research, and expanding access to medical treatment; and

(7) recognizes all people in the United States living with multiple sclerosis, expresses gratitude to their family members and friends who are a source of love and encouragement to them, and salutes the health care professionals and medical researchers who provide assistance to those so afflicted and continue to work to find cures and improve treatments.

The SPEAKER pro tempore (Ms. MCCOLLUM). Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. CAPPS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material for the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. CAPPS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in strong support of House Resolution 1116, recognizing and supporting the goals and ideals of Multiple Sclerosis Awareness Week, which actually took place the week of March 8.

Now, while Multiple Sclerosis Week occurred last month, it is never the wrong time to draw attention to this important health issue and to reaffirm our commitment to combating MS.

Multiple sclerosis affects an estimated 400,000 people in the United States and 2½ million people worldwide. MS is thought to be an autoimmune disorder where the immune system incorrectly attacks healthy nerve fibers of the central nervous system. Symptoms that people with MS experience include blurred vision and blindness, tremors, extreme fatigue and paralysis. However, the exact causes of MS are unknown, and there is no known cure for this disease.

But what we all know is that it can affect men and women of all ages, and it does affect each person differently.

Many of us have our own personal stories of loved ones who've been diagnosed with MS. We will hear some of those stories today.

I've gotten to know some wonderful constituent advocates from my district to learn of their personal stories over the years through the MS Society chapter which I represent in my district, and I know that many of my colleagues have benefited from interactions with their local chapters and the members who have shared their stories with them.

So I want to commend my colleague, Representative LEE, for introducing this resolution. I also recognize Representative CARNAHAN and Representative BURGESS for their leadership on the Congressional Multiple Sclerosis Caucus.

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

Mr. BURGESS. Madam Speaker, I yield myself such time as I may consume, and I thank the gentlelady from California (Mrs. CAPPS) for her recognition.

As cochairman of the Congressional MS Caucus, I rise today in support of House Resolution 1116, supporting the goals and ideals of Multiple Sclerosis Awareness Week from March 8 through March 14. The goal of this annual event is to raise awareness of this disease for individuals and their families who are impacted by this illness.

Every hour in the United States, someone new is diagnosed with multiple sclerosis. It is a chronic, often disabling disease that attacks the central nervous system. Over 400,000 Americans are living with MS, and approximately 2½ million people are affected worldwide.

These patients suffer a variety of symptoms which can vary from person to person and, indeed, may vary within a particular patient during the course of the disease. Among the symptoms are impaired vision, muscle weakness, problems with coordination and balance, numbness, memory problems and, in the most severe cases, which, fortunately, is rare, the disease is fatal.

Even the milder cases of multiple sclerosis create daily changes for patients by impairing speech, the ability to write, the ability to walk. Despite the debilitating effects, the cause of multiple sclerosis is unknown. There is yet no laboratory test that is available that definitively establishes the diagnosis and, of course, there is no cure.

Treatments, however, have improved markedly over the last 20 to 30 years, and that is the reason we should applaud the work of the Multiple Sclerosis Coalition, an affiliation of MS organizations dedicated to the enhancement of the quality of life for those affected by this disease, which recognizes and celebrates this special week that we designate as Multiple Sclerosis Week.

Many Americans know a person living with MS, a mother, father, son or daughter or another family member, or even a colleague. During my brief time in Congress a member of my staff has been diagnosed.

I also want to recognize those who struggle with multiple sclerosis every day, the family and friends who support them, the doctors, nurses, researchers and others that care for them and continue to search for a cure.

I'd also like to thank Representative RUSS CARNAHAN of Missouri, who's the co-chair of the MS Caucus, and Representative BARBARA LEE of California who are sponsoring this resolution with me.

I encourage all of my colleagues to vote in favor of the resolution.

I reserve the balance of my time.

Mrs. CAPPS. Madam Speaker, I am pleased to yield such time as she may consume to the Representative from California, Representative LEE, who is the author of this resolution.

Ms. LEE of California. Madam Speaker, let me thank, first of all, my colleague, the gentlelady from California (Mrs. CAPPS), for yielding me the time. Also, let me just thank you for using your invaluable background as a nurse in helping shape quality health care for all in our country. So to Congresswoman CAPPS, thank you very much for your leadership.

Also, let me thank Congressman RUSS CARNAHAN and Congressman MICHAEL BURGESS, the co-chairs of the Multiple Sclerosis Caucus and their staff, including my staff, Christos Tsenta, for helping to work on this resolution in a bipartisan manner and for keeping the Congress focused on MS issues, which was recognized during MS Awareness Week, March 8 through March 14.

Let me also thank Chairman WAXMAN and Ranking Member BARTON and their staff for agreeing to bring the resolution to the floor, along with our nearly 110 cosponsors. And to Congresswoman KILROY, the gentlelady from Ohio, I just want to say to her that her determination and her strength is such an inspiration to all of us here in the House of Representatives.

Let me thank the Multiple Sclerosis Coalition, the National Ms Society and all its staff, especially Shawn O'Neail and Shawna Golden, for leading the charge on MS Awareness Week and for their work on this resolution and for helping to support activities around the country in recognition of this week.

And this resolution is in honor of all of those living with MS and all of the friends and family and loved ones who care for them and support them.

Lastly, I just want to thank my beloved sister, Mildred, for teaching me what it's like to live with multiple sclerosis. Mildred was diagnosed with MS at about the age of 26 or 27. She has been living a productive and fruitful life. She has learned about the treatments and medications; and, fortunately, she has had access to some of the best. But she wants everybody to have access to the types of treatment that she has had.

I asked her this morning what she'd like for me to say and she said, increase funding for research so we can find a cure.

She said to me, You know, it's so frustrating to go to the doctor, and for me to ask the doctor a question about the symptoms of my disease and the doctor says, I just don't know. She said at first she thought the doctors were just putting her off; but, actually, the doctors just don't know.

So this bill is for all of the times that she told me she gets up in the morning and wonders whether she'll be able to walk that day. This is for all of the times that she is in remission, dreading the next flare-up, wondering what is going to trigger the return of her symptoms.

So I'm pleased to be here today to talk about a disease that my family and hundreds of thousands of families around the Nation have faced. In fact, our first lady, Michelle Obama, her dad, Mr. Frasier Robinson, had multiple sclerosis, and so our first family clearly understands the need for increased awareness and outreach and resources to fight this disease.

Multiple sclerosis is a chronic, unpredictable disease of the central nervous system. It's thought to be an autoimmune disorder where the immune system incorrectly attacks healthy nerve fibers of the central nervous system, interfering with transmission of nerve signals throughout the body.

There are over 400,000 people throughout the United States suffering from multiple sclerosis; and worldwide over 2.5 million cases have been diagnosed. But the real numbers of people living with MS are almost certainly higher.

Although MS is largely considered a disease that affects Caucasian populations, it does occur among African Americans and other minority groups and can be quite severe. Because people of color tend to have had less access to the health care system, which I'm confident now that our health care law will finally address, they may not get diagnosed at the rates that they should.

As has been said, Madam Speaker, MS Awareness Week was recognized this year from March 8 through March 14. The theme of this year was ''Move It!'' and it was intended to encourage people throughout the country to volunteer, raise funding, advocate, educate, and raise awareness about this disease.

This is the fifth year of MS Awareness Week, and over the past 5 years, the National Multiple Sclerosis Society has received $30 million in donated corporate support, advertising space and public relations, and generated more than 120 billion media impressions.

□ 1215

In March alone, the MS Society recently received over 650,000 hits on their Web site from people who got active in the fight against MS. So the drumbeat is being heard loudly and clearly.

People living with MS were at the Today Show and Good Morning America and featured on 12 digital billboards which ran more than 700 times throughout the entire month of March in Times Square. The MS Coalition, the National MS Society, and the Congressional MS Caucus were also actively engaged in discussions about access to quality health care, increased MS research, disability rights, and MS issues and sought more funding for MS research.

This month, the Northern California Chapter of the Multiple Sclerosis Society is also in the middle of holding its MS walk fundraisers. Our own MS walk in my district in Alameda County is actually scheduled for this Saturday. I'm also proud to say that a former person in my office, Alicia Barron, has been on the front lines of raising awareness about this disease through her work with the Lone Star Chapter of the MS Society in Houston, Texas. We appreciate her work and service.

While MS Awareness Week has passed, there is still a lot we must do. On May 26, MS societies throughout the world will band together on World Ms Day to increase awareness, knowledge, and understanding of the disease and the needs of people with MS and how to improve their quality of life.

As I've always said, our health is tied to the health of our brothers and sisters throughout the world, and we have to view anyone's problems, their problems, as our own problems; otherwise, we will never be truly rid of this disease. As Members of Congress, we have the ability and the responsibility to ensure that additional research funding is put towards diseases like multiple sclerosis. We need to invest more time and more efforts into finding the causes of MS to prevent it, to improve existing therapies for those who suffer with it, and I hope one day, as my sister said, just find a cure.

I'm pleased that the fiscal year 2010 Defense appropriations bill included $4.5 million to fund research into multiple sclerosis among our veterans. I look forward to making sure that we provide even more next year.

So, once again, I want to thank my colleagues for their support of the resolution. And in honor of all of those living with MS, I want to say we are committed to putting more money into research and to finding a cure. As my sister Mildred said, that is all we need to do.

Mr. BURGESS. I reserve my time.

Mrs. CAPPS. Madam Speaker, I'm pleased to yield to our colleague from Missouri, Representative CARNAHAN, who is the cochair of the Multiple Sclerosis Caucus, such time as he may consume.

Mr. CARNAHAN. Madam Speaker, I want to thank the gentlelady from California for her leadership and work on this important legislation, supporting the MS Awareness Week.

Every week, around 200 people are diagnosed in this country with MS; and, indeed, there's been a spike in diagnoses among our military. That is one of the reasons the past several years we have been able to fight for and obtain funding through the Department of Defense congressionally directed research program.

We also have worked with addressing the issue in terms of creating the national registry, so we can help track this difficult disease that has eluded a cure for so long.

I am proud to serve as cochair of the Congressional MS Caucus along with

my colleague here today, MICHAEL BURGESS. He has been a good partner in promoting this. The MS Caucus is a bipartisan group of a 127 Members of this House actively engaged in discussions about access to quality health care, raising awareness, promoting education, and increasing MS research. I want to urge my colleagues here today to not just support this resolution, but if you're not already a member of the MS Caucus, I urge you to join us. I urge you to connect with your local chapters to help support the people that are living and suffering with MS, but also to help find that cure, to move research forward.

This year marks the fifth annual MS Awareness Week. The week was created by the MS Coalition and the National MS Society to raise national awareness about MS. I especially want to thank St. Louis' Gateway Chapter of the National MS Society for their unwavering dedication, for their help for people back in my home city, and for their support of my work here in the Congress. I'm grateful for their hard work to provide support and assistance for those living with and affected by MS.

This spring, in fact, more than 8,000 Missourians took part in the Walk MS event across the State, raising awareness and funds to help those living with MS every day, for the challenges they face from this disease.

Today, I want to again urge my colleagues to support this resolution to help create a world free of MS.

Mr. BURGESS. I will yield myself my remaining time.

I want to thank Representative CARNAHAN for the recognition and echo his call to other Members of this Congress to join the MS Caucus. This caucus does real work. We provide information. We provide conference calls. We provide educational time with either Members or staff, and it is a worthwhile endeavor.

While there is no cure for multiple sclerosis as it stands today, the treatment has evolved significantly. In my 25 years of medical practice, I saw a significant evolution. Although I was not the primary caregiver for multiple sclerosis patients in my general OB–GYN practice, I did have many patients who did suffer from that illness and, as a consequence, over the course of my professional lifetime, did see the treatment evolve from one that was essentially palliative to one that was more targeted towards the disease itself or targeted towards the damages the disease inflicts upon the central nervous system.

So I do encourage both sides of the aisle to join this caucus. It is an important endeavor.

Again, I want to thank everyone who has participated today. We've heard today that multiple sclerosis is a chronic, often disabling disease, but today, new treatments and advances in research are starting to give new hope to people affected by the disease, but more must be done to understand the course of this illness.

Most people with MS learn to cope. They learn to cope with the disease and to lead satisfactory, productive lives, but they do want answers. We recently capped off MS Week 2010 on March 8–14, and now prepare for World MS Day on May 26.

Texas, my home State, is getting into the act with the BP MS 150, which is a 180-mile journey from Houston to Austin. This event is a 2-day fundraising cycling ride organized by the Lone Star Chapter of the National Multiple Sclerosis Society. That is the largest event of its kind in north Texas. This year's ride just took place this past weekend. In 2009, this event raised more than $17 million for research for MS, and the fundraising goal for this year is $18 million, with contributions still being tallied. But the Lone Star Chapter of the National MS Society is on its way to reaching this ambitious goal. And this was the 5th year of MS Awareness Week.

The Multiple Sclerosis Caucus is a bipartisan group of 127 Representatives and 23 Senators who are in full support of this resolution. But we can do more. In fact, we will be looking to have an MS briefing for Members and their staff sometime in June, and I hope many Members will be able to attend.

And, in addition, I urge everyone who supports this resolution to cosponsor H.R. 1362, to create a National MS Registry. This bill has over 150 cosponsors, and I urge my colleagues on the Energy and Commerce Committee to take up this resolution because it is an important amount of work that needs to be done. And with all of the focus nowadays on genomic medicine, this registry is going to become increasingly important.

I yield back the remainder of my time.

Mrs. CAPPS. Madam Speaker, as we conclude this discussion on the importance of being aware of multiple sclerosis and adoption of this resolution, I will call attention to my colleagues all of our local chapters throughout the country.

Our colleagues have highlighted some of the chapters they represent, and I know I've had wonderful interactions with the Members and people who support our local chapter in my district as they seek to raise awareness within our local communities and also work together to raise funds through their walks and through their fundraising drives to provide quality of life and support for their members, those who are afflicted with multiple sclerosis and their families, and it is an honor to serve with them and work with them and represent them here as they would have us do.

And what they would want us to underscore, as well, is the importance of our funding adequately the national endowments for the health, the efforts for continuing research, for accentuating the research in all neurological disorders, those that affect a whole host of ranges that impact people's lives; and among them, so important, are those who are afflicted with multiple sclerosis. That is surely what we can do on their behalf as we look forward to possibilities, as new discoveries are made, and much more research can be done in this arena.

So our resolution can bring all of that to fruition. I encourage all of our colleagues to honor and vote for House Resolution 1116, supporting the goals and ideals of Multiple Sclerosis Awareness Week.

I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and agree to the resolution, H. Res. 1116.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

## CELEBRATING THE LIFE OF DR. DOROTHY IRENE HEIGHT

Mr. CONYERS. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1281) celebrating the life and achievements of Dr. Dorothy Irene Height and recognizing her lifelong dedication and leadership in the struggle for human rights and equality for all people until her death at age 98 on April 20, 2010.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1281

Whereas Dr. Dorothy Irene Height was a humanitarian whose life exemplified her passionate commitment to a just society and civil rights for all people;

Whereas Dr. Height was the godmother of the civil rights movement and tireless advocate of equality for women and women's rights in the United States;

Whereas Dr. Height led many national organizations, including 33 years of service on the staff of the National Board of the Young Women's Christian Association (YWCA), director of the National YWCA School for Professional Workers, and became the first director of the Center for Racial Justice, served as president of the National Council of Negro Women (NCNW) for 4 decades, as president of Delta Sigma Theta Sorority, Incorporated during two consecutive terms, and continued to provide guidance as chair and president emerita of NCNW until her death;

Whereas Dr. Height was the recipient of countless awards and honors, including the Presidential Citizens Medal in 1989 by President Ronald Reagan, the Presidential Medal of Honor in 1994 by President William Clinton, and the Congressional Medal of Honor by President George W. Bush on behalf of the United States Congress in 2004; and

Whereas Dr. Height was a tenacious and zealous civil rights activist, social worker, advocate, educator, and organizer in the quest for equality: Now, therefore, be it

*Resolved,* That the House of Representatives—

(1) celebrates the life of Dr. Dorothy Irene Height; and

(2) expresses recognition for her life-long dedication and leadership in the struggle for civil rights for all people.

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

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. I ask unanimous consent that all Members have 5 legislative days to revise their remarks and include extraneous material.

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

There was no objection.

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

This is a day we come to remember and honor the life and legacies of one of America's most celebrated civil rights leaders, the late Dr. Dorothy Height, who passed just yesterday and was one that brings back many memories for many of the Members of the House. Her connections with Dr. Martin Luther King, Jr., and Rosa Parks and all of the organizations that she was connected with are already a part of legendary record.

I was with her in 1963 when Dr. King led this March on Washington, and I remembered seeing her. I didn't know her at that time, but I sure got to know her a couple of years later.

I reserve the balance of my time.

Madam Speaker, this resolution honors the life and achievements of one of the most celebrated and cherished women in the Civil Rights movement, the late Dr. Dorothy Height.

With Dr. Height's passing yesterday, heaven gained one of its most beloved treasures, while this nation lost a true soldier in the fight for equality for all men and women.

I recall the first time I met Dr. Height. Her confidence in our nation's potential, and her passion for seeing every person obtain equality, made her a force to be reckoned with.

A few years ago, I was humbled when Dr. Height honored me for continuing to pursue the dream of the late Dr. Martin Luther King, Jr.

Today, I stand proud to have been her friend and to have the privilege to celebrate her life before this Congress.

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

First, Dr. Dorothy Height was a centerpiece on the many stages of the Civil Rights movement.

In 1960, Dr. Height was the only woman team member in the United Civil Rights Leadership. She worked beside Dr. Martin Luther King, Jr., A. Philip Randolph, JOHN LEWIS, James Farmer, and many other celebrated civil rights leaders.

Although Dr. Height was not among the speakers who addressed the crowd gathered at the Lincoln Memorial at the March on Washington in 1963, she was the only woman to stand on the stage that day as Dr. King delivered his historic "I Have A Dream" speech.

And 45 years later, she watched that dream of equality move even closer to becoming true, as she attended the inauguration of our nation's first black President.

This historic moment was built on the hard work and perseverance of Dr. Height, whose tenacity led her to be known as the "godmother of the Civil Rights movement."

Second, Dr. Height's commitment to equal treatment for every American has influenced American Presidents for over 70 years.

From President Franklin Delano Roosevelt to President Barack Obama, Dr. Height's influence and advocacy helped shape the Civil Rights issues that confronted each generation.

When Dr. Height was a young woman, she was one of 10 American youth invited by First Lady Eleanor Roosevelt to spend a weekend at her Hyde Park New York home, to plan a World Youth Conference in 1938.

Through this relationship, Dr. Height encouraged President Roosevelt to take action to desegregate America's public schools.

Later, in the 1960's, she went on to encourage the Johnson Administration to make unprecedented appointments of African American women to positions in government.

Dr. Height gained significant influence throughout her lifetime. She transformed her leadership into a movement of empowerment for those who were living under unfulfilled promises of their country.

She once said "greatness is not measured by what a man or woman accomplished, but by the opposition he or she has overcome to reach his goals."

Finally, Dr. Height's personal experience with segregation motivated her to become an excellent and educated leader who selflessly sought to ensure that others have similar opportunities.

Dr. Height dedicated herself to achieving a good education. At a very young age, Dr. Height was distinct amongst her peers, and provided great leadership to the Christian Youth Movement of North America, where she worked to prevent lynching, desegregate the armed forces, and reform the criminal justice system. She was also an advocate for free access to public accommodations.

Her focus and dedication paid off as she won scholarships, and recognition for her scholastic excellence. Although she was denied admission by one institution because it had reached its quota of two black students, she went on to attend New York University and Columbia University.

We should be very thankful for the sacrifices and hard work of Dr. Dorothy Height. A recipient of the President's Medal of Honor, the Congressional Medal of Honor, and a tireless advocate for individuals who had yet to see the American dream become a reality, we honor this outstanding woman.

I would like to commend my colleagues for their work on this important resolution. In particular, I would like to thank my good friend from the State of Ohio, Congresswoman MARCIA FUDGE, who is the sponsor of this resolution.

I urge my colleagues to support this important resolution.

□ 1230

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

I want to thank the chairman of the Judiciary Committee for bringing this to the floor as quickly as possible. I support this resolution, H. Res. 1281, which commemorates the life of the late Dorothy Height, as the chairman said, who died just yesterday.

She was one of the key civil rights leaders who fought for racial and gender equality in the 20th century. She helped bring about school desegregation. She brought about, in her own way, the movement for an advocation of voting rights and employment equality.

She was born in Richmond, Virginia, in 1912 and moved to Pennsylvania at an early age. In 1929, she was admitted to Barnard College, but she was denied admission when she showed up to register. The school had a policy of accepting only two black students.

So she went to New York University and graduated in 1932. She received her master's degree in educational psychology the very next year, and after her studies Mrs. Height served as a caseworker in New York City welfare department.

At the age of only 25, she joined the National Council of Negro Women, beginning her career as a civil rights activist on behalf of African Americans and all women.

In 1944, she joined the YWCA and served as the national president of Delta Sigma Theta Sorority, Incorporated, from 1946 to 1957. Then from 1957 to 1997, she was President of the National Council of Negro Women, and during the 1960s, she established "Wednesdays in Mississippi" to join black and white women from the North and South to engage in a dialogue as a means toward social integration.

Many American leaders respected Mrs. Height. She lobbied First Lady Eleanor Roosevelt to help civil rights efforts in the 1940s. In later years she encouraged President Dwight Eisenhower and President Lyndon Baines Johnson to desegregate schools and appoint black women in positions of government.

Mrs. Height herself served on the President's Committee on the Status of Women, and she was a consultant on African affairs to the Secretary of State.

Mrs. Height was on the platform with Dr. Martin Luther King, Jr., when he gave his famous "I Have a Dream" speech in 1963. As Chairman CONYERS has mentioned, he was at that event in 1963.

For Mrs. Height's six decades of selfless work on behalf of civil rights and for her dedication, she was awarded the Presidential Medal of Freedom in 1994 and the Congressional Gold Medal in 2004. Yesterday, at the age of 98, Dorothy Height passed away at Howard University Hospital here in Washington, D.C.

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

I reserve the balance of my time.

Mr. CONYERS. I thank Judge POE for co-leading this resolution from the Judiciary Committee.

Madam Speaker, I yield such time as he may consume to the distinguished majority leader, JAMES CLYBURN, the gentleman from South Carolina.

Mr. CLYBURN. I thank the chair for yielding me the time. Thank you so

much, Ranking Member POE, for joining in this resolution.

Madam Speaker, I was born and raised in the little town of Sumter, South Carolina, and just outside of Sumter is a little town of Mayesville, the birthplace of Mary McLeod Bethune, the founder of the National Council of Negro Women.

When I was growing up, my mother, who was a beautician, and Mrs. Bethune organized the National Council through beauty shops. My mother thought that Mrs. Bethune was the greatest person to ever live, and she made me learn everything I could about Mrs. Bethune.

Later, as I labored on the staff of Governor John West back in 1971, I received a phone call from Dorothy Height. I knew Mrs. Height—she had been a long-time president of the Delta Sigma Theta Sorority, the sister sorority to my fraternity, Omega Psi Phi, so I knew her. I also knew her because she had become the national leader of the National Council of Negro Women.

She said to me that she wanted my help, because she thought that South Carolina, being the birthplace of Mary McLeod Bethune, would be the place that ought to honor her. She thought that Mrs. Bethune's portrait should be in the State House of South Carolina. At that time no African American was so honored. There never had been an African American's portrait placed in the State House and I went to Governor West and I told him that I thought this was something we should do.

Well, as you can imagine, Madam Speaker, this was not met with as much collegiality as we displayed toward each other here on this floor.

So I called Mrs. Height to tell her that I thought this was going to be very, very difficult.

She said to me, now, young man, I didn't ask for your help because I thought it was going to be easy. She said things to me that day that made me understand a lot about who and what I am, and we joined together. We covered and counseled each other, and I am pleased to report that because of Mrs. Height, Dr. Height, the portrait of Mary McLeod Bethune hangs in the State House of South Carolina, the first African American so honored.

Others have joined us later, Willie Mays, Rev. I.D. Quincy Newman, but she blazed that trail, and she did so because of Dr. Height.

When I got elected to the Congress, Dr. Height called again, and she told me that the National Council is going to put a statue here, in, I believe, Lincoln Park here in Washington. She wanted me to come and be a part of that dedication. I joined her there that day, and from that day on, very often, we would meet, we would talk on the phone, and I just believe that she is very close to being as great a woman as Mary McLeod Bethune was, and I am pleased to be here to say a few words in honor of her and in memory of her great life and tremendous legacy.

Mr. POE of Texas. I reserve the balance of my time.

Mr. CONYERS. I am pleased to yield such time as she may consume to the gentlewoman from Ohio (Ms. FUDGE) one of our newest Members of the Congress, who knew, worked for, studied under, and was a mentee to Dorothy Height.

Ms. FUDGE. Thank you, Mr. Chairman.

On yesterday, Madam Speaker, a civil rights icon and humanitarian, Dr. Dorothy Irene Height, passed away at the age of 98. She was my friend, my mentor, and one of my predecessors as the national president of the Delta Sigma Theta Sorority.

Dr. Height was passionate about justice and equality. Everything she did, every position she held, and every policy she advocated served her life's mission, which was to eliminate barriers to success for women and blacks, while inspiring the next generation.

Even though Presidents and other world leaders sought her counsel, she always took the time to advise and encourage young women, including myself.

While we mourn her loss, I am not sad. She lived a great life. We often talk about life is not the longevity, but it is the breadth, and she had a great life. So we celebrate her life today, a great humanitarian who leaves a legacy of strong and caring women. That is why I am honored to introduce this resolution celebrating Dr. Height's life and recognizing her work.

Dr. Height served as 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, by the way, connected nearly 4 million women worldwide, she tackled issues that affected all families, including child care for working mothers, health and nutrition, and providing adequate housing for families in need. She served as the national president of Delta Sigma Theta from 1947 to 1957.

Widely recognized as one of the founding members of the Civil Rights Movement, Dr. Height was awarded the Presidential Medal of Freedom in 1994 by President Bill Clinton, and in 2004 she received the Congressional Gold Medal. Dr. Height fought for equal rights for both women and blacks and was active in such causes as securing voting rights, equal employment opportunities and desegregation of public schools.

Marching alongside Dr. Martin Luther King, Jr., she advocated women's rights during the civil rights struggle. Dr. Height was instrumental in the fight for equal pay for women and organized numerous programs to help women achieve equal rights and independence.

Dr. Height was a tenacious and zealous civil rights activist, social worker, advocate, educator, organizer, mentor and friend. She was my friend. I will miss her, but my life has been better just by knowing her.

Mr. POE of Texas. I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield such time as she may consume to a senior member of the Judiciary Committee, the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the chairman of the Judiciary Committee and my colleague from Texas (Mr. POE) for his presence and comments on the floor about Dr. Dorothy Height and, as well, the author of the resolution.

I am very proud to have joined Congresswoman FUDGE to be an original cosponsor of this legislation and come to the floor today, as we did yesterday, for I believe that the celebration of Dr. Height's life needs no stopping, if you will. If we continue to commemorate her throughout this week, it will not be able to account for her service.

And for those who may not be familiar with Dr. Dorothy Height, I only wish that this picture was in color. For maybe as you look at this lady adorned with this fabulous hat, well attired, you will remember seeing in many pictures with Presidents, kings and queens, international leaders, a lady who was appropriately attired with that dapper and beautiful hat. The color that I remember most is her beautiful aqua, and I say that only because many times we look at women as to how they are adorned.

I think that Dr. Height did not fail to be noticed when she came into a room, both by her stature and her attire, but certainly by her words. I would count her the most influential woman in the Civil Rights Movement, a friend to many, one who empowered women and clearly progeny of Mary McLeod Bethune, what a wonderful legacy that was given to Dr. Height in her leadership of the National Council of Negro Women for some 40 years.

There are chapters throughout the Nation, and I am grateful to be a member of the Dorothy Height Chapter in Houston, Texas. There are many, and I must remind my colleagues and those that are listening, that the name continues to be the National Council of Negro Women, which was the name that was given by Mary McLeod Bethune. No one dared view that as any undermining of the dignity and purpose, reliability and, of course, the power of this organization.

□ 1245

No one ran away from the word ''negro'' because we knew that in that word there was struggle, there was a showing of what we overcame. And to the instruction of Mary McLeod Bethune, we knew that it captured the empowerment of women, but it also spoke to the education of our children. Dr. Dorothy Height was in the center point of that.

I had the privilege of coming here to the United States Congress and being able to look up to Dr. Height as I got to know her even before my congressional duties. What a pleasure to be

able to join C. DeLores Tucker at her annual events and the National Council of Black Political Women to deal with her seeking empowerment for women, and as well to be able to join with then Betty Shabazz, Dr. Dorothy Height, and Coretta Scott King. What a powerful group of women whose history paralleled each other, but in essence they were sisters.

And so I rise today to be able to acknowledge this glorified woman who came eagerly to the National Council that was headed by C. DeLores Tucker and now by E. Faye Williams, and to be able to thank her.

When we were looking to pass legislation to include Sojourner Truth as the only standing figure now of an African American woman in this United States Congress, this great heroine, this great woman added her leverage, her power, her support and sisterhood to ensure that we placed Sojourner Truth, a suffragette and an abolitionist, here.

So Dr. Height, as you rest today, let it be known that we do recommit ourselves to the universal access of education for all children, for the education of America's children, for reminding us that Haiti's children—now suffering in the wane of an earthquake—must be provided education, and to be reminded that there is no shame in being an agitator and a provocateur and someone who fights for freedom and justice.

We are in your debt, the godmother, if you will, of civil rights. We will be forever in your debt. And the women and the men and the many different rainbow colors of these United States and around the world, people will be indebted to you for your common touch, for your spirit, and, yes, for saving so many of us.

May God bless your soul. May you rest in peace as we celebrate over these days your life. God bless you, Dr. Dorothy Height.

Madam Speaker, I rise in strong support of H. Res. 1281, Honoring the life and Achievements of Dr. Dorothy Height and Recognizing her Lifelong Dedication and Leadership in the Struggle for Human Rights and Equality for All People Until Her Death at Age 95 on April 20, 2010.

I was deeply saddened to learn of the death of Dr. Dorothy I. Height who was a national treasure and a civil rights icon. For more than half a century, Dorothy Irene Height 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.

Dr. Height was a social justice and civil rights activist, a servant of the people, one who served a number of Presidents, a humanitarian, American, a hero, and a great patriot. She believed in women's rights and the empowerment of minorities. She was an inspiration to all women. She never ran away from the fight for justice. All of those are words without motion, unless you had the privilege to know Dr. Dorothy Height as I did. You would then be captured by her charm, her energy, her insight, her intellect and her compassion. Her legacy is one of a glorious and wonderful champion of the people.

Dorothy Height witnessed or participated in virtually every major movement for social and political change in the last century. During the 1963 civil rights March on Washington, Dorothy Height was the only woman on the podium when Martin Luther King Jr. gave his "I Have a Dream" speech. For nearly 75 years, Dorothy Height 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 the National Council of Negro Women the premier organization in advocating for the health, education, and economic empowerment for all women of African descent around the 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 compiling a distinguished academic record, she enrolled in New York University where she earned both her bachelor and master's degrees in just 4 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 1 of only 10 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.

Madam Speaker, 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 1 of 10 young Americans invited by Eleanor Roosevelt 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 33 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 Martin Luther King, 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, and 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 36 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, and 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.

The SPEAKER pro tempore. The gentleman from Texas has 17 minutes remaining; the gentleman from Michigan has 5½ minutes remaining.

Mr. POE of Texas. Madam Speaker, I continue to reserve.

Mr. CONYERS. Madam Speaker, I am delighted to recognize our former State senator, former ambassador, and now a Member of Congress, who has served here with such distinction, DIANE WATSON, Hollywood, California. I yield her 1 minute.

Ms. WATSON. Madam Speaker, I come to contribute and to continue to contribute to a woman that really was the matriarch of the American civil rights movement, And I want you to know her crusade for racial justice and gender equality spanned more than six decades.

This is a fact you need to know: it was at age 19 that Mrs. McLeod saw the leadership, the skill, and the brilliance of Dorothy Height. She was 19 years old when Mary McLeod Bethune passed the mantle of leadership over to her, and she held it high and she served all people well.

I just want you to know that I found out, with a little research, that my grandmother went to school with Mary McLeod Bethune, and she used to tell us about her when we were 3 years old, my sister and I. And so it was many, many decades ago that the leadership was struck, and we stand on her shoulders.

Mr. POE of Texas. Madam Speaker, I yield to Mr. CONYERS an additional 10 minutes and ask unanimous consent that he be allowed to control that time.

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

There was no objection.

Mr. CONYERS. I want to thank Judge POE for his generosity.

At this time, I am going to yield 2 minutes to DONNA EDWARDS of Maryland.

Ms. EDWARDS of Maryland. Thank you, Mr. Chairman.

I rise today to mourn and to join our Nation in mourning Dr. Dorothy Height. She was an American icon who dedicated her life to racial justice and to gender equality. And at a time when women and African Americans were regarded as second class citizens, this strong, powerful, beautiful African American woman stood up for us and she strove to change that and rose to become a key figure in the civil rights movement, meeting with first ladies and Presidents and heads of state.

I want to step back for a minute because I look back fondly to the time when I first met Dr. Height, and it was more than 20 years ago as a young advocate working on domestic violence. It was through Dr. Height's voice and her leadership and her kindness and generosity of intellect and of spirit that enabled me to become a really strong advocate for domestic violence and to speak on behalf of the needs of African American women and women of color in a feminist movement that was not always open to those kinds of voices. It was really Dr. Height who enabled us to meet those challenges with our other feminist colleagues. And so I regard Dr. Height as a strong woman of color in the civil rights movement, but also a really strong feminist and a committed feminist.

Just a few weeks ago, I greeted Dr. Height when she was out in my congressional district with her beloved Deltas. She was feeling as strong and healthy then and healthy of spirit and mind and intellect as she always had been. And so with that, I rise to remember her, to value her, and as a novice political leader, to know that when it really counted, Dr. Height was on my side, too.

Mr. POE of Texas. I continue to reserve my time.

Mr. CONYERS. Madam Speaker, it is my distinct honor to recognize our Speaker of the House, NANCY PELOSI, for 1 minute.

Ms. PELOSI. I thank the chairman for yielding and for giving us this opportunity to honor the life, legacy, and contributions of the godmother of the civil rights movement and a champion of social justice, Dr. Dorothy Height. Her loss is felt by all of us who knew her, respected her, and followed in her footsteps; but it is also felt by people who may never know her name, but for whom she worked, for whom she led, and for whom she made a difference. The Nation mourns the passing of this giant of American history; and our thoughts and prayers are with her family, friends, and the loved ones of this extraordinary woman.

Men and women of every race and faith are heirs to the work, passion, and legacy of Dorothy Height. From her earliest days as an activist, she fought for equality under the law for every American, recognizing that the battle for civil rights extended to African American women and anyone denied the chance to succeed because of who they are.

For four decades, she stood at the helm of the National Council of Negro Women, continuing the struggle for an America that lived up to the ideals of liberty and opportunity for all. In every fight, Dorothy Height turned the tides of history toward progress. Because of what she achieved, schools are no longer separate and unequal, and

the voting booth is open to all striving to participate in our democracy. Because of what she did, a steady job and a decent home are not limited to a person based on their background, color of their skin, or means.

Today, we live in an America Dorothy Height helped to build, a Nation defined by equality, shaped by civil rights, and driven by the pursuit of justice for all. The pledge we take every day, ''liberty and justice for all,'' that is what Dorothy Height was about.

I was very proud to join President Bush and the House and Senate, Democrats and Republicans, in 2004 when we presented the Congressional Gold Medal, the highest civilian honor Congress can bestow, on Dr. Dorothy Height. At that time, President George W. Bush said, ''In the presence of Dorothy Height, you realize you're in the presence of grace. But you've got to realize that behind that grace there is a will of steel and absolute determination.'' The President later quoted from her book, but then he went on to say how Dorothy Height ''always stressed the importance of institutions closest to us: our families, our churches and our neighborhoods.'' He said: ''She understands that those institutions are important in shaping the character of an individual, and therefore the character of the Nation.''

President Bush—President of the United States, imagine—even quoted Dorothy Height's memoir where she wrote: ''It is in the neighborhood and communities where the world begins. That is where children grow and families are developed, where people exercise the power to change their lives,'' President of the United States quoting Dorothy Height as we presented her with a Congressional Gold Medal.

It is important to note that with all of those honors, it was also a pleasure for us to hear from Dr. Alexis Herman; she was the Secretary of Labor. Secretary Herman was very, very close personally and professionally, in every way, to Dorothy Height. And at that time she sang her praises and talked about what she did in the civil rights movement and what she did to advance women and young girls and the rest, but she also talked about how she made the best sweet potato pie. So personally, professionally, patriotically, Dorothy Height was all systems go.

I have been passed a note because I was asking about a film that I recently saw on TV that I hope can be available now again. It is called, ''The Life and Surprising Times of Dorothy Height.'' It is an inspirational presentation of the life of a person, a person who was instilled by her own mother with the idea that she could do whatever she set out to do and had a responsibility to do so.

Over Dorothy Height's lifetime in the trenches for social justice, human rights, and equality, Dorothy Height advocated on behalf of our neighborhoods and our communities. She stood tall for our children and families. She truly exercised her power to change lives.

As we state in our resolution today: ''Dr. Height was a tenacious and zealous civil rights activist, social worker, advocate, educator, and organizer in the quest for equality.'' And I join my colleague, Congresswoman EDWARDS, in focusing on that equality for women as well.

I last saw Dorothy Height about a month ago at the 70th birthday party for JOHN LEWIS, our colleague. As others regaled us about stories of the civil rights movement, there she sat, as dignified as a queen reigning over the proceedings, one who had seen it all, seen the struggle, seen the change, and now recognized then by the Congress of the United States and now in her passing by the entire Nation.

Our country is better off because of Dorothy Height's commitment, compassion, grace and patriotism. We will miss her tenacity and zeal for the fight for equality—our Nation's heritage and our hope. We will each take inspiration from the story of progress and her countless victories for the American people.

□ 1300

Mr. POE of Texas. I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to my friend and colleague from Michigan, CAROLYN CHEEKS KILPATRICK, a distinguished member of the Appropriations Committee and an activist in her own right.

Ms. KILPATRICK of Michigan. Thank you, Mr. Chairman. I thank the gentleman for yielding us the additional time. I appreciate it very much.

Madam Speaker, I have known the honorable Dorothy Irene Height for many years. This last weekend, several of us went to Bennett College for Women in Greensboro, North Carolina.

I was a speaker at the Heights of Excellence Scholarship Luncheon for the young women who go to that university. It was quite an honor for us to pay homage to Dr. Height—quiet, courageous. Just imagine 70 years ago when she stepped out as a woman, working with leaders—speaking, giving, organizing, and teaching. Here we are, in 2010, wanting to be like Dorothy Irene Height.

I want to honor former Secretary Alexis Herman, who served as her adopted daughter and who was with her for all of these years as we have served here in Washington.

I also honor Dr. Barbara Skinner, who worked tirelessly and who surrounded Dr. Height in prayer for the last 3 weeks, 24 hours a day.

Thank you, my sisters. Let us rise up and have the strength that Dr. Height showed each of us.

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

Mr. CONYERS. I yield the gentlewoman an additional 30 seconds.

Ms. KILPATRICK of Michigan. Dr. Height, you are in all of us, and as we go forward as women—as Congresswomen, as mothers—and as we raise the young children to be future Dr. Heights, just know that the height of excellence will remain in each of us.

Rest in peace, our dear, beloved mother. Join Rosa Parks, Harriet Tubman, and the others who have gone before.

Mr. POE of Texas. I reserve the balance of my time.

Mr. CONYERS. I am pleased now to yield 1 minute to my colleague, the gentlewoman from Wisconsin, GWEN MOORE.

Ms. MOORE of Wisconsin. Thank you so much.

Madam Speaker, Dr. Dorothy Height gave not only her height but loaned her depth and breadth and width and weight and length of service to the civil rights movement and to gender equality. Mother to no children, wife to no one, she was queen mother, nurturer, and lover of the civil rights movement through seven decades of advocacy. Although she was the queen, she treated each one she encountered with equity, and it was my privilege to bow down to her each time I encountered her.

Thank God for the life of Dr. Dorothy Height, and thank God for her legacy. May her life be more than a memory. May it be a compelling force to press on in the unfinished work of the civil rights and gender equality movement.

Mr. POE of Texas. I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to the chair of the Congressional Black Caucus, the distinguished gentlelady from Oakland, California, BARBARA LEE.

Ms. LEE of California. I want to thank the gentleman from Michigan for yielding and for his leadership, Congressman JOHN CONYERS, one of the great civil rights leaders.

Madam Speaker, I also want to say, as we think about and honor and mourn, yes, and celebrate her life, Dr. Height was one of our greatest civil rights leaders, a woman, who oftentimes, with the great men of the civil rights movement, had to make sure that a woman's voice, an African American woman's voice, was heard.

Dr. Height wore many hats literally and figuratively. I am going to miss her so much.

A couple of months ago, she insisted that I participate in the National Council of Negro Women's annual conference in Maryland. Dr. Height, of course, knows the schedule here on the Hill, and said, Well, just come out for the breakfast.

I said, Okay, Dr. Height.

I got there at, maybe, 7 o'clock in the morning. She was there to greet me at 7 a.m.

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

Mr. CONYERS. I yield the gentlewoman an additional 30 seconds.

Ms. LEE of California. You knew you were in the presence of greatness when you were with Dr. Height.

Whenever we called on Dr. Height, she was there to support our efforts. Just recently, for example, she joined the Congressional Black Caucus in our efforts here on the Hill to support the 2010 census. Her passion was an inspiration to all of us here in Congress. It is hard to imagine that, in the thirties, she provided a resistance movement in her efforts to desegregate the YWCA.

We are going to deeply miss her. We love her. We celebrate her life and mourn her death.

Madam Speaker, I rise today in support and as an original co-sponsor of this resolution honoring the life and legacy of a true American treasure—Dr. Dorothy Irene Height. I want to thank my colleagues MARCIA FUDGE and her staff and our leadership for working so quickly to get this resolution to the House floor. Today, I join with my House colleagues, the Congressional Black Caucus and people around the world as we celebrate the life of Dr. Height.

A Matriarch of the Civil Right Movement, staunch advocate for women's rights and all-around Grand Dame, Dr. Height was a bold and brilliant African American Woman, who blazed many trails and opened many doors so that we all may lead freer and more prosperous lives.

Throughout her life, Dr. Height wore many hats-both literally and figuratively—with elegance and dignity, excellence and determination. From her legendary stewardship as the National President and Delta Sigma Theta Sorority, Inc., 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, Dr. Height traveled across the United States to encourage YWCA chapters to implemet interracial charters. After dedicating more than 60 years of her life to the YWCA, Dr. Height remained proudest of her efforts to direct YWCA's attention to issues of civil rights and racial justice. She was so committed to this work in fact, that the YWCA named Dr. Height the first director of its new Center for Racial Justice in 1965.

As a 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 fierce, Dr. Height forever remained true to her convictions, even when it was not the comfortable thing to do.

A life-time advocate for peace, equality, and justice, Dr. Height was especially committed to empowering women and girls. She stood toe-to-toe with male civil rights leaders, 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.

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 Advancement in New York City to prepare women for entry level jobs. During her tenure as President of the NCNW, they were able to buy a beautiful building just a few blocks away from here at 633 Pennsylvania Avenue—a site where slave traders legally operated what was known as the ''Center Slave Market''. To this day it is the only African American-owned building on Pennsylvania Avenue, proving that she was not only a great leader, but an astute business woman as well.

Dr. Height remained a fighter until her last breath. During my time here in Congress and particularly as chair of the Congressional Black Caucus. I always knew that I could call on Dr. Height and she would be there to support our efforts.

Last year, she attended President Barack Obama's first signing of a bill into law at the White House—the Lilly Ledbetter Act. She was present for the unveiling of the Shirley Chisholm 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.

Her passion was an inspiration to all of us here in Congress, and I was honored and privileged to call her a mentor and friend.

With the passing of Dr. Height, our Nation mourns the loss of a true national treasure. Dr. Height's leadership in the struggle for equality and human rights serves as an inspiration to all Americans. Her undying commitment to a just society and her vision for a better would undergirds the work of the Congressional Black Caucus, and the CBC is deeply grateful for her mentorship, wisdom, and guidance.

Today we mourn the loss, but celebrate the life and legacy of Dr. Height—a visionary and great humanitarian who gave us all so much. We love you Dr. Height and we promise to continue your legacy of service to all human kind.

I yield back the balance of my time.

Mr. POE of Texas. I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield 2 minutes to the gentleman from North Carolina, Judge BUTTERFIELD.

Mr. BUTTERFIELD. Let me thank the chairman, my good friend Mr. CONYERS, for yielding me the time.

Mr. CONYERS, I didn't want our female colleagues to have a monopoly on the floor today. Plus, I wanted to come down and say a few words about Dr. Dorothy Height.

Madam Speaker, I had the privilege of knowing Dr. Height for at least 50 years. She and my mother, as well as Dr. Mary McLeod Bethune, were very good friends. They were all active participants in the National Council of Negro Women.

In the early 1950s, I would come to Washington, D.C., with my mother to attend those meetings. It was Dorothy Height and Mary McLeod Bethune who opened up the Willard Hotel for the women to have their convention. At that time, hotels in D.C. were segregated, and it was Dr. Height who helped open up the Willard Hotel for that purpose. At that time, she was helping to build the organization on behalf of Dr. Bethune, who was beginning to fail.

When I came to Congress 6 years ago, I brought with me a picture of the organization that was taken in 1942. I went over and presented it to Dorothy Height. She immediately recognized the picture and told me that it was taken in front of the Department of Labor in 1942. When I asked her where she was in the picture, Dr. Height told me, Well, honey, I was inside, doing the work of the organization while the members were outside, taking the picture.

Thank you for the time, Mr. CONYERS. This was a lifetime of service to the American people and to African American women. I want to thank her for her service to equality, fairness, and inclusion.

Mr. POE of Texas. I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am delighted to yield 1 minute to the gentlewoman from the Virgin Islands, Dr. DONNA CHRISTENSEN.

Mrs. CHRISTENSEN. Thank you, Mr. Chairman, for yielding.

Madam Speaker, I rise today with my colleagues in support of this resolution honoring Dr. Dorothy Irene Height, who is the godmother of the women's movement, a leader in the fight for equality and justice for all Americans, one of the civil rights movement's greatest pioneers, and a true drum major of justice to the very end. It is because of her unwavering dedication, dogged determination, and invaluable leadership that many of us stand proudly here today. She motivated and inspired men and women of all creeds and colors here and the world over.

Today, our entire Nation stands with us to commemorate the passing of our beloved leader. While we mourn her loss, we joyously celebrate her full giving and meaningful life and her selfless visionary and rich legacy. She has passed the torch to those of us who remain. Let us carry it with pride.

My family, my staff, and the people of the Virgin Islands join me today in extending our deepest condolences to her family and loved ones.

Mr. POE of Texas. I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Michigan has 5 minutes remaining.

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

Madam Speaker, the recitations of many of the Members in memory of Dorothy Height have been marked by the personal knowledge and their own intimate relationship with her. I am no different from the rest.

I knew and worked with her on a regular basis. She was attending all of the functions. Up until recently, I could see her anywhere in Washington if there was a civil rights event or women's event, a national event, and so it was good to see her. Sure, she was slowing down, but most of us are anyway, so I appreciated that she was as stylish as has been referred to as always. She always had that spirit, and

it is with great pleasure that I remember through the many occasions, starting from our first public meeting at the March on Washington in 1963. She, Dr. Martin Luther King, Jr., and Rosa Parks were very important figures as I participated in the struggle that would lead to the culmination of the great civil rights movement in American history. It is with fond memory that I remember her activity, her friendship, her helpfulness. I think that there may be some kind of national commemoration for her that might be appropriate now that we've reviewed all of the medals, commendations, and awards that she has received thus far.

I reserve the balance of my time.

Mr. POE of Texas. I reserve the balance of my time.

Mr. CONYERS. I am pleased now to yield 1 minute to the majority leader of the House, the gentleman from Maryland, the great STENY HOYER.

Mr. HOYER. I thank the chairman for yielding.

I want to thank Chairman CONYERS for his extraordinary leadership on behalf of the rights of all peoples. His role in the civil rights movement has been extraordinary, and it continues to this date.

Madam Speaker, I rise on behalf of this resolution and in memory of an extraordinary woman.

I had the privilege of knowing Dorothy Height for some four decades. That does not mean that I saw her regularly during those four decades, but I saw her frequently during those four decades. She also exuded the positive, constructive approach that she took to solving problems, to bringing people together. The historian Taylor Branch rightly called Dr. Height's brothers and sisters in the civil rights movement the ''modern founders of democracy.''

Today, we honor the legacy that she leaves behind. What a wonderful, long, productive, constructive, important life we honor in Dorothy Height.

Dorothy Height was an extraordinarily gracious human being. When meeting with her, I never failed to leave her side and not feel better. I would feel better about the relationship that I had with her and that she had with others as I saw her interface with others in the room, in the crowd, in the meeting. Dorothy Height was and is a giant. The Washington Post had on its front page today a very large picture of Dorothy Height. It was appropriate that, in the Nation's capital, Dorothy Height would be given such prominence, not for her death but for the life that she lived, for the contributions she made.

We are all better for Dorothy Height's life. We are all freer for Dorothy Height's life. We were lifted as a society by Dorothy Height and by those with whom she worked from a segregated society where the perception was that some Americans were not equal to other Americans. That was contrary to the premise articulated by Thomas Jefferson but not lived out by Thomas Jefferson and our Founding Fathers. Their premise was accurate, but their practice was not. Martin Luther King, Jr.; Dorothy Height; JOHN CONYERS; JOHN LEWIS, who serves with us; JIM CLYBURN, our whip; and so many others called America's attention to the fact that it was not living out the reality of its promise, not just to African Americans but to all Americans.

Dorothy Height showed extraordinary courage and conviction in the face of bigotry and discrimination. Like so many in this body who faced bigotry and discrimination, they did not allow that to poison their souls. They did not allow that to diminish their relationships even with those whom they saw as oppressors. To that extent, they rose above the conduct directed at them in order to change that conduct through love and positive engagement. Dorothy Height is a perfect example to all of us, young and old, who are participating in this society which, unfortunately, too often we see today falls into anger and confrontation rather than civility and discussion.

□ 1315

I am worried about the anger that I see in the society today. In some respects I think not justified at the level that we find it. Yes, there is room for disagreement, but Dorothy Height shows us that notwithstanding the fact that there may be disagreement, notwithstanding the fact that there may be people who do not treat us as we would want to be treated, that the way to solve that is to do so constructively and civilly with debate that states the facts and the truth but does not devolve into hate and division.

So I am pleased to join my friend JOHN CONYERS. I came to Congress some 30 years ago, and we were talking about making Martin Luther King, Jr.'s birthday a national holiday, not a holiday to play but a holiday to recognize the contribution that was made then and the work that still remains to be done. JOHN CONYERS had me out in front of the Capitol on January 15 or close to that time every year, and I was so proud to stand with him and say to America let us recognize those who, as Taylor Branch has said, are the modern founders of democracy.

Thank you, Mr. Chairman, for your leadership. Thank you for bringing this resolution to the floor to recognize an extraordinary, wonderful, lovely person whose spirit enriched us all and enriched our country.

Mr. POE of Texas. Madam Speaker, I yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

I had to come down to the floor just to support this resolution.

I served as the co-chair of the 107th Women's Caucus, along with Juanita Millender-McDonald, and as we sat down to plan the events for the year, the first name that appeared on our list was Dr. Dorothy Height. We had that event over in one of the hotels on the Hill, and it was the most interesting thing that I have been to. Dorothy Height was in her hat, as she always wore a hat. We all arrived in our hats. And I still have that hat hanging on my coat hanger in my house here in Washington, and every time I see it I always think of her.

Here was a person that had such a dramatic effect on our country. Such a strong personality, but everything that she did was with such great graciousness. And think of the times that she saw in her 98 years and what transpired in this country. And I think that Juanita Millender-McDonald would have been the first one down here too if she had not also passed on.

So that was a great year and it started off with a great event to have this wonderful person, Dorothy Height, be the speaker at our first event. And she did that with such grace, such gentleness; yet she always was very strong on her beliefs. And I would call her a change agent, but she did so with the civility that we don't often see, almost the white gloves mentality and the hats and the type of person that she was.

So I just wanted to come down and say that I really support that resolution and thank you for doing it.

Mr. CONYERS. Madam Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. POE of Texas. Madam Speaker, I yield myself the balance of my time to close.

I want to once again voice my support of this resolution. Dr. Height died at 98. The most important influential person in my life was my grandmother, who lived to her late 90s as well. Chairman CONYERS would like to know, of course, that she was a Roosevelt Democrat, never forgave me for being a Republican, but once we got past that, she made a lot of comments that influenced me and made a lot of statements that were true then and are true now.

She said that ''there is nothing more powerful than a woman who has made up her mind.'' I think that definition fits Dr. Dorothy Height. She made up her mind about two issues: civil rights and the equality of women in our society.

So today we honor her. I support this resolution and I urge its adoption.

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

Mr. CONYERS. Madam Speaker, I would like to close by thanking all the presenters, particularly singling out my dear friend on the Judiciary Committee, Judge POE, who has done a very good job here.

It occurred to me that Dorothy Height has already received so many awards, commendations, citations during her lifetime that if the distinguished President of the United States were to ask us what further could be done, I would recommend that there be

some kind of event, bipartisan obviously, but one that draws in Americans who may not have participated in the struggles and the experiences that distinguished Dorothy Height's long career, and that might be a wonderful way for her to be remembered, as she no doubt will in the course of history as more and more historical books are written about her contribution going all the way back to the 1930s.

Mr. SCOTT of Virginia. Madam Speaker, our Nation mourns the loss of one of our most influential civil rights leaders, Dr. Dorothy I. Height, a native of Richmond, Virginia. Dr. Height spent the better part of her lifetime working to ensure that others would have the freedom to accomplish their dreams. As the only woman in the inner circle of leaders of the Civil Rights Movement, her presence provided the much needed female perspective on decisions made in the struggle to achieve equal rights for all Americans. Even though she was on the dais with Dr. Martin Luther King, Jr. as he delivered his ''I Have a Dream'' Speech in 1963, her integral role in the movement was not always known to the general public. That role was finally recognized nationally when President Clinton awarded Dr. Height the Medal of Freedom in 1994 and Congress awarded her the Congressional Gold Medal in 2004.

Dr. Height was an outspoken advocate for racial and gender equality both before and after the Civil Rights Movement. Her life of social activism spanned eight decades. From working as a caseworker with the New York City Welfare Department to her four decades as president of the National Council for Negro Women to serving as national president of Delta Sigma Theta, Dr. Height's life has touched countless Americans. Political leaders and heavyweights, such as Eleanor Roosevelt and Presidents Eisenhower and Johnson, regularly sought out her counsel and wisdom. Yesterday's loss is a heavy one. America owes Dr. Height a heavy debt of gratitude for her lifetime of selfless service to her fellow citizens. Our Nation is a better place because of her. She will be greatly missed.

Mr. AL GREEN of Texas. Madam Speaker, I am deeply saddened by the passing of legendary civil rights pioneer Dr. Dorothy Irene Height. I extend my heartfelt condolences to the family and friends of Dr. Height as our Nation mourns the loss of a true visionary, champion, and leader in the fight for civil rights and justice for all Americans.

Dr. Height began her career as a civil rights activist when she joined the National Council of Negro Women. She would later serve as president of the organization from 1957–1998. 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 and providing adequate housing for families in need.

She also served as National President of Delta Sigma Theta Sorority, Incorporated from 1946–1957. She remained active with Delta Sigma Theta Sorority throughout her life. While there she developed leadership training programs and interracial and ecumenical education programs.

Widely recognized as one of the founding members of the Civil Rights movement, Dr. Height was awarded the Presidential Medal of Freedom in 1994 by President Bill Clinton. In 2004, she also received the Congressional Gold Medal.

In 1998, she told People magazine, ''I want to be remembered as someone who used herself and anything she could touch to work for justice and freedom. . . . I want to be remembered as one who tried.'' There is no doubt that Dr. Height will be remembered as someone who not only tried, but went a step beyond to secure liberty and justice for all Americans.

Dr. Dorothy Height's leadership in the struggle for equality and justice for all people will continue to serve as an inspiration to our Nation.

Mr. THOMPSON of Mississippi. Madam Speaker, today I rise to honor the life and legacy of one of the most prominent figures of the Civil Rights Movement, Dr. Dorothy Irene Height.

Dr. Height, a leading voice during the civil rights era, worked side by side with Dr. Martin Luther King, Jr. and other pioneers to bring about social justice and equality for African-Americans. Having faced racism much of her young life, she received a scholarship from Barnard College; however, she was turned away because the two-person quota for accepting black females had been reached . . . further thrusting her to fight vigorously to eliminate racial and gender inequality.

Dr. Height, described as the ''glue'' that held together the family of black civil rights leaders, was the most influential and often the only female voice at the table working to emphasize and amplify social injustice across this country.

Familiar with the strength, compassion and courage of women such as Fannie Lou Hamer, at the height of the civil rights movement, Dr. Height helped to organize ''Wednesdays in Mississippi'', a project to create a dialogue of understanding between both interracial and interfaith groups from the North and South.

Dr. Height, through her selfless acts and noble devotion to the movement, encouraged President Dwight D. Eisenhower to desegregate schools and President Lyndon B. Johnson to appoint African-American women to positions in government in the 1960s.

Dr. Height rose through the ranks of leadership and became the President of the National Council of Negro Women (NCNW) while simultaneously leading the Young Women's Christian Association (YWCA), an organization she had been discriminated against by as a child.

Additionally, Dr. Height served as the National President of Delta Sigma Theta Sorority, Incorporated from 1946–1957 and later helped from the National Black Family Reunion that celebrated and promoted the tradition, tenacity and history of the black family.

Today, I would like to honor the life and eternal legacy of one of our Nation's greatest heroes and humanitarians.

Dr. Height's legacy as one of the 20th century's social justice giants will live forever. Her lifetime of contributions to education, gender equality and broad civil rights issues inspires all, as she was not afraid to tackle the biggest, most looming issues of her day.

For that, we are grateful and eternally indebted.

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to express my strong support for H. Res 1281, Honoring the life and achievements of Dr. Dorothy Irene Height. I would also like to commend Representative FUDGE, the sponsor of this resolution, for her commitment to preserving the accomplishments of Dr. Height.

Madam Speaker, as a life-long crusader for women's rights, civil rights, racial justice and gender equality, the legacy of Dr. Height's efforts can be seen in many facets of American life, from school integration to voting rights, and fair labor standards.

Born in Richmond, VA in 1912, Dr. Height, the valedictorian of her high school class, soon encountered the first of many obstacles to equality that she would face, after being denied entrance to Barnard College due to discriminatory admissions practices. She later went on to graduate from New York University in 1932 and earned a masters degree in educational psychology the following year. Inspired by the efforts of Adam Clayton Powell Sr. and Mary McLeod Bethune, the president of the Harlem YWCA, she took as job on the staff of the YWCA in 1944, where she remained until 1975. From her position on the YWCA staff, Dr. Height was instrumental in providing leadership training and education, eventually organizing and directing the YWCA's Center for Racial Justice.

In 1957, Dr. Height was named the fourth president of the National Council of Negro Women, a position she maintained through the height of the civil rights movement. Over the next four decades, she would use her influence to develop a national platform for a wide range of issues regarding civil rights. The creator of programs such as Wednesdays in Mississippi, this 1960s effort brought together interracial groups of women to volunteer at Freedom schools and with voter registration drives, to improve education and civil rights across the State. She would later oversee the ''pig bank'' program through the 70s and 80s. The program was designed as a sustainable initiative to provide pigs to poor families throughout Mississippi.

Madam Speaker, although Dr. Height's work never drew the national recognition of other well known civil rights activists, her efforts have not gone unnoticed. This did not trouble her, however, as she once said, ''If you worry about who is going to get credit, you don't get much work done''.

She would go on to receive several honors including the Presidential Citizens Medal in 1989, the Franklin Delano Roosevelt Freedom from Want Award in 1993, and the Presidential Medal of Freedom in 1994. I applaud the House of Representatives for honoring Dr. Height's lifetime of leadership, her many cultural contributions to American society, and her service to her fellow citizens. Please join me in supporting this resolution.

Mr. CANTOR. Madam Speaker, today, I am honored to commemorate the life and many achievements of Dr. Dorothy Irene Height. Born in my hometown of Richmond, Virginia on March 24, 1912, Dr. Height became a leader and national champion of the civil rights movement.

As one of the only women at the table when contemporaries like Reverend Dr. Martin Luther King, Jr. and others were formulating plans for the civil rights movement, Dr. Height distinguished herself as a civil rights activist and leader. Faced with many obstacles, Dorothy overcame each and every challenge taking

on many leadership roles throughout her career, including President of the National Council of Negro Women (NCNW), President of Delta Sigma Theta Sorority, and her thirty-three years of service with the Young Women's Christian Association (YWCA).

Her wise counsel has been sought by many American leaders such as First Lady Eleanor Roosevelt. She has also earned several awards, including the Presidential Medal of Freedom an I was proud to add my name to a bill in 2003 that was supported unanimously in Congress to award Dr. Height the Congressional Gold Medal. Though we are saddened by Dr. Height's recent passing, it is my firm belief that she will be an inspiration for future generations of Americans and will always be remembered for her hard work, courage, and determination in the fight for equality and opportunity for all.

Mr. VAN HOLLEN. Madam Speaker, I rise today as a cosponsor of this resolution to honor and celebrate the life of Dr. Dorothy Irene Height.

Widely recognized as the godmother of the civil rights movement, Dr. Height devoted her life to the cause of equality and justice for all people. A social worker by training, Dr. Height served on the staff of the Young Women's Christian Association for thirty three years and as president of the National Council of Negro Women for four decades. With uncommon dignity and her trademark hats, Dr. Height advised Presidents from Dwight Eisenhower to Barack Obama. In the 1960s, she organized the "Wednesdays in Mississippi" initiative to further understanding between white women and black women in the north and the south. She penned a regular column called "A Woman's Word" in the venerable African-American weekly the New York Amsterdam News. And she chronicled her unique experience in the leadership of the civil rights movement in her 2005 memoir "Open Wide The Freedom Gates". For her service to our nation, Dr. Height was presented with the Presidential Citizens Medal by President Reagan in 1989, the Presidential Medal of Honor from President Clinton in 1994 and the Congressional Medal of Honor in 2004.

Today, I add my voice to those celebrating her life's work and achievements, and I yield back the balance of my time.

Ms. CORRINE BROWN of Florida. Madam Speaker, I was saddened to hear of the loss of one of the foremost leaders of the civil rights movement and a true national treasure, Dr. Dorothy Height. I always say, when you're born you get a birth certificate, and when you die you get a death certificate—but it's what you do with the dash in between that really matters. And that saying really encapsulates the essence of Dorothy Height's life.

As an African-American woman and longtime Member of the Congressional Black Caucus, I am particularly grateful for the courage, wisdom and determination she employed to create opportunities for women and for African Americans in our country.

Dorothy Height began her career in 1937 by serving those in dire need as a welfare caseworker and had the ear of every President since Eisenhower. Most recently, she was an honored guest and seated dignitaries at the inauguration of President Barack Obama. Along the way, Dr. Height was behind every major civil rights movement and progressive effort for social change throughout the century.

As president of the National Council of Negro Women for four decades, she tackled issues that affected all women, including child care for working mothers, health and nutrition, as well as providing housing for families in need. As a civil rights activist, Dr. Height participated in protests in Harlem during the 1930s, and went on to be instrumental in lobbying first lady Eleanor Roosevelt on behalf of civil rights causes a few years later. Dr. Height was also a key player in advocating for President Dwight D. Eisenhower to move more aggressively on school desegregation issues. Dr. Height is one of two people to earn all three of our nation's highest civilian honors: the Presidential Citizens Award (1989), the Presidential Medal of Freedom (1994) and the Congressional Gold Medal (2004).

My thoughts and prayers are with the family, friends, and loved ones of Dr. Dorothy Height. The nation will never forget her, the mother of the civil rights movement, especially those of us who have followed her lead in working for social justice.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the resolution, H. Res. 1281.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

## COMMEMORATING 40TH ANNIVERSARY OF EARTH DAY

Ms. SPEIER. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (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, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 255

Whereas Gaylord Nelson, former United States Senator from Wisconsin, is recognized as one of the leading environmentalists of the 20th Century who helped launch an international era of environmental awareness and activism;

Whereas Gaylord Nelson grew up in Clear Lake, Wisconsin, and rose to national prominence while exemplifying the progressive values instilled in him;

Whereas Gaylord Nelson served with distinction in the Wisconsin State Senate from 1949 to 1959, as Governor of the State of Wisconsin from 1959 to 1963, and in the United States Senate from 1963 to 1981;

Whereas Gaylord Nelson founded Earth Day, which was first celebrated on April 22, 1970, by 20 million people across the United States, making the celebration the largest environmental grassroots event in history at that time;

Whereas Gaylord Nelson called on Americans to hold their elected officials accountable for protecting their health and the natural environment on that first Earth Day, an action which launched the Environmental Decade, an unparalleled period of legislative and grassroots activity that resulted in passage of 28 major pieces of environmental legislation from 1970 to 1980, including the Clean Air Act, the Clean Water Act, and the National Environmental Education Act;

Whereas Gaylord Nelson was responsible for legislation that created the Apostle Islands National Lakeshore and the St. Croix Wild and Scenic Riverway and protected other important Wisconsin and national treasures;

Whereas Gaylord Nelson sponsored legislation to ban phosphates in household detergents and to ban the use of Dichlorodiphenyltrichloroethane (DDT), and he worked tirelessly to ensure clean water and clean air for all Americans;

Whereas in addition to his environmental leadership, Gaylord Nelson fought for civil rights, enlisted for the War on Poverty, challenged drug companies and tire manufacturers to protect consumers, and stood up to Senator Joe McCarthy and the House Un-American Activities Committee to defend and protect civil liberties;

Whereas Gaylord Nelson was a patriot, who as a young soldier honorably served 46 months in the Armed Forces during World War II, and then, as Senator, worked to ban the use of the toxic defoliant Agent Orange;

Whereas, in 1995, Gaylord Nelson was awarded the highest honor accorded civilians in the United States, the Presidential Medal of Freedom;

Whereas Gaylord Nelson's legacy includes generations of Americans who have grown up with an environmental ethic and an appreciation and understanding of their roles as stewards of the environment and the planet; and

Whereas Gaylord Nelson was an extraordinary statesman, public servant, environmentalist, husband, father, and friend, and who never let disagreement on the issues become personal or partisan: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That Congress commemorates the 40th anniversary of Earth Day and honors the founder of Earth Day, the late Senator Gaylord Nelson of Wisconsin.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. SPEIER) and the gentleman from Arizona (Mr. FLAKE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. SPEIER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. SPEIER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H. Con. Res. 255. This measure was introduced by my colleague the gentleman from Wisconsin (Mr. OBEY) on March 19, 2010. It was referred to the Committee on Oversight and Government Reform, which ordered it reported by unanimous consent on April 14 of this year. The measure has the support of 70 cosponsors.

Madam Speaker, tomorrow marks the 40th anniversary of Earth Day. Our planet faces serious environmental

challenges, challenges we must face not just in the coming years but now. Right now.

The effects of the most serious challenge, global climate change, are happening today, and if we do not act deliberately now, right now, the future consequences for our country and our planet will be grave. I encourage everyone working towards this end to continue their efforts, and I hope that we in Congress will stand up and demonstrate further leadership to address this threat.

Of course, Earth Day is also a reminder of the other environmental challenges we face, such as developing sustainable and renewable sources of energy, preserving wildlife and their habitat, protecting our water and our air, cleaning up pollution, and so much more. As Representatives, I encourage all of us to stand with our constituents this week who are lending their time and services to activities to clean up our environment. Across the country thousands of events have been organized in the cities, in the countryside, along our roadways and parks and on our beautiful coast to put words into action.

One town in my district expects over 5,000 people to dedicate their time and effort to clean up the local shoreline, and I will be there, and I know that all of my colleagues will be just as fortunate to witness similar local efforts in their districts.

Earth Day is truly about service and it's a great opportunity for friends and neighbors to come together on behalf of our planet. The relationships we can build with one another as we do this work are lasting, and I am confident that they will foster even greater work in the years to come.

Once again, it is incumbent upon us in Congress to transform the work our constituents do at the local level into solutions for our country. Protecting the environment is the right thing to do, but as we all know, it's also a win-win for our economy and for our national security.

We have made great strides on this front since the first Earth Day. The 1970s saw the establishment of the Environmental Protection Agency as well as a series of important environmental laws, including the Clean Air Act, the Endangered Species Act, and the Safe Drinking Water Act. But much work still lies ahead, and, unfortunately, some of our most important environmental policies have been watered down in recent years. No pun intended.

However, I know that the efforts of millions of people in the United States and around the world who support the goals and ideals of Earth Day will pay off. I commend them for their work, and I look forward to seeing what we in Congress will further do to support them.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise today in support of House Concurrent Resolution 255, commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, former Senator Gaylord Nelson of Wisconsin.

For the past 40 years, citizens all across the United States have come together once a year to celebrate the wonder of planet Earth on Earth Day. Every April 22 Americans from all parts of the country, from coastal regions to mountainous regions to forested regions and the many other incredibly diverse regions of this country, take time to admire and enjoy the beauty and splendor of our environment. Earth Day allows all people to realize the importance of ensuring that our children and grandchildren can continue to enjoy the beauty of the planet for generations to come.

□ 1330

Senator Gaylord Nelson of Wisconsin founded Earth Day because of his love for our planet and the environment. As Senator NELSON said in a speech on Earth Day, ''Earth Day is dramatic evidence of the broad new national concern that cuts across generations and ideologies. It may be symbolic of a new communication between young and old about values and priorities.''

A veteran of World War II and Governor of Wisconsin, Gaylord Nelson served in the Senate from 1963 to 1981. During his career in both State and national politics, he promoted many environmental causes and worked tirelessly to preserve the planet for future generations. In 1995, he received the Presidential Medal of Freedom for his public service throughout his career. Despite his many accomplishments, Earth Day was his most important and lasting legacy.

Just on a personal note, one thing that he advocated, and I think we advocate with Earth Day, is to get outside in the environment and enjoy what's around us. Last year I did that to the extreme, I think. I was dropped off on a little island in the middle of the Pacific. And for a week I didn't see another person, I didn't see a plane, I didn't see an automobile, I didn't see a boat, I saw nothing. Just a lot of fish and hermit crabs and others.

Mr. KIND. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from Wisconsin.

Mr. KIND. What the gentleman, my good friend from Arizona, is alluding to is his week of isolation on an island in the South Pacific all by himself communing and being one with nature. And I think he has assured me that I could be his special agent when Hollywood comes calling to do the reality TV show of having a Member of Congress stranded on some deserted island for a while contemplating the deeper thoughts and philosophy of life. So I am ready to go when he is ready to go with that Hollywood production.

Mr. FLAKE. I thank the gentleman for that. I doubt I will need an agent or that they will come calling. Contrary to popular belief, this was not a metaphor for the fate of congressional Republicans, being isolated on an island either.

But it was a great opportunity, without any outside influences at all, to be there and to see nature at its finest.

With that, I reserve the balance of my time.

Ms. SPEIER. Madam Speaker, I am glad the gentleman from Arizona said that and not me.

I now have the pleasure of yielding 5 minutes to the gentleman who is the author of this legislation, and a great leader from the State of Wisconsin (Mr. OBEY).

Mr. OBEY. I thank the gentlewoman for the time.

Madam Speaker, 41 years ago my friend and mentor, Wisconsin Senator Gaylord Nelson, had a surprisingly simple idea. At the time, the country was fighting an unpopular and unwinnable war, and students were rising up in protest and holding teach-ins on college campuses all over the country. Senator Nelson looked around him and realized that those teach-ins were an invaluable tool in helping to educate people and calling attention to the need to end the war once and for all.

In 1969, when the Senate contained such environmental giants as Ed Muskie, Scoop Jackson, Gaylord Nelson, and Bob Stafford, he gave a pivotal speech at the Seattle Science Center. In that speech he suggested that just as Americans had been involved in teach-ins to protest the Vietnam war, that they should also set aside a day to call attention to the environmental problems facing the planet and to demand real leadership from public officials on producing solutions. Wire services carried the story from coast to coast. And as history shows, the response was overwhelmingly positive. Earth Day was born.

The first Earth Day launched an Environmental Decade, an unparalleled period of legislative and grassroots activity that resulted in passage of 28 major pieces of environmental legislation from 1970 to 1980 alone, including the Clean Air Act, the Clean Water Act, the National Environmental Quality Education Act, the Wild and Scenic Rivers Act, and others. And Gaylord was at the center of them all.

Forty years later his legacy endures, and half a billion people in 180 countries are expected to gather this week to help clean up their communities and to demand leadership and real solutions to the very real problems facing the planet today, problems like toxic pollution, mercury in our air and water, and climate change.

As we celebrate the 40th anniversary of Earth Day, it is fitting that we pass this resolution honoring the founding father of that day. When he initially set the date for it he was roundly criticized by, of all groups, the John Birch Society, because they attacked him for selecting the same day that Lenin was

born. Gaylord pointed out that since there were only 365 days in a year, that each day was bound to be the birthday of both good and bad people throughout the world. And he pointed out, for instance, that, yes, it was the birthday of Lenin, but it was also the birthday of St. Francis of Assisi. But he said, ''more importantly, it's also the birthday of my Aunt Tilly.''

Without the leadership of the late Senator Gaylord Nelson, the air we breathe would not be as clean, we would not be swimming in lakes and rivers as safe as they are today, and we would not be enjoying the beauty of public lands that we were able to protect under the laws he championed. We are certainly a long way away from perfection on those grounds, but we are a whole lot better off than we were when Gaylord started the movement. And we would not be holding Earth Day celebrations around the globe each April 22nd either.

Today we honor Gaylord Nelson and celebrate the 40th anniversary of Earth Day. No wonder he was awarded the Nation's highest civilian honor, the Presidential Medal of Freedom, by President Clinton in 1995. His leadership is still felt today.

Mr. FLAKE. I continue to reserve my time.

Ms. SPEIER. Madam Speaker, I would now like to yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I thank my good friend from California for yielding me this time.

Madam Speaker, I thank my friend from California and my friend from Arizona for managing this resolution. I proudly rise in support of the resolution commemorating not only the 40th anniversary of an important day in all of our lives, Earth Day, but especially to pay tribute to the father of Earth Day, a political hero of mine as a kid growing up, a member of the greatest generation who fought and served during the Second World War, a political icon still in the State of Wisconsin and throughout the Nation and the rest of the world, former Senator Gaylord Nelson.

I am sure that if young Gaylord was told as a kid growing up in Clear Lake, Wisconsin, which is close to my wife's hometown of Cumberland, a population of less than 400 people, that he would one day rise and become the father of the modern environmental movement and the creator of Earth Day, which is celebrated in over 167 Nations throughout the globe on April 22nd, he would have thought you were kidding. It's a true American success story. He lived the all-American story.

And he left an important legacy and a reminder to all of us as inhabitants on this beautiful, yet very fragile planet of ours, that we are mere stewards of the precious resources that the good Lord has saw fit to bless us with. And as stewards of those resources, we have a special moral and personal responsibility to utilize those resources reasonably and sensibly, so we leave a legacy to future generations to also be good stewards of this planet.

I am proud to represent a congressional district in western Wisconsin which was actually home to the very first watershed project throughout the United States in the Coon Valley area, which became the model of what is today the current conservation title of our farm bills. The title is based on voluntary and incentive-based land and water conservation programs that our farmers are able to utilize in order to set up sound land and water management practices on their farms. And it has spread nationwide.

Gaylord Nelson and his wife were the subject of a chapter in Tom Brokaw's book The Greatest Generation. Like everyone in this Great Generation, he was an ordinary individual who did extraordinary things.

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

Ms. SPEIER. I yield the gentleman 1 additional minute.

Mr. KIND. Today I still miss Senator Nelson greatly. As a young Member of Congress, I always made a point of calling him in his office in Washington at least once a week just to discuss the issues of the day, get his feedback on the policy proposals that we were working on and seek his guidance.

I am still a proud member of the Natural Resources Committee. With the work I was doing there, I was able to work very closely with Gaylord Nelson, trying to enhance his legacy. But he knew, as I hope all of us realize, that Earth Day is not an event to be celebrated just one day a year, but a mission to practice each and every day throughout the year. It is that message especially to the younger generation that I think is his greatest legacy, where the Earth Day lessons are being taught in schools and school rooms throughout the Nation and throughout the world at least on April 22nd, if not more throughout the year.

I commend the leadership and especially Representative OBEY for bringing this resolution and encourage my colleagues to support it.

Mr. FLAKE. Madam Speaker, in closing, I just want to urge my colleagues to support the resolution. It's a great cause. And certainly I think we all owe it to our constituents and to the country to recognize the stewardship that we have to ensure that we pass on the planet as good as we got it or better to future generations.

Mr. PRICE of North Carolina. Madam Speaker, today is the 40th anniversary of Earth Day, the annual global celebration of the bounty and natural wonders of our planet and a reminder of our individual and collective obligation to be good stewards of it.

Managing our natural resources and minimizing the impact of human activity on the environment are both profound and fundamental responsibilities. The very survival of the human race depends upon our ability to effectively fulfill these responsibilities.

Since April 22, 1970, people have gathered on this day to renew their commitment to making our planet greener and healthier, and to encourage their leaders to take action on critical environmental policy issues.

We have made substantial progress since that first Earth Day, when twenty million ecopioneers brought environmental protection to the forefront of the national consciousness. Their advocacy gave birth to the green movement and a green generation that has been critical in shaping our society. The green generation spearheaded community support for passage of the laws that we still rely on to improve the quality of the air we breathe, ensure the availability of clean drinking water, and protect endangered species and fragile ecosystems.

But this struggle is not over. We continue to face significant environmental challenges, and as a nation, we must pursue policies that promote responsible stewardship here at home and provide leadership in the global arena as well.

Perhaps our most acute challenge—and one we have ignored for far too long—is climate change. This is no idle threat: Scientists tell us that we must reduce emissions by roughly 80 percent by mid-century to avoid a dangerous climate tipping point. As the world's largest per capita emitter of greenhouse gases, our nation has a unique responsibility to work towards a comprehensive emissions solution that includes a 21st century energy policy. We must find the political will to do just that.

We took a significant step forward in December, when President Obama played a critical role in establishing the international Copenhagen Accord. Although this is a nonbinding agreement, it represents a major departure from the prior Administration's abandonment of the Kyoto Protocol, and demonstrates our nation's commitment to being a partner and a leader in finding a global solution to climate change.

I applaud the President's leadership on this issue and urge him to continue working with Congress to develop comprehensive, science-based legislation to provide climate and energy security for us and the generations to come. The House has approved robust legislation to address this issue, and today I call on my Senate colleagues to move forward as well.

I also urge the President and my colleagues in Congress to continue to promote policies that safeguard the environment and facilitate sound management of our natural resources. And I encourage all Americans to renew their commitment to the environment and to take actions in their individual lives to reflect it.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in strong support of H. Con. Res. 255 to commemorate the 40th anniversary of Earth Day and to honor its founder, the late Senator Gaylord Nelson.

Every year we celebrate Earth Day to raise awareness about environmental issues and recognize the importance of protecting our planet. As we become a more modern and developed society, it is becoming increasingly necessary to take steps to ensure a green future. In truth, we have come a long way in the last 40 years with regard to protecting our environment, but we still have a long way to go to make sustainable development a priority.

Of particular importance is the need to protect two of our most precious resources—

clean water and clean air—which every person on this planet has an interest in protecting. In the United States, protections over waters and wetlands are essential to ensuring a long-term, sustainable water supply for the American people. When rivers and streams are placed at risk of pollution, many cities and communities which depend on these water bodies for sources of drinking water are equally placed at risk.

Additionally, clean air is one of the most basic necessities of life, and pollutants in our air can have devastating effects on both our health and our environment. Numerous studies that have shown that air pollution an cause respiratory and cardiovascular problems as well as result in asthma and other long-term and chronic health conditions. We must work to ensure that our air is clean and not polluted for the betterment of all people.

Madam Speaker, truly, the coming generations deserve to inherit a healthy planet with clean drinking water and clean air, and it is up to us to ensure that they do. I encourage all of our citizens to take a moment on this holiday to reflect on what they can do as individuals to help the environment, not just for us, but for people around the world as well. I ask my fellow colleagues to join me today in supporting this resolution that recognizes Earth Day and will help raise awareness for the need to protect our environment.

Mr. CONYERS. Madam Speaker, I rise in support of H. Con. Res. 255, to commemorate the 40th anniversary of Earth Day and to honor its founder, Senator Gaylord Nelson from Wisconsin. I was in Congress in 1969 when Senator Nelson proposed a national teach-in so that people across the country could show their elected officials that they wanted environmental protections to be included in the national agenda. The following spring, it is estimated that nearly 20 million Americans participated in environmental awareness and education events in schools and communities across the country on the first Earth Day. Like the civil rights movement and antiwar movement earlier that decade, this grassroots movement brought this issue to the forefront, and impacted the national political agenda.

Our country has made great strides in protecting our environment in the past 40 years. The Environmental Protection Agency was founded, and several historic bills including the Clean Air Act and Clean Water Act were passed to address pollution and environmental degradation. Since then, the Federal Government has instituted additional measures to protect our air, land, food, water and homes from chemicals, waste and pollution.

The 111th Congress has continued this legacy to preserve and protect our resources by focusing on increasing energy efficiency. The American Recovery and Reinvestment Act invested billions of dollars in clean energy, green jobs and the research and development of innovative equipment, including advanced battery technology. I was proud to support the American Clean Energy and Security Act of 2009, which would reduce pollution and ensure that our country becomes more energy independent by utilizing renewable energy and domestic alternatives to foreign oil.

While much progress has been made, many of the environmental issues that worried Senator Nelson still exist and new ones have emerged. Additionally, it is common to see the devastating impacts of environmental degradation in low-income urban and rural communities, where residents face health issues related to industrialization and the mismanagement of waste.

I encourage all Americans to take small steps to make their households, places of work and neighborhoods more environmentally friendly. I look forward to working with my colleagues on policy that echo Senator Nelson's mission of improving the health of environment so that our air, land and water are protected for future generations, regardless of where they live.

Mr. VAN HOLLEN. Madam Speaker, I rise to commemorate the 40th anniversary of Earth Day and, in particular, to honor Earth Day's Founder, the late Senator Gaylord Nelson (D–WI), whom I am proud to say chose to spend the latter part of his career in my hometown of Kensington, MD.

Senator Nelson's public service spanned more than three decades, including two terms as Governor and three terms as Senator from the state of Wisconsin. Although active on issues ranging from civil rights to consumer protection to the Vietnam War, Senator Nelson was perhaps best known for his pioneering advocacy on behalf of the environment. He cosponsored the 1964 Wilderness Act, and successfully fought for legislation protecting the Appalachian Trail, banning DDT and curbing phosphate detergent.

In 1970, Senator Nelson's call for a day of education and action on behalf of the environment drew 20 million people from across the United States to participate in the very first Earth Day. Since then, Earth Day has grown to become an international event involving 500 million people from 175 countries around the world.

After leaving the Senate in 1981, Senator Nelson joined the Wilderness Society as its first Chairman and continued to serve the organization until shortly before his passing in 2005. Senator Nelson received the Presidential Medal of Freedom from President Clinton in 1995 and was recognized along with President Teddy Roosevelt as one of the two most important political figures of the 20th Century by the Audubon Society. He was an extraordinary public servant, who was famously well liked by colleagues from across the political spectrum.

As we celebrate the 40th anniversary of Earth Day tomorrow, it is fitting that we pause to remember the vision of its remarkable founder Gaylord Nelson and recommit ourselves to the necessity of a healthy and sustainable environment that was his life's work.

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

Ms. SPEIER. Madam Speaker, I would just like to echo the words of the great leaders from Wisconsin who have spoken already on this. We are indeed stewards. Earth Day should be something we celebrate every day. And this, the 40th anniversary of Earth Day, is a great time to start.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. SPEIER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 255, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

## SILVER STAR SERVICE BANNER DAY

Ms. SPEIER. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 855) expressing support for designation of May 1 as ''Silver Star Service Banner Day''.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 855

Whereas the House of Representatives has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the American people remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices of members and veterans of the Armed Forces on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices of members and veterans of the Armed Forces on behalf of the United States should never be forgotten; and

Whereas May 1 would be an appropriate date to designate as ''Silver Star Service Banner Day'': Now, therefore, be it

*Resolved*, That the House of Representatives supports the designation of ''Silver Star Service Banner Day'' and calls upon the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. SPEIER) and the gentleman from Arizona (Mr. FLAKE) will each control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. SPEIER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. SPEIER. I yield myself such time as I may consume.

Madam Speaker, I rise in support of H. Res. 855, a bill supporting Silver Star Service Banner Day. H. Res. 855 was introduced by my colleague, the gentleman from Missouri, Representative ROY BLUNT, on October 22, 2009. The measure was referred to the Committee on Oversight and Government

Reform, which reported it favorably by unanimous consent on April 14 of this year. The measure enjoys the support of over 50 cosponsors.

Madam Speaker, our Nation continues to face two long and difficult wars, and I am very glad that we can take time now to honor the men and women of our Armed Services. They deserve our thoughts, our prayers, and our support.

The Silver Star Families of America understand this well and work hard to help the American people recognize the sacrifices made by the wounded and ill members of the Armed Forces. Tens of thousands of American troops are fighting in Iraq and Afghanistan, risking their lives in service to our country. They also risk their lives in deployments throughout the world. I ask my colleagues to join me in giving thanks to them and to their families for the sacrifices they continue to make and for their service to our country.

Madam Speaker, I reserve the balance of my time.

Mr. FLAKE. Madam Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. I thank the gentleman from Arizona for yielding time.

Madam Speaker, I thank the committee for reporting this resolution to the floor. I want to recognize, along with my other colleagues, the Silver Star Families of America. This bill does that. It designates the 1st of May as Silver Star Service Banner Day.

Silver Star Families of America is not only reflective of all the families that have helped, but it is also a nonprofit organization that has been formed dedicated to supporting and assisting those whose families have earned the Silver Star, those who have been wounded, those who have become ill in a combat zone, recognizing those members of the Armed Forces and their families across all branches of the services, and Madam Speaker, for all wars.

This group was founded in Missouri's Seventh Congressional District in 2004. The Silver Star Flag and the Silver Star Banner are symbols of remembrance and honor for those wounded during battle, those who incurred an illness during battle, and those who have honorably served in the Armed Forces during that moment of sacrifice, and a sacrifice that is almost always shared by their family and their loved ones.

□ 1345

Thousands of cities and counties throughout the country have issued proclamations to set aside May 1 to honor our current troops, our veterans and their families, as well as Silver Star families and Gold Star families.

Last April, Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, recognized Silver Star families of America for their support of servicemembers and those who have earned the Silver Star.

Madam Speaker, I thank the committee for bringing this to the floor. I ask my colleagues to join me in support of House Resolution 855 which, of course, is a resolution in support of those service people and their families who have earned this recognition, who show this banner, who understand the implications of the Silver Star flag and the Silver Star banner.

Ms. SPEIER. Madam Speaker, I now yield 3 minutes to the gentleman from Missouri (Mr. SKELTON), the great leader.

Mr. SKELTON. Madam Speaker, as an original cosponsor, I rise today in support of H. Res. 855, a resolution that expresses our Nation's appreciation for the sacrifices that have been made by so many dedicated servicemen and -women who've worn the uniform of the United States.

It's no small thing to raise one's hand and swear to uphold and defend the Constitution of the United States, and it's the responsibility of every American to recognize that servicemembers who have been wounded or become ill in the line of duty have paid an especially high price for our freedoms.

I make it a point to visit servicemembers who are recovering at Walter Reed, and I know so many of my colleagues do just the same. Oftentimes, a spouse or a parent is there lending support and anxious to take their loved one home. I'm humbled by the strength and character of these servicemembers and their caregivers.

The Silver Star Families of America deserves recognition for the tremendous job its members do in reminding us of the debt of gratitude our Nation owes to wounded and ill servicemembers, veterans, and their families. By supporting the designation of May 1 as Silver Star Service Banner Day, Members of the House add the collective voice to this body of good works.

I thank my colleague and my friend, ROY BLUNT, for introducing this resolution.

Ms. SPEIER. Madam Speaker, I reserve the balance of my time.

Mr. FLAKE. If the gentlelady has no additional speakers, I'm prepared to close.

Madam Speaker, it's important for us to take a moment to extend our gratitude to our loved ones who have endured the grief of losing loved ones, those brave soldiers in the battlefield who become wounded or sick. And I thank the gentleman from Missouri (Mr. BLUNT) for his comments. We're all grateful for the Silver Star Families of America, for their devotion, dedication to keeping us all aware of the sacrifices made by the wounded and ill members of the armed services.

I ask all Members to support this resolution supporting Silver Star Service Banner Day.

I rise today in support of House Resolution 855, expressing support for the designation of May 1st as 'Silver Star Service Banner Day'.

Recognizing all of our service members throughout the year is our privilege and designating May 1, 2010 as Silver Star Service Banner Day is an additional way to honor the wounded and ill members of our Armed Forces.

The Silver Star Families of America, a nonprofit organization, is dedicated to keeping the memories of these hero's sacrifices in the hearts and minds of all of us through the presence of a Silver Star displayed in a window or the Service Flag flying for all to see.

It is important for us to take a moment to extend our gratitude to their loved ones who have endured the grief of losing a loved one or the difficulty of caring for these brave soldiers as the Silver Star Families do.

Those who have been wounded or have died are members of the Army, Navy, Marine Corps, Air Force and Coast Guard. They deserve our continued gratitude for all that they have given on our behalf. To this end, the Silver Star Service Banner has come to represent their bravery.

We are grateful to the Silver Star Families of America for their devotion and dedication to keeping all of us aware of the sacrifices made by the wounded and ill members of the Armed Forces, therefore, I ask all members to join me in supporting May 1, 2010 as Silver Star Service Banner Day.

I yield back the balance of my time.

Ms. SPEIER. Madam Speaker, I had the privilege, and I call it a privilege, earlier this year to travel to Kuwait, Yemen, Pakistan, Afghanistan, and then to Germany, where I had the privilege of meeting our troops who are committed, passionate, have an incredible love of country, and then to visit those wounded warriors at our facility in Germany. And I must say that there's nothing like having that interpersonal connection, that opportunity to make us realize the extraordinary sacrifices that are being made every single day.

So it is fitting that we have this resolution before us, and I urge all my colleagues to support this measure.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. SPEIER) that the House suspend the rules and agree to the resolution, H. Res. 855, as amended.

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

A motion to reconsider was laid on the table.

## EXPRESSING CONDOLENCES FOR VICTIMS OF TESORO REFINERY FIRE IN ANACORTES, WASHINGTON

Ms. SPEIER. Madam Speaker, I move to suspend the rules and agree to the resolution (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.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1262

Whereas the people of the State of Washington experienced a tragedy on April 2, 2010, when a fire occurred at the Tesoro refinery in Anacortes, Washington;

Whereas a team of seven Tesoro employees was working in the refinery's naphtha hydrotreater when the fire occurred;

Whereas three of these individuals died immediately in the fire, three more died of their injuries, and one more remains in intensive care after suffering severe burns;

Whereas the fire was quickly brought under control by Tesoro's fire control team and local first responders;

Whereas Federal, State and local government agencies, including the Chemical Safety Board, the United States Environmental Protection Agency, and the Washington State Department of Labor and Industries, are conducting investigations to determine the cause of the incident and to ensure that the risk of similar incidents is minimized in the future;

Whereas the Tesoro refinery in Anacortes has temporarily shut down due to the damage sustained; and

Whereas Tesoro and the Skagit Community Foundation have established the Tesoro Anacortes Refinery Survivors Fund, and the United Steelworkers Local 12–591 has established the Tesoro Incident Family Fund to support the victims of the fire and their families: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) expresses condolences to the families, friends, and loved ones of the victims of the fire at the Tesoro refinery in Anacortes, Washington;

(2) honors Matthew C. Bowen, Darrin J. Hoines, Daniel J. Aldridge, Kathryn Powell, Lew Janz, and Donna Van Dreumel who died as a result of the fire;

(3) offers best wishes to Matt Gumbel, who suffered severe burns and is recovering at Harborview Medical Center in Seattle; and

(4) expresses sympathies to the people of Anacortes, the entire State of Washington, and the Nation who grieve for the victims.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. SPEIER) and the gentleman from Arizona (Mr. FLAKE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. SPEIER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. SPEIER. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H. Res. 1262. This measure expresses condolences to the families, friends and loved ones of the victims of the fire at the Tesoro refinery in Anacortes, Washington.

This resolution was introduced by my colleague, the gentleman from Washington, Representative RICK LARSEN, on April 15, 2010. The measure was referred to the Committee on Oversight and Government Reform, which worked with leadership to get it to the floor quickly. The measure has the bipartisan support of over 60 Members of the House.

Madam Speaker, I yield 4 minutes to the sponsor of this resolution, the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Madam Speaker, I want to thank the chairman and ranking member of the House Oversight and Government Reform committee for their assistance in bringing the resolution to the House floor.

Madam Speaker, on April 2, Washington State experienced a tragedy when a fire occurred in the Naphtha Hydrotreater unit at the Tesoro oil refinery in Anacortes, Washington, in my district. Six workers died as a result of the fire. One more was burned and remains in intensive care.

I offer my condolences to the families, the friends and loved ones of the victims of this fire. My thoughts and prayers are with Tesoro's employees and everyone from the city of Anacortes and the State of Washington and our country who grieve for the workers who died and who suffered injury.

I encourage my colleagues to join with me in supporting this resolution to honor the lives of Matthew Bowen, Darrin Hoines, Dan Aldridge, Kathryn Powell, Donna Van Dreumel and Lew Janz.

This resolution also expresses the best wishes of Congress to Matt Gumbel, who was severely burned in the fire and is currently in serious condition at Harborview Medical Center in Seattle, Washington. I hope that Matt recovers as quickly as possible from these terrible injuries.

And earlier this week, Madam Speaker, I received a letter from the CEO of Tesoro and the chair of United Steelworkers Local 12–591 expressing support for this resolution. And I'd like to enter this letter in the CONGRESSIONAL RECORD.

Multiple Federal, State and local agencies, including the Chemical Safety Board, the Environmental Protection Agency and the Washington State Department of Labor and Industries, are currently investigating the cause of the fire. I strongly support the work they are doing to help us understand what happened and how to prevent a similar accident in the future.

And although most Americans don't associate northwest Washington with oil and gas, Skagit and Whatcom Counties in my district have been home to major oil refineries for over five decades. The four refineries in northwest Washington process a combined 500,000 barrels of oil a day. These refineries are central to the local economy, employing nearly 2,500 people and supplying over $200 million in wages to workers and contractors.

The refining industry is inherently hazardous. As one refinery employee in my district put it, ''We don't bake cookies; we bake oil.''

That being said, preventing accidents that harm workers is vitally important. As the fire at the Tesoro refinery in Anacortes fades from newspaper headlines, we must remain sharply focused on worker safety, at the Tesoro refinery in Anacortes and at refineries and industrial sites around the country.

While it's not possible to prevent all refinery accidents, we need to learn from what happened in Anacortes. We need to make sure that we are doing everything we can to reduce the risk of similar accidents in the future.

So I urge my colleagues to join with me in supporting this resolution expressing the condolences of the House of Representatives to those who lost families, friends and loved ones in this terrible, terrible tragedy.

APRIL 20, 2010.

Hon. RICK LARSEN,
*U.S. Congress,*
*Washington, DC.*

DEAR CONGRESSMAN LARSEN: The Tesoro Corporation, United Steelworkers Local 12–591, and our family of employees wish to express our collective gratitude for your Resolution being considered in the U.S. House of Representatives that expresses condolences for and honors the victims of the recent tragic fire at our Anacortes, Washington facility. We are deeply touched by your concern and that of your colleagues in the House. Please know that we welcome and appreciate the comfort your words provide to all those affected.

BRUCE SMITH,
*Chairman & CEO,*
*Tesoro Corporation.*
WALTER CLEVE,
*United Steel Workers*
*Union, Local 12–591*
*Unit Chair.*

Mr. FLAKE. Madam Speaker, I thank the gentleman from Washington (Mr. LARSEN) for introducing this resolution. And I urge my colleagues to support it.

We want to express our condolences to the families and the friends and loved ones of those who perished in the fire and wish a speedy recovery to the one who is still injured.

We want to make sure also that this fire is investigated and we, to the extent possible, can make sure that it doesn't happen again.

And so I want to encourage all my colleagues to support this important resolution.

I reserve the balance of my time.

Ms. SPEIER. Madam Speaker, I now yield 2 minutes to the Representative from Wisconsin, Representative TAMMY BALDWIN.

Ms. BALDWIN. Madam Speaker, I thank the gentlewoman from California (Ms. SPEIER) for recognizing me out of order to speak to a previous resolution.

Many years ago Gaylord Nelson, from my home State of Wisconsin, had a vision. He envisioned a world where our pristine oceans and lakes are protected, our air clean to breathe, and our planet preserved for future generations.

Being the wise man that Senator Nelson was, he recognized the environmental degradation that everyone around him was acknowledging, everyone, that is, but the political establishment, which wasn't interested in action.

He knew that if the environment was to have its place on the political agenda, it had to be brought there by the people. So he announced that there would be a nationwide grassroots demonstration on behalf of the environment. He called it Earth Day. At the time it was a gamble, but worth the try.

No one expected the turnout: 20 million people came out to participate. The sheer numbers gathered the attention of the Congress, and it was those voices that led to congressional action on some of our most treasured environmental laws: the Clean Air Act, the Clean Water Act, and the Safe Drinking Water Act.

I commend my colleague from Wisconsin, Mr. OBEY, for bringing the resolution to honor the late Senator Gaylord Nelson of Wisconsin to the floor. And the resolution also commemorates the 40th anniversary of Earth Day.

In the words of Senator Nelson: ''Our goal is an environment of decency, quality, and mutual respect for all human beings and all other living creatures.

I urge my colleagues to support the resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind people in the Chamber, people in the gallery, that little whispers turn into loud roars. Business is being conducted on the floor.

Ms. SPEIER. Madam Speaker, I yield to my good friend, the gentleman from Washington (Mr. INSLEE), as much time as he may consume.

Mr. INSLEE. Madam Speaker, I would like to speak in favor of this resolution that commemorates and honors those who were lost in the Tesoro explosion in Washington State. And this is something that is felt, I think, nationwide. And I appreciate RICK LARSEN and his leadership bringing this for the Congress to consider this tragedy. And the reason is maybe twofold. One, we really look forward to a day in this country that our loved ones can go to work without the fear of them not coming home in these jobs, and we hope that this will help focus Congress and our continuing efforts to improve safety in the workplace for our loved ones.

My son worked on a pipeline project that terminated at the Tesoro facility and got to know some of these hardworking people, and they were aware of the dangers associated with the product they work with. And he was impressed, and I think we're all impressed, with their dedication to their jobs.

And I just want to express from the folks I represent our empathy for the families.

I also want to express my admiration for a fellow named Matt Gumbel who today is recovering at Harborview Hospital from his burns and doing well and is very impressed, as I just read some comments on his Web site of people saying, if Matt could get 100 feet following his injuries to the control room to help get help for the people who were injured, he'll be able to get through this. So we're thinking of him. And we commend this resolution to the Chamber.

□ 1400

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

Ms. SPEIER. Madam Speaker, I again urge my colleagues to join me in supporting this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. SPEIER) that the House suspend the rules and agree to the resolution, H. Res. 1262.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

## CONGRATULATING 100TH ANNIVERSARY OF RADFORD UNIVERSITY

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1182) congratulating Radford University on the 100th anniversary of the university.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1182

Whereas Radford University was chartered on March 10, 1910, by the Commonwealth of Virginia as the State Normal and Industrial School for Women at Radford;

Whereas Radford University was chartered to prepare teachers to educate the people of the United States;

Whereas Radford University has grown substantially in scope and quality since the day on which the university was chartered;

Whereas Radford University was renamed the Radford State Teachers College in 1924 and the Women's Division of Virginia Polytechnic Institute in 1944, respectively;

Whereas Radford University was renamed Radford College in 1964 when the relationship between the Virginia Polytechnic Institute and Radford University ended;

Whereas Radford College was renamed Radford University in 1979;

Whereas, since the founding of the university, Radford University has provided thousands of students with the benefits of a Radford education;

Whereas Radford University graduates have made meaningful and lasting contributions to society through service, including service in—

(1) education;
(2) the sciences;
(3) business;
(4) health and human services;
(5) government;
(6) the arts and humanities; and
(7) other endeavors;

Whereas Radford University is a productive and vital academic community with thousands of students;

Whereas the students of Radford University approach university life with an enthusiasm for learning and personal development;

Whereas the brilliant faculty of Radford University is committed to the highest ideals of academic scholarship and the advancement of society;

Whereas the devoted administrators and staff members of Radford University strive to foster an environment that supports the noble work of the university;

Whereas the centennial of Radford University is an appropriate time for faculty, staff, students, alumni, and friends—

(1) to unite in recognition of the past achievements of Radford University with pride; and

(2) to consider ways to create an even more successful university during the century ahead;

Whereas Radford University celebrates the culture of service of the university through a program entitled ''Centennial Service Challenge'' that invites every member of the campus and extended university community to engage in, and document community service in honor of, the centennial; and

Whereas Radford University will observe a Centennial Charter Day Celebration on March 24, 2010, and host numerous other academic programs and arts and cultural events throughout 2010 to commemorate the event: Now, therefore, be it

*Resolved,* That the House of Representatives commends Radford University on the 100th anniversary of the university.

The SPEAKER pro tempore (Mr. CUELLAR). Pursuant to the rule, the gentleman from the Northern Mariana Islands (Mr. SABLAN) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from the Northern Mariana Islands.

GENERAL LEAVE

Mr. SABLAN. I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 1182 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

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

Mr. Speaker, I rise today in support of H. Res. 1182, which celebrates Radford University for 100 years of leadership and service in higher education. Radford was originally founded in 1910 as the State Normal and Industrial School for Women, tracing its roots back to the expansion of the Virginia public higher education system. While its name and composition has evolved over the years, Radford's commitment to academic excellence has never wavered.

Radford's beautiful 177-acre campus is located in the New River Valley between the Blue Ridge and Allegheny mountains. The university is home to nearly 8,000 undergraduates and over 1,000 graduate students, and these students have access to a diversity of academic and extracurricular programs.

The university is comprised of six undergraduate and one graduate college which offer 153 degree options. Additionally, Radford also has 19 NCAA Division I teams, 400 intramural sports teams, and over 200 clubs and organizations.

Recently, Radford was named one of the Top Up-and-Coming Schools in the Nation by U.S. News & World Report due to its promising and innovative changes it has made over the past few years. Under the leadership of Radford's sixth president, Ms. Penelope Kyle, the university has consistently ranked among the best colleges and universities in the Southeast region. Such recognition shows that the school is continually innovating and striving for success.

For its 100th anniversary, Radford honored its culture of service with a ''Centennial Service Challenge,'' which encouraged students, faculty, and staff to participate in community service in local and regional areas. This event is indicative of Radford's tradition of cultivating graduates who will become meaningful contributors to society and mark a significant milestone in the university's history.

Once again, I congratulate Radford University on its 100-year anniversary and thank Representative BOUCHER for bringing this bill forward.

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

Mr. Speaker, I rise today in support of House Resolution 1182, congratulating Radford University on its 100th anniversary.

Radford University was founded in 1910 as the State Normal and Industrial School for Women at Radford. Classes began in September of 1913, and in 1979, the school became Radford University. During 2010, Radford is celebrating its centennial anniversary with numerous programs and events. On March 24, the university observed the Centennial Charter Day Celebration.

Located in Radford, Virginia, Radford University is organized into six undergraduate colleges and one college of graduate and extended education. Radford University aims to create a challenging, supportive, and engaging educational culture that is anchored in the liberal arts tradition and is ethically responsible to the needs of the 21st century global society. The university has more than 200 clubs and student organizations and competes in 19 NCAA athletics.

In addition, Radford has a national reputation for excellent academics. In 2007, Radford unveiled ''7–17, Forging a Bold New Future,'' with a goal of establishing Radford as one of the top 50 master degree-granting universities in the Nation by 2017. In 2009, the university was ranked in the South's top 25 master's level public universities and named one of the Top Up-and-Coming Schools by U.S. News & World Report.

I am honored to congratulate Radford University on the occasion of its 100th anniversary and to recognize the university for 100 years of excellence in higher education. And I extend my congratulations to the university, the faculty, the staff, the students, and the alumni.

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

Mr. SABLAN. Mr. Speaker, I'm pleased to recognize the gentleman from Virginia (Mr. BOUCHER), the sponsor of the resolution, for 3 minutes.

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

Mr. BOUCHER. I want to thank the gentleman for his leadership in bringing this resolution to the floor and for yielding this time to me today, and I extend thanks also to the gentlelady from Illinois for her assistance with this measure. And I thank both of my colleagues for their very generous statements on behalf of Radford University this afternoon.

H.R. 1182 is bipartisan legislation congratulating Radford University on its 100th anniversary. The resolution is cosponsored by eight members of our Virginia House delegation, and Senators WEBB and WARNER have introduced companion legislation which previously has been approved in the Senate.

For a century, Radford University has provided students with an outstanding education, and the university richly deserves congratulations, which we extend today, on that achievement. In that century, nearly 70,000 students have received a Radford education, many of whom have gone on to become leaders in business and government and education, health care, the arts and other areas.

Radford University was chartered on March 10, 1910, as the State Normal and Industrial School for Women at Radford with the mission of preparing teachers; and it was renamed in 1924 as Radford State Teachers College, in 1944 as the Women's Division of Virginia Polytechnic Institute, and in 1964 as Radford College. The school became Radford University in 1979, the name that it proudly bears today.

Today, Radford University is known for its strong leadership and relationships between faculty and students and the commitment to service that exists and pervades the student body. The school offers 153 undergraduate and graduate programs and strong research, service learning, and preprofessional programs.

Radford University is located in my congressional district, but its achievements bring pride not just to our region but to citizens across Virginia.

The university graduates reside in communities throughout the Nation, who share in the congratulations which the Congress today formally extends to Radford University on its 100th anniversary.

I thank my colleagues for their assistance in bringing this measure to the floor, and I urge its approval by the House.

Mrs. BIGGERT. I would yield back the balance of my time.

Mr. SABLAN. Mr. Speaker, I again urge my colleagues to support H. Res. 1182, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 1182.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

## COMMENDING UNIVERSITY OF CONNECTICUT HUSKIES ON WOMEN'S NCAA BASKETBALL CHAMPIONSHIP

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1239) commending the University of Connecticut Huskies for their historic win in the 2010 NCAA Division I Women's Basketball Tournament, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1239

Whereas, on April 6, 2010, the University of Connecticut Huskies defeated the University of Stanford Cardinal 53 to 47 in the final game of the National Collegiate Athletic Association Division I Women's Basketball Tournament in San Antonio, Texas;

Whereas the Huskies were undefeated with a record of 39–0, defeating 38 of their 39 opponents by more than 10 points;

Whereas the Huskies have won a record 78 games in a row;

Whereas the Huskies were undefeated for the 4th time since 1994–1995;

Whereas the Huskies have won 7 national titles, second most in NCAA Division I women's basketball history;

Whereas senior center Tina Charles was chosen as the Naismith Award winner, the Wooden Award winner, the United States Basketball Writers Association player of the year, and Associated Press player of the year;

Whereas junior forward Maya Moore was chosen as the State Farm Wade Trophy player of the year and as the Women's Final Four Most Valuable Player;

Whereas Maya Moore and Tina Charles were chosen as first team All-Americans and as members of the Final Four First All Tournament Team;

Whereas Coach Geno Auriemma, who holds the highest winning percentage among active coaches, serves as president of the Women's Basketball Coaches Association and coach of the 2012 United States Olympic team;

Whereas the University of Connecticut Women's Basketball program has a 100 percent graduation rate among four-year players, representing the team's commitment to achievement in the classroom as well as on the court;

Whereas each player, coach, athletic trainer, and staff member of the University of Connecticut Huskies dedicated their season and their tireless efforts to their perfect record and the NCAA championship; and

Whereas residents of Connecticut and Huskies fans worldwide are to be commended for their longstanding support, perseverance, and pride in this team: Now, therefore, be it

*Resolved,* That the House of Representatives—

(1) commends the University of Connecticut Huskies for their historic win in the 2010 National Collegiate Athletic Association Division I Women's Basketball Tournament;

(2) recognizes the achievements of the players, coaches, students, and support staff who were instrumental in the Huskies' victory; and

(3) directs the Clerk of the House of Representatives to transmit a copy of this resolution to University of Connecticut President Michael Hogan and head coach Geno Auriemma for appropriate display.

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

The Chair now recognizes the gentleman from the Northern Mariana Islands.

GENERAL LEAVE

Mr. SABLAN. Mr. Speaker, I request 5 legislative days during which Members can revise and insert extraneous material on House Resolution 1239 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

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

Mr. Speaker, I rise to congratulate the University of Connecticut's women's basketball team for winning the 2010 NCAA Division I Women's Basketball Championship.

At the final buzzer in this year's championship game, the UConn Huskies roared to their second straight championship win and a history-making 78th straight win of the season. With their 53–47 victory that Tuesday night at the Alamodome, the UConn Huskies and the Stanford Cardinals both played with exceptional talent and dedication. In the end, UConn seized their seventh NCAA Women's Basketball Championship. The Huskies became the first women's basketball team to have back-to-back undefeated national championship seasons. With their 78 straight wins, UConn also broke the NCAA women's basketball record for number of consecutive wins.

The Huskies women's basketball season marked Coach Geno Auriemma's 25th season at UConn, and his seventh NCAA Women's Basketball Championship victory. Auriemma has led UConn to the Final Four a total of 11 times during his time with the team, and this game was his 735th career win as a coach. In fact, he has the highest winning percentage among the Division I active coaches. Auriemma has also guided UConn to five Big East regular season titles and 14 Big East Tournament titles.

The sensational junior forward Maya Moore was named the Final Four's Most Outstanding Player, scoring 23 points during the championship game. She scored 11 of her team's 17 points during the second half, leading UConn's comeback from the first half and giving the Huskies their solid lead. She has been a leader and a remarkable asset to the Huskies all season.

Senior center Tina Charles also proved to be an invaluable player. She was chosen as the Naismith Award winner and Associated Press player of the year. She was later drafted number one overall in the 2010 WNBA draft and recently signed with the Connecticut Sun.

I also congratulate the Huskies on their excellence both on and off the court. The Huskies women's team boasts a flawless 100 percent graduation rate in 2009 amongst all 4-year players. The alumni, faculty, and staff at the University of Connecticut have much to be proud of.

Once again, I congratulate the UConn Huskies winning the national championship, and I thank Mr. COURTNEY for bringing this bill forward.

I reserve the balance of my time.

□ 1415

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

Mr. Speaker, I rise today in support of House Resolution 1239, commending the University of Connecticut Huskies for their historic win in the 2010 National Collegiate Athletic Association Division I Women's Basketball Tournament.

On April 6, 2010, the University of Connecticut Huskies defeated the Stanford University Cardinals 53–47 in the NCAA Division I women's basketball national championship in San Antonio, Texas, capturing the Huskies' seventh national title. As a Stanford graduate, I was disappointed, but the undefeated Huskies overpowered each of their regular season opponents as well by more than 10 points, certainly a very worthy opponent.

In large part, the Huskies' success was due to senior center Tina Charles and junior forward Maya Moore. Tina Charles was chosen as the Naismith Award winner, Wooden Award winner, United States Basketball Writers Association player of the year and Associated Press player of the year. Moore was chosen as the State Farm Wade Trophy player of the year and as the Women's Final Four Most Valuable Player. While these two women were recognized for their outstanding play, the entire team deserves our praise and for the unparalleled success of the team as NCAA Division I national champs.

However, this program would not be what it has turned out to be today without the outstanding efforts of the head coach Geno Auriemma. During his illustrious tenure, the coach has transformed a program from only one winning season to a team with a record that includes seven national championships, four undefeated seasons and a record 78 consecutive wins. Not bad.

While athletic success is what brings us here today, the University of Connecticut is also known for its excellent academics. The University of Connecticut is the State's flagship institution of higher learning and was founded in 1881 as the Storrs Agricultural School and became the University of Connecticut in 1939.

In fact, the university has more than 70 focused research centers where faculty, graduates students and undergraduate students conduct research on everything from improving human health to enhancing public education and protecting the country's natural resources.

I extend my congratulations to the university, the president of the University of Connecticut, Head Coach Geno Auriemma and his staff, and the hard-working players and the fans.

With that, I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I am pleased to yield as much time as he may consume to the distinguished gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, Vince Lombardi, the legendary NFL coach once said, ''Perfection is not attainable, but if we chase perfection we can catch excellence.''

That beautiful statement, I think, really describes to a ''T'' the UConn women's basketball team, which today stands as a history-making organization with 78 straight wins. They are now only 9 wins short of catching the record by the UCLA men's basketball team led by Coach Wooden back in the 1960s. And there are a lot of us in Connecticut, and I am proud to represent the district where the University of Connecticut is located, who are confident that we are actually going to see that milestone fall sometime during next year's basketball season because of the amazing talent that has been assembled at the University of Connecticut campus, but also the system that Coach Auriemma has put together over the last number of years.

Again, I want to thank the other Members who have gone through chapter and verse, in terms of the incredible season, which the UConn women accomplished. Again, it's a team that last year won the national title. There was tremendous pressure every single game to see whether or not their winning streak would actually come to an end. Every team that played them was as pumped up and psyched as any game on their schedule because they saw it as an opportunity to make history, and the pressure on the UConn women Huskies was extraordinary, as was the national media focus as the program, again, advanced its amazing record from one game to another. Again, it was something that these young men and women had to demonstrate that they were capable of overcoming.

As the proponent said earlier, the thing that we are so proud about is that Coach Auriemma has maintained a program where academic excellence, the true ideal of student athletes, is something that has never been forgotten. The graduation rate has been perfect since he has been there. It's, again, a great role model for not just young girls in the U.S. but also young boys in

terms of really the goal of a student athlete path towards success in life.

Mr. Speaker, last year when the UConn women won the national title, they had the exciting honor to go visit the White House for an event at the Rose Garden. President Obama, who was obviously, as we all know, a big basketball fan, welcomed them to the White House. And as the father of two young girls, he spent a lot of time with them, getting a chance to become acquainted and then, actually, challenged them to a game of H-O-R-S-E in the outdoor basketball court which exists at the White House.

Much to the astonishment of people in Connecticut, and also to the women's basketball team, President Obama actually won the game of H-O-R-S-E. And at a reception that we had a short time afterwards, the women were very upset with themselves, but also pointed out correctly that they were playing in high heels and dresses while the President had flat shoes and certainly, I think, had some advantage in terms of that impromptu pickup game which took place last year.

At the Christmas party this year, which I am sure maybe you and others in the Chamber had an opportunity to attend, I reminded the President that the women at UConn were still pretty upset about the fact that they lost that game of H-O-R-S-E at the White House. Mrs. Obama, who is ever gracious, leaned over and said, well, we will invite them back to come back and play again. And I told both the President and the First Lady, don't worry, UConn women are coming back with an invitation, because they are going to win the national title in the 2010 season.

So they have lived up to my prediction, which was made at the Christmas gathering at the White House last year. In a short time, I am sure there will be another Rose Garden celebration of their extraordinary success. I would bet my house and car that they are this year going to win the game of H-O-R-S-E, which they are spoiling for a rematch at the White House with the President.

Again, it's something that the people of the State of Connecticut are so proud of there was a huge celebration last Saturday in Hartford. There were over 25,000 people lining the streets of Hartford to cheer on this amazing group of young women and the amazing program which Coach Auriemma has guided. He will now be the U.S. coach for the national team, women's team, and he will be the coach for the next U.S. Olympic team, which he certainly deserves given the amazing record which, again, the prior speakers have described in chapter and verse.

Again, Coach Lombardi once said, ''Perfection is not attainable, but if we chase perfection we can catch excellence.'' This young group of women, I think, have shown that they have certainly achieved excellence and they have just about shown perfection with what they have achieved this year, and I hope that this Chamber will affirm that great accomplishment by unanimous support for this resolution. I thank, again, the Speaker and the proponent for giving me the opportunity to speak on behalf of this resolution.

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

Mr. SABLAN. Mr. Speaker, again, I ask all my colleagues to support House Resolution 1239, as amended.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 1239, as amended.

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

A motion to reconsider was laid on the table.

## FITNESS INTEGRATED WITH TEACHING KIDS ACT

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1585) to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1585

*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 ''Fitness Integrated with Teaching Kids Act'' or the ''FIT Kids Act''.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Childhood obesity has reached epidemic proportions in the United States.

(2) Researchers estimate that medical costs of the obesity epidemic may total as much as $147,000,000,000 annually.

(3) The prevalence of overweight in children between the ages of 6 and 11 years increased from 4.0 percent between 1971 to 1974 to 17.5 percent between 2001to 2004, and the prevalence of overweight in adolescents between the ages of 12 and 19 years increased from 6.1 percent to 17.0 percent.

(4) Recent studies indicating that 17 percent of 6 to 11 year-olds and 17.6 percent of 12 to 19 year-olds are considered obese. Furthermore, 33 percent of 6 to11 year olds and 34 percent of 12 to 19 year olds are overweight; these rates have roughly doubled since 1980.

(5) Of all United States deaths from major chronic disease, 23 percent are linked to sedentary lifestyles that now begin at childhood.

(6) Overweight adolescents have a 70 to 80 percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death.

(7) A decline in physical activity has contributed to the unprecedented epidemic of childhood obesity.

(8) The Physical Activity Guidelines for Americans published by the Secretary of Health and Human Services recommend that children engage in 60 minutes or more of physical activity each day.

(9) In a 2005 Government Accountability Office report on key strategies to include in programs designed to target childhood obesity, ''increasing physical activity'' was identified as the most important component in any such program.

(10) Part of the decline in physical activity has been in our Nation's schools, where physical education programs have been cut back in the past 2 decades.

(11) The national standard for physical education frequency, as outlined in the Physical Activity Guidelines for Americans, is 150 minutes per week in elementary school and 225 minutes per week in middle school and high school.

(12) Only 3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education or its equivalent for the entire school year, and 22 percent of schools do not require students to take any physical education at all.

(13) Among children ages 9 to 13, 61.5 percent do not participate in any organized physical activity during out-of-school hours.

(14) Regular physical activity is associated with a healthier, longer life and a lower risk of cardiovascular disease, high blood pressure, diabetes, obesity, and some cancers.

(15) Research suggests a strong correlation between children's fitness and their academic performance as measured by grades in core subjects and standardized test scores.

(16) Approximately 81 percent of adults believe daily physical education should be mandatory in schools.

**SEC. 3. INCREASING AWARENESS OF PHYSICAL ACTIVITY OPPORTUNITIES AT SCHOOL.**

(a) LOCAL EDUCATIONAL AGENCIES.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, each local educational agency located in a State receiving funds under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) shall—

(1) post on its Internet website, or otherwise make available to parents and families of students served by the agency, information on healthful eating habits, physical education, and physical activity, including information on—

(A) the importance of a healthy lifestyle (including healthful eating habits, physical education, and physical activity) for an effective learning environment;

(B) how schools served by the agency are promoting healthy lifestyles, including information on applicable elementary school and secondary school programs and policies regarding nutrition, physical education, and physical activity (including coordinated school health plans or local wellness policies, as applicable);

(C) whether the schools served by the agency follow an age-appropriate physical education curriculum for all elementary school and secondary school students enrolled in the schools that adheres to national guidelines adopted by the Centers for Disease Control and Prevention of the Department of Health and Human Services or the State in which the school is located;

(D) the most recent national recommendations for physical education and physical activity for elementary school and secondary school students, as established by the Centers for Disease Control and Prevention of the Department of Health and Human Services; and

(E) a description of the amount of time that students in kindergarten through grade 12 served by the agency are required to spend in physical education, disaggregated by

grade level, including information on criteria for granting students a waiver or exemption, or allowing a substitution for the requirement; and

(2) assist each school served by the agency in collecting and disseminating (such as through the Internet website of the school) to parents and families of students enrolled in the school, information on—

(A) whether the school follows an age-appropriate physical education curriculum for all students enrolled in the school that adheres to national guidelines adopted by the Centers for Disease Control and Prevention of Health and Human Services or the State in which the school is located;

(B) the most recent national recommendations for physical education and physical activity for elementary school and secondary school students, as established by the Centers for Disease Control and Prevention of the Department of Health and Human Services;

(C) the requirements described in paragraph (1)(E);

(D) a description of the facilities available for physical education and physical activity for students enrolled in the school; and

(E) if applicable, any health and wellness council (such as a school health council or local wellness policy council) located in the school or that the school is involved with, including information on—

(i) members;

(ii) membership criteria;

(iii) opportunities for parental involvement; and

(iv) meeting dates and agendas.

(b) STATE EDUCATIONAL AGENCIES.—

(1) SUBMISSION; INFORMATION AVAILABILITY.—Not later than 15 days after a local educational agency described in subsection (a) posts on its Internet website the information described in subsection (a)(1)(E), and annually thereafter, the local educational agency shall provide to the applicable State educational agency the information described in such subsection.

(2) ADDITIONAL DUTIES OF THE STATE EDUCATIONAL AGENCY.—A State educational agency that receives information under paragraph (1) shall ensure that the information is made available to the general public within a reasonable period of time, such as through the Internet website of the State educational agency.

**SEC. 4. STUDIES ON PHYSICAL ACTIVITY AND FITNESS.**

(a) NATIONAL RESEARCH COUNCIL STUDY.—Subject to the availability of funds appropriated to carry out this subsection, the Secretary of Education shall enter into a contract with the National Research Council of the National Academy of Sciences to—

(1) examine and make recommendations regarding—

(A) various means that may be employed to incorporate physical activity into elementary school and secondary school settings, and before- and after-school programs;

(B) innovative and effective ways to increase physical activity for all students in kindergarten through grade 12; and

(C) efforts to encourage the participation of students with disabilities in physical education programs and the types of accommodations used to increase the participation of such students;

(2) study the impact of health, level of physical activity, and amount of physical education on students' ability to learn and maximize performance in school; and

(3) study and provide specific recommendations for effectively measuring the progress students, at the elementary school and secondary school level, in increasing physical activity and improving their health and well-being, including improving their—

(A) knowledge, awareness, and behavior, related to nutrition and physical activity;

(B) cognitive development, and fitness, with physical education;

(C) knowledge of lifetime physical activity and health promotion; and

(D) performance on overall health indicators, including flexibility, endurance, strength, balance, and blood pressure.

(b) NATIONAL FITNESS STUDY.—Subject to the availability of funds to carry out this subsection, the Secretary of Education shall conduct a study on the participation of students in physical education and other physical activities in public elementary schools and public secondary schools that—

(1) examines student participation in exercise (including sports and active games), including the types, frequency, duration, and seasonality of exercise participation, through—

(A) school physical education classes;

(B) other school programs; and

(C) intramural activities; and

(2) assesses student physical activity and fitness levels.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for fiscal year 2011.

**SEC. 5. DISSEMINATION OF BEST PRACTICES.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Education shall identify and make available to State educational agencies and local educational agencies, best practices on innovative physical education and physical activity policies and programs at the State and local level, including best practices that—

(1) identify and address common challenges to States and local educational agencies in implementing physical education and physical activity policies and programs, including barriers for meeting national recommendations for physical education and physical activity in schools, as established by the Centers for Disease Control and Prevention of the Department of Health and Human Services; and

(2) meet or are working toward meeting the national recommendations for physical education and physical activity in schools, as established by the Centers for Disease Control and Prevention of the Department of Health and Human Services.

(b) UPDATING BEST PRACTICES.—The Secretary shall update the best practices described in subsection (a) after completion of the study carried out under section 4(a).

**SEC. 6. PROMOTING THE HEALTHIERUS SCHOOL CHALLENGE.**

The Secretary of Education, in collaboration with the Secretary of Agriculture, shall encourage schools to participate in the HealthierUS School Challenge of the Food and Nutrition Service of the Department of Agriculture.

**SEC. 7. DEFINITIONS.**

Except as otherwise provided, any term used in this Act that is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) shall have the meaning given the term in such section.

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

The Chair recognizes the gentleman from the Northern Mariana Islands.

GENERAL LEAVE

Mr. SABLAN. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 1585 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 1585, which brings much-needed attention to the role of physical attention and activity in our Nation's schools and the importance of healthy living and active lifestyles.

This legislation comes at a critical time. Obesity among our Nation's children has not only reached epidemic proportions, it has become a public health crisis. The danger of childhood obesity is far greater than any other health-related emergency we have seen in the past decade. The percentage of children that are overweight in America has tripled over the last 30 years. Nearly 25 million children and teens are considered overweight or obese, a number that keeps on rising.

The First Lady has recognized the need to address this epidemic and has created the ''Let's Move'' initiative. Her initiative has four key pillars to achieve the goal of ending childhood obesity: Getting parents more involved and informed about nutrition and exercise; making healthy foods more accessible and affordable; increasing attention to physical activity; and lastly, improving the quality of food in the school meal programs.

This legislation touches on many of those goals, making available important information to parents and communities regarding the type of physical education being provided to students, encouraging increased physical education and activity and promoting the Healthier U.S. School Challenge, which recognizes schools that are creating healthier school environments through their promotion of good nutrition and physical activity. The legislation will also make available best practices for innovative and successful physical education programs and policies at the State and local level.

Finally, the bill calls for a National Research Council study to figure out the best way to incorporate physical activity into the school day and study the relationship between physical activity and cognitive development and academic achievement. This study will build on recent research that has shown that children's health has a statistically significant impact on their academic achievement and a decline in physical education may contribute to a decline in school performance.

I am glad to join the First Lady in encouraging awareness of the importance of physical education in our schools. By investing in our children and their future, we will be investing in our country's future health and prosperity.

Mr. Speaker, I would like to thank Representative KIND and Representative WAMP for bringing this bill forward and urge my colleagues to support it.

I reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, at this time I yield such time as he may consume to a sponsor of this bill, Mr. WAMP of Tennessee.

Mr. WAMP. I thank the gentlewoman and the chairman for the time, and I will commend Representative KIND, Representative INSLEE, and many others for bringing this legislation to the floor.

But this is just a start of what we need to do in this country. Mr. Speaker, we have 13-year-olds all over this country on high blood-pressure medication. We have a type 2 diabetes and chronic obesity problem in America.

We do have a lot of Federal involvement in education. Now we can debate how much of that we should have and, frankly, as someone who seeks to be the 49th Governor of Tennessee, I don't want any more. I want local control and State control, but we do have, through the Primary and Secondary Education Act and now No Child Left Behind, a lot of Federal involvement.

What we really wanted was in the multiple measures category, physical education to be counted as other requirements are, because Thomas Jefferson said 200 years ago a child who is not physically well struggles with learning.

□ 1430

We now know that is true and more true today than it was then because of these afflictions, because of poor nutrition. We know in my home State, with research from Dr. Mark Houston, that healthy doses of fresh fruits and vegetables can lower the cancer rate in your State by 40 percent. Nutrition is incredibly important.

Physical activity is how children perform better. All the research shows if a child gets a good healthy dose of cardiovascular exercise, their brain functions much better, they test much better, they sleep better, their quality of life increases. Children who are physically well do much better. We have got to recognize that.

Now, No Child Left Behind has squeezed out a couple of things from public education: one is PE, the other is arts education. That is really unfortunate because arts education is a left brain thing that broadens a child's dimension of education and learning, and physical activity is essential to a child learning and growing and becoming productive, let alone the consequences of type 2 diabetes and obesity and hypertension among young people, which can be a life sentence. So this is a matter of life or death.

So if we are going to have Federal involvement in education decisions, we better have PE as part of the mix. We better have the best research for the States, which is what this bill gets to, on how to incorporate physical education into the curriculum and the daily regimen of children in school.

Now, moms and dads need to know this early, but every fourth grader in America needs to know this is not about how big God made you. Some of us have big bones, small bones, wide, thin, tall, short, dark, light; this is about knowing that there is a dial in your life that must be adjusted if you want to live a high quality of life and you want to be physically well. The dial means you've got to get a certain amount of exercise.

PE has been squeezed out of our schools; it needs to be welcomed back in with open arms. We need healthier children. This is a chronic problem. We tried to get President Bush to make this a centerpiece issue. We weren't able, even though he was very physically active and a great model for the country. We need to do all that we can. This is a minor first step.

We took out all the mandates of this bill so that people couldn't complain about that, but let us at least come together and say accurate information, helping schools and States better understand what works, what doesn't work, what is the most effective way to incorporate physical education in education. Mind, body, and spirit is a holistic way to live a high quality of life. Out of this body we know this; we have the information. Share it with parents, teachers, directors of schools and, most importantly, the next generation. We will be a better country for it.

I urge passage of this bill and I thank the authors.

Mr. SABLAN. Mr. Speaker, I am pleased to recognize the gentleman from Washington (Mr. INSLEE) for 1 minute.

Mr. INSLEE. I commend this bill. This is a bipartisan bill to attempt to prevent a bipartisan epidemic of diabetes from swallowing the next generation. And as Mr. WAMP, who has done a great job, and Mr. KIND, who has done a great job on this bill, know, we have had No Child Left Behind. And as a PE teacher who helped develop this bill said, now we need a ''leave no child on their behind'' bill. This will help our parents work with their children to make sure that that is the case.

I am particularly appreciative of what a little physical activity can do for students in their academic pursuits. We are not talking about necessarily growing Olympic champions here. We're trying to get kids who are active to help their academic performance. My dad is an old PE teacher. I have seen up front and personal the benefit of getting kids active. And this is a very reasonable means to make sure parents have information of how active their children are because we intend, in a bipartisan way, to stop a bipartisan diabetes epidemic. This is a great bill; let's pass it.

Mrs. BIGGERT. At this time, I would like to yield 2 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Two hundred years ago, James Madison, on the House floor, gave the following speech, and he said: ''If Congress can employ money indefinitely to the general welfare and are the soul and supreme judges of the general welfare, they may appoint teachers in every State, county and parish, they may take into their own hands the education of children, establishing in like manner schools throughout the Nation.''

What Madison said sarcastically 200 years ago is actually before us in bill form today. Madison concluded by saying: ''Were the power of Congress to be established in the latitude contended for, it would subvert the foundations and transmute the very nature of limited government established by the people of America.''

Now, are the sponsors of this bill sincere? Yes. Are the goals of this program good? Yes. Would this program be beneficial for kids? Yes. Should the Federal Government take the initiative to introduce it? No. If we view the different responsibility levels of government, someone has to stand up and say, stop, we are not a school board.

There is also a practical reality of this legislation. The most common response to top-down mandates of teachers who have to implement it is, this too shall pass, which simply means the potential grants in the future may be good, but a buy-in has to come at a local level, which means the advocates of this program should be taking their initiative to every local district where they can get that buy-in from those who have to implement it. It will take a lot more time and work, but it is much more effective in the long run because the reporting requirements that will be mandated on every district in this Nation by this bill will produce more resentment than reform.

This bill is well-intentioned, it has all sorts of good motives; but because of that, it is too important to allow it to remain at the Federal level. It must be done in the districts where it will actually have some impact.

Mr. SABLAN. Mr. Speaker, I am pleased to recognize the gentleman from Wisconsin (Mr. KIND) for 4 minutes.

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

Mr. KIND. I thank my friend for yielding me time.

In response to my good friend from Utah, I know his belief is sincere, but just to be clear with this legislation before us, we are not mandating that schools and school districts have to offer physical education, merely informing parents and the community what physical activity and what physical education courses are being provided today. And we are very careful in that.

But there is a very simple concept behind the FIT Kids legislation before us today, and that is this: studies have shown that it is hard to develop a

healthy mind without a healthy body. And as my good friend from Tennessee (Mr. WAMP) has been fond of saying, one of the best antidepressants ever invented in the entire world is just good old-fashioned sweat. That is what we are up against with the childhood obesity epidemic that is ravaging our country and our youth today, the onset of early childhood type 2 juvenile diabetes, cardiovascular disease.

Close to 75 percent of kids today are on the verge of being overweight. We know that 80 percent of them will be overweight in adult life if something isn't done to preempt that at a much sooner level. That is what's behind the movement towards the FIT Kids legislation. It is an attempt to try to emphasize physical activity and physical education courses back in our schools today.

Why is this important? Again, part of the reason, as Mr. WAMP pointed out, is that with the advent of No Child Left Behind, various courses that were offered in the past are being squeezed. Arts is being dropped, and physical education, especially, is one of those courses that is viewed more and more as a discretionary item rather than something that is necessary to enhance our own child's performance in the classroom. We know that when kids are more physically active, they tend to perform better in schools, test scores go up, there is less disciplinary programs, graduation rates go up, and their overall health improves—all worthy goals that we need to be encouraging and supporting more of throughout the Nation.

But today, only 4 percent of elementary schools, 8 percent of middle schools, 2 percent of high schools even provide daily physical education in their schools. Twenty-two percent of schools don't require students to take physical education at all, and that number is growing. Sixty-two percent of children don't receive any physical activity outside of school hours, and schools are providing less and fewer physical activity opportunities.

What FIT Kids will do is work to ensure that kids are active during the school day and are taught from an early age the benefits of living an active and healthy lifestyle. The bill will have schools make information available to parents and communities about the type of physical education being provided to students for each grade in relation to the recommended amounts established by the CDC, as well as information on the importance of living healthy and active lifestyles.

It will enact a National Resources Council study through the National Academy of Sciences to figure out the best way to incorporate physical activity in the school day and study the relationship between physical activity and cognitive development and academic achievement where there is a dearth of research being provided today. And it will make available best practices for innovative and successful physical education programs and policies at the State and local levels so schools and school districts are not being asked to recreate the wheel trying to figure out what works and what doesn't. There are many model programs that already exist that we can help share through the modeling of best practices and get that information out to empower more schools and therefore more families.

Ultimately, and I would agree with my friend from Utah, it really does come down to personal responsibility, for us to take more personal control over our own healthy lifestyle decisions. We all know what we all need to be doing a better job of—eating healthier, exercising more, not smoking, and especially for us parents, to work much closer and earlier with our children at the earliest possible age to help them develop the good lifestyle decisions that will continue throughout their life. And that will mean, from time to time, unplugging them from the technology that so many of our kids are addicted to. I have two little boys at home myself.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. SABLAN. Mr. Speaker, I yield to the gentleman 1 additional minute.

Mr. KIND. I know the power that technology holds over our kids today from XBoxes and TiVos and cell phones and BlackBerrys and all, but it is also leading to a more sedentary lifestyle, increasing the childhood obesity epidemic. It is up to us parents working in the home, providing a good model of care and working with our kids to establish these good practices.

Again, I want to thank my colleagues, Mr. WAMP and Mr. INSLEE, for being original sponsors of the legislation, the gentlelady from Illinois (Mrs. BIGGERT), who is also a cosponsor of this bill. I want to thank Chairman MILLER and the members of the Education and Labor Committee for the hearings and the attention brought to it. I also want to thank the over 50 organizations that have endorsed this legislation, such as the American Heart Association, the NFL Players Association with their Play 60 campaign, the National Association of Sport and Physical Education, the American Diabetes Association, the Sporting Goods Manufacturers Association; the first lady, Michele Obama, along with the President, that has elevated the cause of children's health to new levels and new attention in this country; my own staff person, Shannon Glynn, who has worked tirelessly on this bill; and not least, Richard Simmons, who has been a tireless advocate promoting FIT Kids throughout the Nation, testifying here in Congress, appearing before press conferences, on Jay Leno, on David Letterman, and visiting hundreds and hundreds of schools every year for his life mission of promoting healthy living habits for not just adults, but especially the children in our lives. I thank Richard Simmons for his leadership and his tireless advocacy on FIT Kids.

I ask my colleagues to support it. It's the right thing to do, it's the right step, more needs to be done. This is a good place to start.

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

Mr. Speaker, I rise today in support of H.R. 1585, the Fitness Integrated with Teaching Kids Act, or the FIT Kids Act. I want to thank my good friends, Congressman RON KIND of Wisconsin and Congressman ZACH WAMP of Tennessee, for sponsoring this piece of legislation and for their tireless work to reduce childhood obesity.

Childhood obesity is an issue that has now reached epidemic proportions in the United States. In 2008, 17 percent of children between the ages of 2 and 19 were obese and approximately 70 to 80 percent of overweight or obese children remain obese in adulthood. Unfortunately, these obese children are more likely to develop diseases such as high blood pressure and type 2 diabetes.

As we all know, both diet and exercise are important to the maintenance of a healthy weight. Unfortunately, most of today's children live sedentary lifestyles; in fact, less than one-third of high school students currently meet recommended levels of physical activity. The FIT Kids Act requires States and localities to provide information to parents and families on the importance of a healthy lifestyle, including eating habits, physical education, and physical activity. It does not require physical education in schools.

School districts would also collect information on how schools are promoting good nutrition and physical activity, whether the school has an age-appropriate physical education curriculum, the amount of time that students spend in physical education, a description of the facilities available for PE, and information on any local health and wellness councils. And, finally, the bill would authorize the National Research Council and the Department of Education to conduct two important studies on physical activity.

As a cosponsor of H.R. 1585, I believe that physical education will play an important role in attacking the childhood obesity crisis that is negatively impacting our young people. And we will also learn, as we are learning more about the brain, how PE in school really helps to develop that brain.

□ 1445

When I was in the Illinois General Assembly, I worked really hard to ensure that the schools in the State of Illinois had access to daily physical education. I am proud to say that Illinois still has a mandatory PE requirement for all elementary and secondary students in school, and it really is the only State that has mandatory PE.

I have also had the privilege of working with the local Naperville, Illinois, chapter of the nonprofit organization PE4life, whose mission it is to inspire

active, healthy living by advancing the development of daily health- and wellness-based physical education programs for all children, not just for those who are athletically inclined.

Now, I went over there, and I rode a bicycle, racing against these kids—the kind of bicycles where you see this road before you, and you've got to stay on it, and these kids are whipping along, and I'm falling off the edge of the road; but this is the kind of thing that's fun for kids to do in order to learn a healthy lifestyle.

The other thing that something like PE4life does is it tracks their fitness from the time they get on those bicycles in September to the time they get off a lot of these machines in order to see how they have become personally more fit, and it inspires them to care about their nutrition and everything. So it is my hope that other States will follow Illinois' lead by making physical education a priority in all of their schools.

So, once again, I want to highlight the excellent work of Congressman KIND and Congressman WAMP on this important piece of legislation, and I hope that we will begin the work of dramatically reducing childhood obesity.

I urge all of my colleagues to support H.R. 1585, the FIT Kids Act, and I yield back the balance of my time.

Mr. SABLAN. Mr. Speaker, again, I am very happy to join the First Lady in encouraging awareness of the importance of physical education in our schools. I ask all of our colleagues to join us in supporting H.R. 1585, as amended.

Mr. CONYERS. Mr. Speaker, today I rise in support of H.R. 1585, the "Fitness Integrated with Teaching Kids Act." This legislation will help combat the obesity epidemic facing our youth by promoting physical education for students by providing grants to schools, requiring State and local officials to report the progress on these initiatives, and improving teacher training.

Let me be frank, we are facing a childhood obesity epidemic in our country. Recently, the Centers for Disease Control found that obesity rate for children ages 12 to 19 is 17.6 percent and we can not allow this to continue. Today's legislation is a first step in correcting this disturbing trend by acknowledging that the whole community must actively participate in promoting healthy lifestyles for children. First, it requires all schools, districts and States to report on quantity and quality of physical education. In addition, grants are provided to support school counseling and community learning centers in order to boost children's nutritional and physical education. It also revises the professional development program for teachers and principals to include training for physical and health education.

Mr. Speaker, just a few weeks ago, this Congress passed historic health care reform legislation. The new law will change the lives of millions of Americans who could not get access to health care. While I believe this was a necessary law, we must also provide our children with the resources to live long and healthy lives. I urge my colleagues to support the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and pass the bill, H.R. 1585, as amended.

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

The title was amended so as to read: "A bill to increase awareness of physical activity opportunities at school, and for other purposes.".

A motion to reconsider was laid on the table.

## MATHEMATICS AWARENESS MONTH

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1270) expressing support for Mathematics Awareness Month.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1270

Whereas current educational and economic trends indicate that the demand for employees with a high-quality mathematics education could exceed the supply of individuals with such an education;

Whereas students who pursue a postsecondary education in mathematics have a broad range of career choices upon graduation;

Whereas Mathematics Awareness Month began in 1986 as Mathematics Awareness Week;

Whereas April 2010, is recognized as Mathematics Awareness Month;

Whereas the theme for Mathematics Awareness Month 2010, "Mathematics and Sports", highlights uses for an education in mathematics across a broad range of subjects and helps to show students the role of mathematics in their everyday lives and interests;

Whereas mathematics is found in sports in the forms of measurement, time, computation, fractions, statistics, and probability; and

Whereas Mathematics Awareness Month encourages colleges, universities, and other organizations to hold events that draw and retain students to the field of mathematics: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the goals and ideals of Mathematics Awareness Month;

(2) encourages colleges, universities, and other organizations to hold events to honor Mathematics Awareness Month; and

(3) supports increased public awareness and appreciation for the importance of mathematics at all levels of the educational system in the United States.

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

The Chair recognizes the gentleman from the Northern Mariana Islands.

GENERAL LEAVE

Mr. SABLAN. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on House Resolution 1270 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 1270, which recognizes the important role of mathematics in our schools and in our country.

Family members, as children's first teachers, are crucial to student success. The more adults become engaged in their children's education, the greater the chances that children will succeed. Parents teach children academic fundamentals by reading to them and by counting with them.

Mathematics Awareness Month provides a venue for students from kindergarten through high school and their families to celebrate and learn math. Institutes of higher education and professional organizations organize community events that highlight math problem-solving and how math is used in a variety of careers.

To succeed in tomorrow's world, students must understand algebra, geometry, statistics, and probability. Business and industry demand workers who can solve real-world problems, who can explain their thinking to others, who can identify and analyze trends from data, and who can use modern technology.

Our Nation's economic competitiveness depends upon rich math knowledge that can fuel industry by our citizenry. Tackling prominent social and health challenges will require professionals skilled in mathematics.

Mathematics Awareness Month began in 1986 as Mathematics Awareness Week, and it became a monthlong celebration in 1999. Math has been commemorated this way every April for almost 25 years.

The theme of this year's Mathematics Awareness Month is "Sports." All over the country, students and their families can attend community events to learn about math in baseball, basketball, football, golf, soccer, track and field, tennis, and, actually, car racing. Additionally, the Mathematics Awareness Month Web site provides videos and links to other resources.

Mathematics Awareness Month also provides an opportunity for us all to recognize the dedication of our Nation's math educators and to purposefully look for ways to increase mathematical excellence for all of our children.

I commend the colleges, universities, and organizations which hold events to draw and retain students into the field of mathematics.

Mr. Speaker, once again, I express my support for Mathematics Awareness Month, and I hope this resolution

serves to inspire our Nation's citizenry to seek out events near them.

I want to thank Representative MCMORRIS RODGERS for bringing this resolution to the floor, and I urge my colleagues to pass this resolution.

I reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Washington, CATHY MCMORRIS RODGERS, the sponsor of this bill.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in strong support of H. Res. 1270, a resolution expressing support for Mathematics Awareness Month.

Over the last several decades, there has been a growing concern with the low number of students who are graduating with a degree in mathematics. A 2002 report issued by the National Science Foundation found that the number of math degrees represented 1 percent of all bachelor's degrees in 1998, which was down from 1½ percent in 1985. Our concern is that the demand for those with mathematics degrees has and will continue to significantly exceed the available number of individuals qualified to meet our Nation's employment needs in the areas requiring math backgrounds.

Mathematics Awareness Month is intended to raise public awareness and the appreciation for mathematics. First recognized as Mathematics Awareness Week by President Ronald Reagan in 1986, the need for increased outreach was recognized. In 1999, Mathematics Awareness Month was established, and it has been recognized every year since by the Federal Government and by interested stakeholders to increase visibility and to highlight math's relevancy and importance to our economic future.

This month, Mathematics Awareness Month will focus on the relationship between math and sports, emphasizing the role that math plays in sports, such as time and measurement and statistics and probability.

I think what's interesting is that a 2005 GAO report found that teacher effectiveness between grades kindergarten and 12th was critical to a student's ongoing interest in mathematics. As we move forward with the reauthorization of the Elementary and Secondary Education Act, we should be cognizant of what is resonating with students and what is not, particularly in the areas of mathematics, science, engineering, and technology. Mathematics Awareness Month is one example of how we can help teachers make that important practical connection with students in needed areas of study.

I urge my colleagues to support this resolution.

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

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

Mr. Speaker, as a longtime advocate of science, technology, engineering, and mathematics—or STEM—education during my tenure here in Congress, I rise today in strong support of House Resolution 1270, expressing support for Mathematics Awareness Month.

In our increasingly global and technology-based economy, math education has become even more important to ensuring our Nation's continued economic competitiveness. Learning math is financially beneficial for both our Nation's economy and for our students.

In 2010, the top 10 highest paying college majors were all related to math, science, and engineering. Unfortunately, recent National Association of Educational Progress—NAEP—test scores has shown little or no progress among our fourth and eighth grade students since 2007. Despite the best efforts of many, this data demonstrate that much more must be done to improve mathematics education and to demonstrate its relevance to our Nation's students.

That is why the Joint Policy Board of Mathematics has chosen the 2010 theme ''Mathematics and Sports'' for this year's Mathematics Awareness Month. It will highlight the intersection of the sports world with the wide world of mathematics, a universal language which is used to investigate questions ranging from the trajectory of a baseball to the weight of a star.

Sports offer a variety of data, strategies, and probabilities which are each uniquely suited to mathematical analysis. Beyond its obvious use in evaluating baseball players and football quarterbacks, mathematics is necessary to design the dimple patterns on golf balls and the composition of racing tires. Today's baseball and basketball teams are even utilizing complex, new mathematical formulas to assemble the best teams at the lowest cost. This sports theme will provide students with countless opportunities to apply a range of math skills on real-life issues they encounter every day.

Mr. Speaker, I strongly support Mathematics Awareness Month, and I urge my colleagues to join me in encouraging all schools, colleges, universities, and other organizations to recognize the importance of mathematics in their own curricula.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H. Res. 1270 to express support for Mathematics Awareness Month. This year, Mathematics Awareness Month will take place in April with the theme of "Mathematics and Sports." Events and demonstrations will take place across the country and include a variety of workshops, exhibits, competitions, and lectures to both educate people and encourage the study of mathematics.

As our society becomes increasingly dependent on technology, professionals who have a deep understanding of math and science are going to be in high demand. For this reason it is imperative that we educate the coming generation to truly understand mathematics and how it can be applied to everyday life. Simply put, our economy is going to demand an understanding of mathematics, and it is imperative that we rise to the challenge and teach our young people the mathematics skills they need.

Mr. Speaker, throughout my years in Congress, I have been an avid supporter of mathematics, engineering, and other related fields. I fully believe that we have to hold mathematics education in higher regard as innovation is a direct byproduct of a deep understanding of this field. For this reason, Mathematics Awareness Month is incredibly important, and I encourage my fellow colleagues to join me today in supporting this resolution for both our students and the future of our country.

Mrs. BIGGERT. Seeing that I have no further requests for time, I yield back the balance of my time.

Mr. SABLAN. Mr. Speaker, I would like to urge my colleagues to support House Resolution 1270, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 1270.

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

The yeas and nays were ordered.

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

## RECOGNIZING THE IMPORTANCE OF VOLUNTEERISM

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1276) 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.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1276

Whereas April 21, 2010, marks the first anniversary of the signing of the Edward M. Kennedy Serve America Act;

Whereas the Edward M. Kennedy Serve America Act reauthorized the Corporation for National and Community Service and its programs through 2014, expanding opportunities for millions of people in the United States to serve the Nation;

Whereas the country is experiencing a wave of new innovation and collaboration to increase volunteerism; as social entrepreneurs try new approaches, technology increases access and expands service, and corporate volunteers provide pro bono skills to nonprofit organizations;

Whereas the Edward M. Kennedy Serve America Act increases volunteer opportunities for people in the United States of all ages, with a focus on disadvantaged youth, seniors, and veterans;

Whereas the Edward M. Kennedy Serve America Act promotes social innovation by

supporting and expanding proven programs and builds capacity of individuals, nonprofits, and communities to volunteer; and

Whereas the legislation leverages service to assist in meeting challenges in the areas of education, health, clean energy, veterans, and economic opportunity: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes that service is of significant value to the United States; and

(2) recognizes the first anniversary of the Edward M. Kennedy Serve America Act, and encourages every citizen of the United States to continue to answer the call to serve.

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

The Chair recognizes the gentleman from the Northern Mariana Islands.

GENERAL LEAVE

Mr. SABLAN. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on House Resolution 1276 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 1276, which recognizes the anniversary of the signing of the landmark service legislation, which is the Edward M. Kennedy Serve America Act, and the continued importance of volunteerism and national service to our country.

For many Americans, including my constituents in the Northern Mariana Islands, service is the most valuable way for them to contribute to their communities. The Serve America Act encourages all Americans—from at-risk youth in inner cities, to people in rural communities, to people in the middle of the Pacific Ocean, to seniors and veterans—to unite in service to their communities. This is the universal quality of service that Martin Luther King spoke about when he said, ''Everyone can be great because anyone can serve.''

The Serve America Act expands many of the current service programs, including AmeriCorps, which is on a path to increasing its volunteer force from 75,000 to 250,000 by 2014. These new initiatives will specifically focus on key areas that are the foundation of our Nation's growth and prosperity, such as education, health care, energy, and veterans.

□ 1500

Young adults who join AmeriCorps VISTA commit to serve full time for a year at a nonprofit organization or local government agency, working to fight illiteracy, improve health services, create businesses, and strengthen community groups. Programs like these are valuable teaching tools for students to apply real-world experiences to issues they may encounter in the classroom and to grow as individuals while giving back.

Most importantly, the act seeks to revitalize our Nation's commitment to, and engagement in, service, especially among our Nation's youth. I strongly believe that our people are our most important and best resource, and engaging them in service puts that resource to work for the good of the community as a whole. I have seen the benefits, in my home in the Northern Mariana Islands, to the recipient of service and the volunteer alike, and I know that it is a rewarding experience for both, one that strengthens the ties of our community.

This week also marks the 37th Annual National Volunteer Week. Established in 1974, National Volunteer Week celebrates the spirit of service that has been so important to bringing Americans together, especially in times of economic hardship. According to the Corporation for National and Community Service, 61.8 million Americans, or 26 percent of adults, took time to contribute some volunteer service in 2008. Those volunteers donated 8 billion hours, worth $162 billion.

Finally, I want to recognize the person for whom this Serve America Act is named, the late Senator Edward M. Kennedy. Senator Kennedy spent his life serving his country, never forgetting the words spoken by his brother President John F. Kennedy in 1961: ''Of those to whom much is given, much is required.'' I am proud that we can honor Senator Kennedy's memory by encouraging Americans to offer service to their fellow citizens.

Mr. Speaker, once again I express my support for this resolution commemorating the Edward M. Kennedy Serve America Act, and I urge my colleagues to join me in support of this resolution celebrating its 1 year anniversary.

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 today in support of House Resolution 1276, recognizing the continued importance of volunteerism and national service and commemorating the anniversary of the signing of this landmark service legislation, the Edward M. Kennedy Serve America Act.

Albert Einstein once said, ''A person starts to live when he can live outside himself.'' Regardless of one's age or background, education or interests, experience or abilities, every American should have the chance to serve because all have something to contribute to the greater good.

The Serve America Act increases opportunities for Americans of all ages to serve; supports innovation in the nonprofit sector; and ensures good management, cost-effectiveness, and accountability in organizations receiving tax dollars. The Serve America Act established a Summer of Service program to provide education awards for rising sixth through 12th graders, a Semester of Service program for high school students to engage in service learning, and Youth Empowerment Zones for secondary students and out-of-school youth. It authorizes Nonprofit Capacity Building grants to provide organizational development assistance to small and mid-size nonprofit organizations. In addition, it ensures that programs receiving assistance under national service laws are accountable by continuously evaluating them for effectiveness in achieving performance and cost goals.

Today we recognize the anniversary of the signing of this legislation and encourage Americans to continue to answer the call to serve. I support this resolution and urge my colleagues to do the same.

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

Mr. SABLAN. Mr. Speaker, again I express my support for this resolution, and I encourage all my colleagues to join me in their support.

Mr. CONYERS. Mr. Speaker, I rise in support of H. Res. 1276, which commemorates the anniversary of the Edward M. Kennedy Serve America Act and calls on the American people to consider volunteering in their communities. The Serve America Act, which was signed into law by President Obama on April 21, 2009, created additional service and volunteer opportunities for Americans by expanding and strengthening existing federal grants and programs that provide community service.

The Serve America Act provides 175,000 new service opportunities, which more than triples the number of nationwide volunteers involved in these programs. This legislation includes initiatives to increase energy conservation, improve the health status of economically disadvantaged individuals, and enhance economic opportunity for economically disadvantaged individuals. Additionally, the Serve America Act enhanced the existing learning programs of the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973, by providing year round opportunities to improve the education of children and youth. The volunteers involved in these programs should be applauded for working to address some of the grave problems that impact many of their fellow Americans.

My friend, Senator Edward M. Kennedy, came from a family with a long legacy of serving our country. Today, we take time to honor his memory, his outstanding commitment to the public service, and this final legislative triumph. I encourage my colleagues to support this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 1276.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

S. 1963, by the yeas and nays;

H. Res. 1104, by the yeas and nays;

H. Res. 1216, by the yeas and nays.

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

## CAREGIVERS AND VETERANS OMNIBUS HEALTH SERVICES ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, S. 1963, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, S. 1963, as amended.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 11, as follows:

[Roll No. 214]

YEAS—419

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown-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)
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, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (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
Honda
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
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
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 (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
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—11

Barrett (SC)
Brown, Corrine
Cohen
Conyers
Davis (AL)
Hoekstra
Johnson, E. B.
Lewis (GA)
Neal (MA)
Ruppersberger
Smith (TX)

□ 1543

Mr. DEFAZIO changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1104, 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. 1104.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 13, as follows:

[Roll No. 215]

YEAS—417

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown-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
Clyburn
Coble
Coffman (CO)
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, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez

Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (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
Honda
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
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
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
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
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 (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
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—13

Barrett (SC)
Brown, Corrine
Cleaver
Cohen
Conyers
Davis (AL)
Hoekstra
Johnson, E. B.
Lewis (GA)
McMahon
Neal (MA)
Ruppersberger
Smith (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes to vote.

□ 1552

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. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on rollcall Nos. 214 and 215, had I been present, I would have voted "yea."

## HONORING HOUSE CHAPLAIN DANIEL P. COUGHLIN

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

Ms. PELOSI. Mr. Speaker, my colleagues, earlier today in the House, a resolution was brought onto the floor honoring the 10 years that Father Coughlin has served us as the Chaplain of the House of Representatives.

We recognize that 10 years ago under the leadership of then-Speaker Dennis Hastert, he reached back to Illinois and named a parish priest, Father Coughlin, as the Chaplain of the House of Representatives. For those of us who are Roman Catholic, it was an honor because it was the first time a Catholic was the Chaplain of the House.

Five years after that, Father Coughlin took us to Rome for the funeral for Pope John Paul II, and in doing so, he was visiting Vatican City where he had participated in his priesthood. Before he came here, he was a parish priest. Before he came here, he had lived in a Trappist monastery in Kentucky and deepened his faith there. Before he came here, he had served the poor in Calcutta, India.

My own patron saint of the City of San Francisco, as I said earlier, he used to say, Preach the gospel; sometimes use words. That is what Father Coughlin did. He preached the gospel by ministering to the needs of the poor following the message of the gospel, and he also then served as a parish priest and came here to this House of Representatives.

In the meantime, last Sunday, as these two events converged—it's quite a coincidence—in Chicago, he was honored at a celebration of the 50th anniversary of his becoming a priest. The 50th anniversary. We all know Father Coughlin as a modest man, but in a moment of immodesty he told me earlier that 35 priests concelebrated the mass, the celebration of his ordination.

And there in the church to see was his mother, Lucille, 95 years old. Mr. LIPINSKI, the presenter of the resolution, was there as well, as well as Mr. SENSENBRENNER and his wife, Cheryl. And I'm almost jealous of them for having that opportunity to be at that church to see that celebration, because every single day here we see his holiness, his goodness. We see him lead us in prayer at the beginning of the day under the engraving "In God We Trust." When he is not presenting that inspiration to us, he has invited other faith leaders to present at the invitation of Members of Congress.

But his goodness shines through. His inspiration to us is endless. The debt of gratitude that we have to him and to Lucille for what he has brought to us is endless. His service here has indeed been a blessing to this House of Representatives, and I am so pleased that we are all going to unanimously support the resolution honoring his 10 years of service here and recognizing his 50 years as a priest.

Thank you, Father Coughlin, for serving us so well.

I am pleased to yield to Leader BOEHNER.

Mr. BOEHNER. I thank the Speaker for yielding.

Let me associate myself with the Speaker's remarks about Father Coughlin. He really is quite an individual, and he is there for all of us. And I think that over the 10 years that he has served us, he has done a really, really marvelous job, and I think all of the Members would agree.

In the resolution that was on the floor earlier today celebrating his 10 years of service to the House, it mentioned that he is in his seventies. Now, he looks pretty good for a guy in his seventies. Mr. HOYER is jealous because he is in his seventies as well. I remember what it took to be ordained a priest back in Father Coughlin's era, and so I am sure he is beyond just 70, Mr. HOYER, but I think he looks awfully good for a man in his seventies.

I think all of us realize that while Father Coughlin is here to lead us in the opening prayer or to work with other ministers who come, he is also there for our spiritual guidance—days when we're sad and, frankly, days when we're happy.

But to celebrate 50 years in the priesthood, that is 50 years of a lot of service to a lot of people. And on behalf of all of us, Father Coughlin, we thank you for your service and wish you a hearty congratulations.

## CONGRATULATING REVEREND DANIEL P. COUGHLIN ON 10TH YEAR OF SERVICE AS HOUSE CHAPLAIN

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1216, 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 Massachusetts (Mr. CAPUANO) that the House suspend the rules and agree to the resolution, H. Res. 1216.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 19, as follows:

[Roll No. 216]

YEAS—412

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
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)
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, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
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
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pelosi
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
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
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—19

Baird
Barrett (SC)
Boren
Brown, Corrine
Cohen
Conyers
Davis (AL)
Herger
Hoekstra
Lewis (GA)
McMahon
Neal (MA)
Polis (CO)
Ruppersberger
Schrader
Smith (TX)
Smith (WA)
Waters
Welch

□ 1608

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SMITH of Washington. Mr. Speaker, this afternoon, on Wednesday, April 21, 2010, I was unable to be present for rollcall vote No. 216 (on the motion to suspend the rules and agree to H. Res. 1216). Had I been present, I would have voted "yes."

## PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, on April 21, 2010, I regret that I was not present to vote on S. 1963, H. Res. 1104, and H. Res. 1216.

Had I been present, I would have voted "yea" on all votes.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3936

Mr. PENCE. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 3936.

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

There was no objection.

## GIVING BACK TO OUR VETERANS AND THEIR FAMILIES

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

Mr. SCHIFF. Mr. Speaker, I rise in strong support of the Caregivers and Veterans Omnibus Health Services Act. Day in and day out our soldiers, sailors, airmen, marines and the Coast Guard put their lives on the line to protect our own.

Our men and women in uniform are the bravest among us, making unparalleled sacrifices to protect our precious liberties and freedoms, and we must do everything in our power to support them. This legislation is an important component of our ongoing effort to give back to our veterans and their families.

It will provide long overdue support to those who care for the disabled, ill and injured veterans. It will enhance health services for 1.8 million women veterans, including care for newborns for the first time in history. It will expand mental health services for veterans and health care access for veterans in rural areas. It will end co-pays for veterans who are catastrophically disabled.

Today we have an opportunity to provide for our veterans and families the valuable benefits they need, have earned and deserve. On behalf of our brave men and women in uniform, as well as their friends and family, I join my colleagues in strong support of the bill.

## CONGRATULATING RAQUEL EGOZI BEHAR ON BEING RECOGNIZED AS THE 2010 MOTHER OF THE YEAR BY MIAMI JEWISH HEALTH SYSTEMS

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate Raquel Egozi Behar, a great member of the South Florida community and a dear friend.

Next month Raquel will be recognized by the Miami Jewish Health Systems as the 2010 Mother of the Year. Her dedication and selfless service to the Latin Auxiliary and the Miami Jewish Health Systems have been exceptional. It is a testament to her character and her sense of community.

Raquel has also worked with the Miami Jewish Health Systems music

therapy program. Despite all of her community service and engagement, the role she cherishes most of all is that of being a mother and a grandmother. Her values and her principles have inspired her loved ones.

Her daughter, Luisa, has become an active member of the Latin Auxiliary, serving on its board and her grandson, Max, has also become involved with the Auxiliary and the Miami Jewish Health Systems.

Raquel and her wonderful family are truly examples of L'dor V'dor, from generation to generation. I am proud to call Raquel a friend and South Florida is fortunate to have her.

Congratulations, Raquel, on this award.

## ADDRESSING ALL TERRORIST THREATS

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize and honor our military forces who have fought valiantly to strengthen our counterterrorism strategy. My top priority as chairwoman of the House Armed Services Subcommittee on Terrorism, Unconventional Threats, and Capabilities is to provide all the necessary resources to our military in order to protect our country from terrorist threats.

I would like to especially recognize our U.S. Special Operations Forces, who have been an integral part of our counterterrorism strategy. The U.S. Special Operation Forces have been successful in developing valuable relationships with the governments in Pakistan and Afghanistan, ultimately leading to the capture of hundreds of al Qaeda fighters and affiliates.

However, terrorism is not limited to Iraq and Afghanistan. Currently, our forces are also in regions such as Yemen to root out terrorists and send a loud message to those who seek to do us harm that we will not let them operate freely like that.

Congress must be proactive about addressing all terrorist threats to our country through intelligence, diplomacy and with our Armed Forces.

## FEDERAL GOVERNMENT MUST PAY SECURITY COSTS FOR DETROIT TERROR TRIAL

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

Mrs. MILLER of Michigan. Mr. Speaker, since the attempted terrorist attack on Northwest Flight 253 on Christmas Day, I have been arguing that the terrorist at Detroit Metro Airport that was arrested there is an unlawful enemy combatant who should be tried in a military commission.

The decision to try this terrorist in civilian court, to give him the right to remain silent, as well as giving him three taxpayer-funded attorneys, is absolutely wrong, in my opinion.

Mr. Speaker, as well, this trial will place undue costs and manpower burdens on the City of Detroit and the State of Michigan, neither of which is in a position to absorb additional security-related costs. It is wrong, Mr. Speaker, to ask hard-pressed communities, local communities, to pay these costs simply because we were the targets of this attack while we played no role in the decision to hold this trial in the City of Detroit.

It was the decision of Eric Holder and the Federal Government to try this terrorist in civilian court in Detroit, so I think that the additional costs to local and State government should be borne by the Federal Government. The Department of Homeland Security must stand up and guarantee to fund any cost to the City of Detroit or the County of Wayne or the State of Michigan that they would not normally incur.

□ 1615

## EQUAL PAY DAY

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

Ms. CHU. Imagine going to work every day for decades and giving your blood, sweat and tears to a company and then finding out your male colleagues were getting higher raises and making more money for years. That's what happened to Lilly Ledbetter, and she is one of the lucky ones because she was able to prove that she was paid less because she was a woman. The effect of lesser pay is immense. For a single woman, it can mean the loss of up to $2 million over a career, not to mention lower pension and Social Security payments for the rest of her life.

Today, more women are graduating from college than men, yet full-time working women with the same major and same degree earn only 80 percent compared to their male colleagues. That is unacceptable. At this rate, my three young nieces will be receiving Social Security before they get the equal pay they deserve.

But I refuse to wait that long. That is why the Senate must pass the Paycheck Fairness Act which stiffens penalties for employers who discriminate based on gender. I stand today to urge the Senate to support the women of America. There must be equal pay for equal work.

## RECOGNIZING PETE JOENKS FOR HIS COMMITMENT TO STUDENTS AND EDUCATION IN THE STATE OF ARKANSAS

(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 recognize Mr. Pete Joenks for the honor and recognition of being named Assistant Principal of the Year for the State of Arkansas.

Mr. Joenks earned his masters in education from the University of Arkansas in Fayetteville and went on to teach physics and chemistry for 15 years prior to becoming assistant principal at Springdale High School. The innovative programs he created like The Sophomore Center at Springdale High School which led to higher achievement and less absenteeism among students is a testament to his character and passion to educate. This program truly helped those at-risk students at Springdale High School to perform better in school and to make more of their education. Mr. Joenks also created Adopt-A-Pup, which assigns every at-risk student with a mentor to help them achieve better in school.

I am proud of Mr. Pete Joenks for his commitment to education and his efforts to improve the lives of students in Arkansas, and this is a well-deserved honor.

## IRAN SANCTIONS

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

Mrs. HALVORSON. Mr. Speaker, the House will soon take an important step by approving a motion to go to conference on H.R. 2194, the Comprehensive Iran Sanctions, Accountability and Divestment Act. Last December, the House voted overwhelmingly in support of this bipartisan legislation. Now we need to act quickly on the conference report so that we can send a bill to the President. Every day we delay is another day that Iran grows closer to acquiring a nuclear weapon.

A nuclear Iran is an unacceptable scenario that would be a threat to the State of Israel, our trusted ally, and could destabilize the entire Middle East. It would also be a threat to our own national security. Enacting strong, crippling sanctions on the Iranian regime will send a clear signal to the international community that we need to work together to prevent a nuclear Iran. I look forward to working with my colleagues and the administration to make this happen.

## CONGRATULATING McKAY-DEE HOSPITAL FOR 100 YEARS OF SERVICE

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

Mr. BISHOP of Utah. Mr. Speaker, I rise today to recognize one of Utah's great medical institutions, McKay-Dee Hospital, as it celebrates 100 years of service.

Founded by Annie Taylor Dee in Ogden, Utah, its goal was to bring medical services to underserved areas. In

1915, the Church of Jesus Christ of Latter Day Saints assumed ownership of the Dee Hospital, and under the leadership of David O. McKay expanded services for even more residents. In 1976, the LDS church relinquished control of the McKay-Dee Hospital network to the not-for-profit Intermountain Healthcare, leaving it with the charge to become a model of health care excellence.

Taking this charge of excellence to heart, tens of thousands of hardworking individuals have devoted their lives to healing patients at the three hospitals that have become the Intermountain McKay-Dee Hospital and Medical Center, and their efforts have been recognized as a national model for providing quality and affordable health care.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Intermountain McKay-Dee Hospital for its 100 years of dedicated service.

## ISRAEL

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

Mr. QUIGLEY. Mr. Speaker, 62 years ago, Israel declared its independence and established a nation founded on the principles of justice, freedom, and peace. These founding tenets are not unlike those on which the United States was built, and these mutual beliefs spurred a resilient relationship between Israel and the U.S., a friendship of six decades which remains strong today.

The United States was the first Nation to recognize Israel, and with that recognition came a promise, a promise to help ensure Israel's security, a promise to stand behind the only democracy in the Middle East, and a promise to always uphold Israel's right to exist. On this anniversary let us celebrate, as the Israeli folk song goes, Am Yisrael Chai—the people of Israel live—and may they have the land of Israel to call home today, tomorrow, and always.

## NATIONAL DAY OF PRAYER

(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, inscribed on the Jefferson Memorial is a quotation from Thomas Jefferson that reads, in part: ''No man shall be compelled to frequent or support any religious worship or ministry or shall otherwise suffer on account of his religious opinions or belief, but all men shall be free to profess and by argument to maintain their opinions in matter of religion.''

There is nothing about the National Day of Prayer that compels anyone to support any religious worship or ministry. There are no ''prayer police.'' In fact, we who support the National Day of Prayer wish it were more successful, but in no way do we seek to impose it. Yet all men are free to maintain their religion through prayer and other means.

What threatens some people about a still small moment of silence for contemplation or a prayer to a higher being in whatever form? Nothing about the National Day of Prayer requires any person to do anything. So I ask those who are threatened by this, Where is the harm to them? The Founding Fathers gave us freedom of religion, not freedom from religion. The court decision declaring the day unconstitutional cannot stand.

## RECOGNIZING THE ARMENIAN GENOCIDE

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

Mr. SARBANES. Mr. Speaker, I rise today to express my strong support for official U.S. recognition of the Armenian genocide. Notable scholars and historians who recognize the Armenian genocide include the International Association of Genocide Scholars and the Elie Wiesel Foundation for Humanity whose findings are supported by 53 Nobel Laureates. Yet, in the face of all the evidence, Turkey presses on, exporting a legacy of genocide denial, a legacy it continues to enforce within its own borders.

Many of my colleagues express sympathy for the genocide victims but are hesitant to vote for recognition. Turkey's relentless lobbying campaign, which threatens retaliation should the U.S. recognize this historical reality, has had its intended effect. Some Members of Congress worry that recognition will cause irreparable harm to U.S.-Turkish relations and therefore undermine the United States' strategic interests. ''It's just not a good time'' is a common refrain. That excuse is always available, but it is a wholly inadequate excuse.

For the sake of its core values and in true furtherance of its strategic interests, the United States must take a deep breath, look its ally, Turkey, in the eye and recognize this tragic episode of the modern era to be an unambiguous fact of history.

## 60TH ANNIVERSARY OF TOASTMASTERS CLUB 767

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

Mr. BOCCIERI. Mr. Speaker, today I rise in recognition of the recent 60th anniversary of the Toastmasters Club 767 located in Alliance, Ohio, where I live.

The Toastmasters, now an international club with members in China and India, has given some 250,000 Americans the opportunity to overcome their fear of public speaking, become better listeners, and gain confidence in community relations. Alliance Toastmasters has given that opportunity to people in my community for some 60 years now, having grown from just four members at its inception to now dozens.

In Alliance, Ohio, and elsewhere, there are politicians, administrators and teachers who have gained much of their confidence and ability to communicate from their experience in the Toastmasters Club; but more than anything Toastmasters presents an opportunity for people to engage with their neighbor, learn from one another, and to develop their thoughts about our world.

In an age of 24-hour news, Internet surfing and texting, Toastmasters is a reminder of just how important it is that we maintain face-to-face communication with one another. I commend Alliance Club 767 for helping people in my community gain confidence in doing just that for 60 memorable years, and I thank them for their service to our community.

## HONORING JOSHUA McMACKLE

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

Ms. JACKSON LEE of Texas. Mr. Speaker, on a number of occasions many Members have had to rise to speak of a very sad and tragic incident that has occurred in their congressional district. Today, sadly, I rise as well to speak to the terrible loss of Joshua McMackle, a young freshman student at Texas Southern University in Houston, Texas.

Meeting his parents and sister, Tracy, Moriah, and Bruce McMackle, his grandmother and aunt, many of whom were in the service of this country being Federal employees and law enforcement employees, it was so sad to be able to speak about this senseless and untimely death.

I would say to you that this was a fine young man, a freshman who had come to Texas Southern University because of its special and exclusive music program. He was a high school graduate of the Randolph-Macon Military Academy, and he had traveled around the world with his mom and his parents.

His tragic death occurred as any student might have it happen to them. Unfortunately, when parents send their children away to learn, some person, some unfortunate tragic individual would take a life by gunfire. And so it was for Joshua a week ago Saturday when he was with his friends at an event that should have been joyous, a fun time, a party, which is perfectly all right for college students, and along came outsiders who attempted, if you will, to turn this into the devastating tragedy that it was.

In tribute to Joshua—we memorialize him this coming Saturday—but more importantly, in tribute to him we will say ''Never on our watch again.'' I join with his family and the memorial funding that they will have to say to young people across America, enough is enough, and to be able to enforce the laws that are necessary, along with the freedom that we have, that gets rid of those who think it is okay to take a senseless life, to beat up a fellow student, or to cause the death of someone they do not know.

May this fine young man rest in peace. Joshua McMackle, we honor you for your contributions to America.

□ 1630

## SPECIAL ORDERS

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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.)

## GOING GREEN AND SAVING ENERGY

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, yesterday, Congresswoman DEBBIE WASSERMAN SCHULTZ and my fellow Members of Congress—MARIO DIAZ-BALART and TED DEUTCH—and I held a great press conference with DAN BEARD, the Chief Administrative Officer of the House of Representatives, on how to make our offices more energy efficient.

Representing such natural wonders like the Florida Keys National Marine Sanctuary, I am extremely sensitive to the impact of our daily routine on the environment. I am a supporter of the green proposals, such as increasing the fuel efficiency of our cars and promoting the use of clean alternative energy.

However, as we all know, green living begins at home and in the workplace. Whether it's by turning off the lights when exiting a room, carpooling to the office, or recycling on a regular basis, we can all work to improve our environments. The buildings of the Capitol complex, including my congressional office, are now utilizing the latest in energy- and water-saving technologies. For example, the simple action of installing energy-saving lighting throughout the U.S. House of Representatives has saved U.S. taxpayers more than $175,000 annually. House offices have also increased their participation in the recycling of paper and of other raw materials. Last year, the House of Representatives recycled more than 1,800 tons of paper, 46 tons of bottles and cans, and 1 ton of leather.

In the days ahead, my district office in Miami will be implementing additional electricity- and resource-saving measures. At a time when our Nation is struggling with high unemployment and with an unsustainable deficit, we should be doing all that we can to eliminate government inefficiencies, waste, fraud, and abuse.

This week, in celebration of Earth Day, south Florida families can attend Miami's Goin' Green Celebration to learn more about how you can protect our environment, how you can support green technologies, and how you can save money on your energy and water bills. I encourage south Floridians to attend this important event, which is scheduled to take place on Saturday from 10 to 6 p.m. in Miami's Bayfront Park. Individuals and families attending this event can participate in seminars on energy-efficient home improvements, on how to save on your water bills, and on several other informative exhibitions. In particular, I encourage you to register for many of the eco-friendly services provided by Miami-Dade County, such as recycling pickups and the Adopt-a-Tree program. By implementing individual changes, we can all make positive differences on our environment.

I will continue to work in Congress to support policies that encourage families and businesses to be more energy efficient and less reliant on expensive foreign fuel. At the same time, I will continue to be a staunch advocate for green initiatives that will not put a financial burden on working families and small businesses.

Once again, I urge all of my south Florida constituents to attend Miami's Goin' Green Celebration this Saturday in Bayfront Park, which is in my congressional district, to learn more about living more environmentally friendly lives. We all have roles to play as we endeavor to preserve south Florida's natural beauty and to improve our communities' environments for ourselves, our children, and our grandchildren.

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

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

## COMMENDING AND THANKING OUR BRAVE MEN AND WOMEN IN UNIFORM

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

Mr. SKELTON. Mr. Speaker, I rise today to commend and to thank our brave men and women in uniform who risk their lives every single day to protect America and to keep our families safe.

We have the very best warfighters in the world who are led by the very best commanders, and under President Obama, our military servicemembers are experiencing even greater success in keeping our Nation safe from those who seek to do us harm.

Earlier this week, a joint raid by U.S. and Iraqi forces delivered what General Odierno, the top military commander in Iraq, identified as ''potentially the most significant blow to al Qaeda in Iraq since the beginning of the insurgency.'' During this raid, two of al Qaeda's top leaders were killed, including al Qaeda in Iraq's top leader. This news was not only a sign of our continued progress against al Qaeda in Iraq and its affiliates but of our progress overall in our fight to quell terrorism and to keep America and our allies safe.

Our increased success in killing and capturing terrorists isn't limited just to Iraq. Under President Obama, we have stepped up the fight against terrorists, and we have strengthened strategic partnerships in places like Pakistan and Yemen. With the help of these partners, we are finally making significant progress in the war against al Qaeda terrorists and their allies.

We are capturing terrorist leaders every week, and we are seeing much greater success in getting our allies and other countries in the region to root out terrorists and to send a loud message that those who seek to do us harm will not be able to operate freely. This increased progress is markedly noticeable in Afghanistan, which for many years under the Bush administration was, frankly, the forgotten war.

Mr. Speaker, Afghanistan is an epicenter of terrorism. We cannot afford to forget that it was the genesis of multiple attacks that have killed thousands of Americans: our children, our parents, our spouses, our friends, and our neighbors. After nearly a decade with no real plan in Afghanistan, we now have a strategy for success under this President.

While we build an Afghan Government capable of keeping al Qaeda from using Afghanistan as a safe haven, we are striking ever harder at al Qaeda and at their allies as they hide in the mountains of Pakistan. Using special operations forces and Predator planes and in cooperating with the governments of Pakistan and Afghanistan, we have captured or killed hundreds of al Qaeda's fighters and affiliates since 2009, far more than in 2008. In fact, during this administration, more than 600 terrorists have been killed by drone strikes. That is more than triple the amount from 2004–2008 combined.

The President's new strategy in Afghanistan and in Pakistan, in cooperation with Pakistani forces, also helped lead to the capture of the Taliban's

second-in-command, a former Taliban finance minister and two Taliban shadow governors. These were the most significant captures of Afghan Taliban leaders since the start of the war in Afghanistan. Building the capacity and reinforcing the will of other countries to strike at al Qaeda will, I believe, be critical toward eliminating this threat forever. President Obama's administration deserves to be congratulated for its progress on both fronts.

Importantly, this administration understands that we need a comprehensive strategy to prevent terrorism. Just as you cannot effectively rid your backyard of poison ivy by just cutting off all the leaves, we cannot effectively destroy terrorist cells unless we take them out by the roots, cutting off the supply of recruits that feeds them. So, in addition to ramping up our missions to capture and kill terrorists, we are also now placing a greater emphasis on taking the necessary measures to prevent the recruitment of violent extremists.

Mr. Speaker, with the responsible new steps being taken by our Commander in Chief, with the outstanding leadership by our commanders on the ground, and with the unrivaled dedication and courage of all of our men and women in uniform, I have no doubt that our Nation is safer today than it was 3 years ago. We have come a long way in keeping America safe from future terrorist attacks.

## UNDERSTANDING THE BUDGET SURPLUS

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

Mr. BARTLETT. Mr. Speaker, during the Clinton years, Washington was telling the American people that we had a budget surplus and that we were paying down the debt. After a number of months of bragging about this budget surplus we had and about how much we were paying down the debt, we had to raise the debt limit ceiling.

Now, I asked our leadership, Isn't it going to be a little difficult to explain to the American people why we have to raise the debt limit ceiling if for these many months we have been paying down the debt? Why would you have to raise the debt limit ceiling if you've lowered the debt?

Well, you may not be surprised that what comes out of Washington is not always altogether truthful.

I have a little chart here that helps to explain what happened and why we had to raise the debt limit ceiling when we had a so-called ''budget surplus'' and were telling the American people that we were paying down the debt.

Now, we had surpluses in Social Security and we had surpluses in Medicare, and we had a lockbox. You may remember the lockbox. We had a lockbox on Social Security and Medicare surpluses. The lockbox said that you couldn't transfer those moneys to the general Treasury, that you had to pay down the public debt with those moneys. So what we did was take the surpluses from the Social Security trust fund and the Medicare trust fund—and there were surpluses there—and we paid down the public debt; but for every dollar we paid down on the public debt, we incurred another dollar debt in the trust funds.

You see, the national debt, the debt that really counts, is the sum of the public debt and the trust fund debt. So, if you simply decrease the public debt by increasing the trust fund debt, you've done nothing to the national debt. It's a little bit like taking money from your right-hand pocket and putting it into your left-hand pocket. Obviously, if you do that, you are neither richer nor poorer after you've taken money from your right-hand pocket and put it in your left-hand pocket. That is what we were doing.

Now, very few people know that there is a difference between the public—oh, the public debt is the Wall Street debt. That's all those instruments that we give to people when they loan us money. The trust fund debts, of course, are debts that we owe to our trust funds because, for many years, we've been taking moneys from the American people for Social Security, for Medicare, and for about 50 other trust funds—the Highway Trust Fund and so forth—and we presumably are taking that money and putting it into trust for them.

Is that what happens? No, that is not what happens.

What happens is we take that money, and if we have any surplus money after meeting our Social Security and Medicare obligations, we then take that money and immediately convert it into a nonnegotiable U.S. security. We move it over to the general trust fund and we spend it. So there is, in fact, no money in the Social Security trust fund or in the Medicare trust fund. That is really a misnomer. It is not a trust fund. I guess you might call it a ''trust debt'' because there is nothing there but IOUs.

Now, this year, for the first time, we've spent more money on Social Security than we took in in Social Security. We didn't expect that to happen for several years, but we still have about, I think, $2.5 trillion of surpluses in the Social Security trust fund, so we'll be paying Social Security for a while if we can collect or can borrow enough money from other places to make up for the money that we took from the Social Security trust fund and spent.

So, for those months and a couple of years, we were telling people we were paying down the debt. I talked to the CBO, and I think there was never a moment in time, if we kept our books on the accrual method—which, by the way, we require every small business to do—when the national debt went down.

Now, another thing: The debt will always go up more than the advertised deficit. How can the debt go up more than the advertised deficit? The debt goes up more than the deficit because we make the silly statement that the Social Security surplus and the Medicare surplus offset the debt. Of course, if you take that surplus and spend it, it simply incurs another kind of debt.

Well, I hope this helps you to understand. I just thought you'd like to know.

## PRAISING THE OUTSTANDING WORK OF OUR FIGHTING MEN AND WOMEN

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

Mr. BRIGHT. Mr. Speaker, I rise today to praise the outstanding work of our fighting men and women stationed overseas. Too often, their work goes unnoticed, but our safety and security is contingent upon their success. On Monday, however, the entire world took notice of their excellent work.

Two of al Qaeda's top leaders were killed in a joint effort between Iraqi and U.S. forces. General Odierno said it was ''potentially the most significant blow to al Qaeda since the beginning of the insurgency.''

Their success has not been by accident nor has it been limited to Iraq. Our allies across the region are beginning to actively engage in the fight against terrorism, and it is yielding successful results. We must send a loud message that those who seek to do us harm will pay the ultimate price. I anticipate our progress will continue in the months ahead because we have a strategy and clear-cut goals in Afghanistan.

The administration and the commanders on the ground know we must root out the terrorists who still reside in the same country from which the 9/11 terror attacks originated. As a result, terrorist leaders are being captured and killed on a regular basis. Special forces and Predator drones, in coordination with the governments in Pakistan and Afghanistan, have captured or killed more than 600 of al Qaeda's fighters and associates in 2009 alone, far more than in 2008. This is more than triple the amount from the period of 2004–2008 combined.

The new counterinsurgency strategy in Afghanistan helped lead to the capture of, among others, the Taliban's second in command, a former Taliban finance minister, and two shadow governors of Afghan provinces. These are the most significant captures of the Afghan Taliban leaders since the start of the war in Afghanistan.

□ 1645

However, as we continue to move forward in Iraq and Afghanistan, we must never forget about our number one target. That's Osama bin Laden. The man who was behind the 9/11 attacks must be brought to justice in order to send a

clear message that no act of terror will be able to go unpunished.

Last year I twice visited Afghanistan as part of a congressional delegation to the regions. We received briefings from both American and Afghani political leaders and their military leaders. The question I asked nearly everyone who would listen to us was, Where is Osama bin Laden, and what are we doing to capture or kill this man?

Our recent success in killing and capturing his allies gives me confidence that the appropriate steps are being taken to bring this murderer to justice. In fact, Commander of U.S. and NATO forces in Afghanistan, General Stanley McChrystal, recently confirmed that the military is actively trying to find and kill bin Laden. I was very pleased to hear General McChrystal confirm his commitment as he continues his excellent service in Afghanistan.

The strategy in Afghanistan and Iraq is two-pronged and not only a military endeavor. In addition to wrapping up our missions to capture and kill terrorists, we are also now placing a greater emphasis on preventing the recruitment of violent extremists by preventing these countries from returning to the conditions that fueled such hate in the past.

In fact, just a couple of hours ago, I participated in a video teleconference with the 3rd Heavy Brigade Combat Team in the 3rd Infantry Division of the U.S. Army. The ''sledgehammer brigade,'' as they are nicknamed, told me about over 120 projects they have completed or will soon be completed in a five-province region in Iraq. Their efforts are a big reason we have seen significant progress and stabilization in Iraq over the past 2 years.

I look forward to working with my colleagues to continue to support our forces in these two endeavors.

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.)

## SAN JACINTO DAY

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

Mr. POE of Texas. Mr. Speaker, today is April 21, and when I grew up in Texas April 21 was a holiday. We didn't go to school, and the reason I thought we didn't go to school was because April 21 is my mother's birthday and she always led me to believe that school was out because it was her birthday.

Later I learned that wasn't actually correct, that we had celebrated April 21 as a State holiday in Texas because it is one of the most, if not the most important day in Texas history. Because on April 21, 1836, 174 years ago, Texas gained complete independence from Mexico and became a free and independent nation for over 9 years.

A little history is due, I think. It all started when Mexico was a republic, a democracy, similar to the United States. Texas belonged to Mexico. But a person by the name of Santa Ana became President of Mexico. When he became President, he abolished the Mexican constitution and became dictator. And once he became dictator, he eliminated civil rights for everybody that lived in Mexico, including what is now Texas. So Texas sought independence, and on March 2, 1836, Texas declared independence from Mexico and cited the reasons, because of the dictator, the tyrant who had denied civil rights to all those living in Texas.

At the same time a group of 187 volunteers, of all races from all the States in the Union and many foreign countries, assembled at a beat-up old Spanish church in central Texas called the Alamo. That's right, 187 volunteers stood in defiance of Santa Ana's army, who invaded Texas. Several thousand enemy soldiers came in. We all know the history, that after 13 days of fighting those battles, the Alamo fell and all the defenders were killed.

However, that battle allowed for General Sam Houston, who was commander of the Texas army, to build an army to fight back. As William Barrett Travis said at the Alamo, who was the commander, a 26-year-old individual from South Carolina, that victory will cost the enemy more dearly than defeat. And he was right. Because of the massive losses of Santa Ana's forces at the Alamo, he had to regroup. He started then chasing Sam Houston.

Sam Houston was moving east. He was headed toward the Sabine-Neches area, the Sabine-Neches River, which is next to the United States. We call that Louisiana. He had yet to fight a battle. Santa Ana's armies had been very successful in defeating the Texas armies in almost every battle. And Sam Houston had yet to fight, but he found himself, on April 21, 1836, between the Buffalo Bayou and the San Jacinto River in a marshy land called San Jacinto. There he stood to fight.

Most battles are fought in the morning after sunrise, but on April 21 the Texas army was so eager to fight that at 3 o'clock in the afternoon they decided to march on Santa Ana's forces, which outnumbered the Texans over two to one.

The Texas army was an odd-looking bunch. They were volunteers, but they were from, once again, all over the country. They were frontiersmen. They were shopkeepers. They were lawyers and doctors. They were made up of Texans and of Hispanic dissent. We call those Tejanos. They were led by Captain Juan Seguin, and his Tejanos were part of the calvary. So as not to be mistaken for the Mexican army, because the Texans had no uniforms, Juan Seguin's troops wore a playing card in their hat band to make sure that the Texans knew who they were.

So the Texans marched on Santa Ana's forces completely by surprise and defeated them, an overwhelming defeat, one of the biggest upsets in military history. Half of Santa Ana's forces were killed; the other half were captured. The battle lasted 18 minutes, and one-third of the land in the United States, which is now the United States, switched hands.

This is a map of the way Texas looked after April 21, 1836. Texas claimed all of the land, which is part of Texas, part of Oklahoma, New Mexico, Colorado, Wyoming, and Kansas.

Texas became a free and independent nation that day, stayed a republic for 9 years, and then joined the United States. Texas only got into the United States by one vote when a Louisiana Senator finally changed his mind and allowed Texas to come into the United States.

I mention this, April 21, because it's an important day not only for Texas but for all people who believe in freedom. That these freedom fighters, these volunteers in 1836, many of them gave their lives for that word ''liberty.'' A word that we still fight for today. In our history a lot of people fought for that word and died for independence, both for Texas and for the United States.

So we honor those brave Texans on this April 21, the anniversary of San Jacinto Day.

And that's just the way it is.

## HONORING ISRAELI INDEPENDENCE DAY

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

GENERAL LEAVE

Mr. DEUTCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

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

There was no objection.

Mr. DEUTCH. Mr. Speaker, as the Nation's newest Member of Congress, it is truly an honor to have my first remarks on the floor be in commemoration of Israel's 62nd anniversary.

Today I proudly rise in support of House Concurrent Resolution 260, which recognizes the independence of the Jewish state of Israel and reaffirms the unyielding friendship and unshakable alliance between our two great nations.

As Israelis and Jewish communities throughout the world celebrate Yom Ha'atzmaut, this resolution holds a special significance for me and my constituents in Florida's 19th District. I proudly represent a district with one of the Nation's largest number of Jewish

Americans, as well as Holocaust survivors.

So many of my constituents remember when the promise of Israel was only an unlikely possibility, and over the years they watched the amazing realization of this dream and the establishment of this great nation.

For so many of my constituents and to so many Americans, that day in 1948 when Israel declared its independence was the day that a promise was fulfilled to the Jewish people who for so long struggled to find a place they could call home. Sixty-two years later, Israel has grown into a thriving democratic state with a technologically advanced economy and a rich, democratic culture.

The people of Israel embrace freedom, and through art and literature, music and business, the entire globe has benefited from Israel's existence and success. Throughout these 62 years, the people of Israel have shown an open-hearted desire to live in peace and a fierce resolve to protect the security of their citizens no matter what the cost. This nation and these citizens have shown incredible determination and fortitude in the face of terrorism and threats from those who deny and threaten Israel's very existence. Whether they be attacks from terrorist groups like Hamas and Hezbollah or the continued financial sponsorship of terrorism by Syria and Iran, the people of Israel should know that the United States will always, unequivocally stand in support of Israel's right to self-defense.

The relationship between the United States and Israel is unbreakable. The relationship is one between two peoples, our common values, the history we share, our commitment to freedom, and our joint vision of a secure and peaceful Middle East.

From the recognition of the new state of Israel by President Harry Truman in 1948 through today, let me make this clear: The United States stands with Israel and the United States will always stand with Israel. The relationship is secure and the relationship is strong.

This resolution not only reaffirms Israel's right to self-defense but recognizes that the single most serious threat facing Israel's security is that of a nuclear-armed Iran. Iran's illicit quest for nuclear weapons poses an existential threat to the state of Israel and an unacceptable threat towards the United States. The importance of this issue cannot be understated.

Just this week, the very week we celebrate Israel's independence, news organizations have reported that President Ahmadinejad has approved new uranium enrichment plans in Iran. This threat is real and it is unacceptable. Congress and the administration must work together and use every tool at our disposal to prevent Iran from developing nuclear weapons. The United States must take immediate aggressive action to ratchet up economic pressure on Iran, which I am hopeful the House will continue to work on tomorrow, and we must continue to demand that the international community join with us in this critical effort.

As a new Member of Congress, I look forward to working with my new colleagues from both sides of the aisle on initiatives that will strengthen our bond with Israel, enhance Israel's defense capabilities, and thwart Iran's nuclear weapons program.

America and Israel share a commitment not just to confronting terrorism and extremism but to bolstering freedom, human rights, and democracy across the globe.

The generosity and kindness of the Israeli people could not have been more evident than the days following the devastating earthquake in Haiti. It was Israel that arrived on the scene first and began rescuing men, women, and children trapped in the rubble. It was Israel that built the first field hospital in Haiti and began offering immediate medical care to the injured. And it was Israel that stood with those most in need because of a simple belief in universal human dignity.

Let us stand with Israel today by passing House Concurrent Resolution 260 and by expressing our most sincere hope that our dear ally Israel achieves the lasting peace it has long deserved.

Mr. HOLT. Mr. Speaker, it is with great pleasure that I rise today to congratulate our friend and ally, the State of Israel, on the 62nd anniversary of her founding.

A week ago, I had the honor of attending the National Days of Remembrance ceremony in the U.S. Capitol Rotunda. I was joined by 3 of my constituents, Marlboro residents Toby Shylit Mack, Community Relations Committee Chair of the Jewish Federation of Monmouth County, and her husband Bob Mack, and North Brunswick resident Lee Livingston, President of the Jewish Federation of Greater Middlesex County.

As always, it was a very moving ceremony. Sitting in the Rotunda, amidst survivors and liberators from the U.S. Armed Forces, I was reminded that even in 1945—out of the ashes of the most unimaginable tragedy in human history—there was nothing pre-ordained about the founding of the State of Israel. When he was President, Dwight Eisenhower said, ''Our forces saved the remnants of the Jewish people of Europe for a new life and a new hope in the reborn land of Israel.''

However, it took three years of tireless work of leaders like David Ben Gurion, Chaim Weitzmann, and Golda Meir—coupled with the dedicated support of Jews in the U.S. and throughout the world—to make the dream of a reborn land of Israel become a reality. Even upon its founding 62 years ago, there was nothing pre-ordained about Israel's survival.

The State of Israel was created with great courage, and it is from this courage that Israel continues to maintain its vibrant and strong democracy today. Israel's achievements over the last 62 years—in areas ranging from education and economics to science and agriculture—far surpass what could reasonably be expected of such a young nation. During my trips to Israel, I have witnessed the ingenuity and entrepreneurship of Israelis firsthand.

The United States always should be proud that our nation was the first country to recognize officially the new nation. In doing so President Truman confidently said, ''I believe it has a glorious future before it—not just another sovereign nation, but as an embodiment of the great ideals of our civilization.''

Our strong commitment to Israel's existence and prosperity remain steadfast today. Our nations' special relationship extends beyond friendship. It is built on the common values of equality and opportunity for all and our shared commitment to freedom, justice, and peace. Israel is more than just an ally; Israel is an inspiration.

Yet this outpost of democratic ideals in the Middle East continues to face external threats to her very existence. I have seen Israeli families terrorized by rocket attacks, and my visits have only strengthened my conviction that the United States must be unwavering in our support for the right and responsibility of Israel to protect her citizens from legitimate threats. While serving in Congress, I have voted for over $35 billion in economic and military assistance for Israel, and I will continue to support such measures in the future.

Ultimately, the only way to achieve lasting peace and security for the citizens of Israel is to secure a just, permanent, and peaceful settlement between Israelis and Palestinians. I believe that the greatest service the United States can provide to Israelis is as a facilitator in negotiations among the parties. It is my deepest hope that Israeli and Palestinian leaders soon will join each other at the negotiating table, with the support of the U.S. administration, to make swift progress toward an enduring peace agreement.

On Israel's 62nd anniversary, I believe more than ever that the future of Israel and the Middle East is one of peace, cooperation, security, and prosperity. I am pleased to join the Jewish community of New Jersey and all Americans in celebrating Israel's national successes, her great contributions to the international community, and her continued existence as an inspiration for us all.

Mr. GRAYSON. Mr. Speaker, I rise today to commemorate the 62nd Anniversary of Israel's Independence. Yom Ha'atzmaut, as it is called in Hebrew, allows us in the American Jewish Community to pay tribute to Israel by reflecting on its past achievements, while simultaneously realizing its capacity to contribute further to the global community and the advancement of human knowledge. As a member of the House Science and Technology Committee, I would like to pay tribute to Israel's Independence by highlighting some of its many accomplishments in the fields of science and technology.

The aspiration of Israeli pioneers to transform a country, which is 60 percent desert and lacks an abundance of natural resources, into a modern state, led to strategic investments in the fields of science and technology, which are now among Israel's most developed sectors. Today, Israeli scientists have contributed to advancements in the fields of agriculture, computer sciences, electronics, genetics, medicine, optics, solar energy, health sciences, and various fields of engineering. Israel is also home to many groundbreaking companies in the high-tech industry, such as Symantec and Allot. Symantec helped develop cloud computing which secures and manages information on the internet, and Allot produces the broadband pipes needed for smart phones.

Israel has over 3,850 start-ups that have been established in Israel, and has the largest number of NASDAQ-listed companies outside of North America. Most NASDAQ Israeli firms are high-tech companies, and over a dozen have market capitalizations of over $500 million.

Proportionally to its size, Israel's contributions to science and technology over the past decades have been significant. Israel has made important contributions in a number of areas in space research, including laser communication, research into embryo development, and osteoporosis, pollution monitoring, mapping geology, and soil and vegetation in semi-arid environments. Israel's lack of conventional energy sources has propelled extensive research and development of alternative energy sources—specifically innovative technologies in the solar energy field. For example, Israel has become the world's largest per capita user of solar water heaters in the home. A new, high-efficiency receiver to collect concentrated sunlight has been developed, which will enhance the use of solar energy in industry as well.

One of the major problems confronting the global water supply today is pipe leakage. For Israel, which is two-thirds desert, water-saving technologies are of critical importance. The International Water Association has cited Israel as one of the leaders in innovative methods to reduce non-revenue water, which is water lost in the system before reaching the customer. Additionally, Israel has surpassed many countries in the fields of computer engineering and computer science. Israel's Weizmann Institute of Science and the Technion, Israel Institute of Technology are ranked among the top 20 academic institutions in the world in computer science.

Israel began research and development in space exploration after establishing the Israel Space Agency to coordinate and supervise a national space program. Israel launched its first satellite, Ofeq-1, in 1998, and has since made major contributions in space research, including in areas of laser communication and pollution monitoring. Ilan Ramon became the first Israeli astronaut in space when he was chosen as a Payload Specialist on the Space Shuttle Columbia.

Israeli companies have excelled in computer security technologies, semiconductors and communications. Intel and Microsoft both built their first overseas research and development centers in Israel, and other high-tech multi-national corporations, such as IBM, Cisco Systems, and Motorola, have opened facilities in the country. An Israeli, CEO and president of M-Systems, Dov Moran, invented the first flash drive in 1998.

Mr. Speaker, it is with great pride that I celebrate the accomplishments of the State of Israel on the 62nd anniversary of her founding. Israel's successes are a reflection of their commitment to education and innovation, and a tribute to the future of the Jewish State and its people. Our shared dedication to these matters only further strengthens the bond between our two countries. For these and many other reasons, I join with my colleagues in celebration of Israel's anniversary—and as an ally for the protection and advancement of Israel's future.

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to recognize and commemorate the 62 anniversary the State of Israel.

At the same time we celebrate this occasion, we also are recollecting the 65th anniversary of the liberation of the Nazi concentration camps and celebrating the annual Days of Remembrance commemorating the 6 million Jews murdered in the Holocaust as well as the millions of other victims of Nazi persecution. It was out of this torturous past that this new nation was formed.

On May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel. Literally, within minutes, the United States recognized the modern nation of Israel and welcomed it into the international community. That was the beginning of a longstanding and cherished friendship between the two nations that endures to this day.

The State of Israel remains one of the United States' strongest allies and its endurance is a testament to the ideals of freedom and democracy. Our nations share the common goals of peace, freedom, security, and prosperity for their citizens and for the region. It is this commonality that allows this relationship to endure despite changes in Administrations, of Congresses, and even disagreements that emerge from time to time.

Despite many difficulties and challenges, thanks to its greatest resource—its people—and the help of supporters throughout the world—Israel has built a vibrant democracy and a thriving economy and society.

We must continue to strongly support Israel's right to exist, its prosperity, and security. One of the best ways to ensure this is for the United States to continue to work to bring life to the peace process between Israel and its neighbors.

While recognizing that success ultimately depends on the parties themselves finding compromises and agreements, active U.S. engagement as an honest broker and mediator remains critical.

This will not be easy. Neither was establishing the State of Israel. Nor has it been easy to create a democratic state in a region where many of these tenets remain largely unknown and if known, unpracticed. Yet, 62 years later, Israel stands firm.

Again, I want to extend my congratulations and best wishes to the people of Israel as they celebrate the 62nd anniversary of its independence.

Mr. VAN HOLLEN. Mr. Speaker, today, not only do we celebrate the 62nd anniversary of the founding of the State of Israel, we also celebrate the strong bonds of friendship and cooperation between the United States and Israel. Our country, under the leadership of President Harry Truman, was the first country to recognize the State of Israel. And he later said, ''I had faith in Israel before it was established. I have faith in it now. I believe it has a glorious future before it, not just as another sovereign nation but as the embodiment of the great ideals of our civilization.'' President Truman was right and we need to maintain the special relationship we have with Israel based on shared values, common strategic interests, and moral bonds of friendship. Today, we honor not only that country's independence but the significance of what Israel stands for.

It represents the centuries-long yearnings of the Jewish people for a homeland of their own in the land of their forebears. The pogroms in tsarist Russia in the late 19th and early 20th centuries and the Holocaust under the Nazi regime in the 1930s and 1940s made the idea of a Jewish people having a state of their own where they could feel secure and never again be subjected to such horrors and brutality even more compelling and necessary.

After many years of struggle, Israel emerged as an independent state. It gave refuge to tens of thousands of Holocaust survivors, many of whom had been languishing in temporary resettlement camps in Europe. Israel also became the home for Jews from scores of countries around the world and continues to provide a refuge to those who face anti-Semitic persecution.

In 62 years, Israel has transformed itself from chiefly an agricultural exporter to an international high-tech superpower, and it has used its wealth and power to come to the aid of others in times of need. I want to especially commend the people of Israel, its defense forces, and the team of 250 Israeli doctors, nurses and relief workers who worked tirelessly to bring aid and comfort to the victims of the devastating earthquake that struck Haiti on January 12, 2010.

Since its creation, Israel has continually confronted hostile forces that threaten its existence, and the United States must remain steadfast in ensuring the security of Israel. With the assistance of the United States, Israel was able to achieve peace treaties with Egypt and Jordan in the 1970s and 1990s, respectively. These agreements made Israel more secure and greatly lessened the chances for another Arab-Israeli war with those two countries. Despite the threats it continues to face from hostile neighbors and violent militants, the people of Israel have established a vibrant, pluralistic democracy that incorporates the freedoms cherished by all Americans.

It is my sincere wish that peace negotiations between Israel and its neighbors will succeed, and that the Israeli people and all peoples of that troubled region will be able to live in a lasting peace.

On the occasion of its 62nd anniversary, I wish the people of Israel continued growth and prosperity. I will continue working with my colleagues in Congress, with the Administration and with the American people to ensure that the enduring bond that unites our two peoples endures for the years and centuries to come.

Mr. GARAMENDI. Mr. Speaker, on this, the 62nd anniversary of the founding of Israel, I want to extend my warmest regards to the people of Israel and all those who made the Middle East's first democracy possible.

In the wake of one of the most horrific crimes against humanity ever perpetrated, Jews from across the globe sought to form their own homeland, one that enshrined in their constitution 'freedom of religion, conscience, language, education and culture.'

President Harry Truman was the first international leader to recognize the state of Israel, and we've been proud allies ever since.

In Israel, Americans can see much to be admired, and we share common goals and desires. We are both home to countless innovators, entrepreneurs, scholars, thinkers, activists, immigrants, and democrats. We both strive for peace and a more just and stable world. And we are both familiar with

the hard trials, tribulations, and triumphs that come to define a people and a culture.

Let's continue our strong and hopeful relationship as we work toward peace across the globe.

Mr. NYE. Mr. Speaker, on behalf of Dr. Israel Zoberman, founding rabbi of Congregation Beth Chaverim in Virginia Beach, Virginia, this passage shall be recorded in the CONGRESSIONAL RECORD of the United States of America:

''The 62nd anniversary of the State of Israel is a genuine cause for celebration. It is sadly not a given having a sovereign Jewish state following a long history of denial, and current attempts to delegitimize. Israel is both the fulfillment and unfolding quest of two millennia of prayerful persistence and unyielding faith. From Inquisition to pogroms to finally a consuming Holocaust designed to seal the anti-Semitic rejection of Jewish insistence to live in fidelity to its own Biblical covenant with God—Israel's triumph of survival is thus a statement of hope in the human potential to endure monumental hardships.

''Yet what is a people to do if destined to experience the miracle of rebirth in a region as problematic as today's Middle East? That strategic geo-political gateway to continents has always enticed the appetite of empires for control, gaining access to resources, expansion and power. Colonialism took its toll, materially and psychologically, and forced the eruption of conflict between Jews and Arabs.

''The Palestinian national identity, on the soil that had been the setting for centuries of Jewish life and creativity, brought the two into tragic and perpetual conflict whose full resolution still eludes us though progress has been made. However, the reason for guarded optimism is rooted in the ultimate interests of the wider Arab and Muslim world, whose tacit recognition of Israel's factual and future existence through Egypt's and Jordan's breakthrough diplomatic ties is positive. Let all the Arab and Muslim states reach out to formally join and reassure Israel of their intentions at this critical juncture.

''What has replaced much of the anti-Israel ideology is the even more potent power of an extreme Iran, whose leaders' political plan of regional domination and world influence is cloaked in religious absolutism that loathes compromise, seeking total victory over its adversary. Consequently, Iran has been fanning and financing the dangerous turmoil produced by their proxies of Hamas and Hezbollah whose goal is to foil an Israel-Palestinian peace settlement while engaging Israel in a war of attrition on two fronts. Iran's nuclear drive is geared toward neutralizing Israel's essential deterrence, dominating the Arabs and establishing Iran as a prestigious arbiter in world affairs, while offering its Ayatollahs critical hegemony of imperialistic magnitude.

''The United States is bound to Israel through a special relationship born of compelling legacies of both countries, the common democratic ethos of free nations and shared security concerns to combat religious fundamentalism, including radical Islam.

''Overall, Israel has achieved much that is exemplary given constricting conditions. It has absorbed and saved millions of Jewish refugees. It has reached out to offer professional expertise and economic aid to many developing countries across continents. And Israel has revived the Hebrew language and culture and its higher learning institutions rank among the best with a flourishing top notch hi-tech industry. Israel has proven that for peace sake it is ready to compromise, as with the painful Gaza Disengagement that Hamas failed to appreciate. Hamas is yet to release Israeli soldier Gilad Shalit. A united Palestinian front, free from Iran's and Syria's menacing involvement, and one eager to live peacefully as Israel's neighbor will not be disappointed in Israel's response.

''As the only democratic state, the West's canary, in the Middle East celebrates a hard-won milestone and heroically maintained independence, its fondest dream and secret weapon remains an undying attachment to the promise of shalom's blessings, and its consecrated mission of an historic people to continue inspiring the human family to bring out the best within it.''

Mr. HONDA. Mr. Speaker, it is with great honor that I rise today to celebrate the 62nd anniversary of a great democracy and our close friend and important ally, Israel.

The United States and Israel share a unique and unbreakable bond. This bond is based upon friendship, common values, and a strong interest in a peaceful future for the Middle East. From its first breaths in 1948 until today, Israel has stood as the foremost beacon of democracy in the Middle East.

As the sole democracy in the region, Israel is the United States' most strategic ally in the Middle East, and I have supported policies that strengthen its safety, security and welfare. Israel must be able to rely on the friendship of the United States as it takes the bold steps necessary towards peace in the Middle East.

Some of this reliance comes in the form of U.S. foreign assistance. Providing foreign assistance to Israel is important as Israel faces legitimate, external threats to its survival—Hamas, Hezbollah, and Iran.

We must also provide Israel diplomatic support in the form of sanctions against the Iranian government, before it is too late. Iran's pursuit of a nuclear weapon is a real and immediate threat to the existence of Israel, and a serious and troubling threat to the security of the entire Middle East and the U.S. A nuclear Iran is simply unacceptable, and we must do what we can to deter this threat.

The Iranian government, and the international community, must recognize the Jewish, democratic state of Israel's legitimacy and right to exist, given the Jewish people's three millennia of history in the land of Israel. Israel is Jewish land, and this must be recognized.

Once again, Mr. Speaker, I congratulate Israel on its 62nd anniversary. It is imperative that we continue to remain firmly behind our friends in Israel. As our strongest ally in one of the most volatile regions in the world, our country's first priority must be to be a true friend a partner with Israel.

Ms. HIRONO. Mr. Speaker, I rise in support of the 62nd anniversary of the founding of the State of Israel.

Americans stand beside the Israeli people in commemoration of Israel's independence, and we celebrate the vision of the 37 Israelis who established the founding declaration on April 20, 1948, in order to secure a free, just, and peaceful new nation.

Shortly after Israel was founded, President Harry Truman became the first national leader to recognize Israel as a friend and partner of the United States. Since that time, Congressional support for the State of Israel has not wavered, and ties between our two countries remain inextricably linked.

Last August, I was fortunate enough to visit Israel with a number of my Congressional colleagues. That visit left an indelible impression on me. It is one thing to read of Israel's history and about that region of the world, but it is quite another to walk through the streets in Jerusalem, see Israel from the Golan Heights, and spend time at Yad Vashem and at Masada. While there, I also visited Ramallah and met with Palestinians who are engaged in the peace process.

Along with my colleagues in Congress and my constituents back home in Hawaii, I look forward to the day when the Middle East is a region at peace. I am confident that our governments will continue to work together as allies to ensure that the goal of achieving a comprehensive peace in the region becomes a not-so-distant reality.

Congress must also work with the Obama administration to make certain that Israel's security remains intact. On April 15, 2010, a number of my colleagues from both sides of the aisle sent a letter to President Obama assuring him of bipartisan support to prevent Iran from acquiring nuclear weapons capability using the tools we have at our disposal, including engagement with the Iranian regime and targeted sanctions. Although I was in Hawaii and did not have an opportunity to sign it, I would like to go on record in support of this letter, which reiterates congressional support for President Obama to do what is necessary to prevent Iran from obtaining a nuclear weapon. Late last year, I voted in support of H.R. 2194, a bill that amends the existing Iran Sanctions Act of 1996 and imposes additional sanctions that would curb energy investments in Iran. Soon the House and Senate will vote on a conference measure, and I hope that passage of this legislation will further deter the security threat that Iran's regime poses to Israel.

I join my colleagues in wishing the Israeli people a happy Independence Day and reaffirm Congress's commitment to our relationship with the Israeli state.

Ms. TSONGAS. Mr. Speaker, I rise today to recognize and celebrate the 62nd anniversary of Israel Independence Day.

I was fortunate to travel to Israel in 1982 and still have strong memories of my visit to that tiny strip of land that holds so much meaning for so many. Much has changed since that time, and I have heard repeatedly that it is like a whole new country worth visiting again, which I intend to do.

Israel has developed a vibrant and diverse democratic society. It is home to an innovative technology sector with more start-ups than any other country except the United States. I am proud to say that many of these organizations have strong research and development relationships with organizations throughout my home State of Massachusetts and that these relationships continue to create jobs for both Americans and Israelis.

Israel has been a place of refuge and opportunity for thousands coming from countries as diverse as Ethiopia and the former Soviet Union. And Israel has provided relief around the world for victims of natural disasters in Haiti, Southeast Asia and elsewhere.

It has done all this while being surrounded by enemies. In this environment, Israel has

forged hard won peace with both Egypt and Jordan, and despite tragic setbacks, the Israeli people continue to yearn for peace with their neighbors.

The strong bonds that exist between Israel and the United States are based on our shared ideals—democracy, opportunity, freedom, and peace—and the mutually beneficial cooperation between our two countries will continue long into the future.

Again, I rise to celebrate the 62nd anniversary of Israel's independence and to recognize the lasting friendship between our two countries.

Mr. MITCHELL. Mr. Speaker, I rise today to honor Israel's 62nd Independence Day.

Israel is not just a vitally important ally to the United States, it is a beacon of democracy in a part of the world where democracies are few and far between.

Sadly, all too often, Israel is forced to defend these democratic values against countless who wish to wipe Israel off the map.

The threat of rocket attacks is nearly constant for Israelis. I had the opportunity to visit Israel last year, and I witnessed firsthand some of the damage caused by rocket attacks by Hamas from Gaza. I am amazed at the determination of the Israelis to continue to lead normal lives despite the constant threats and reminders of terrorism. It was particularly evident during a trip to Sderot, at an indoor playground that also functions as a bomb shelter.

The threat from Iran is even more ominous. Between the Holocaust denials, the arms shipments to terrorists, and the quest for nuclear weapons, Iran is not only a threat to Israel, it is a threat to the United States.

That's why, as we commemorate Israel's Independence Day, I can think of no more appropriate action for those of us here in Congress than to finish our work on Iran sanctions legislation, and to deliver a final bill to President Obama as quickly as possible.

Last year, the House passed H.R. 1327, the Iran Sanctions Enabling Act by a vote of 414 to 6, as well as H.R. 2194, the Iran Refined Petroleum Act by a vote of 412 to 12. In January, the Senate approved S. 2799, the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2009 by voice vote.

There is clearly broad, bipartisan support for this legislation, and I believe we must act without further delay.

Mr. WAXMAN. Mr. Speaker, this week, Israel marks the 62nd anniversary of the historic date in the Hebrew calendar when the British Mandate over Palestine expired and a modern Jewish state was reborn.

Each year, Israel Independence Day, Yom Ha'atzmaut, is an opportunity to catalogue the remarkable accomplishments of a nation built on the hopes of generations. And it is an opportunity for us to reiterate the enduring support and friendship of the United States government and the American people.

This year, we celebrate a country that has engineered immense economic prosperity, even in the face of the worst economic challenge since the Great Depression. Today, Israel has the second largest number of technology startup companies in the world, after the United States. As we mark the 25th anniversary of the 1984 U.S. Free Trade Agreement, Israel boasts the largest number of NASDAQ-listed companies outside of North America. Considering Israeli leadership in biomedical, alternative energy, and defense research, it is no surprise that Israeli GDP now rivals countries in Europe.

Military and intelligence cooperation between the United States and Israel has reached unprecedented levels with operations like the joint missile defense exercise Juniper Cobra, approved sales of sensitive military technology, and regular Israeli participation in NATO patrols of the Mediterranean.

In November, I had the honor of attending the dedication of the 9/11 Living Memorial, a monument established by the Jewish National Fund in the foothills of Jerusalem beside a forest planted in the memory of those who perished on 9/11. It is the only memorial outside the United States that names all of the victims and a powerful example of the enduring and emotional connection between our nations.

This year, Yom Ha'atzmaut also comes at a moment of great anxiety. Iran is ramping up efforts to obtain nuclear weapons capability which poses an existential threat to the country's survival. Hezbollah is arming itself with Scud missiles. Gilad Shalit remains in captivity. Gaza remains unstable and in the coming months the United Nations General Assembly will again seek action on the flawed, inaccurate, and biased Goldstone Report on the war in Gaza.

In the face of all these issues, it is clear that the United States is working side-by-side with Israel to meet and resolve all of these challenges.

In the past few weeks, there have been tensions and arguments among good friends. Emotions were high after Vice President BIDEN's recent visit to Israel. It was distressing that the mishandling of a housing planning announcement tarnished a concrete peace initiative to launch proximity talks designed to facilitate the return to direct negotiations between Israel and the Palestinian Authority. But Israel is not retreating from the road of diplomacy, and neither is the United States. The Palestinian Authority should also stay the course.

What is more significant, are the exceptionally strong statements of support for Israel, its security and our alliance by the President, the Vice President, and the Secretary of State's and Prime Minister Netanyahu's reiteration of his commitment to participate in talks, proximity or direct, without pre-conditions.

Although Israel's enemies want to portray an atmosphere of crisis, there is nothing for them to exploit. The one-state solution they advocate to eradicate the Jewish state is transparently a policy of genocide not peace.

When peace is finally achieved, Jerusalem will remain, as it is today, the eternal capital of Israel. And this will be embraced by the United States in spirit and in law, just as it is today.

The most resounding answer to Israeli's critics is the strength and vibrancy of its democracy, its commitment to live in peace with its neighbors, and its dedication to promoting stability and security in the region.

The United States and Israel have much common ground to celebrate this year as always and we stand proud to do so.

Mr. BERMAN. Mr. Speaker, since the founding of the State of Israel sixty two years ago, the United States has had no greater friend in the Middle East. The U.S.-Israeli friendship is based on shared democratic values, progress, and our hope for peace between nations. This friendship is buttressed by our nation's unshakeable commitment to Israel's security.

Since its founding in 1948, Israel has spurned the authoritarian model that dominates its region and has built a world-class civilization: a vibrant democracy, a thriving economy, and a culturally and academically rich society.

Israel produces more scientific papers per capita than any other nation. Nearly a quarter of the Israeli workforce holds university degrees, ranking Israel third in that category in the industrialized world, after the United States and Holland. Israel also claims one of the world's highest numbers of books and museums per capita.

Over the last sixty two years Israel has become a global leader in medicine and technology. Israeli medicine and medical equipment is exported world wide. And Israeli technologies are protecting and assisting U.S. military personnel deployed around the globe.

High-tech companies are rushing to get an Israeli presence. In addition to boasting the highest density of start-ups in the world (a total of 3,850 start-ups, one for every 1,844 Israelis), more Israeli companies are listed on the NASDAQ exchange than all companies from the entire European continent.

Moreover, Israel is leading a green revolution with its high-tech companies and Israel is the only country in the world that entered the 21st century with a net gain in its number of trees.

The American people—and particularly the United States Congress—have contributed mightily to Israel's sustenance and security over the years. Of that we are justifiably proud.

Still, despite its strength, Israel faces incredible challenges to its existence. The Islamic-militant group Hamas, which is determined to bring about Israel's destruction, remains in control of the Gaza strip and continues to plot against Israel. Hamas is actively working to disrupt the return to peace negotiations between Israelis and Palestinians.

Hezbollah, which is sustained by Iran and supported by Syria, remains perched on Israel's northern border. As The New York Times recently noted, it is believed that Syria has delivered accurate long-distance Scud missiles to Hezbollah, placing cities deep in Israel's heartland, including Tel Aviv, within range.

Furthermore, the Islamic Republic of Iran, a theologically-based state whose President has threatened to "wipe Israel off the map", is rapidly developing nuclear weapons and long-range missiles.

In my view, there is no greater threat to Israel, the United States, and the world than the prospect of a nuclear Iran. For this reason, in the coming weeks the Congress will send President Obama legislation designed to strongly sanction Iran in order to cripple its nuclear weapons program. I am proud to be the sponsor of that legislation.

In closing, I congratulate Israel on its 62nd anniversary of independence. Today we reaffirm our nation's pledge to Israel: that we will stand in solidarity with Israel against all violent assaults on its security and well-being. Israel's security is America's security, Israel's hopes for peace are America's hopes for peace, and we will always stand side by side.

Ms. SCHWARTZ. Mr. Speaker, I recognize the sixty-second anniversary of Yom Ha'atzmaut, to congratulate the State of Israel on its Independence Day, and to celebrate the unshakeable U.S.-Israel relationship.

As the daughter of a Holocaust survivor, I understand personally how important Israel is for all Jews everywhere. On May 14, 1948, Israel declared independence, providing a new safe haven for Holocaust survivors and for Diaspora Jews before and since the Holocaust, who experienced a millennium of anti-Semitism.

In honor of Israeli Independence Day and in recognition of the close relationship between Israel and the United States, we will continue to work with our trusted ally to pursue a secure and peaceful Middle East, assuring liberty, economic prosperity, and security for Israel and its neighbors. While Hamas, Hezbollah and Iran threaten this security with words and missiles, the U.S. Congress stands committed to work towards a secure Israel where all of its citizens can live, prosper, and dream in security.

In its 62 years of nationhood, Israel exemplifies freedom, opportunity, and democratic values. Its unfettered elections, transparent press, and vital economy distinguish it as a leader in the Middle East. It is our closest ally in the region. As such, I welcome the opportunity to acknowledge and celebrate its independence and our shared efforts to ensure its safe and secure future.

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

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

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

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

## HONORING ISRAELI INDEPENDENCE DAY

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

Mr. KLEIN of Florida. Mr. Speaker, I rise today to support House Concurrent Resolution 260 and acknowledge both the sacrifices and the celebrations of the Israeli people on their Independence Day, Yom Ha'atzmaut.

Sixty-two years ago, the founders of the Jewish state gathered together in Tel Aviv to declare: ''Exiled from the land of Israel, the Jewish people remain faithful to it in all the countries of their dispersion, never ceasing to pray and hope for their return and the restoration of their national freedom.''

In every turn of Jewish history, expulsion after expulsion, pogrom after pogrom, the vision and the dream of the return to Israel would keep the Jewish people going. It was this hope that fueled the establishment of the state of Israel, and through every battle and every war, the words of the Israeli Proclamation of Independence continued to hold true. The people of Israel's connection to the land keeps them faithful to the ideals of the state that was established 62 years ago.

□ 1700

I feel this commitment every time I visit Israel and see the unshakeable dedication to improving the Jewish homeland. Since its founding 62 years ago, Israel has become a modern state, a beacon of democracy, and a hub of technological advancement. And the world has benefited from Israel's contributions.

Israel is the world's largest per capita user of solar water heaters in their homes. Israel will be launching the world's first electric car network throughout the country, reducing their dependence on foreign oil, and serving as a model to the rest of the world. Israel's experience on the front lines of terrorism have allowed them to use their first responder skills when humanitarian crises occur around the world, not just in Israel. Just a few months ago, Israel dispatched a team to Haiti, setting up a field hospital, delivering medical care, and saving lives. They were the first ones on the ground.

Finally, Israel has taken painful steps toward peace, making sacrifices, sometimes unilaterally, toward the goal of reaching an agreement with its Arab neighbors. Israelis live under constant threat from Hamas's barrage of rocket attacks from Gaza, from the dangerous and genocidal words of a dictator in Iran, from a buildup of weapons on its northern border, from a despicable campaign to delegitimize Israel on the international stage.

While the threats against the United States and Israel grow and strengthen, so too must our joint resolve to confront them. I am proud to be a supporter of a strong U.S.-Israel relationship. We are stronger together through our friendship. We are safer together through our cooperation. And in this uncertain world, the United States and Israel need each other.

On this Israeli Independence Day, I acknowledge the brave men and women and their families who have sacrificed so much for the Jewish homeland, and I look forward to the day when Israel can celebrate independence in peace and security.

## HONORING FIRST LIEUTENANT ROBERT COLLINS

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

Mr. WESTMORELAND. Mr. Speaker, it is with a heavy heart and a humble spirit that I come today to this People's House, to this floor of the People's House to honor an American hero.

Mr. Speaker, First Lieutenant Robert Collins answered his Nation's call to duty after graduating from West Point Military Academy in 2008. And earlier this month he made the ultimate sacrifice on behalf of his fellow countrymen. Lieutenant Collins was deployed to Iraq only last fall, and was based with his unit in the northern part of the country.

Lieutenant Collins recently wrote that he was working to improve security conditions and the quality of life for the Iraqi people. In this year's national elections in Iraq, his platoon helped provide security for a free and fair election process, and I know that he took great pride in that.

He was a man willing and ready to serve his country. As a dedicated soldier, he wanted to help spread far and wide the same freedom we love and cherish here in the United States. Lieutenant Collins' willingness to help others came as no surprise to anyone who knew him. A native of Tyrone, Georgia, and a graduate of Sandy Creek High School, he was well respected among his peers. In fact, one former classmate wrote that Collins ''was compassionate and at the same time had a great sense of humor that could not be matched. Robert would always be there for people when they needed help.''

His parents, Deacon and Sharon, are both retired lieutenant colonels. They proudly served our Nation, and they proudly supported their son's decision to serve our country. While we honor Lieutenant Collins, we should also think of Deacon and Sharon. Lieutenant Collins was also blessed to have Nicole, his fiancee, and childhood sweetheart.

Last week Lieutenant Collins came home to Georgia for the last time, and his community came out to honor him. From local veterans to ordinary citizens, the procession route was lined with people waving American flags and paying their great respect to this hero. One gentleman summed it up best when he said, ''I am a patriot. Anyone who gives up their life for my freedom, well, this is the least I can do.''

Today I stand here to honor First Lieutenant Robert Collins because it was the least I could do. He stood for me and all Americans by serving and sacrificing to our Nation, and he is an American hero. I want to thank him from me and my family and the generations to come. And I also want to thank his loving parents for the sacrifice that they have given to this great Nation.

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

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

## ISRAEL'S 62ND INDEPENDENCE DAY

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

Ms. CHU. Sixty-two years ago on Monday, the State of Israel was born, and on that day many did not believe Israel could withstand the impending struggle and remain a beacon of hope and democracy for the world. Despite decades of terror and threats to its existence, the nation still stands today, proud and defiant to those who would wish her harm.

Sixty-two years ago, just minutes after David Ben-Gurion announced the establishment of a home for the Jewish people, the United States was the first Nation to recognize its independence. Our unwavering support for the security and prosperity of Israel continues to this day because of the core ideals our two countries share, ideals of perseverance, democracy, and innovation. I am proud to stand here today to congratulate the State and people of Israel on the anniversary of their independence, and to pledge that we will continue to work together to achieve global security, peace, and prosperity.

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

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

## HONORING THE 62ND ANNIVERSARY OF THE STATE OF ISRAEL

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to recognize Yom HaAtzmaut, the 62nd anniversary of the independence of the State of Israel, and to reaffirm the unbreakable bond between our two democratic nations.

Sixty-two years ago, on May 14, 1948, the State of Israel declared sovereignty and independence as a homeland for the Jewish people. With little resources and seemingly insurmountable obstacles, Israel has become a thriving and prosperous democracy, and has made worldwide contributions in technology, medicine, agriculture, and environmental innovation. Despite this progress, Israel continues to face threats from hostile actors such as Iran, Hamas, and Hezbollah.

This was strikingly clear when I led a congressional delegation to Israel this past January. Meeting after meeting we heard from strong and resilient Israelis who have lived their lives under the constant showering of rockets and continued suicide bombing attacks. Put simply, we would not allow our government to stand idly by as hundreds of rockets and mortars came crashing down on the heads of our citizens, and we cannot expect Israel to sit idly by either. I believe the Government of Israel has not only a right, but also an obligation to protect its citizens. And I firmly stand by this right and obligation.

Israel's commitment to democracy, freedom of religion, and human rights is a testament to the world view it shares with the United States. We face the same threats in an unstable region. But above all, we share a deep commitment to stand by each other and face the challenges ahead.

One of those challenges that we faced together was the devastating earthquake in Haiti. I commend the efforts and generosity of the Israeli people who worked on the ground in Haiti, the State of Israel, the Israel Defense Forces, and the Israeli people for their outstanding contributions to earthquake relief in Haiti.

In a world of great uncertainty, Israel has been a key partner, ally, and friend of the United States, and I look forward to our continued work together based on these shared values.

Before I close, I would like to take a moment to recognize the Jewish community of South Florida, where I call my home. These inspiring men and women continue to work tirelessly with me so that we can be sure the Jewish State of Israel is secure and prosperous. And it is with them in mind that I say these next three words with gratitude, passion, and resolve: Am Yisrael Chai! The Nation of Israel lives!

## HONORING THE 62ND ANNIVERSARY OF THE STATE OF ISRAEL

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

Ms. SCHAKOWSKY. Mr. Speaker, I rise to honor the 62nd anniversary of the founding of the Jewish State of Israel. Israel has weathered decades of war and terrorism, but it remains a thriving democracy and America's closest friend and ally in the Middle East.

As a very young child, I remember the immense pride and joy my family felt when the Jewish state became a reality. I had the privilege of traveling once again to Israel earlier this month. And again I was struck by the resilience, the courage, and innovation of the Israeli people, as well as their pride in the beautifully lush country they had built in the desert.

I thought about my childhood again and the number of times that I had saved my nickels and dimes to buy trees and tree certificates that we used for birthdays and anniversaries to plant trees in Israel and to turn that desert and make it bloom.

No longer just a longing of the Jewish people, Israel today is a leader in technology, and energy, and scientific innovation, including medical innovations. It is also the only democratic state in the Middle East, and our steadfast friend and ally and partner. Today we mark the 62nd anniversary of the State of Israel and celebrate the unbreakable bonds between our two countries, the unbreakable bonds between our two countries.

Sixty-two years after the United States became the first country to recognize the new State of Israel, we still share common dreams and continue to strengthen our critical relationship. Just minutes after the declaration of the founding of the State of Israel, President Harry Truman recognized that country, and it began a 62-year long commitment, nonpartisan, bipartisan, universal throughout our country recognizing the importance of our relationship with the State of Israel.

I believe that this Congress of the United States maintains that dedication and will forevermore.

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

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

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

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

## 62ND ANNIVERSARY OF ISRAEL INDEPENDENCE

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

Mr. ETHERIDGE. Mr. Speaker, I rise today to celebrate the 62nd anniversary of the founding of the State of Israel and join with the Israeli people in honoring the country's founders and marking its great achievements and successes.

On May 14, 1948, Israel's founders declared that the country would be not only a Jewish State, but also a democratic one, where all citizens, regardless of religion, ethnicity, race or gender, would live in peace with equal civil rights. Since that day, Americans have stood side by side with Israel to form a strong bond of friendship. Even as we celebrate, we also look forward to the next 62 years and beyond.

Mr. Speaker, I would like to again congratulate the Israeli Government, its people, and others on this, their 62nd year of independence.

Mr. Speaker, I rise today to congratulate Israel on her 62nd anniversary of independence.

On May 14, 1948 the day the British Mandate expired, the new Jewish state—the State of Israel—was formally established in parts of what was known as the British Mandate for Palestine. With the establishment of the State of Israel in 1948, Jewish independence, lost two thousand years earlier, was restored. When Prime Minister David Ben-Gurion read the Declaration of Independence, 11 minutes later when those words had traveled halfway around the world, they were endorsed by

United States President Harry Truman, the first to recognize a new member of the community of nations, and a new friend. President Truman said "I had faith in Israel before it was created. I believe it has a glorious future before it—not just another sovereign nation, but as an embodiment of the great ideals of our civilization."

The United States and Israel are close allies whose people share a deep and abiding friendship based on a shared commitment to core values including democracy, human rights and freedom of the press and religion. Israel stood by America in spirit and in action after the tragic events of 9–11. Israel has been the only democratic ally of the United States in the Middle East, as both our great nations fight the same scourge of terrorism and Islamic extremism. Like all North Carolinians, I stand united with our allies, like Israel, as we engage in this campaign to hunt down and punish the terrorist perpetrators. We must ensure that those who mean us harm can never again threaten innocent American men, women and children. A strong Israel is an asset to the national security of the United States and brings stability to the Middle East.

Mr. Speaker, I would like to again congratulate the Israeli government and people on their 62nd year of independence.

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

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

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

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

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

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

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

(Ms. LORETTA SANCHEZ of California addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

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

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

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

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

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

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

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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.)

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

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

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## THE STATE OF THE ECONOMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AKIN. Mr. Speaker, it's a treat to join you and my colleagues once again this evening and talk about a subject that has been troublesome to all of us for some number of months now, that is the state of the economy, the problem with unemployment, and the various causes and factors that caused some of the tremendous level of distress economically which we have been experiencing.

Sometimes it's helpful as we wade into a rather broad subject such as the problem of jobs and the economy, it is helpful to take a look back a little bit, see what we can learn from some of the lessons of history and how we got into the mess in the first place.

Some of the first rather troubling signs of the condition which brought on the recession go back to September 11, 2003, as recorded by the New York Times, not exactly a Republican or conservative oracle. The particular news article here says that there is a new agency proposed to oversee Freddie Mac and Fannie Mae. This is being proposed by the Bush administration, and it said that it today recommended the most significant regulatory overhaul in the housing finance industry since the savings and loan crisis a decade ago.

□ 1715

Apparently, we did not learn a lot from the savings and loan crisis. But the Bush administration was trying. And so they were requesting to Congress that there be an overhaul of Freddie and Fannie because they saw problems coming. Why was that? Because Freddie and Fannie had had a few billion dollars here and there that they couldn't really account for. And things weren't going so well for them. And so this is back in September 11, 2003, the middle of the Bush administration, Bush asking for greater authority to oversee Freddie and Fannie.

Well, what was the result of that request?

Well, the result of the request was that the Republicans in the House passed legislation to do that and sent it to the Senate. Now, at that time, we have the congressional Democrats weighing in. At that time the Democrats were in the minority in the House. And we had now-chairman, he wasn't at that time, but he is now-Chairman BARNEY FRANK in the New York Times, same article, September 11, 2003. This is what BARNEY FRANK says: these two entities, Fannie Mae and Freddie Mac, are not facing any kind of financial crisis.

Now, this is a Democrat that's supposed to know what's going on with Freddie and Fannie. He's a chairman now of that committee, the committee that looks over these things.

He says, they're not facing any kind of financial crisis. The more people exaggerate these problems, the more pressure is on these companies, the less we will see in terms of affordable housing.

Well, it's always easy to look back in hindsight. Hindsight, people say, is 20/20. Congressman BARNEY FRANK was obviously wrong, not just somewhat wrong, he was way wrong. He had previously been quoted as saying, we're going to roll the dice and make sure that anybody who wants to get a home loan can get it. And yet here he says there's no real problem with Freddie and Fannie. Of course what we find is there is a big problem with Freddie and Fannie.

And so the Republicans, seeing this coming, passed a bill in the House. And as you know, when you pass a bill in the House, the next thing you do is send it to the Senate. Now people are much more aware today as to how things work in the Senate. It's not sufficient in the Senate just to have a majority of votes. You'd think, now there

are 100 Senators. You'd think, well, if you get 50-plus votes, you ought to be able to pass something in the Senate. The Senate is a very weird place. That's not how it works.

It takes 60 votes in the Senate to bring something up for a vote. And once you bring it up for a vote, then you can pass it with 50-plus votes.

So what happened then, the Republicans passed this bill to regulate Freddie and Fannie. It went to the Senate, and it died over there, along with a whole lot of other bills that the Republicans in the House passed, and it died because it did not have 60 votes.

Why did it not?

Well, the Republicans had 50-some Senators, but they would have to get five or six Democrats to go along. None of the Democrats went along with further regulation of Freddie and Fannie, and so the bill died in the Senate.

So Freddie and Fannie cruise along happily through the night, and no concern about icebergs or bad weather ahead, and as we see, and as we saw, come to grief, and then require a major Federal bailout to try to protect them.

Now, what Freddie and Fannie had been doing was this: for many years before this, even before 2003, there had been Federal policies saying that you have to—the different banks in different cities have to give loans to people, even though it may seem like the job that they have or the place where they want to buy a house is not a good bet financially. In other words, what you're saying to people is, yeah, you don't have too good a job, and we're not so sure you can pay this loan off, but the Federal Government was demanding that banks make these loans to people who were what the banks would call poor risks. And so we have more and more of these banks.

Now, over time, Freddie and Fannie had carried some loans that were bad risks over time; and particularly under Clinton's last year, those percentages were kicked up, forcing Freddie and Fannie, effectively, because these loans all ended in Freddie and Fannie, to accept more and more loans that were very marginal.

Now, for a time period, through the Bush years, things worked pretty well, because house prices, housing prices, as a lot of people remember, really started to go up. In fact, when I came down here as a Congressman in 2001, and I take a look back at about 2006 or 2007, I'm kicking myself. I'm saying, what was wrong with me? I must be really stupid because if I'd bought a house when I first came to Congress, it would be worth twice as much now because housing prices were shooting up because all kinds of people were dumping money into the liquidity that had been created which was being dumped into this housing market.

So what happens?

As long as that housing market goes up, up, up, up, up, people think this is a good deal. And so we don't have too big a problem. But all of a sudden, pop, the bubble bursts. Housing prices start to come down, and now all of these lousy loans are coming home to roost. The loans by Wall Street were then chopped into all sorts of little pieces and packaged up with all kinds of other loans and sold all over the world. So this created one whale of an economic mess.

What was the start of it? The start of it was the fact that we had these liberal programs trying to suspend the rules of mathematics and saying you can make loans to people who can't afford to pay their loans, and you can just keep doing it and doing it, and nobody is ever going to have to pay.

Guess who had to pay? You got it right. The U.S. taxpayer had to pay.

And we come back again, now, we have this chairman, BARNEY FRANK, who's now in charge of fixing this problem, which he was very comfortable with. Freddie and Fannie are not facing any kind of financial crisis. The more people exaggerate these problems, the more pressure is on the companies, the less we'll see in terms of affordable housing.

It turns out that he was just wrong, and now his job is to try and fix it. Well, now we've got ourselves a good economic mess on our hands, and we're starting to have problems with the economy. And we're going to get into what happened next in just a minute. This is a regular whodunit. I hope you'll stay seated and ready to go. But I have my good friend from Louisiana joining me. And, STEVE, please.

Mr. SCALISE. I want to thank my friend and colleague from Missouri for leading this hour. And I know we've continued to have this conversation and talked about this months ago, back when the original bill came through to do the stimulus package and, you know, President Obama said that he's got to spend more money to get the economy back on track. And I know you're getting ready to talk about Henry Morgenthau, who was Treasury Secretary under Franklin Roosevelt. And he warned back then that spending and spending money and acquiring more debt doesn't get the economy back on track when you're growing the size of government. And it didn't work then and it's not working now.

But of course now we've got this bailout bill, this permanent bailout bill by Chairman BARNEY FRANK, who, as you pointed out, was defending Fannie and Freddie when they helped create this mess, and Chris Dodd. And they've got this bill that creates a permanent bailout fund.

And then it also taxes a lot of our banks who didn't have anything to do with creating this problem in the first place. And, in fact, this bill not only will create this permanent bailout fund and will enshrine this whole concept of too big to fail, but it's going to hurt our local banks, the folks that actually played by the rules, that didn't do anything wrong. And now they're going to be at a disadvantage. It's going to be harder for them to give loans to our small businesses and middle class families who are trying to get by, because now they're going to actually create a two-tiered system that favors those big Wall Street fat cats that helped create this problem that are now permanently too big to fail and get a permanent bailout fund at the expense of our local banks who didn't do anything wrong and played by the rules. And so it's really frustrating when you see this bill moving through.

And they're trying to call it a reform. Really, all it does is it lets the SEC off the hook for their failures to actually do their jobs as regulators when they let Bernie Madoff off, and they had a Ponzi scheme similarly in south Louisiana by this guy called Stanford. Once again, a report just came out the other day that the SEC knew about this back in the 1990s and did nothing. And the SEC's been derelict in their responsibility so they're going to try to go create some new Federal agency to do the job that the SEC was supposed to do but didn't do. What we ought to do is hold those folks accountable, like the folks at SEC and the folks that propped up Fannie and Freddie that created this mess, instead of trying to blame somebody else and punishing our local banks who didn't do anything wrong, and now making it harder for them to give loans to our small businesses and middle class families.

Mr. AKIN. Congressman, as I hear you speak, I'm just reminded that I probably didn't do you justice to introducing you, because, to some degree, you're an economic wizard because you stood here on the floor a year ago, just before we were going to pass this cap-and-tax bill, and actually, I guess I'm thinking about the—I called it the porkulus bill. Some people called it the stimulus bill. And you told, on this floor, and this is nationally recorded for anybody who wants to look at it, you said that stimulus bill is not going to work.

Now, the Democrats were saying, if you don't pass the stimulus bill, you're going to have more than 8 percent unemployment, so you guys better pass the stimulus bill. And you stood here on this floor, I remember you doing it, saying, it won't work.

Well, now, a year and a couple of months later, you're a regular economic genius because you saw that it wasn't going to work. You understood the principle of why it wouldn't work. They went ahead on a one-party rule, without any Republican support, passed a bill that we knew wouldn't work, and now it hasn't worked. And now we've got over 10 percent unemployment. And they said, if you don't pass a bill, you'll have 8. I wish we had just stuck with 8, I suppose.

But $700 billion of supposed stimulus. Now, we do have the Chief of Staff for the President, a former Member of the House, who said that every time one of

these economic crises come along, you've got to milk it for everything you can get. And so they loaded into this $700 billion bill all kinds of expansions of welfare and all kinds of government programs and hiring a bunch of people by the Federal Government. And of course it wasn't going to work.

You didn't have to be really an economic genius, although you are. All you really had to do was to read a little bit of history.

Mr. SCALISE. And if my friend would yield.

Mr. AKIN. I do yield.

Mr. SCALISE. You're too generous in your praise. I don't think it's much of being an economic whiz as it is being a student of history. And as you were saying, we've studied history. And you don't need to figure out and reinvent the wheel here.

Our country has cyclically gone through good times and bad. You know, sometimes we're up, sometimes we're down. A typical recession lasts about 18 months, and our country was in a recession, and it was starting to taper off. And we were in the sevens, 7½ percent unemployment, which was too high. But the President was saying, you've got to pass that $787 billion stimulus bill or else unemployment might go over 8 percent. Basically, they said unemployment won't go over 8 percent if you pass the bill. And of course we knew that wouldn't work because, as history shows us, it's never worked before. It's only created even more problems. And sure enough, just like history's always shown, and just as we predicted over a year ago, when they spent all of that money growing the size of the Federal Government, not creating jobs in the private sector, it actually created more problems to the point where unemployment is now hovering over 10 percent.

Mr. AKIN. What amazes me, Congressman, is if you looked out at the average guy in America that runs a family, okay, there's all these families all over the place, all over America. How many of them would be dumb enough to think when they're in hard economic times that what they're going to do is they're going to increase their level of spending. They're going to go out and spend a whole lot of money in order to make the fact they're in hard economic times better. You know, I don't think there are that many dumb people in this country that really believe something like that.

And yet somehow or other a majority of legislators in the Federal Government fell for that scam. I think a lot of times people fall for something because they want to, not because it makes any logical or rational sense.

But these weren't the only legislators that have been sucked in. You know, you go back to the days of FDR. There was a recession going, and he managed to come up with just the right policies to turn it into the Great Depression because he wasn't any genius on economic matters. And so at the end of 8 years of the Federal Government spending money like mad, his Secretary of the Treasury, Morgenthau comes back to the House here, to the Ways and Means Committee, and he makes a statement. We've tried spending money. I guess we've heard this before. We're spending more than we've ever spent. They spent nothing compared to what we're spending before. And it doesn't work. I say, after 8 years of the administration, we have just as much unemployment as when we started, and an enormous debt to boot.

□ 1730

Now, this obviously proves that we learned nothing from history. Certainly the Democrats learned nothing from history because that is exactly what we just did a year ago. We spent $787 billion. It wasn't even good old Keynesian stuff. It wasn't hydroplants. It wasn't building big ships for the Navy, putting people back to work with the government getting manufacturing jobs on the street. No. It's all this more food stamps, welfare checks, bailouts for States that hadn't managed their budgets responsibly. So here we go.

So you said, gentlemen, this isn't going to work. You knew because Morgenthau told us. The Democrat that worked for FDR told us it wouldn't work. And we tried it again, and it still didn't work. That is how we got started.

Then after that, of course, we introduced some other factors in the economy which, just like FDR, we're going to take a bad situation and make it worse. I love these cartoons.

Now give me one good reason why you're not hiring. We see the President here talking to some guy who owns the china shop and he's got a couple bulls coming in the door. Health care reform, cap-and-tax, and then the war tax. So we've got all of these taxes, and these bulls are coming in, and this guy is a little concerned about hiring these bulls to help his china shop.

So, anyway, here we go. We're starting to get into the first part of last year. We're seeing unemployment going up. We're seeing the solution is government spending, and things have not gotten a whole lot better.

I yield to my friend.

Mr. SCALISE. The frustrating thing about all of this, and of course there's a saying that if you don't learn from history, then you're doomed to repeat it. And it seems like we're repeating history now. But what's frustrating is, really, starting back in January of last year, over a year ago, what the American people said, what many of us here in Congress said back then was we need to be focusing on creating jobs and getting the economy back on track. And, in fact, there are tried-and-true ways of doing that that have been proven every time they've been tried. And one sure proven way of getting the economy going again is cutting taxes.

Mr. AKIN. Wait a minute. You just cussed on the floor of the House. I didn't think you were allowed to say that. Horrible world. Cutting taxes. Oh, no. You're going to get accused of a hate crime, gentleman, if you keep that up.

Mr. SCALISE. I know President Obama and Speaker PELOSI and her liberal lieutenants don't like the concept of cutting taxes. And, in fact, they have got a lot myths going around out there that cutting taxes are what created this problem instead of what we know created the problem, and that is like groups like Fannie Mae and Freddie Mac giving loans to people who had no ability to pay.

But cutting taxes, if you go back in history, and you can go back to John F. Kennedy. You can go back to Ronald Reagan. When they cut taxes, Federal revenues grew because the economy got going again. People were spending money much wiser than government spends money, but they were spending money to create jobs. And jobs were being created, and the economy got going again because taxes were cut. And those tax cuts yielded in more revenues coming in to the government.

Mr. AKIN. I would like to slow you down just a minute because you are smart in this stuff, and what you're saying is historically accurate. But I would like to take that apart, slow it down just a little bit so people can see the logic of why this works the way it does. Because what we know from Henry Morgenthau—if nothing else, the Democrats should be able to learn from Democrats, but they're not. They refuse to, and the reason they refuse to is because they don't like the answer that Morgenthau said, which is they can spend money like it's going out of style.

Now, what Democrat could you learn from? You just mentioned his name. It was JFK. He understood enough about economics to know that if you back off the taxes, you can actually get the economy going. Well, how does that work? Well, when you back off the taxes, it leaves more money out there for small businesses to hire people. And if small businesses have more money to invest, they invest in a new wing on a building and a new machine tool and they invest in their own business, and those people then, as they invest, create jobs.

So what you've said is this isn't rocket science. This is something that JFK understood. Ronald Reagan did the same thing. He cut taxes, and the economy grew. And Bush did the same thing. But here's sort of a weird thing. They call that supply-side economy. Democrats call it trickle-down economics. Whatever you want to call it, it works.

But the thing that strikes me is that logically, how is it, because it seems like you're making water run uphill. What you're saying is that the Federal Government is going to lower their tax rate, and yet they're going to get more money back. That seems counterintuitive. So I'm thinking about it like Congressman SCALISE.

Let's say you're king for the day and the only thing you can tax is a loaf of bread. So you're thinking in your mind, How much tax am I going to put on one loaf of bread? You're thinking, If I put a penny on it, nobody's going to notice, and I can collect a penny on all of these loaves of bread. Then you think, Hey, how about if I put 5 bucks tax on the loaf of bread? Then I'd really get a lot of money every time somebody buys a loaf of bread. But then you'd think, But maybe people wouldn't buy as much bread if you've got to pay 5 bucks just to try to get the bread.

And so you're going back and forth in your mind, and pretty soon you say, commonsense says there is some optimum tax on that loaf of bread where you can get the most possible money. If you go too high, you get less revenue for the government. If you go too low, you left money on the table. So there's some sort of an optimum point.

And I think that's what Ronald Reagan and the other Presidents understood, that when you tax the economy too much, it basically drives it into the ground, which is exactly what's going on here. And so what you're saying about the fact that we drop taxes and that helps get the economy going, that's the logic of it. You actually drop the taxes and you get more money into the government. So the result was we dropped taxes, and what we saw was the government got a whole lot more money, and we started to pay off the debt.

And so I thought it would be good to take that apart and explain the logic of it, because what you're saying historically is right, but it seems odd that the government drops taxes and they get more money back.

Mr. SCALISE. If the gentleman would yield?

Mr. AKIN. I do yield.

Mr. SCALISE. History can teach us good lessons and bad lessons. There have been good things that have happened through our history and bad things. And clearly during the depression, that was a bad time in our Nation, but there were telltale signs and things that government did that made things worse that we should be learning from and, unfortunately, the folks running Congress right now haven't learned from.

But there's also good things that have happened over the years, just as when President Reagan cut taxes and you just saw this robust economy take off for over 20 years and job creation that no one's ever seen in the world. And yet that is another part of history that's not being followed that we ought to follow. And Congress, over its time, has spent more money than it's taken in, too, and that's another lessen to learn.

But I think what's so frustrating to people across the country, they want us to be focusing on creating jobs and getting the economy back on track, and that's something that I want us to focus on, too, but what they've seen is just the opposite—policies like this health care bill that's going to run jobs out and these other policies that you talked about.

And now this permanent bank bailout fund that's moving through Congress, it's a top priority of the President, and the American people are saying, once again, Enough already. We don't want any more bailouts. We didn't want the first one. We voted against that first bailout because we knew it would fail, and it failed. And so here the President is again not learning from history but repeating the mistakes of history by trying to create this permanent bailout fund establishing more of this concept of ''too big to fail.''

Mr. AKIN. That permanent bailout concept, isn't that a dangerous kind of thing? Because what we've seen is more and more of the government wanting to get into all of these different businesses, and that certainly is a scary kind of thing. And the other thing we're seeing a whole lot of, which is making people tremendously frustrated and angry, is seeing one thing being said and opposite things being done.

The true engine of job creation in this country will always be America's businesses, but government can create the conditions necessary for businesses to expand and hire new workers. This statement is completely true. Unlike a lot of statements that are made, this statement is completely true. The true engine for job creation in this country will always be America's businesses.

Let's put a little bit sharper point on it. What businesses? Well, 80 percent of the jobs in America come from what are small businesses or businesses with 500 or fewer employees. So the businesses with 500 or fewer employees in America hire 80 percent of the employees in America.

Now, the true engine of job creation in this country will always be, in America, as we say, smaller businesses, but government can create the conditions necessary for business to expand and hire new workers. That's absolutely true. The government cannot create a job no matter what it does, but it can create conditions which allow the small businesses to prosper and hire a lot of people. So this statement is entirely true. The President is right in this. The conditions can be created.

Well, what are those conditions? Well, let's take a look at it. Does it mean $2 trillion in tax increases over 10 years? No, it sure doesn't. What happens when the government takes a whole lot of tax money out of the economy? It's taking it out of the pockets of the people who own the small businesses. Guess what tax category the people who are running those small businesses, guess what tax category they're in? They're in the exact bracket that President Obama said he wants to take tax from, people making over $250,000.

People say, My goodness. If somebody's making $250,000, they ought to pay a little more taxes. Fine. Keep taxing them. What happens? If you keep taxing these guys, they won't invest in their businesses. If they don't invest in their businesses, where are the jobs going to come from? You can't have it both ways.

And yet it seems that the administration wants to talk, saying that we've got to create the right conditions, and they're doing precisely the things that destroy jobs in America, worst of which is excessive taxation on the people that own the small businesses. So that's certainly the wrong thing to do. It's creating the exact wrong conditions. It is driving unemployment, making it even worse, which is what FDR did to take a recession and magically turn it into the Great Depression.

One of the pieces of legislation that the President in his last State of the Union urged Members of Congress to support, the job-killing cap-and-tax legislation. What's this? Well, this is a tax on energy. Well, wasn't there a promise that said, unless you make $250,000, we're not going to raise taxes? Yeah, unless you flip a light switch, and then you're going to get taxed because he is pushing a tax on energy. Everything uses energy, particularly small businesses.

So if you put this cap-and-tax bill into place, you're doing another thing that makes it harder for creating jobs. That's why this cartoon has got a lot of truth when it says that you've got this health care and the cap-and-tax. These are things that are destructive to jobs.

New taxes on employers who don't offer a government health insurance plan. Of course, the new socialized medicine bill is going to be brutal in terms of creating unemployment, because what are you doing? You're, first of all, trying to balance the cost of giving everybody Cadillac health care, and you're going to try to balance that on the back of small business owners. What are they going to do? They're going to say, Hey, I don't want any more employees than I could possibly have because I've got to buy health insurance for all of them, and it's terribly expensive. So I'm going to work my employees as many hours as I can just to make sure I don't have a single employee more than I need. So you're creating a tremendous economic pressure to get rid of jobs by passing this socialized medicine bill.

So let's take a look standing back a little further.

What is it, what are the things that are killing jobs? Because obviously something is killing jobs in America. What are the different factors that are killing jobs?

Well, here is a whole list of them. If you want to kill jobs, this is the thing to do, and this is just what the administration has been doing for a year and a half. This isn't rocket science. This is very common sense. It's about as common sense as a lemonade stand.

The first thing is economic uncertainty. If you're a small business man and you don't have a clue what the government is going to do to you next, what do you do? In Missouri, we call it hunkering down. You don't make decisions. You don't hire people. You don't buy expensive new machine tools. You hunker down when there is economic uncertainty.

So that's first of all when you have things out there such as cap-and-tax, which is going to tax energy.

You've got a new socialized medicine bill that nobody understands how it's going to be implemented. But we know it has been loaded with taxes. They have even got wheelchair taxes. I don't know what poor mind thought of the idea of taxing wheelchairs, but it seems kind of perverse to me. Maybe that should be a hate crime, too. I don't know.

Economic uncertainty. This is a job killer. You want a steady economic climate if you want to keep jobs running forward.

Consumption reduction. That's just talking about the economy slowing down. When you have the economy slowing down, it hurts everybody. Just as a rising tide floats boats, a tide that's going down, you end up sitting on the rocks. So the poor economy also is a job killer.

□ 1745

Excessive taxation is probably, probably the biggest factor which is going to kill jobs, and that's why it is that the Democrats should have learned from JFK. I don't expect them to learn anything from Ronald Reagan, but they could learn from JFK. They did the same thing Reagan did, and that is cut taxes so that the businessman has money to invest and create jobs. But instead what we have been doing is tax after tax after tax, all these new taxes. What's that do to the guy that owns the business?

Well, to start with, he doesn't hire anybody. To start with, he reduces any kind of expansion to his business. But after a while, just like your body, if you keep cutting off your food pretty soon you start to get skinnier and skinnier and eventually guess what happens to that little business, it goes out of business and now there is no longer a little engine there to create jobs because that business is gone.

And that's what FDR did, he drove the taxes so hard that the businesses started to shut down from excessive taxation. In a temporary sense, the business just doesn't hire. In a longer-term siege, what happens is the business goes bankrupt, and now there is no one there to start to create the jobs in the first place. Excessive taxation is deadly as a job killer.

Insufficient liquidity is another problem that seems a little complicated but it makes a lot of sense. If you own a small business, one of the things that you have to have is liquidity. That is you have to have some money to be able to borrow to get going on different projects.

There is a company in my district out in the St. Louis area called Innoventer. Innoventer is obviously an idea coming from inventions. They are inventive sorts of people, and one of their latest inventions is something that people that live in the Midwest would be tickled to know there is a use for, and that is pig manure. When you get out in the country, and you smell something that smells a little funny, you know you are near a hog farm.

And pig manure is not one of those things that people will go out of their way to try to obtain, it's considered something of very low value and something you would just as soon not smell. Well, Innoventer has come up with a way of taking pig manure and putting it into essentially what is a glorified pressure cooker, they put it at pressure and under a certain temperature. And they break that pig manure into sort of like the oil that is pumped out of the ground, sort of a primordial kind of goo which they have found they can then use to make asphalt with.

So what do you need in order to make this little business go? This is not as pretty as making lemonade, but you are going to create these furnaces, electric furnaces with pressure and these containers and eventually it makes this stuff which you then can turn into asphalt. And we have a section of road in the St. Louis area paved with this asphalt made from, you got it, pig manure.

But you have got to have some money to build the equipment to do this. Well, where do you get the money from? Well, you get loans from banks, okay. So a lot of small businessmen, they will take a 3- or a 6-year loan, and they have to pay a pretty good interest rate for it because small businesses can make a mistake and go bankrupt.

And so they get a loan from the banks, and the local banks underwrite the small businesses and, as they convert pig manure to asphalt, you will see people getting hired.

The trouble, though, is this: You have got to have liquidity. And so what has the administration done in order to make it so banks have liquidity? Well, they started one way with the crack cocaine in the Federal system, that is they released tons of money into this, they used to call it printing money. So at the high level in the big banks there is lots and lots of easy money that's created by the Federal Government.

Usually that creates bubbles and then they blow up, but now what's happened is that easy money is not coming down through the arteries to the small businesses because the banking regulators are so tough with small business, the small banks are afraid to loan any money. And so now you have got guys that have imagination that would be creating jobs because there is insufficient liquidity. Now they are being choked out.

Now this particular innovator has found maybe a way around it to get some money, but a lot of problems are in this liquidity are. What's the biggest culprit? Probably excessive taxation. Second biggest may be this liquidity, certainly the economic uncertainty. All of these things are factoring into that 10 percent unemployment.

Excessive government spending is a job killer, but it does it sort of slowly and it does it on a rebound. It's not a direct effect.

What happens is when the government spends too much money, then the problem is there isn't the liquidity in the economy and so the money is not invested in the businesses, therefore they don't create jobs. So that's how that works.

And then, of course, excessive government mandates and red tape. Obviously if you are a small business person, and you have got to fill out pages and pages and reams of red tape, which small businessmen have to do in America, that takes away from your efficiency. If you are a great big company, you have got a couple of bureaucrats and, boy, they are experts at every red tape that comes along. You can get some efficiency in a big company dealing with red tape. But for small businesses, red tape is a real, real job killer. And so that's who the thing that we don't want.

So, now, if you take a look at the logic of where jobs come from and what you don't want to be doing, and you take a look at what we are doing, you are saying hey, Congressman AKIN, you are creating a perfect storm. About everything that creates unemployment, you are doing it all. And we have a statement from the President saying, hey, I understand. He says, I understand that the government, the government can create the conditions necessary for business to expand and hire new workers.

He understands that principle, and yet we are doing everything wrong. Everything he has told us to do is going to affect the jobs.

And so what are some of these little treasures? Well, first of all, this health care reform that we just passed, boy, is this a humdinger. I have been here 10 years—I hate to admit how old I am—I have been here 10 years, and I have seen some lousy bills in my day. But this health care, this socialized medicine that we just passed is two or three times worse than any other bill I have ever seen.

This is going to have terrible consequences for unemployment and for just hammering small businesses, and it's going to create not only that, of course, it will create lousy health care, it will probably bust the Federal budget. But I am mostly on the subject of what are we doing about jobs?

And this thing here is a job killer. This is a real job killer. You have got basically, just like we are talking about with Congressman SCALISE, what we are doing is the Federal Government wants to take everything over. This is taking over a sixth of the economy. The government just going to

take over health care. It's not a matter of fixing something broken in health care, it's a matter of scrapping it and having the government take it over, not instantly, but over time.

The cap-and-trade, they call it cap-and-trade, it's really cap-and-tax. This is that energy tax that the House passed, people were so mad about it. That was the one where they had 300 pages of amendments passed at 3 o'clock in the morning, and the bill was here from the floor and there wasn't even a copy of the bill when they passed the thing, the House passed it. And people got so mad that the Senate refused to take it up.

But this is a big tax, of course, and, of course, that's not a good thing for small businesses. You have got other miscellaneous taxes coming, many of them associated with this health care reform. That's where some of those taxes are coming from.

So we are doing, we are really doing all the wrong things, and it shouldn't surprise us that we are getting problems with unemployment. Obviously, there are other problems that are going on, too, pretty serious ones, and I would just like to talk a little bit about some of these other taxes.

These are tax increases, tax increases. This is really fine print, isn't it? Look, there are 16 of them on this sheet. If Congress takes no action, these are the tax increases we are taking a look at in 2010. And so what happens when you increase taxes? Businessmen don't have the money to invest in companies, and you pull the economy down. Is that all we have got?

Oh, no, you have got to remember we have got 2011 coming. These are tax increases, if Congress takes no action in 2011.

Look at that, we have got another bunch of these. The marginal income tax rates will increase as follows. These are not small things, these are big deals. The 35 percent bracket will increase to 39.6. The 33 percent bracket will increase to 36 percent. The 10 percent bracket will increase to 15, and the 25 is going to go to 28. So, first of all, all the marginal tax increases on everybody's income taxes are going to go up if the Congress doesn't take any action. This is 2011. This is 2010 down here. Look at all these taxes.

Now, we are having a tax party, aren't we, and it's going to give a tax to our economy. Dividends will no longer be taxed at the capital gains rate for individuals, thereby increasing the double taxation and dividends as much as 164 percent.

Guess what kind of people have these dividends and have money invested in these things? People who own small businesses, of course.

So you are going to tax those people. Guess what's going to happen? They are not going to expand the business, you got it.

The personal capital gains tax will increase to 20 percent and 10 percent from 15 and 5, and the child tax will decrease, so the standard deduction for couples, all of these things, there will be more and more tax increases. Is that it? Oh, no. No, there are more tax increases too. In 2012, the adoption of a tax credit will decrease from 13 to 5,000. The credit for electric drive motorcycles, plug-in electric vehicles will expire, all these things, tax increases.

And so is this the right direction? No, of course it's not the right direction. What we are doing is we are doing precisely what you would do if you are trying to crash the economy.

Now, let's talk a little bit, I don't have charts on this, I want to talk a little bit about what's happening on the spending side. Is it because there are just so many demands on the Federal Government that we just have to keep spending money on all these things? Is it the Federal Government is just getting so expensive?

Well, let's take a look. If you go back to President Bush, he was criticized for spending and the Republicans that were with him, myself included, were criticized for spending too much money. And you know what, that criticism was just. We spent too much money. And 2008 was the worst year in terms of Bush spending too much money; he had a deficit that year of about $450 billion. That's too much deficit.

As you take a look at that, you say, by golly, I don't know how much $450 billion is, that's a little bit outside of my normal family budget.

Well, one way to look at it is as a percent of our overall gross domestic product, the GDP. That's 3.1 percent, which is about common for a lot of Presidents in various years to have a deficit at about 3 percent or so, that's not uncommon. And that was his worst year in 2008 under a Pelosi Congress. So the Democrats were running this institution, you had President Bush in the White House, worst deficit, $350 billion.

Well, what happened in 2009? That deficit, under President Obama, went from 450, went up to 1.4 trillion, that is more than three times Bush's worst deficit spending in 2009.

So how does that relate to gross domestic product? Well, instead of 3.1 percent, it jumps all the way to 99.9 percent of gross domestic product. That's the highest level of deficit since World War II, and that was 2010.

What do you think 2011 is going to be like? Well, you have got it right, 2011 is worse. It takes it over 10 percent of GDP and so we are spending tons of money, that's part of the reason for these tax increases, but the tax increases aren't beginning to be able to keep up with our high level of Federal spending.

And so what you got to the point now is when the Federal Government spends a dollar, 41 cents of that dollar that they are spending is borrowed money, it's not the Federal dollar. So they spend a dollar, but 41 percent of it is borrowed. What would happen, what would happen if the American family ran its budget that way, that you could go out and spend $1.40 but you didn't really have a dollar, you really only had, you know, 59 cents.

I mean, I just can't imagine us putting ourselves into that kind of a situation. So a whole lot of Americans, not necessarily just Republicans, there's a whole lot of Americans saying this has got to stop, this is not the way to run a company.

Yes, the President said something truthful here. He said something truthful. He said the true engine of job creation in this country will be Americans' businesses, but government can create the conditions necessary for business to expand and hire workers.

What he forgot to add was governments can also create the conditions to put people in the poorhouse, drive every job out of this country, and put America's finances in a horrible mess.

□ 1800

We can also do that. That's what we are doing, and it's time for people to start pulling the alarm button and saying enough of this stuff.

I am joined by my good friend from Texas, Congressman GOHMERT, and I hope you will rescue me because I'm starting to get a little hot under the collar.

Mr. GOHMERT. I appreciate my friend yielding.

The other alternative to getting hot under the collar is just to have your heart broken. Part of it is anger. When you go through and read these provisions like I'm afraid so many people did not do, you know the impact it is going to have. And yet, you know, AARP got their deal negotiated, you find that in different places, the big pharmaceuticals got their deal negotiated, the insurance companies got something in there in a number of places. You got Plaintiffs Bar got some things negotiated. And you think, who in the world was negotiating for the people of America? Everybody else was getting their deals, unions got their deals, but when you read through this, you knew who it was going to hurt. On the one hand, we had people across the aisle saying they're going to help the working poor. If you read the bill, you knew what it was going to do. You can't increase that amount of taxes, just as my friend from Missouri was talking about, you can't increase taxes like that and not cause some people to lose jobs or have their income cut or have their salaries cut, which means cut income.

I've talked to other people who say that because that passed they are winding down their business and people will be out of work at the end. It will take probably 1½ years, one fellow was telling me last weekend. So you know people are losing their jobs and how devastating that is to lose your job. A career is gone because somebody got overzealous here and passed bills with increased taxes.

The working poor didn't get the help they were looking for. If you make 133

percent or less of the poverty level, oh, yeah, those were the people they were going to really help with this. They're going to get ultimately shoved into Medicaid that so many doctors aren't going to take anymore. Walgreen's, I read they weren't going to take any more prescriptions. That's not helping people in America. It doesn't help them to lose their jobs. It just is heartbreaking to see what is happening to people now because of this poorly conceived health care bill.

I yield back to my friend.

Mr. AKIN. You know, sometimes we use words, and you're talking about being heartbroken because you can connect the policy with how it's going to hurt people.

Mr. GOHMERT. Already has hurt them.

Mr. AKIN. And you say people are losing jobs. Sometimes I think it's helpful to put a picture in your mind. When I think about losing jobs—and maybe this is one of my worst fears—I picture a house and a family that's not in the house and a big sofa sitting on a sidewalk next to a garbage can where all of the possessions of this family has been dumped out of the house because they can't live there anymore. That's what happens when you don't have a job.

As a guy, I grew up in the era where the guy makes the income and provides for his family; that's what our job is to do. I think there are a lot of American men that are real men and they care about their family. They carry that pressure quietly. They don't complain about it, but in the back of their mind they're thinking about someday I might not have a job, and I don't ever want to get in a position where I'm sitting on that sofa on a sidewalk with my family saying where are we going to go next. A lot of people feel that pressure. And what we're doing is we're basically dumping people out of their homes.

Another thing I don't get is how do you call it compassion to give a family a loan that they can't afford to pay for a house and then they get kicked out of their house. I mean, I'm hearing liberals saying they're compassionate. There isn't anything compassionate about that, it seems like to me. We're destroying the economy through bad economics. And the thing we're seeing is when you destroy the quality of health care, you're talking about people dying. That is the reason why this is so frustrating.

I yield to my friend from Texas.

Mr. GOHMERT. You are exactly right. The last person I heard from is a woman who is losing her job, heartbreaking because there is no need for these people to lose their jobs. We had over 4 million people lose their job since the so-called stimulus was passed. And now we passed a health care bill under the guise of ensuring 30 million more. I'm hearing now this past weekend people that have been told that because ultimately the owner is going to have a choice between $2,000 per employee or paying for the Cadillac health care that the government is going to require, they're going to drop the health insurance. So it seems pretty clear there is going to be a lot more than 30 million people that lose their insurance because of the added taxes that are put in here.

Oh, and I love the provision—talk about helping the working poor—if you are not able to afford the level of insurance required by this bill and by the Federal Government—and I guess that's the 15 people that are on this board that are going to make all these great determinations for everybody's health care that the President will appoint—but if you can't afford that level insurance, then we're going to help you. We're going to tax you an additional 2.5 percent on your income, an additional income tax for the working poor that can't—as I had somebody tell me 2 days ago, if I could afford the insurance, I would buy it. I can't. Now I'm going to get hit with an extra income tax on top of that? Because people are leaving, they're finding out. Employers are finding out they are either going to let people go, cut their salaries, cut back the workforce. It is just so unnecessary. And yet this thing got rammed through and real people are now hurting because of the thoughtlessness of this Congress.

Mr. AKIN. You know, the thing that was interesting to me, about December of last year there was a guy who is one cool businessman, he is the CEO of Emerson Electric—which is not a big household name to a lot of people, but Emerson is a gigantic manufacturing company headquartered in St. Louis with operations in countries all over the globe. And this guy was a little bit—I won't say it was a rant, but he was fired up. He said, Look, I think I know something about job creation. And he went back over the record of that company and all of the jobs that had been created and how profitable they were and what they were doing in manufacturing. They have all kinds of really high-tech kinds of things like the electronic controls that control different businesses and huge complicated process industry and things like that, a lot of very sophisticated stuff. They have all of these jobs they have created through all of these years.

So this guy is the CEO of this place. He has come up through the ranks. He is an engineer; he knows what it takes to make a company work. And he says, I'll tell you what, with what's being done in this country I can guarantee you we won't be creating jobs in America. We'll create jobs—we're going to create them in foreign countries because the foreign countries aren't doing this crazy stuff. We can put the jobs there and make a decent profit. Essentially what he's saying is the U.S. Government is forcing us not to make jobs and to do all our job creation overseas.

Now, that's a tragedy; that's a tragedy. And he was shook up about it. He was upset about it because he's an American; he loves this country. He wants the jobs to be made here. But, no, we're going to do this socialized medicine gig, which has never worked in any country of the world. I mean, at a minimum, we could learn from the former Soviet Union. They had the theory that the government should provide you a job and health care and an education and food and a place to live. That's what their theory was, and it didn't work worth a crud and the Soviet Union collapsed. And so what are we doing? Well, the government is going to provide you now with education and food and housing—and health care, of course.

I yield.

Mr. GOHMERT. And of course we know where that all led. Ultimately, it led to the Soviet Union borrowing money, printing money as fast as they could and then ultimately coming to the day of reckoning. And when they realized we can't borrow enough, we can't print enough, and they have to announce we're out of business as a country, all of these states that made up the USSR, they're on their own. We're out of business; we can't borrow enough; we can't print enough.

You know, another tragedy out of this health care bill—and not in terms of human suffering, but still a tragedy—was the media and the light that was cast from the media through this bill. Because you think back through the years, both Democratic Presidents and Republican Presidents, I don't recall in my lifetime a media being so oblivious to truth. I can't imagine under George W. Bush, Bill Clinton, George H.W. Bush, Ronald Reagan, Carter, Ford, Nixon, going on back, I can't imagine the media ever allowing any governmental entity to stand up and say we are going to save $1.3 trillion with this bill starting 11 years from now and going 20 years from now.

Obviously, for the next 10 years we're going to cut Medicare $500 billion, and we're going to raise taxes by $500 billion. We're going to do this for 10 years and then that will pay for 6 years of health care. And the mainstream media didn't utter a whimper. I just can't imagine the media letting that go without saying, excuse me, did you say it won't start saving money until 11 years from now when you're gone and out of office? But this is what we've come to; the media just let it go.

Mr. AKIN. The thing that got me was, think of the logic: they have to come up with a bill and they wanted to come underneath $1 trillion. So how do they do it? Well, what they do is they say we're going to tax people over 10 years, but we're really going to start the benefits of the bill 4 years into that. So in other words, we're only going to do benefits for 6 years, but we are going to tax for 10, and therefore it all comes out to be less than $1 trillion.

I mean, it is such bizarre math that it's laughable. If you said I'm going to start a lemonade stand and the first 4

years I'm going to collect money for lemonade and then I will start giving people lemonade at the end of the fourth year in order to make this thing come out, people would say you're crazy. You know, they would say this is bizarre.

The other deal that was cut for the insurance companies—I mean, I just can't imagine why that didn't get more attention—you're a doctor and I'm a sick patient and you and I talk together about the fact that, Todd, you need to get your appendix out or something like that, and an insurance company comes in and they're going to second guess it. Well, if you make the wrong decision, you get sued as the doctor. But now here's a deal: you can make a decision, I make a decision, the insurance company comes in and says you don't need your appendix out, and then I drop dead and my wife says, well, the insurance company made a medical decision, they said AKIN shouldn't get his appendix out. I want to sue the insurance company. Check the fine print, you can't sue them. You can sue your doctor, but when an insurance company makes a health care decision, they have no liability whatsoever. Now, why would the national media not pick up on something like that?

You know, we ought to talk about something cheerful. We've only got a couple more minutes to go. Do you know one thing that's cheerful for me to think about? Repealing this piece of junk. That would make me happy. If we could repeal this piece of junk and we could go into health care and systematically fix the things that need to be fixed, that would be a very positive thing and it would put the economy on track.

I would yield to my friend.

Mr. GOHMERT. Just very quickly, not only should we repeal it completely, but all of these wonderful alternatives we have ought to be in the same bill. Not only are we ripping out this bad bill, but here fixes the system. We've got those bills, we just couldn't get them to the floor. I look forward to getting them to the floor.

Mr. AKIN. Well, gentleman, you had some of those bills, and hats off to you because in spite of the fact that the President said we didn't have any bills, then later on he claimed that he had read all of our bills, which seems a little hard to understand——

Mr. GOHMERT. And let me add, if I might, CBO sat on them since last summer and wouldn't even give us a score. Shame on them.

Mr. AKIN. Yeah. Well, you had a number of the bills.

Mr. Speaker, I thank you for allowing us to just talk about unemployment and what's going on with the economy.

□ 1815

## THE DYNAMICS OF EARTH DAY

The SPEAKER pro tempore (Mr. LUJÁN). Under the Speaker's announced policy of January 6, 2009, the gentleman from New York (Mr. TONKO) is recognized for 60 minutes as the designee of the majority leader.

Mr. TONKO. Thank you, Mr. Speaker.

Well, this evening, we are going to be speaking about those advancements in public policy terms that allow us to go forward with a very meaningful agenda to continually respond as an American public to the dynamics of Earth Day.

It is hard to imagine that it takes us back to 1970 when we first ushered in Earth Day, a time when Americans were working to focus on the stewardship that is our responsibility to grow a stronger environment and a better environmental response to enable us to improve outcomes out there, outcomes such as the air that we breathe. Obviously, as stewards of the environment, we have the responsibility, yes, to enhance the outcome in the present, but it also much more relevantly speaks to what we will do for future generations to make certain that our actions today will begin the process of a stronger outcome for generations to come.

So efforts on improving the quality of air that we breathe and the efforts to improve the water that we drink are two of those driving forces that have ushered in this celebration annually of Earth Day where we recommit with each and every year to continue the efforts to grow the progressive agenda.

Now, four decades later plus, we know that the climate crises that gripped this Nation and this globe are real. We know that the efforts to address our planet in peril are absolutely critical and that we have experienced now the challenges that behoove us to move forward as a nation and as a world to respond not only to those challenges but to see them also as opportunities that are waiting out there for all of us because, as we'll discuss in the ensuing hour, there are those benefits that come with embracing this clean-energy economy, this clean-energy thinking, the green-energy thinking, that will allow us to shape the job market of the future, and that requires us to prepare the skill sets that will be required in our workforce. It will enable us to establish jobs not yet appearing on the radar. It will enable us to move forward with this innovation economy, which will, I think, speak to energy security for us, as Americans, to energy independence and therefore to national security, which is a looming, looming dynamic out there that oftentimes is not discussed.

So, Mr. Speaker, with your permission here this evening, we are going to talk about some of those things, those items, that really were embraced by the Democratic leadership, by the Democratic leadership in this House, on this Hill in Washington, and certainly now in the White House with this new administration's speaking to the empowerment that can come to this Nation, yes, with the results that can be achieved but, yes, also with the corresponding opportunities that will be packaged into the outcomes that we will enjoy.

Our country has been moving in a new direction, I believe, in the last couple of years, understanding that there are a number of benefits that can come to all of us, to all sectors of this country, and certainly there are ways to speak to middle-income American families from coast to coast in a way that provides positive change for them at home. There are issues that will allow us to launch this clean-energy economy that will create millions of jobs associated with that sort of thinking. These are jobs, I will posit, which will not be outsourced. These will be jobs that will be stationed here in the United States which will enable us to again be the masters of our destiny, which will allow us to be the architects of new programmatic efforts of inducing all sorts of beneficial sorts of concepts and programs which will enable us to showcase the American pioneer spirit.

You know, I represent a district in upstate New York that was the birthplace to the westward movement. My district houses the confluence of two historic water channels—the Mohawk River and the Hudson River—and the confluence of those two rivers is the edge of that westward movement that created a port out of a town called New York City, which then gave birth to a necklace of communities which became the epicenters of invention and innovation, which then created the pathway to a westward movement that developed not only New York as a State but the entire country as a nation, which then impacted with its discoveries the quality of life of people around the world.

That same pioneer spirit that drove the Industrial Revolution and that drove the first energy revolution can also now be that inspiration that allows us to move forward in a way that creates this green energy revolution that will respond to the absolute symbolism and spirit of Earth Day, which, as I said, started some four decades ago, over 40 years ago, when the first celebration occurred.

In embracing this sort of agenda, it also will enable us to lower energy costs for American businesses and certainly for American households. It is such an important factor as people have learned through these very difficult economic times that we need to be able to control those costs. We will talk a bit tonight, I imagine, about a smart grid, about smart meters, about smart thermostats, all of which put control and responsibility, but then also provide opportunities for America's energy consumers—large and small, businesses and households—with all of us prospering from that sort of activity.

So, in lowering those energy costs, which sometimes can be a very significant price to pay, it can be a significant wedge of a business pie chart for

costs of that particular business or for that particular industry. It also can be a very painful and growing wedge of the household pie chart for its finances, especially for some of our lower income strata families, working families, who, when impacted by these growing energy costs, are paying more and more of a percentage of their household incomes, disproportionately represented for their households, compared to other households that may be living in better energy environments and that may be living in situations which don't extract as much pain, require as much pain, due to those energy costs as they do for other families.

Also, with this agenda of progress, with this progressive nature of policy reforms, I think it will allow us to reduce that growing gluttonous dependence on foreign imports, on fossil-based fuels that are still our heavy reliance. That dependence on foreign oil is oftentimes associated with unstable countries, yes, but more critically with unfriendly nations to America as a country. Certainly, leaders of our country have had difficult times with those unfriendly nations, and we continue to move forward with this gluttonous dependency on that foreign import of oil.

Then, finally, there is the opportunity for us to speak in meaningful measure about reducing our carbon pollution that is now causing climate change, global warming. This increasing carbon footprint threatens not only the Nation's environment but the world's environment, the global environment. These efforts, these benefits, that can be realized simply through the investment of resources, through the development of public policy, through the resolve of taking on an agenda that can really grow a positive outcome and that can provide a more optimistic flavor for all of us here in this Nation are doable items, and they should be committed to with a strong sense of resolve as we celebrate Earth Day tomorrow on April 22 across this country.

Americans cannot afford, Mr. Speaker, to return to some of the failed policies of the past where people have associated a partnership as a tradition with Big Oil. Big Oil has been demanding of us to continually send those billions of dollars, which I made mention of, overseas for foreign oil. It is putting dictators who, perhaps, tolerate terrorism or who, more dreadfully, engineer that terrorism in ways that put them in charge of our energy supplies. That should be a no-brainer. That should be a challenge to all of us to escape the woes of that sort of dependency to enable us again to be in charge of our energy decisions and in charge of our energy resources and supplies.

Also, we are lavishing those subsidies on oil companies which have been earning continually—and especially in recent history—record profits, record profits that should behoove us to reformulate our thinking, enabling us to move forward in a way that doesn't have us furthering our dependence on foreign imports of oil but rather has us escaping the crippling impact that this expensive, dirty, and dangerous 19th century thinking, as it relates to fuel sources, continues to bear on the outcomes for so many Americans.

So I believe, on Earth Day, we should step back and recommit, as we move forward, to go forward with this green thinking, with this green Earth thinking of outcomes that can be very real in our lives here as Americans, a thinking that enables us to commit with a high degree of passion to R&D, to research and development, to basic research through our universities and through our private sector to enable us to continue to build upon those active qualities of growing shelf opportunities that can be reached in terms of energy efficiency issues and in terms of retrofits for homes and businesses, which will enable us to look at not just the supply side of the equation but will enable us to reach over to the other side of that equation, the demand outcome. That demand side of the equation is one that can find us prospering simply by addressing a reduction in the amount of energy supplies that we utilize, in energy supplies that are meaningful and in energy supplies that should be seen, accompanied by a strong commitment, a resolve, to address energy efficiencies as a fuel of choice.

That energy efficiency outcome should be a very high priority of fuels to which we reach. It should be seen as that quantity out there, as that commodity that is mined and drilled, just as we actively mine for coal or drill for oil, and we should again do the mining and drilling operation with energy efficiency, our fuel of choice, to reduce that mountain of electrons that is required, that is depended upon. We can deal with that in very meaningful measure by moving forward with opportunities in research and development and certainly in the practical outlay of resources where we measure up by retrofitting our businesses, our communities, and our households with energy efficiency.

Let me just speak to some practical measures that are very much akin to the 21st Congressional District, which I represent in upstate New York. While I served in the State legislature for many years, just shy of 25 years in the New York State Assembly, I served as energy chair for the last 15 years. We had put together some novel opportunities, experiments, that would provide for a greener thinking of energy policy.

What we had done in our efforts was to, for example, work with threatened economies, with the ag economy. I happen to represent a number of agriculture-related industries and businesses within upstate New York. Chief amongst them was the dairy sector, a sector that, until this day, has always been threatened by an inappropriate response for the pricing mechanism that is required to enable our dairy farmers to be justly responded to for the hard work, 24/7, that they do at their businesses, oftentimes family business-related, that brings food to the table.

In order to respond to that agenda where their costs of production were oftentimes not covered and were not met by the price of milk that was delivered to them for the produce, for the product they delivered to the market, we set upon a course, an agenda, to respond in favorable and in sensitive measure to our dairy farmers.

Well, we put together a commitment with a partnership—with ESCOs, Energy Services Companies; with NYSERDA, the New York State Energy Research and Development Authority; with farm organizations; with local utilities; and with the State of New York, the assembly—working with some legislative resources that it would apply towards this experiment.

□ 1830

We were able to reach out to the farming community. We got two volunteer farms to enter into a demonstration project. And here they are dealing with milk as a commodity. That is a very perishable product that is highly regulated, that deals with the pumping and cooling process, that deals with many energy issues that are unique. They can't go off peak. Mother Nature calls. Their milking process is one that is governed by nature, not by human decision to go off peak or on peak.

So with the uniqueness, we addressed their concerns. We came forward with an energy efficiency retrofit for these dairy farms that introduced double-digit percentage reduction in the amount of energy supplies that were required at that farm, without even addressing the tariff rate that they were charged. Simply by reducing the mountains of electrons required at those two dairy farm operations, we were able to reduce their cost of production significantly simply through energy terms.

Now, that is one small example in one sector of one important industry in upstate New York, throughout New York State, and a very meaningful, meaningful industry because they are dealing with nutritional needs. They are placing those nutrition needs onto the table, the dinner tables of families across this country. That is one example of how we are able to relate energy efficiency to a struggling industry, to one that needed greater respect in public policy measure. That is inspiration to all of us. And certainly for just the dairy sector, it was inspiration to then reach out and do a much larger program with time where we dealt with about 70 farms that were equally surprised with their outcomes, that came with energy efficiency operations, that enabled us to have a much stronger outcome. The response of that, the result of all of that was that people are now looking and expanding through the Public Service Commission some

greater opportunities that would perhaps allow for statewide programs to take hold.

The point of mentioning this, Mr. Speaker, is that we have it within our grasp—we certainly have it within our intellect—to make these sorts of success stories more and more relevant, more and more visible, and more and more numerous across the industry types and business types of our State and our country. I think it's important for us to see that as an investment that is very sound, no matter what the supply mix, no matter where the power and how the power is generated, and hopefully we move toward an American self-sufficiency, growing self-sufficiency. No matter what that mix, we need to be less gluttonous in the usage. And I think we can. I think we will. And it takes that resolve to move forward and provide the incentives, provide the focus, provide the terms of legislation that will take us to that new era of innovation within the energy cycle.

In 2009, this very House was a leader as it passed clean energy jobs legislation that reduced at the same time carbon emissions in this country, the carbon emissions that would be reduced by some 17 percent by the year 2020. A significant amount of improvement there, keeping America number one in terms of making our country a world leader in new energy technologies, a new leader in making certain that we preserve our American manufacturing base, while protecting consumers. And I think some of the multi-faceted qualities of the outcomes of the driving forces to do a number of these formats for reform sometimes are underestimated and not clearly communicated to the consuming public, to those around this country who are looking for job creation.

Especially as we recover from this very long and deep and painful recession, it is important for us to be the masters of this comeback of the American economy. The way we do it and do it best is to make certain that we advance the notions of progressive reforms that will enable us to create jobs not yet, as I made mention, on the radar and put together a responsiveness to the energy needs of people of this country.

Through the Recovery Act of 2009, much talked about, oftentimes much focused on and perhaps misinforming what really happened, our Nation made in that Recovery Act an historic investment in job creation, investments that would lead to a clean, more vibrant energy future. And it's estimated that we can create with those dollars more than 700,000 jobs, nearly doubling our renewable efforts here in this country for electricity and saving consumers on an ongoing annual basis; making certain that operating costs at home, operating costs at businesses and industries are reduced simply by putting together a solid mix of energy opportunities within that Recovery Act of 2009. Again, if we are moving with smart grids, smart meters, smart thermostats, a better controlled destiny, and more architected opportunity to be creative in our usage, to look off peak and to move to issues like advanced battery manufacturing, which is the linchpin to taking us to a new era in energy, we can do it. It takes leadership. It takes focus. It takes incentives that take us down this new pathway that is greener than the past and in a way that looks in a new direction, that really embraces what still happens in this country.

We are robust in our patent development. We are strong in our higher ed investments. We are strong in our incubator programs, in our R&D opportunities. We need simply to then deploy those success stories that have been prototyped and tested and then advance somehow an agenda that partners with the Angel Network and with the venture capital community the success stories that can then be translated through deployment into the commercialization networks, the business creation that is essential that then translates to the outpouring of jobs that are then available to Americans as we securitize that effort, as we grow our energy independence and grow our security as not only consumers but generators of the energy supplies that we require.

In 2009, this House also passed the clean energy jobs legislation that reduced those carbon emissions, as I said, by some 17 percent. But also in 2007, before my time here because I entered in this past term as a freshman, Congress enacted a landmark energy law that would increase vehicle fuel efficiency for the first time in more than three decades so that the outcome would be 35 miles per gallon, a much more efficient outcome for the industry in this country, and that threshold year of 2020 would be the benchmark, so that by 2020 we would be achieving 35 miles per gallon, a very much increased and improved-upon measurement for fuel efficiency in our auto fleets in this country. These are actions that respond to and underscore the historic commitment to a clean homegrown American agenda. And I think that those biofuels that we've embraced through renewables, with wind and solar, the efforts for geothermal as energy supplies and advanced vehicle technology are just the beginning of progress, the exploration of new frontiers, new pioneer efforts to take us to this new realm of energy creation and energy responsiveness.

I think that with this ACES legislation, the American Clean Energy and Security Act of 2009, it was a landmark opportunity for us to now debate in this House the merits of moving forward with an investment in greener thinking. The historic legislation to launch a new and clean energy economy holds great potential. These, again, are jobs that will not be offshored. They will not be outsourced. We will be working to create 1.7 million American jobs with this measure and would help to reduce, again, the dangerous dependence on foreign supplies, so much so that we reduce that dangerous dependence on foreign oil by some 5 million barrels per day, keeping energy costs low for Americans and protecting American consumers from the ravages of costs and price controls that have gone beyond their pocketbook. The impact of all of this is done without any increase to the deficit, which I believe is a very strong outcome for all of us.

We talk about the advancements. We talk about scientists. We talk about technology and engineering. It is important for all of us to understand that there is great potential here in growing the jobs as we address the progressive agenda, and there are those who have led the discussion, led the debate because of their experience as scientists, those who have been there. They understand the value added of these technical-related fields and professions. They know the potential. They know the commitment. They know the passion that these professionals embrace to change our thinking, to bring us to a newer, higher realm of outcome that is within our grasp. We have seen it through the decades. We have seen it in a way that has inspired progress for the entire world well beyond the boundaries of this country. We need to bring back that sort of commitment, that sort of encouragement that enables all of us to work together as a society.

One of those outspoken voices, the informed voices speaking with a fullness, with a depth, comes from scientists like RUSH HOLT. Representative HOLT represents a congressional district in New Jersey, and it has been his passion, it has been his advocacy, as we dealt with policy like ACES, the American Clean Energy and Security Act, issues like the American Recovery and Reinvestment Act, which, again, historically made large down payments to take us to this new thinking—it has been people like Representative RUSH HOLT that have delivered and have brought us to this discussion and have forged a positive outcome.

Tonight we are pleased to be joined by Representative HOLT as he adds his voice to tonight's discussion, celebrating Earth Day tomorrow in a way that takes us to this green energy economy, this innovation economy.

Representative HOLT, it's great to have you join us.

Mr. HOLT. I thank my friend from New York. If he would yield, I would be pleased to contribute to this discussion.

Mr. TONKO. I would be happy to yield.

Mr. HOLT. Remembering 40 years ago, you and I are old enough to remember when tens of millions of Americans joined together in what was at the time a very visionary day, Earth Day, where Wisconsin Senator Gaylord Nelson, drawing from Wisconsin's own

Aldo Leopold, who had developed an ethic of the land, and he said, ''Earth Day is a dramatic evidence of a broad new national concern that cuts across generations and ideologies. Our goal is not just an environment of clean air and water and scenic beauty. The object is an environment of decency, quality, and mutual respect for other human beings and living creatures.''

It was really very visionary. But what resulted from that were specific bills, solid legislation, these bills that have moved the country along. So it is not just soft-headed, warm-hearted embracing of the wilderness. It was scientific engineering expertise brought to cleaning up the land and the water. And since Earth Day in 1970, laws have been passed such as the National Environmental Protection Act, the Clean Air Act, the Endangered Species Act, to mention a few. And Earth Day is no longer just a day. This ethic has been taken to heart, and we continue to move along with the solid science-based efforts to preserve our environment.

□ 1845

Now certainly the number one insult to planet Earth is the way we produce and use energy. My friend from New York has been talking about not only the costs, the costs facing us, which are in dollars and lives, if we do not confront the problems created by the way we produce and use energy. It's not just an average rise in temperature where spring might come a little bit earlier; it is not just that sea level might be up a few inches or a few feet. It is that tropical diseases will appear where they haven't appeared before. We see that happening now. It is not just that we lose the scenery of glaciers in the mountains, we actually lose groundwater; we lose habitat for those things that we depend on for our well-being. So we need comprehensive energy reform to stop using dirty fuels.

It is fortunate that the efforts to deal with the dirty fuels could also relieve our trade imbalance, could also contribute to our national security by making us less dependent on foreign sources of fossil fuels, and in fact it could not only save us money; it could make us money.

Mr. TONKO. Representative HOLT, if you'll suffer a disruption, if you will yield, you triggered a thought.

Just recently my district hosted the only stop in New York State, actually in Schenectady, of the Operation Free Tour. As you know, it's a bus tour being conducted by veterans for American power and they are doing a coast-to-coast tour, hitting all of the States. It was so impressive. We invited veterans from all vintages, from World War II, from the Korean War, from the Vietnam conflict and up to the present day, more present-day veterans that have committed in uniform and have fought on foreign soils in defense of this nation. Very impressive, very impressive visits by these folks.

They, at our stop in Schenectady, New York, had three spokespersons: one veteran from the State of Arkansas, who has done two tours of duty as a marine in Iraq, spoke to the crowd, spoke to those assembled. We had a visitor, a veteran from the State of Wisconsin. She drove a truck, I believe, with the Army in Iraq. And then finally a veteran from the State of New Hampshire who as an Army officer did a tour of duty in Iraq and a tour of duty in Afghanistan. He is now at Yale Law School.

To a person, each of these veterans spoke of the wisdom, the no-brainer, as we might call it, of moving to energy independence for Americans; energy security. They witnessed the outright destruction of troops, the threat to the troops, the supreme sacrifice oftentimes made simply by forces of Taliban that they believed are fed by the treasuries of these unfriendly nations to which we feed over $400 billion a year; unstable but, more importantly, unfriendly governments to the U.S., using those dollars from their treasury to work against our operations for freedom-loving people around the world.

They also spoke to—and it's what your comments triggered in me—the concerns for global warming, for climate change. They said, this is an issue of national security. Beyond our domestic programming for energy security and energy independence, it's a national security issue. Because what they believe is happening is that with drought, with floods, with famine, you're creating the perfect storm that finds people weakened by famine and a much more robust competition for available land around the world. It's a breeding ground for terrorist activity. The veterans who were there, many of whom had fought in the Second World War, walked away from that saying, what an interesting way to approach the issue. They were impacted by the thought process that was inspired by each of these three veterans, recent veterans, to the honor roll of American history, but to a person these two men and one woman spoke in very relevant terms about what our energy policy can mean to our troops and to the goals of our military into the future.

It just makes so much sense, from a national security, energy independence, energy security concept and perspective if we move forward with clean energy thinking and an innovation economy that can be inspired by that thinking. I think that their comments are very relevant to today's eve of celebration of Earth Day.

Mr. HOLT. As my friend points out, the way we are producing and using energy not only costs lives and dollars through the climate change but it exacerbates our security problems. And by addressing the energy problems, we will indeed increase our national security, saving lives. And if we really make a commitment to investing in reliable energy solutions for the United States, the United States, the historic leader in innovation in the world, the country whose economy has been built on invention and innovation, can lead the world and benefit economically big time through addressing these energy problems, through new clean, sustainable energy, starting first with the low-hanging fruit of efficiency, of wind and geothermal and other readily available sources; moving on to things, some of which are not yet developed but with the American powers of innovation, we can master these things and sell them to the rest of the world.

So the advantages in addressing the energy problem are not just in avoiding catastrophe, it is really to have a positive economic and social future. Waste is never good economics and the United States' attitude toward energy is really profligate. So there is a lot of low-hanging fruit to be gained and money to be saved that way, and then a lot of money to be earned through innovative solutions to the problems.

Mr. TONKO. I certainly think that this move to innovation, which can be a job growth factor, if that's being denied simply because of an association, a kinship, a partnership with Big Oil, with industries out there as an industry, with big oil companies, then that is a detrimental outcome, one that really needs to be exposed for what it is. To continue with tradition, to continue with that comfortable, cozy relationship, to be able to do the subsidies, to be able to reach out, to empower those traditional sources in a way that has been advocated because there are friendships out there, people enjoy that partnership continuing, that needs to be refocused. It needs to be brought to the attention of the American public, to the consuming public.

And I think that the innovation that can be inspired here, and it's part of the value added that I believe you bring to this House, Representative HOLT. I have been with you in many discussions and I enjoy your passionate plea to really invest in research and development, basic research. You are absolutely right. When we do that, we need to see R&D investments equal to economic development, to job growth. They're not just investments made with no jobs growing from them but we're developing very sound jobs, very good-paying outcomes.

You talked about the innovation. One of the impacts out there of the American Recovery and Reinvestment Act, one of the stalwart efforts of the ACES with R&D investment is to look at the battery as the linchpin, that's that linkage that takes us to this new era of energy thinking. We have seen many of these opportunities, investments made over the last couple of months through the Recovery Act into lithium ion as an advanced battery production out there and the concept of some of the sodium-based. For me in my area with GE and the sodium-based outcome, these are the cornerstone, the building block to the future. If we develop that mastery of innovation in

the battery concepts, we then unleash untold stories of success in the energy-related areas.

Mr. HOLT. The lithium ion battery is a good example. In the ARRA, the bill that many in America know as the stimulus bill, there is a significant investment in development and manufacturing for lithium ion batteries and we are well on our way to capturing maybe a third or more of the world market in producing these lithium batteries; where previously we had a small, tiny percent of the production. So it shows that with the commitment, we really can move ahead, we really can seize, earn, a large part of the world market. That's just one example.

We can do the same thing in building technologies. We can do the same thing in other transportation technologies. We can do the same thing in electricity generation; and on and on and on. In fact, we have led the world in technologies for electricity generation, whether it be nuclear or combined cycle turbines, but that is now based on an unsustainable fossil fuel model, the way we had developed electricity generation in the United States.

Mr. TONKO. And I think there's such a coupling here. I think if we can speak to the focus, the vision, that the Democratic majority in the House embraces, it's pushing efforts the way of small business. So many of these entrepreneurial efforts, the innovation that is driven by these whiz-kid ideas, are substantiated by investments in their prototyping, their testing; and then we need to further commit to deploying these to the commercial networks.

While I was at NYSERDA, the New York State Energy Research and Development Authority, we were involved with a demonstration project on kinetic hydro, utilizing the turbulence of the East River along the edge of the island of Manhattan to create energy simply through the movement of water with a turbine sub the surface of that water and relying on the turbulence. We disassembled that demo, sent it to the labs in Colorado for DOE, found out the improvements that were required for the blade design, the fin design, the assembly itself of the gearbox, made those improvements, and now there is expectation that perhaps 1100 megawatts worth of power can be realized in one State like New York alone simply through the motion of water.

These are things that should be invested in. These are the opportunities that are growing jobs out there and that can respond in much more environmentally friendly outcomes for our energy needs and energy needs around the world. That pioneer spirit should not be denied and that breaking of, the departure here, our thinking is far removed from that partnership that was, I think, hurtful to us where we're relying on those oil industries, this majority has said, ''Look, let's make that break, let's go into a new energy arena.''

And now you look at the accounts in Newsweek, in Business Week of late, they're talking about the wonderful growth that is coming to the economy because of the Recovery Act, because of that stimulus bill that you talked of. That is providing a lot of impetus for reform, for growth, for change, for recovery. At the same time we're responding to the needs of our energy and our environment, and that needs to be recognized on this eve of Earth Day. I think we can take a great bit of enthusiasm and encouragement from that latest bit of news.

But as a scientist that you are and as one who's an engineer here in the arena, I think that we can continue to push the emphasis on technology that's so important as we just made mention with batteries. I'll talk about that. I think you want to share something here.

Mr. HOLT. I would like to talk about another aspect of Earth Day, where over the years now, the same level of hardheaded analysis that we are beginning to bring to the energy problem has been brought to ecology, the relationship between life forms and the environment.

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Earth Day is not only about protecting the planet's atmosphere. One of the lessons of the last 40 or 50 years now is that we are a seamless web and that protection of wildlife is not just for aesthetics or humane reasons. Really, protecting the whole environment is important for human quality of life as well.

And I wanted to talk a little bit about wildlife because today I introduced legislation with my colleague and fellow Sustainable Energy Coalition member JARED POLIS. This is legislation that will create a program to protect and preserve wildlife corridors. Wildlife corridors are connected strips of land in which a wide range of animals can migrate, can propagate. One professor has called these ''sidewalks for animals.''

They are really necessary in every State. And as we have paved America, as we have bisected it and trisected it and cut it up with roads, we have found that we have moved wildlife into smaller and smaller spaces, where it is now unsustainable. So these corridors will help support the economy of hunting and wildlife watching, but it also will keep the web of life intact.

Our bill, the Wildlife Corridors Conservation Act, would establish a Wildlife Corridor Stewardship and Protection Fund to provide grants to Federal agencies, State and local governments, nonprofits, and corporations for creating these essential wildlife corridors. And the Department of Agriculture, the Department of the Interior, the Department of Transportation are all part of this; and dozens and dozens of organizations that study and that advocate for environmental protection have endorsed this. I commend it to my colleagues, and I hope we can move along with that so that it will be law by next Earth Day.

Mr. TONKO. I think it is interesting, as you pointed out, this whole Earth Day celebration covers a multitude of needs, but a multitude of opportunities that transcends a number, just travels over so many dynamics out there, from agriculture, to wildlife, to the ecosystem, to water supplies, water usage, air quality, environment, energy requirements and needs. And all of that brought into a compilation of a bigger picture, a thoughtfulness, a planning that enables us to have these strong and measurably improved programs, all while creating job opportunities and developing a strategy that places the environment in the hands of the next generations in a much better outcome than we inherited.

That is acting with responsibility. It is acting with tremendous engagement in an issue area and issues that are so correlated and so important to the outcomes here not just in these United States but around the world.

And as a leader in the world, I think it is important for us to show by example and to teach by this sort of flavor and provide the inspiration that will lead to progress around the world.

You know, you talk about the impacts that are made with the wildlife and with the ecosystem that you just described, with perhaps a threatening situation out there with lesser area of space available. The same is true in our ag economy when we look at opportunities that need to respond to agscape around the country. We need to be able to partner with our friends in agriculture in a way that enables them to deal with their concerns in a way that is transitioned into an opportunity.

Just recently we announced, in the last several months, the opportunity for yet another grant that is going to SUNY Cobleskill that I represent, part of the State University of New York system. And they are an ag and tech campus. They are working on a biowaste to bioenergy project that will enable them to create a fuel source and enable us to keep our water streams cleaner, reduce our dependency on landfills, and enable us to go forward and respond to an energy supply in terms of a newly formulated gas that is now part and parcel of this.

And they start talking about what this demo means to the outcome and where you can overlay this opportunity on several municipalities out there. And there is absolutely opportunity for our troops. When you look at how you are developing this fuel supply, you can avoid transportation through war zones that is very, very dangerous. I mean, in talking to this veteran who was part of Operation Free who traveled to my district to speak on behalf of Veterans for American Power, she spoke of the danger zone when she drove trucks through some of these enemy territories that are responded to by situations like this with new developments that come our way.

So there are ample needs that are addressed simply in very academic terms

that are science and tech applications. I serve on the Science and Technology Committee. It is a wonderful assignment to be able to witness day in and day out what is happening to the auspices of that committee in a way that builds progress based on the investment and research. And that R&D opportunity for this country, a willingness for us to produce those investments that then translate into success stories that then further translate into business opportunities and job growth are what it's all about.

And it is a recommitment to that agenda on this eve of Earth Day that I think is so essential and so much a framework of what's driving this majority in the House of Representatives to build that new day, that new outcome, and working with the new administration to take what was placed on the back burner. When you think of that Recovery Act, when you think of what was taken from that back burner in terms of smart grids, smart thermostats, smart meters, investment in renewables and R&D, in battery development, in energy-efficiency opportunities, along with broadband for our communities and wiring for a new day for our neighborhoods that are perhaps distressed, and for areas that are very remote or very rural, these are ample opportunities that should have been embraced a long time ago. But we are breaking away from some of that dependency on those big industries that were the tail wagging the dog.

Mr. HOLT. And we call these green because they are sustainable.

Mr. TONKO. Exactly.

Mr. HOLT. Stripping the environment without replenishment is not sustainable. Ultimately, we will fail; we will perish if that's the way we are going to approach our globe. We must do it differently if we are going to prevail. With Earth Day 30 years ago, now 40 years ago——

Mr. TONKO. 1970, yes. It goes by quickly.

Mr. HOLT. We had that vision, we had that vision of a sustainable Earth. And a number of things have followed. Now it's time to really regenerate that vision. And in all of these areas of energy, of agriculture, of transportation, of wildlife management, of oceanography, we need to bring the hard science to bear in ways to make our use and our place on the planet sustainable. That's part of the name of this caucus we have here, the Sustainable Energy and Environmental Caucus, because, as I said before, waste is never good economics. And stripping things without replenishment will only leave us with a bare Earth.

Mr. TONKO. I think both you and I see the merit that is brought forth by working through SEEC as a coalition to provide that green outspokenness and to work with our partners in government to make sure we respond to their, perhaps, district concerns or some of the efforts of folks to hold you back, to walk through that, talk through it, and policy through it.

And we are visited today also by one of the co-chairs of that awesome coalition, JAY INSLEE from the State of Washington, who is yet another outspoken voice for green thinking here in the House of Representatives.

Welcome, Representative INSLEE, to sort of bring us to a close on our hour of discussion about Earth Day tomorrow.

Mr. INSLEE. Well, I appreciate the opportunity. Thanks for carrying the load here. I just want to, in closing, note tomorrow the actress Sigourney Weaver will be hosting a movie, a documentary called ''Acid Test.'' And it's a very interesting movie with some very disturbing news about our oceans, and that is that our oceans are becoming more acidic. And what this movie discloses is that our oceans are actually 30 percent more acidic than they were before we started to burn coal and oil in the industrial age.

And the way this works, the way this movie that Ms. Weaver narrates, carbon goes up out of our smokestacks, out of our tailpipes, goes into the atmosphere, then falls into the ocean, goes into solution in the ocean, and creates acidic conditions. And I don't think probably many people know that our oceans are becoming actually more acidic.

And the concern of course is that when you change the acidity level of the ocean what it does to life forms. And we had Jane Lubchenco, who is Dr. Jane Lubchenco, who heads NOAA, our National Oceanographic and Atmospheric Administration, the other day she showed us some time-lapse photography of what happens when you put a shell, like a clam shell, in ocean water that will be as acidic as our oceans will be by the end of the century. And it essentially melts.

What we are finding is the oceans are becoming so acidic that if this trend continues, it will actually dissolve little creatures that form calcium carbonate shells. Shells are made out of calcium carbonate. They take the calcium that precipitates out of a solution and they make a shell. And this isn't just crabs or clams or oysters or coral; it's the little pteropods, the very small creatures that form 40 percent of the bottom of the food chain in the oceans. Of course it's the bottom. And the evidence is showing this may prevent these creatures from having a healthy ability to precipitate calcium to make their body form.

So the long and the short of it is that the actor who gave us ''Alien,'' which was pretty scary, tomorrow will be showing in Congress a movie that I think is maybe at least equally as scary as ''Alien'' because this acidification of the oceans that is caused by carbon pollution has already possibly disrupted some life forms.

In the State of Washington we haven't been able to grow a baby oyster for 2 years in our oyster industry. And we are not sure yet whether that's because of an infection process or because of acidification or both. But it's an example of the kind of thing that can happen if we don't stop ocean acidification.

So the point I want to make tonight is the U.S. Senate is now considering a bill to deal with carbon pollution that will also jump-start the economy by creating thousands of green collar jobs. But to succeed in both those things, they need some limitation on the amount of carbon pollution that's going into the atmosphere. And they need that because that's the only way we are going to compete with China to drive investment in these green collar jobs, but also because it's the only way we are going to keep our oceans from becoming fatally acidic for large parts of the biosphere.

We get a lot of our human protein from the oceans. I think it is 10 or 20 percent of the human protein comes out of the oceans. So I am hopeful they will do this. And I hope they will know, too, they need some limitation on carbon pollution, because we have a way to do that right now through the Environmental Protection Agency that is going to do it. They have been ordered by the courts to do this. And we are going to either have a good carbon pollution protection system in this bill or we are going to have the EPA do it. We think it's better if Congress designs it.

Mr. TONKO. Absolutely.

Mr. INSLEE. But if Congress does not design it, the EPA is going to do that. And we are not going to vote for bills that do not solve this problem that would strip the EPA of their authority to solve this problem. So we need the Senate to step up to the plate, have some system to reduce carbon pollution so that we can move forward.

I want to thank Mr. TONKO for his leadership here tonight.

Mr. TONKO. Thank you, Chairman INSLEE, and thank you for your leadership with SEEC, the Sustainable Energy and Environmental Coalition.

I think as we reference our comments this evening to Earth Day as a celebration tomorrow, we think back to 1970. And it was about the commitment to a better outcome, to addressing business that needed to be accomplished. Tonight we resolved that it's about unfinished business, but yet about untold opportunity. And we can accomplish both by continuing our commitments to a much stronger development and responsiveness to our environment which comes through all sorts of policy, including energy.

So, Mr. Speaker, we thank you this evening for the opportunity to share the thoughts of the majority here. And it is onward with progressive policy to be sensitive to those next generations that will inherit from us the outstanding work we can do if we commit.

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## IN HONOR OF CONGRESSMAN BOB FRANKS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to join my colleagues in mourning the passing of Congressman Bob Franks and to celebrate a life well lived.

I would like to yield to my good friend and colleague, LEONARD LANCE, for as much time as he may consume.

Mr. LANCE. Thank you, Congressman SMITH.

Mr. Speaker, I join several of my colleagues this evening to pay tribute to Robert D. Franks, a former New Jersey Member of the House of Representatives whose compassion rightfully earned him praise and respect from both sides of the political aisle. Bob died late in the evening on Friday, April 9. He was 58 years old.

Bob's death at Memorial Sloan-Kettering Cancer Center in Manhattan was caused by an aggressive sarcoma which was diagnosed in February. He was surrounded by his wonderful wife, Fran; their three young and beautiful daughters, Sara, Kelly, and Abigail; his mother, June; his sister, Judy; brother-in-law, Jeremy; and niece, Mary Hannah.

Bob was a brilliant political tactician and a natural candidate.

Born in Hackensack, he had been deeply involved in politics since his youth serving as State chairman of the New Jersey Teenage Republicans and going door-to-door as a 13-year-old in 1964 in suburban Chicago, where his family was then living, for Charles H. Percy's campaign for Governor.

Mr. Franks was graduated from DePauw University in Indiana in 1973. And after receiving a law degree from Southern Methodist University in Dallas, he directed campaigns for Governor and Congress in New Jersey before being elected as a State assemblyman in 1979, representing Union County for 13 years.

Congressman Bob Franks served twice as Republican State committee chairman and helped bring the Republican Party to veto-proof majorities in both Houses of our State legislature.

Elected to Congress in November 1992, Bob Franks was a fiscal conservative who served on the House Transportation Committee and was known as a tireless advocate for New Jersey's transportation sector. In the fall of 1994, Bob helped bring Republicans into the majority by championing congressional reform measures.

But while Bob Franks relished the game of politics, he was also respected for his willingness to work with the opposing party. Former New Jersey Governor Tom Kean said, ''He loved the sport of politics, but he also thought politics was there for better government.''

Bob was pragmatic, but he stood on principle. I think that State Senator Kevin O'Toole may have said it best when he said of Bob Franks that he ''combined being a policy wonk and a politician, that resulted in one incredibly well-armed and extraordinarily effective elected official.''

Bob lost a close United States Senate race in 2000 but won the hearts of all Jerseyans with the tenacity of his campaign. He was serving as president of the Health Care Institute of New Jersey at the time of his death, and he was a relentless and compassionate champion for New Jersey's health care industry and the patients it served.

Bob was a good friend to me, a trusted colleague, and a mentor. He dedicated his entire public life to making New Jersey a better place for all of its residents. His work ethic, his values, his relentless optimism, and his unshakable good humor will be greatly missed by all of us who knew him. And he stands as a shining example of public service not only in the State of New Jersey my colleagues and I represent, but across the United States.

As we mourn his loss, we celebrate his great life; and to his beloved wife, Fran, and their beautiful daughters we extend our deepest sympathy. A person, really, who furthered the American tradition of public service and certainly known and loved by the residents of New Jersey.

Thank you, Congressman.

Mr. SMITH of New Jersey. I thank my friend for his very powerful testimonial to our late colleague.

Mr. Speaker, for Bob's surviving wife, Fran and their three daughters, Kelly, Sara, and Abigail, his mother, June; and sister, Judy; and the rest of the family, this is a tragic season of excruciating loss and bereavement. While Bob Franks was a politician's politician in the best sense of that concept, he was husband, father, son, and brother first. Nothing compared to his love for and devotion to his family.

For everyone who has ever had the privilege of knowing him and calling him ''friend,'' Bob epitomized noble public service. He was honest, hard-working, extraordinarily effective, and absolutely determined to make a positive difference for his constituents, the State, and the Nation. An indomitable optimist, Bob was ever gracious and stubbornly kind to all, even with those with whom he disagreed. He treated all with respect, civility, and empathy.

I know my colleagues on the floor today will attest to the fact that Bob Franks was enthusiastic almost to a fault and always greeted you with a great big smile, firm handshake, and warm greeting—a reflection of his great big heart. You usually left any conversation with Bob, well, smiling.

Bob Franks devoted 21 years of his life to elected public service—13 years in the New Jersey Assembly, 8 years as a Member of Congress, and he served 4 years as State GOP chairman. In both Trenton and Washington, Bob was a consistent, powerful voice for a limited government and reduced taxes.

In the assembly, he was elected twice by his peers to serve as conference leader. Among his notable achievements, he wrote the State law creating the transportation trust fund.

In Congress, he served with distinction as chairman of the Economic Development, Public Buildings, Hazardous Materials, and Pipeline Transportation Subcommittee.

A master strategist, Bob pushed hard to expand the economy, create jobs in the private sector, pass tax cuts, enact welfare reform, and ensure that our military was second to none.

As cochair of the Missing and Exploited Children Caucus, Bob helped win passage of legislation to protect our children from Internet predators and impose life imprisonment for persons convicted of killing a child. A true friend of law enforcement, Bob took the lead in 1998 and won passage of a congressional resolution demanding the Clinton administration undertake the extradition of cop killer Joanne Chesimard, a fugitive who fled to Cuba after being convicted of murdering New Jersey State Trooper Werner Foerster in May of 1973.

Bob helped create the bipartisan Northeast-Midwest Congressional Coalition to maximize both regions' political clout in Congress and played the leading role in promoting fair electrical power policy in New Jersey.

As my colleague, LEONARD, noted a moment ago, he ran for the United States Senate. He lost. He ran for Governor, and he lost that, too. But you would never know that from talking to Bob. He was always upbeat and very positive.

After leaving the Hill, Bob served as the president of the Health Care Institute of New Jersey, a trade association for the research-based pharmaceutical and medical technology industry in the State of New Jersey.

Mr. Speaker, at the Basilica of the Sacred Heart in Newark, New Jersey, on Saturday, Governor Chris Christie was joined in moving remembrance by several former Governors, including Governor Jon Corzine, Christie Todd Whitman, and Tom Kean, as well as the three godfathers to Bob and Fran's kids, Roger Bodman, Alfred Fasola, and Congressman John Kasich.

Governor Chris Christie spoke eloquently at the memorial service and told those assembled, ''Bob Franks' life was grand and glorious. As Fran and his daughters know better than anyone, what Bob cared first and foremost about, despite all of the passions in his life, was family . . . no matter whether we were talking about politics or business, because it was something he knew full well: the demands of a public life, the demands of a private life, and the rewards of paying attention to both.''

Governor Christie went on to say, ''Bob Franks was enthusiastic in everything I saw him do. Whether it was

rooting for the Indianapolis Colts—something that I still do not fully understand from a guy from New Jersey—whether it was some of the deepest and most significant policy issues that have faced our country for over the last 25 years, or whether it was counseling and encouraging even the smallest of potential leaders for our State.'' Always that enthusiastic Bob Franks.

The Governor went on to say, ''The loss that each of us feel from Bob's death is significant in the life of our State, significant in the life of our country, because he served so ably and so well . . . In the end, I think, that's what we all hope for out of our public officials: that they care deeply, that they think deeply, that they act passionately with the ability to inspire. He checked all the boxes.''

Governor Corzine said, in brief part, that this was a ''celebration of a great life, a good man, a very good man, someone that all of us, as you have heard, believed in, learned from, and grew from.

''A man of credible character, conviction, courage, but probably the most defining thing that any of us can say about Bob is he was a man who loved. He loved politics, loved all of his friends, the folks who are here, but most of all, most notably he loved his family.''

Governor Tom Kean said, ''Politics for Bob was an honorable profession which meant responsibility and opportunity for achievement and very much an exciting adventure. After all, what is the use of living,'' Governor Kean went on to say, ''if not to strive for great causes and perhaps make this muddled world of ours a little better place. Bob did that. He cared about that.''

''We are all better people for having known Bob,'' he went on. ''I think of him smiling. I think of his cheerfulness. I think of his enthusiasm, and today,'' Governor Kean concluded, ''I envy the angels.''

Governor Christie Todd Whitman said, ''You know a lot of people who are involved in the rough-and-tumble of politics get characterized as either being really good at the political side of it, the background, the fierce fighting, or they're the policy wonks, that's what they care about. Bob was both. He was a fierce, fierce partisan. He was a Republican. He never made it personal, because he always knew it was about policy, about doing right by the people of the State. And that's what made him such a special person.''

Our former Budget Committee chairman here in the House, John Kasich, who was godfather to one of Bob and Fran's children, summed it up well when he said, ''Our friendship was forged in the battles of trying to improve America. That's what it's all about. It was never about politics. It was always about what we could do to make the world a better place for our children and their children . . . I don't think I've ever met a more insightful man than Bob Franks. He could look at something that everybody else saw and he would see it differently. He could see twists in it. He could take advantage of it and move the ball forward.

''How about his cutting-edge humor? Always a little cutting-edge humor no matter where you were. Sometimes Bob was even good at gallows humor. You know, when there was not even a speck of light shining in the room, Bob could make us all laugh. He'd remove the pressure. He'd have a little quip, and we'd all get the belly laugh going. It would happen when there was no humor in sight.''

And on loyalty, John said, ''You know what the kids today say, 'You got my back.' Well, Bob Franks had your back. He didn't care if you were a Republican or a Democrat, a liberal or a conservative. It didn't mean anything. When you were his friend, he had your back.''

John Kasich concluded, ''I would like to call him a foxhole guy. And I measure people, 'Are they a foxhole guy.' In other words, can I get into a foxhole with this guy in the middle of the worst battle you can imagine and know not only would he not jump out of that foxhole to run and preserve himself, but he would jump outta that foxhole and fight to help you. Oh, he was a great foxhole guy,'' he said.

John said, ''In all of the years that I've known him, I've never heard him say a bad thing about anybody,'' and I know Mr. FRELINGHUYSEN and others in our delegation can back that up a hundred percent. And finally Kasich said, ''There is no question he left the world a better place.''

So, Mr. Speaker, there is no question Bob Franks left New Jersey, he left the Nation and the world a better place, and we will deeply miss him.

I would like to yield to my good friend and colleague, Mr. FRELINGHUYSEN.

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Mr. FRELINGHUYSEN. I thank the gentleman, the dean of the New Jersey congressional delegation, for yielding to me.

Mr. Speaker, last Saturday morning I joined the New Jersey family at the Cathedral Basilica of the Sacred Heart in Newark as we honored the life of former Congressman Bob Franks and comforted his wife, Fran, and their three young daughters.

As others did last Saturday, I rise in tribute to my longtime friend and our colleague, Bob Franks. New Jersey is a better place to live, work and raise a family, because for nearly his entire adult life, Bob Franks selflessly served our beloved State. It was a pleasure to serve with him for many years in the New Jersey State Assembly in Trenton and then in this very Chamber in the House of Representatives.

From those shared experiences, and there were many, I know the people in New Jersey have lost an energetic and intelligent advocate, and I have lost a dear and trusted friend. It's a tragic fact of life that many of us in New Jersey have spent a great deal of time of late talking about Bob Franks these past few days. I am struck that in those conversations certain common themes recur.

Bob Franks was authentic. He was patriotic. He was keen. Bob Franks was always optimistic. He was astute in every way. He was humorous. He was honorable, a true son of New Jersey.

Bob Franks always built others up, mentored to young people, always encouraging them to enter public service.

Bob Franks was trusted and never would break his word. He was always warm and sincere. He absolutely loved politics. And even in this rough and tumble world he always had a good word for men and women in the political arena, whether they were Republicans or Democrats or none of the above.

Bob Franks was tireless with unbridled enthusiasm. You were lucky to be on his team or on his side, that broad trademark smile, a good and decent man, irrepressible, full of life and love for his family, first and foremost. That's why we all were shocked 12 days ago when the news came that God had called him home at such a young age.

Mr. Speaker, Bob Franks loved public service. He loved the New Jersey Assembly and his service in Congress. He loved his family, our Nation, New Jersey and his constituents in that order, and he loved all these things with a passion that exceeded the most energetic enthusiasts.

I will never forget his work ethic, his valuable service, and his enduring friendship. We have lost a great man who stood for principles and who lived a life in which we could all learn.

May the tributes and prayers of so many of our colleagues here today be a source of strength with wife Fran and their daughters, Kelly, Sara and Abigail. Our hearts break, along with theirs, but our memories will always remain bright.

And when we recall that trademark smile, we will all remember this favorite son of New Jersey, Bobby Franks.

Mr. SMITH of New Jersey. I thank my good friend for his very eloquent statement, and we will all miss Bobby Franks.

Remarks from current and present elected officials who spoke at the April 17, 2010 memorial service for former U.S. Congressman and former N.J. Assemblyman Bob Franks, who died April 9, 2010. The service took place at the Cathedral Basilica of the Sacred Heart in Newark NJ.:

NEW JERSEY GOV. CHRIS CHRISTIE

Bob Franks' life was grand and glorious as Fran and his daughters know better than anyone, what Bob cared first and foremost about despite all of the passions in his life was family.

This summer as I had many discussion with Bob about lots of different topics he would always end each of those conversations we had whether it was in person or over the telephone, by asking me, in fact imploring me, 'You're spending time with Mary

Pat, right?' have you gone to some of the kids baseball games?' It was the way he ended each and everyone of those conversations, no matter whether we were talking about politics or business because it was something he knew full well: the demands of a public life, the demands of a private life, and the rewards of paying attention to both.

Bob Franks' smile is the thing I will remember most, about him. When he saw you his face immediately lit up, and in turn he lit up the room. His enthusiasm was mentioned just before. And he was enthusiastic in everything I saw him do. Whether it was rooting for the Indianapolis Colts—something that still do not fully understand, from a guy from NJ—whether it was some of the deepest and most significant policy issues that have faced our country over the last 25 years, or whether it was counseling and encouraging even the smallest of potential leaders for our state, I speak about that last part from personal experience. I met Bob Franks in July of 1995 I was a first-term Freeholder who had just run for the General Assembly, and had come in sixth out of six. And in the aftermath of that primary, I received a call from Congressman Franks' office. And the person on the staff said, 'The Congressman would like to know if you'd like to come by his district office Friday for lunch. He'd like to speak to you.'

And I immediately said yes, of course. I thought to myself 'It must be losers' week at Bob Franks' office. And I went there that day to have lunch with Bob Franks. I had no idea what the agenda was and I had no idea why I was going there. For an hour and 45 minutes Bob Franks sat with me to dissect why I had lost the race, why I had done so poorly, what I wanted to do with my future and how he thought was the best way to get there. I want to emphasis with you: I had never met him. He saw something in me in that campaign that obviously no one who voted did. And he implored me at the end of the meeting to not give up, not give up on a public life. He encouraged me to continue to fight. It will be the enduring gift that Bob Franks gave to me. And if you look around this cathedral today, there are literally hundreds of people who can say exactly the same thing. It's just a different date and a different time and a different challenge that was before them in that stage of their life. And it was Bob Franks who patted them on the back. It was Bob Franks who got in their face and told them not to quit. It was Bob Franks who by his example showed them that in fact anything was possible if you were willing to work hard enough, listen enough, and care deeply enough about making your community a better place.

The loss that each of us will feel from Bob's death is significant—significant in the life of our state, significant in the life of our country, because he served so ably and so well because of that enthusiasm, that fire and that ability to inspire others. In the end, I think, that's what we all hope for out of our public officials: that they care deeply, that they think deeply, that they act passionately with the ability to inspire. He checked all the boxes. And the loss we feel is miniscule compared to the loss that his family feels. Because for all that he did for us, he was much, much more for them. This summer, the last time I met with Bob before I became governor, he said to me as I was leaving the meeting, 'Don't worry about what happens—whether you win or you lose. Winning would be great, but even if you lose, I can tell you from personal experience. Life will get better.' He told me 'I have felt that the last couple of years out of public life, because it has allowed me to get even closer to Fran and to the girls. And so Bob provided hope from either end of the spectrum for whatever was going to happen to you and your life. I know that the legacy he leaves is sitting here in this cathedral this morning and the circles that go out from here, because Bob Franks did what every leader aspires to do: and this is to inspire others.

He has certainly inspired me. God bless you, Fran and the girls. And God Bless Bob for a life well spent.

FORMER GOV. JON CORZINE

I feel like a little loner up here. I'm not just sure how I identify, but I am thrilled to be here.

Fran, I could not be more privileged or honored, to stand and say some words in celebration of a great life, of a good man, a very good man, someone that all of us, as you have heard, believed in, learned from, grew from.

A man of credible character, conviction, courage, but probably the most defining thing that I think any of us can say about Bob is that he is a man who loved. He loved politics, loved all of his friends, the folks who are here, but most of all, most notably he loved his family. Fran, Sara, Abby and Kelly—a remarkable, remarkable testimony to his humanity and care. There was no pure, nor more poignant view of love than to have a conversation with Bob about his wife and his daughters.

Others have spoken about that smile, but the thought and site of those girls, all those girls brought a joy and a light that I don't think I've seen in the passions that I've seen in other people anytime in life. You know, I'm probably like a lot of you. I have more pictures of Bob Franks' girls than I have of my own grandkids, because you couldn't have a meeting, a breakfast, a beer or anything else with Bob where he didn't share a picture and a posting on how the girls were doing. It meant so much to him. A special part of when you had that posting was that smile that was there as he talked about it. It was always, always there. Everybody else has said it. It was the most winning smile anyone could imagine. And almost never saw him not smile, except for a couple of occasions. Anytime the Giants were playing the Colts he had his game face on. I'm like Gov. Christie; I don't know where in the heck he got that view from, but that's the way it is.

And then there were the days when we were running against each other for the United States Senate.

It wasn't always smiles. Neither of us were smiling while the ads were running. In fact, I remember sitting on stage one night down at Rider College, I think it was, before a debate, we were getting mic-ed up. And he did smile, and we laughed, and we teased each other about the theater and maybe even a little bit about the B.S. that comes as you go through that process. And then he proceeded over the next 90 minutes to absolutely take me apart on healthcare, early childhood education and anything else, and the only time I saw him smile was when he dubbed me 'Mr. Universal' in that night. Some of you remember that. It stuck, and I definitely remember him smiling at me that night. I actually was frowning.

Anyone who followed Bob's career knew that once he found a winning argument, he knew how to stick with it. I must have heard that phrase, 'Mr. Universal' a million times over the next six weeks. Message, message, message. When it came to politics, Bob knew it as well or better than anyone. And he demonstrated a remarkable talent in that campaign, because he took $6 million and made it something that was worth a lot more. And he showed what a pro could do.

There was also something about that campaign that he and I actually grew to respect each other. You heard Congressman Kasich say that mutual respect is an important ingredient in our public life. Bob really believed that two people could be of principles—sometimes of different views but principled—but they didn't have to be disagreeable, as we often hear.

And after that campaign and over the years, we grew into an easy friendship based on that perspective, developed over time. We are occasional parishioners at Chuck's church, we were commiserater over breakfast or over a beer. I did a lot with him as we supported the NJ National Guard. He did so much to support our troops that were in Iraq. And he fought for the things he believed in in political life in a lot of ways, but most of all even for a Democrat he became one of those people who offered guidance, offered perspective, offered counsel. He was true to the words that he would be a friend. Of course we had to sneak him in and out of Drumthwacket, and then we had to meet in the wine cellar for breakfast in Summit, Grand Summit Hotel. I was never sure whose reputation we were defending, his or mine.

And then there were those moments at Christ's Church when we both showed up at the same time. Bob and his family on the right side. Of course, I was on the left side. We both fell into a pattern of rolling our eyes when Chuck would tell some miserable jokes about politics, which was all too frequent.

It was almost a paradox because Bob was such a wonderful human being. You always wonder sometimes why he was in politics. People always trump politics in his life. He was a happy warrior. He had a passion for service and a strong sense of responsibility for community. But most importantly, as you heard others say, he loved his family. I know this is an unspeakable time for the Franks family, for Fran and the girls. There is nothing fair or right about losing Bob.

I was reminded of a Winston Churchill phrase upon hearing of the death of Harry Hopkins. He said "a strong, bright fierce flame has burned out of a frail body." Churchill was making clear we should never confuse the body and the soul. The strong, bright, fierce flame of Bob's soul lives in those three beautiful, beautiful girls, Abby, Sara and Kelly. His generosity and spirit, his love of people and life, his sense of purpose, justice, and oh, that smile, always that smile, will be with his girls, always. And with all of us as well.

God bless Bob, his family and thank you for the life he has lived.

GOV. CHRISTIE TODD WHITMAN

Fran, Kelly, Sara, Abby, I hope you get a chance at some point to stand up and just absorb this room.

Everyone here is a friend, or an admirer, a support of someone Bob mentored. They are here out of love. They are here out of love for Bob and what he stood for, and here for you, for the family. You know a lot of people who are involved in the rough-and-tumble of politics get characterized as either being really good at the political side of it, the background, the fierce fighting, or they're the policy wonks, that's what they care about. Bob was both. He was a fierce, fierce partisan. He was a Republican. He never made it personal, because he always knew it was about policy, about doing right by the people of the state. And that's what made him such a special person.

He was a true gentleman, in every sense of the word. He honored the profession. He loved it. He had that smile. He lit up a room. But because he really cared. There was nothing fake about it. He wasn't putting it on. He loved and cared about everything. Of course we know he loved and cared most about his family. I can remember, Kelly, how many

times did we get together at events. Your father and I would be talking about strategy or something and then all of the sudden your mom and you would walk into the room and then that was it. Forget the rest of it. It was his girls, the people he cared about the most. It was always first and foremost. But it was because he cared about all of it, all of us, what he was doing.

His legacy, the people he mentored, all of that is important. We are remembering it here today and people care about it. But his real legacy is his family. And while each of you might not be able to turn around and see him sitting next to you with that sparkle in his eyes, he's there. He's in your hearts, he's the angels on your shoulder. He will always be there with you and for you. And he set an example, that is unmatched, and you are very very lucky to have had him. We are all very lucky to have had him, but though for all too short a period. It just reminds us all to take those special people and special moments and bring them close to our heart and never let that flame die. You know, Bob's flame is going to live on forever.

Thank you for letting me be part of today.

GOVERNOR TOM KEAN

This has been quite a week. I have not been to an event all week long, of any kind, where Bob hasn't been mentioned. Where there hasn't been some remarks, where there hasn't been some longing, been some discussion, public and private. And now to culminate in this.

I think I counted seven former governors here today. I see our two United States Senators, I see the Congressional delegation. I see the legislature out there members of county government, and all of you who Bob touched in some way or another. But Fran, for you and your girls, June, for that remarkable young man that you brought up, we are here today. We come to pound on your heart with love.

I remember that first time that I met Bob. There were two of us running, myself, a fellow called Phil Cottonbacker, and we're both in our early thirties. And in some ways we really didn't know what we were doing, but we were doing our best, knocking on doors, trying to meet people. And then one day, Bob came, out of Summit High School. And I remember because that's the first time I saw that smile we're all talking about. That's when I saw the cheerfulness. That's when I saw the optimism. He already knew as much about politics as I did, maybe more. I learned something else about Bob. Bob was a pied piper, because first Bob came to volunteer, then he brought a friend, then he brought two friends, then three and four friends. Soon we had 10 people from Bob's class, knocking on doors, going to supermarkets, passing out literature, pressing envelopes, whatever we needed, because Bob made it fun. Bob made it fun for other people. Bob was sometimes, I think, you know, meeting Bob was like opening a bottle of fine champagne. Everything, everything was good at that point.

Well, we won that election and Bob and I stayed in touch. And it came a number of years later—I'm going to talk about three basic incidents in my life Bob touched. I was trying to decide whether to run for governor. I'd lost once already in a primary. My family was not terribly enthusiastic about the prospect. I knew there were other strong candidates in the field. I knew that one of them had much more money then we would ever be able to spend. I knew that another one had much more party support than I would ever get. And so the serious question was whether to take this one on. Well it wasn't a serious question to Bob. Not at all. Bob was on the phone. Bob was there in person. Bob was running around the state. Bob was doing whatever it took, and he would never let me for a minute even consider the possibility, that I wasn't going to run. He basically beat on my door until I finally declared. And once I declared, the campaign was basically run out of Bob's car for a while. I mean he became my first campaign manager. People would call me from different parts of the state who I'd never heard of, saying 'You know, I'd like to support you for governor.' I'd say 'That's wonderful. You like my ideas?' They'd say 'No, I like Bob Franks.'

And, of course, Bob brought a number of assets, because not only did he bring that wonderful enthusiasm and excitement and all of that, he brought Al Fasola and Roger Bodman. And once you had Al Fasola, and Roger Bodman and Bob Franks, it didn't matter who had the money, it didn't matter who had the political support—I think we ended up with four county chairmen out of 21. It didn't matter. You were going to win, because you had the best. And Bob was such an important part of that and our whole campaign with that enthusiasm. He got people in the legislature to defy their own county organizations and their own county parties and come out and endorse me, and those of you in politics know how tough that is for anybody to do. He was a remarkable. And I'll say it here: I don't know if I would have run or not, but I certainly would not have been elected if it were not for the efforts of Bob Franks.

When I got there, there were a lot of problems. We were in a debt point, in a recession as we are now. We had a billion dollar deficit, had a legislature of the other party, both houses, and it was difficult. It was very, very difficult. But there in my office, would be Bob. And Bob would come it, with that smile, that cheerfulness and that optimism, showing me how we could do it, how we could get something done. He would bring in not only Republicans but Democrats. He would tell me 'Have you talked to this assemblyman, or that senator? You know he's the other party, but he's really a good person, and you can talk to them about issues.' And we did that.

We put together some of those coalitions. But always, always in the background was Bob, who cared so much, who wanted to see it done right, who did it himself, always the right way. You know he was always positive. He was never down. He loved his colleagues in both his parties. He could be partisan, but never negative, never nasty in any way at all. He cared so much. The bottom line I think, that not only did he love politics, but he cared so much about people. He loved them: individuals, peoples who touched his life and he came back and touched theirs in a very, very important way.

Politics for Bob was an honorable profession which meant responsibility and opportunity for achievement and very much an exciting adventure. After all, what is the use of living, if not to strive for great causes and perhaps make this muddled world of ours a little better place. Bob did that. He cared about that.

The Reverend mentioned St. Paul, when he was in that prison. He wrote something else. He wrote to his best friend, he wrote a note. He wrote to Timothy. He wrote these letters, these words, I think most of you know, to Timothy. He said:

'I have fought the good fight. I have finished my course. I have kept the faith.'

Bob could have spoken those words. Fran, you and the girls ought to be so proud, June you ought to be so very proud. We are all better people for having known Bob. I think of him smiling, I think of his cheerfulness, I think of his enthusiasm, and today, I envy the angels.

FORMER CONGRESSMAN JOHN KASICH

Look around. It's amazing today, isn't it? You know, on the wall of Bob's house is a poster of Bobby Kennedy who would be surprised? He was a man of great passion, just like Bob. I remember as a young man, one young girl holding a sign as Bobby Kennedy passed by, and the sign said: ''Bring Us Together.'' Bob Franks has brought us together, hasn't he? And not just the people at the top. He's brought so many of his young protégés here today who have grown from young into almost middle-aged men. Bob was a truly remarkable man and our friendship was forged in the battles of trying to improve America. That's what it was all about. It was never about the politics. It was always about what we could do to make the world a little better place for our children and their children.

Last week I sat down with some of the people who were on this team. We went through thick and thin, through government shutdowns, and criticisms and blowups and yelling and all wonderful debate that sometimes accompanies politics when it isn't personal. It's part of life, it's part of what makes this republic special. And we listed a couple of things that we wanted to think about Bob, and I wanted to tell you about Bob.

First of all, insightful. I don't think I ever met a more insightful man than Bob Franks. He could look at something that everybody else saw and he would always see it differently. He could see the twist in it. He could take advantage of it to move the ball downfield. How about his cutting-edge humor? Always a little cutting-edge humor no matter where you were. Sometimes Bob was even good at gallows humor. You know when there was not even a speck of light shining in the room, Bob could make us all laugh. He'd remove the pressure. He'd have the little quip, and we'd all get the belly laugh going. It would happen when there was no humor in sight.

Loyalty. You know kids today say 'You got my back?' Bob Franks had your back. He didn't care if you were a Republican or a Democrat, a liberal or a conservative. It didn't mean anything. When You were his friend, he had your back. And he exemplified exactly what we mean by that term.

Friendly. Well he's known for that smile. Some said earlier, he walked into a room and lit it up. And that was exactly right, because he had that 100 megawatt smile that sort of transmitted a sense of strength. He had a sense that things are going to be OK, things are going to be good. Things can be really great.

Bob never attacked anybody else. In all the years I knew him I never heard him say a bad thing about anybody. He was smart. And what made him so smart is that he understood that the key to life was not the divisions that exist between people, but the friendships that potentially could be developed. And he was a smart of a guy as I ever met and he transferred on to these three angels down here [gestures to Franks' daughters] because they're as smart as can be.

Great strategist? Didn't want to be up against him, did you? Nobody wanted to be up against Bob when he got into strategy, and frankly, think about what a great general he would have been in the military. He could have sat in that tent and figured how to take advantage of every opportunity. And that's exactly what he did working with me to do something that hadn't been done in about 40 years.

Oh, he loved his family. Gov. Christie's right. My conversations were always 'Mr. Chairman, how's the family. How's the girls'. I'd said 'Chairman, how's your family?' It always started that way. Kinda always ended that way.

God, did he love his friends. Roger Bodman, Al Fasola. Oh, and Laura. Ah, he just loved you to pieces. And of course he so loved his family, and so loved Fran and those sweet girls. Saw Kelly yesterday, that she gave me a big hug. And through the gate, they were in the back yard, I got a chance to see Sara and Abbey really for the first time. Little angels, and a tribute to Fran and to Bob.

Of course he loved his Colts. Governor, I could never figure it our either. I mean that Colt thing was just unbelievable.

He could give you bad news, couldn't he governor? He could give you bad news but in such a way that you could accept it. He gave more bad news more of the time than I can even believe! But I heard it, and I accepted it because he had that special something. When he gave you a little bad news, you knew that he had your back. You knew that he was right with you.

You could never be mad at Bob Franks. That was impossible. No matter what he did to you, you loved him. You never go upset with him. I guess it was always because you knew he had your back.

What a listener Bob was. You know, it was one of the things that many of us have to do better. Bob could reply and understand because he listened. He listened intently to anything you had to say.

I liked to call him a foxhole guy. And I measure people 'Are they a foxhole guy.' In other words can I get into a foxhole with this guy in the middle of the worst battle you can imagine and know not only would he not jump out of that foxhole to run and preserve himself, but he would jump out of that foxhole and fight to help you. Oh, he was a great foxhole guy.

Friendship. Today in the age of a media culture, fleeting, situational, conditional, tattered—not with Bob. His friendship had nothing to do with situations and conditions, he would be friend to you through thick and thin. And frankly when we think about it we can learn so much about what character and principle and tenacity is when we study the life of Bob Franks.

There is no question he left the world a better place. Earlier today in the private ceremony, I wish you all could have heard the testimonies to Bob. And under all of them was a deep and abiding love and a sense that he made everybody better because he believed in them. He made this world a much better place. He inspires us. And I was inspired this morning listening to the testimony of his dearest friends and family and the young people that he raised. They're going to leave their mark on the world and they're leaving it right now as one of the top aides to the governor of the State of New Jersey. Yeah, I'm going to miss Bob. I'm going to miss those calls. But you know I'm going to remember this day, the testimonies this morning, and this crowd, which is all about how great his life was and about how many lives he impacted and affected in a real way.

You know, Reverend, the Lord gives us a big promise. I've never known the Lord, as I've studied it, to break his promises. Fran, he promises in the next life, no more tears, no more heartache, no more broken relationships, no more war, no more death, and only happiness and fulfillment to be put under the wings of the Lord.

I believe it. That's where Bob's today. God, Bless you Bob. We love you, we miss you. We'll see you soon.

## GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my special order today.

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

There was no objection.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. HOYER) for today until 4 p.m.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DEUTCH) to revise and extend their remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.

Mr. SKELTON, for 5 minutes, today.

Mr. DEUTCH, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

Ms. BERKLEY, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

Mr. KLEIN of Florida, for 5 minutes, today.

Mr. ISRAEL, for 5 minutes, today.

Ms. SCHAKOWSKY, for 5 minutes, today.

Mr. ROTHMAN of New Jersey, for 5 minutes, today.

Mr. WEINER, for 5 minutes, today.

Mr. MARKEY of Massachusetts, for 5 minutes, today.

Ms. SCHWARTZ, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Ms. LORETTA SANCHEZ of California, for 5 minutes, today.

Mr. BRIGHT, for 5 minutes, today.

Mr. MARSHALL, for 5 minutes, today.

Mr. GARAMENDI, for 5 minutes, today.

Mr. QUIGLEY, for 5 minutes, today.

Ms. CHU, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. BARTLETT) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, April 28.

Mr. JONES, for 5 minutes, April 28.

Mr. WESTMORELAND, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, April 28.

Mr. FORBES, for 5 minutes, April 22.

Mr. BARTLETT, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. ETHERIDGE, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. FILNER, and to include therein extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $2,533.

## ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4360. An act to designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the ''Major Charles Robert Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center''.

## ADJOURNMENT

Mr. SMITH of New Jersey. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 34 minutes p.m.), the House adjourned until tomorrow, Thursday, April 22, 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 House amendment to S. 1963, the Caregivers and Veterans Omnibus Health Services Act of 2010, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO S. 1963

[By fiscal year, in millions of dollars]

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2010–2015 | 2010–2020 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| NET INCREASE OR DECREASE (—) IN THE DEFICIT | | | | | | | | | | | | | |
| Statutory Pay-As-You-Go Impact | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Source: Congressional Budget Office.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7112. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's Annual Report for FY 2009 regarding the training, and its associated expenses, of U.S. Special Operations Forces (SOF) with friendly foreign forces, pursuant to 10 U.S.C. 2011; to the Committee on Armed Services.

7113. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the Council's Annual Report for 2009; to the Committee on Financial Services.

7114. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Federal Home Loan Bank Directors' Eligibility, Elections, Compensation and Expenses (RIN: 2590-AA03, 2590-AA31, and 2590-AA34) received April 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7115. A letter from the Acting Director, Pension Benefit Guaranty Coporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received April 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7116. A letter from the Secretary, Department of Health and Human Services, transmitting renewal of the December 28, 2009 determination of a public health emergency existing nationwide involving Swine Influenza A (now called 2009 — H1N1 flu), pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

7117. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Side Impact Protection; Fuel System Integrity; Electric-Powered Vehicles: Electrolyte Spillage and Electrical Shock Protection [Docket No.: NHTSA-2010-0032] (RIN: 2127-AK48) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7118. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to the Export Administration Regulations to Enhance U.S. Homeland Security: Addition of Three Export Control Classification Numbers (ECCNs) and License Review Policy [Docket No.: 0906041008-91452-01] (RIN: 0694-AE64) received March 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7119. A letter from the Secretary, Department of the Interior, transmitting draft legislation to provide for the issuance of coins to commemorate the 100th anniversary of the National Park Service; to the Committee on Foreign Affairs.

7120. A letter from the Associate Attorney General, Department of Justice, transmitting the Department's 2009 annual report on certain activities pertaining to the Freedom of Information Act, as amended; to the Committee on Oversight and Government Reform.

7121. A letter from the Director, EEO and Diversity Programs, National Archives and Records Administration, transmitting a copy of the Administration's Fiscal Year 2009 Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act Annual Report; to the Committee on Oversight and Government Reform.

7122. A letter from the Chairman, Nuclear Regulatory 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.

7123. A letter from the Deputy Associate Director for Management and Administration and Designated Reporting Official, Office of National Drug Control Policy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7124. A letter from the Chief Administrative Officer, Patent and Trademark Office, transmitting the Office'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.

7125. A letter from the Acting EEO Director, Securities and Exchange Commission, transmitting a report about the Commission's activities in FY 2009 to ensure accountability for antidiscrimination and whistleblower laws related to employment; to the Committee on Oversight and Government Reform.

7126. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class D and E Airspace; Panama City, FL [Docket No.: FAA-2009-0710; Airspace Docket No. 09-ASO-16] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7127. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Area R-2204 High and R-2204 Low; Oliktok Point, AK [Docket No.: FAA-2009-0693; Airspace Docket No. 09-AAL-14] (RIN: 2120-AA66) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7128. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; West Bend, WI [Docket No.: FAA-2009-1149; Airspace Docket No. 09-AGL-33] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7129. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Huntingburg, IN [Docket No.: FAA-2009-0736; Airspace Docket No. 09-AGL-21] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7130. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Rawlins, WY [Docket No.: FAA-2009-0880; Airspace Docket No. 09-ANM-14] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7131. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Cedar Rapids, IA [Docket No.: FAA-2009-0916; Airspace Docket No. 09-ACE-12] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7132. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney JT8D-209, -217, -217C, and -219 Turbofan Engines [Docket No.: FAA-2009-0883; Directorate Identifier 97-ANE-08; Amendment 39-16237; AD 97-17-04R1] (RIN: 2120-AA64) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7133. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Dumas, TX [Docket No.: FAA-2009-1151; Airspace Docket No. 09-ASW-30] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7134. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Gadsden, AL [Docket No.: FAA-2009-0955; Airspace Docket No. 09-ASO-28] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7135. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Damage Tolerance Data for Repairs and Alterations [Docket No.: FAA-2005-21693; Amendment No. 26-4] (RIN: 2120-AI32) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7136. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B2-1C, B2-203, B2K-3C, B4-103, B4-203, B4-2C Airplanes; Model A310 Series Airplanes; and Model A300 B4-601, B4-603, B4-605R, B4-620, B4-622, and B4-622R Airplanes [Docket No.: FAA-2009-0789; Directorate Identifier 2008-NM-185-AD; Amendment 39-16228; AD 2010-06-04] (RIN: 2120-AA64) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7137. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Battle Mountain, NV [Docket No.: FAA-2009-1057; Airspace Docket No. 09-AWP-9] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7138. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Gunnison, CO [Docket No.: FAA-2009-0949; Airspace Docket No. 09-ANM-12] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7139. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-2C, B4-103, and B4-203 Airplanes; and Model A300 B4-601, B4-603, B4-620, B4-622, B4-605R, and B4-622R Airplanes [Docket No.: FAA-2009-0993; Directorate Identifier 2009-NM-089-AD; Amendment 39-16229; AD 2010-06-05] (RIN: 2120-AA64) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7140. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No.: FAA-2009-0649; Directorate Identifier 2008-

NM-218-AD; Amendment 39-16225; AD 2010-06-01] (RIN: 2120-AA64) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7141. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Risk-Based Adjustment of Transportation Security Plan Requirements [Docket No.: PHMSA-06-25885 (HM-232F)] (RIN: 2137-AE22) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. ZOE LOFGREN of California: Committee on Standards of Official Conduct. In the Matter of Randy Vogel (Rept. 111–464). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. OBERSTAR (for himself, Mr. DINGELL, and Mr. EHLERS):

H.R. 5088. A bill to amend the Federal Water Pollution Control Act to reaffirm the jurisdiction of the United States over waters of the United States; to the Committee on Transportation and Infrastructure.

By Mr. RYAN of Ohio (for himself, Mr. BOUCHER, and Ms. SUTTON):

H.R. 5089. A bill to amend the Public Works and Economic Development Act of 1965 to modify the period used to calculate certain unemployment rates, to encourage the development of business incubators, 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. POLIS (for himself, Mr. BERMAN, Ms. FUDGE, Mr. KAGEN, Ms. KILPATRICK of Michigan, and Ms. SCHAKOWSKY):

H.R. 5090. A bill to amend the Richard B. Russell National School Lunch Act to promote the health and well-being of schoolchildren in the United States through effective local wellness policies, technical assistance, training, and support for healthy school foods, nutrition promotion and education, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. GRIJALVA, Ms. NORTON, and Ms. JACKSON LEE of Texas):

H.R. 5091. A bill to authorize public awareness campaigns to promote the persistent quest for knowledge and increased education among youth; to the Committee on Education and Labor.

By Mr. GALLEGLY (for himself, Mr. MORAN of Virginia, Mr. WHITFIELD, Mr. FARR, Mr. CAMPBELL, Mr. BURTON of Indiana, Mr. GARY G. MILLER of California, Mr. LEWIS of California, Mr. MCKEON, Mr. LINDER, Mr. BLUMENAUER, Mr. FRANKS of Arizona, Mr. BROWN of South Carolina, Mr. UPTON, Mr. FORBES, Mr. MILLER of Florida, Mr. BARTLETT, Mr. WILSON of South Carolina, Ms. ROS-LEHTINEN, Mr. BRADY of Texas, Mr. WOLF, Mr. ROYCE, Ms. SUTTON, Mr. DELAHUNT, Mr. CASTLE, Ms. MOORE of Wisconsin, Mr. HARE, Mr. COHEN, Mr. GERLACH, Ms. LINDA T. SÁNCHEZ of California, Mr. OLVER, Mr. SCHIFF, Mr. HALL of New York, Mr. FILNER, Mr. WEINER, Ms. WATSON, Mr. DOYLE, Mr. SHERMAN, Mrs. DAVIS of California, Mrs. CAPITO, Mr. KILDEE, Mr. KING of New York, Mr. KUCINICH, Mr. LOBIONDO, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. ROTHMAN of New Jersey, Mrs. BONO MACK, Mr. COBLE, Mr. SCHOCK, Mrs. CAPPS, Mr. ISRAEL, Mr. LEWIS of Georgia, Mrs. EMERSON, Mr. HOLT, and Mr. SMITH of Texas):

H.R. 5092. A bill to amend section 48 (relating to depiction of animal cruelty) of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

By Ms. KOSMAS (for herself, Ms. CORRINE BROWN of Florida, Mr. KLEIN of Florida, Ms. CASTOR of Florida, Ms. FUDGE, Ms. RICHARDSON, Mr. WILSON of Ohio, Mr. ROTHMAN of New Jersey, Ms. JACKSON LEE of Texas, Mr. HASTINGS of Florida, and Ms. GIFFORDS):

H.R. 5093. A bill to authorize the Secretary of Education to establish a program for displaced aerospace professionals to become certified elementary, secondary, or vocational school teachers; to the Committee on Education and Labor.

By Mr. LIPINSKI (for himself and Mr. WOLF):

H.R. 5094. A bill to authorize the National Science Foundation to carry out a pilot program to award innovation inducement cash prizes in areas of research funded by the National Science Foundation; to the Committee on Science and Technology.

By Mr. PAULSEN (for himself, Mrs. BACHMANN, Mr. DENT, Mr. GERLACH, Mr. LANCE, Mr. MARCHANT, Mr. PRICE of Georgia, Mr. BROWN of South Carolina, Mr. ROYCE, Mr. LAMBORN, Mr. CHAFFETZ, Mr. LATTA, Mr. BARTLETT, Mr. GOODLATTE, Mr. PITTS, Mr. AKIN, Mrs. BLACKBURN, Mr. GOHMERT, Mr. FRANKS of Arizona, Mr. CONAWAY, Mr. MCCLINTOCK, Mr. GINGREY of Georgia, Mr. RYAN of Wisconsin, Mr. MANZULLO, Mr. PLATTS, Mr. UPTON, and Mr. LEE of New York):

H.R. 5095. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself, Ms. EDWARDS of Maryland, and Mr. HONDA):

H.R. 5096. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize the Secretary of Education to make grants for recruiting, training, and retaining individuals from underrepresented groups as teachers at public elementary and secondary schools, and for other purposes; to the Committee on Education and Labor.

By Ms. MARKEY of Colorado:

H.R. 5097. A bill to amend title 23, United States Code, to reduce the amount of funding available to States that do not enact a law prohibiting an individual from using a wireless communication device while operating a motor vehicle in a school zone, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ELLISON:

H.R. 5098. A bill to delay the implementation of the licensing requirements under the S.A.F.E. Mortgage Licensing Act of 2008; to the Committee on Financial Services.

By Mr. FRANK of Massachusetts (for himself, Mr. MARKEY of Massachusetts, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. DELAHUNT, Mr. MCGOVERN, Mr. TIERNEY, Mr. CAPUANO, Mr. LYNCH, and Ms. TSONGAS):

H.R. 5099. A bill to designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the ''Michael C. Rothberg Post Office''; to the Committee on Oversight and Government Reform.

By Mr. GRIJALVA:

H.R. 5100. A bill to provide for the conveyance of certain Federal lands in Yuma County, Arizona; to the Committee on Natural Resources.

By Mr. HOLT (for himself, Mr. POLIS, Mr. HINCHEY, and Mr. GEORGE MILLER of California):

H.R. 5101. A bill to expand the science and stewardship of America's most important wildlife corridors; to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, and Agriculture, 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. MARKEY of Massachusetts (for himself, Mr. FRANK of Massachusetts, Mrs. CAPPS, Mr. GRIJALVA, Mr. HINCHEY, Mr. HODES, Mr. YARMUTH, Mr. WELCH, and Ms. SUTTON):

H.R. 5102. A bill to direct the Secretary of the Interior to establish an annual production incentive fee with respect to Federal onshore and offshore lands that are subject to a lease for production of oil or natural gas under which production is not occurring, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON:

H.R. 5103. A bill to authorize improvements in the operation of the government of the District of Columbia, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Natural Resources, and Transportation and Infrastructure, 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. POMEROY (for himself and Mr. NUNES):

H.R. 5104. A bill to amend the Internal Revenue Code of 1986 to allow for the deduction for domestic oil related production activities of companies which are not major integrated oil companies; to the Committee on Ways and Means.

By Mr. ROGERS of Alabama (for himself, Ms. KILROY, Mr. KING of New York, Mr. THOMPSON of Mississippi, Mr. MCCAUL, Ms. CLARKE, and Mr. CARNEY):

H.R. 5105. A bill to establish a Chief Veterinary Officer in the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Agriculture, 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. SPACE (for himself and Ms. SHEA-PORTER):

H.R. 5106. A bill to direct the Secretary of Defense to establish a commission on urotrauma; to the Committee on Armed

Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself, Mr. MARIO DIAZ-BALART of Florida, Mr. HOYER, Mr. WOLF, Mr. MORAN of Virginia, Mr. CUMMINGS, Mr. VAN HOLLEN, Ms. EDWARDS of Maryland, and Mr. CONNOLLY of Virginia):

H. Con. Res. 263. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; to the Committee on Transportation and Infrastructure.

By Ms. NORTON (for herself, Mr. MARIO DIAZ-BALART of Florida, Mr. HOYER, Mr. WOLF, Mr. MORAN of Virginia, Mr. CUMMINGS, Mr. VAN HOLLEN, Ms. EDWARDS of Maryland, and Mr. CONNOLLY of Virginia):

H. Con. Res. 264. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; to the Committee on Transportation and Infrastructure.

By Mr. LAMBORN (for himself, Mr. SMITH of Texas, Ms. ROS-LEHTINEN, Mr. MCCOTTER, Mr. GARRETT of New Jersey, Mr. JONES, Mr. BURTON of Indiana, Mr. FRANKS of Arizona, Mr. CHAFFETZ, Mr. LATTA, Mrs. BACHMANN, Mr. PITTS, Mr. AKIN, Mr. KINGSTON, Mr. GOHMERT, Mr. CONAWAY, Mr. KING of Iowa, Mr. MCCLINTOCK, Mr. GINGREY of Georgia, Mr. BURGESS, Mr. MANZULLO, Mr. MARCHANT, Mr. BROWN of South Carolina, Mr. WITTMAN, Mr. JORDAN of Ohio, Mr. POE of Texas, and Mr. BILIRAKIS):

H. Con. Res. 265. Concurrent resolution expressing the sense of the Congress that the United States should neither become a signatory to the Rome Statute on the International Criminal Court nor attend the Review Conference of the Rome Statute in Kampala, Uganda, commencing on May 31, 2010; to the Committee on Foreign Affairs.

By Ms. BERKLEY (for herself, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CONNOLLY of Virginia, and Mr. GINGREY of Georgia):

H. Con. Res. 266. Concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO); to the Committee on Foreign Affairs.

By Ms. FUDGE (for herself, Ms. CORRINE BROWN of Florida, Mrs. MALONEY, Mr. SCOTT of Georgia, Mr. BISHOP of Georgia, Mrs. NAPOLITANO, Mr. ELLISON, Ms. LEE of California, Ms. WASSERMAN SCHULTZ, Ms. DELAURO, Ms. NORTON, Ms. RICHARDSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Alabama, Mr. BUTTERFIELD, Mr. MCGOVERN, Mr. RUSH, Mr. HASTINGS of Florida, Mr. SCOTT of Virginia, Mr. GRIJALVA, Ms. HIRONO, Mr. CROWLEY, Ms. EDWARDS of Maryland, Mr. CLEAVER, Mr. JOHNSON of Georgia, Mrs. MCCARTHY of New York, Mr. STARK, Ms. SCHAKOWSKY, Mr. CASTLE, Mr. RYAN of Ohio, Mr. LEWIS of Georgia, Ms. KILROY, Mr. KILDEE, Mr. AL GREEN of Texas, Mr. MCDERMOTT, Mrs. DAVIS of California, Mr. THOMPSON of Pennsylvania, Ms. PINGREE of Maine, Ms. JACKSON LEE of Texas, Mr. DAVIS of Illinois, Ms. CLARKE, Mr. CAO, Ms. KILPATRICK of Michigan, Mr. COHEN, Mr. KISSELL, Mrs. EMERSON, Mr. RANGEL, Ms. KAPTUR, Ms. MOORE of Wisconsin, Ms. BORDALLO, Ms. CASTOR of Florida, Ms. MCCOLLUM, Mr. OLVER, Mr. CLYBURN, Mr. YARMUTH, Mr. SABLAN, Mr. MARKEY of Massachusetts, Ms. SUTTON, Mr. NADLER of New York, Mr. GEORGE MILLER of California, Mr. CUMMINGS, Mr. FATTAH, Mr. THOMPSON of Mississippi, Mr. ETHERIDGE, Mr. SCHAUER, Mr. PERRIELLO, Mr. RUPPERSBERGER, Mrs. CHRISTENSEN, Mr. BACA, Ms. WATSON, Mr. SCHIFF, Mr. MELANCON, Mr. BISHOP of New York, Mr. MOORE of Kansas, Mr. TOWNS, Ms. HERSETH SANDLIN, Mr. JACKSON of Illinois, Mr. CARSON of Indiana, Ms. WATERS, Mr. BRADY of Pennsylvania, Mr. CLAY, Mr. CONYERS, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. DINGELL, Mr. HOLT, Mr. HINOJOSA, Mr. ORTIZ, Mr. VAN HOLLEN, Mr. HEINRICH, Ms. TITUS, Mr. WATT, Mr. POMEROY, Mr. PAYNE, Mr. MAFFEI, Mr. LARSON of Connecticut, Mrs. DAHLKEMPER, Mr. FILNER, Mr. BERMAN, Ms. DEGETTE, Mr. BOOZMAN, Mr. SMITH of Washington, Mr. BOCCIERI, Mr. GONZALEZ, Mr. BARROW, Mr. HINCHEY, Ms. LINDA T. SÁNCHEZ of California, Mr. WAXMAN, and Ms. SLAUGHTER):

H. Res. 1281. A resolution celebrating the life and achievements of Dr. Dorothy Irene Height and recognizing her life-long dedication and leadership in the struggle for human rights and equality for all people until her death at age 98 on April 20, 2010; to the Committee on the Judiciary; considered and agreed to.

By Mr. BLUNT (for himself, Mr. BOREN, Mr. RYAN of Wisconsin, Mr. MILLER of Florida, and Mr. ROSS):

H. Res. 1282. A resolution expressing the sense of the House of Representatives that the promotion of recreational fishing and boating should be a national priority, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HODES:

H. Res. 1283. A resolution honoring and thanking Dave Brubeck for his contributions to American music and cultural diplomacy; to the Committee on Education and Labor.

By Mr. BOYD (for himself and Mr. EHLERS):

H. Res. 1284. A resolution supporting the goals and ideals of National Learn to Fly Day, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ENGEL (for himself and Mr. KIRK):

H. Res. 1285. A resolution condemning the Government of Syria for transferring Scud missiles to the Hizballah terrorist organization, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PERLMUTTER (for himself, Mr. CAPUANO, Mr. HIGGINS, Mr. HODES, Mr. KENNEDY, Ms. MARKEY of Colorado, Mr. MARKEY of Massachusetts, Mr. MOORE of Kansas, and Mr. ROTHMAN of New Jersey):

H. Res. 1286. A resolution commemorating the 50th anniversary of the inaugural season of the American Football League; to the Committee on Oversight and Government Reform.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

260. The SPEAKER presented a memorial of the Legislature of the State of Wyoming, relative to House Joint Resolution No. 3 demanding Congress to cease and desist from enacting mandates that are beyond the enumerated powers granted to the Congress by the United States Constitution; to the Committee on the Judiciary.

261. Also, a memorial of the Legislature of the State of Wyoming, relative to House Joint Resolution No. 2 demanding Congress cease and desist from enacting mandates that are beyond the scope of the enumerated powers granted to Congress by the Constitution of the United States; to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 43: Ms. TSONGAS and Mr. SPACE.
H.R. 147: Mrs. EMERSON.
H.R. 211: Mr. ELLSWORTH and Mr. OWENS.
H.R. 233: Mr. BOUSTANY.
H.R. 293: Mr. WOLF.
H.R. 333: Mr. ALTMIRE.
H.R. 406: Mr. VAN HOLLEN and Mr. LANCE.
H.R. 422: Mr. MAFFEI.
H.R. 426: Ms. SUTTON.
H.R. 442: Mr. PRICE of Georgia, Mr. TEAGUE, and Mrs. EMERSON.
H.R. 560: Mr. COOPER.
H.R. 571: Mr. FORBES and Mr. NADLER of New York.
H.R. 615: Ms. SUTTON.
H.R. 618: Mr. FRANK of Massachusetts.
H.R. 853: Mr. CALVERT.
H.R. 1026: Mr. WITTMAN and Mr. BACHUS.
H.R. 1034: Mr. BARRETT of South Carolina.
H.R. 1079: Mr. MARKEY of Massachusetts.
H.R. 1220: Mr. ALTMIRE.
H.R. 1229: Mr. FORBES.
H.R. 1240: Mr. HIGGINS and Mr. QUIGLEY.
H.R. 1339: Mr. SESSIONS, Mr. VISCLOSKY, Mr. MATHESON, and Mr. STUPAK.
H.R. 1362: Ms. LORETTA SANCHEZ of California, Mr. MELANCON, and Mr. FRELINGHUYSEN.
H.R. 1547: Mr. RADANOVICH, Ms. GRANGER, Mr. LYNCH, Mr. BOSWELL, Mr. JACKSON of Illinois, Mr. CONYERS, Ms. WOOLSEY, Ms. DELAURO, Mr. HARPER, and Mr. ROGERS of Kentucky.
H.R. 1557: Mr. LOEBSACK.
H.R. 1581: Mr. CARSON of Indiana and Mr. DAVIS of Tennessee.
H.R. 1587: Mr. BRALEY of Iowa.
H.R. 1600: Mr. TURNER.
H.R. 1822: Mr. COBLE and Mr. ROE of Tennessee.
H.R. 1868: Mr. WALDEN.
H.R. 1923: Mr. FORBES.
H.R. 1925: Mr. TOWNS.
H.R. 1990: Mr. PRICE of North Carolina.
H.R. 2000: Mr. EDWARDS of Texas, Mr. BOSWELL, Mrs. MILLER of Michigan, Ms. CHU, Mr. FORTENBERRY, Mr. PUTNAM, and Mr. COSTA.
H.R. 2136: Mr. CONYERS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BERKLEY, Mr. KING of New York and Mr. BRALEY of Iowa.
H.R. 2156: Mr. MURPHY of New York.
H.R. 2222: Mr. WEINER and Mr. HINCHEY.
H.R. 2298: Mr. STARK.
H.R. 2313: Mr. FORBES.
H.R. 2478: Ms. BERKLEY and Mr. ROSS.
H.R. 2567: Mr. WEINER.
H.R. 2697: Mr. GARAMENDI, Mr. SALAZAR, Mr. ANDREWS, Mr. BOREN, Mr. PETERS, and Mr. PASTOR of Arizona.

H.R. 2730: Mr. POMEROY.
H.R. 2737: Mr. TAYLOR, Ms. KILROY, Mr. COFFMAN of Colorado, and Mr. CARSON of Indiana.
H.R. 2799: Ms. FUDGE.
H.R. 3116: Mr. MCCOTTER and Mr. KAGEN.
H.R. 3186: Mr. GARAMENDI.
H.R. 3238: Ms. FUDGE.
H.R. 3240: Mr. BLUNT.
H.R. 3321: Mr. BOREN and Ms. RICHARDSON.
H.R. 3393: Mr. ATLMIRE and Mr. BARROW.
H.R. 3487: Mr. WEINER and Ms. WATSON.
H.R. 3517: Mr. MCGOVERN.
H.R. 3554: Mr. BLUMENAUER.
H.R. 3577: Mr. JONES.
H.R. 3582: Mr. MCCOTTER.
H.R. 3630: Mr. MOORE of Kansas.
H.R. 3734: Mr. HINCHEY and Mr. DRIEHAUS.
H.R. 3752: Mr. BACA and Mr. MCCLINTOCK.
H.R. 3764: Ms. BALDWIN and Mr. HARE.
H.R. 3799: Mr. AL GREEN of Texas and Mr. BISHOP of Georgia.
H.R. 3905: Mr. ANDREWS and Mr. HODES.
H.R. 3914: Ms. DEGETTE.
H.R. 3927: Ms. BORDALLO.
H.R. 4014: Mr. FILNER.
H.R. 4132: Mrs. CAPPS, Mr. MEEK of Florida, and Mr. GALLEGLY.
H.R. 4153: Ms. MARKEY of Colorado.
H.R. 4195: Mr. TONKO, Mr. BLUMENAUER, Ms. BALDWIN, Mr. POMEROY, Mr. COURTNEY, Mrs. CAPPS and Ms. SHEA-PORTER.
H.R. 4241: Mr. ARCURI.
H.R. 4264: Mr. FARR and Mr. FILNER.
H.R. 4268: Ms. TSONGAS.
H.R. 4278: Mr. HARE and Mrs. EMERSON.
H.R. 4298: Ms. CHU.
H.R. 4306: Mr. HOLT, Mr. BACHUS, and Mr. BISHOP of Georgia.
H.R. 4325: Ms. CHU and Mr. BRADY of Pennsylvania.
H.R. 4376: Ms. WOOLSEY and Mr. AL GREEN of Texas.
H.R. 4389: Mr. ROE of Tennessee.
H.R. 4398: Mr. BISHOP of Utah and Mr. SIMPSON.
H.R. 4399: Mrs. DAVIS of California.
H.R. 4402: Mr. BRADY of Pennsylvania.
H.R. 4440: Mr. MCGOVERN.
H.R. 4477: Mr. KUCINICH and Mr. WITTMAN.
H.R. 4502: Mr. BLUMENAUER.
H.R. 4505: Mr. KAGEN.
H.R. 4509: Mr. HINCHEY.
H.R. 4530: Mr. MEEK of Florida, Mr. TIERNEY, and Mr. BISHOP of Georgia.
H.R. 4544: Mr. PAULSEN and Mr. CAO.
H.R. 4568: Mr. BISHOP of New York.
H.R. 4616: Mr. CLAY and Mr. CUMMINGS.
H.R. 4650: Mr. DOGGETT, Mr. WU, Ms. KAPTUR, and Mr. FRANK of Massachusetts.
H.R. 4662: Mr. DOGGETT.
H.R. 4671: Mr. BLUMENAUER.
H.R. 4684: Mr. SCOTT of Virginia, Mr. DUNCAN, and Mr. SHULER.
H.R. 4693: Mr. ALEXANDER.
H.R. 4694: Ms. MATSUI.
H.R. 4717: Mr. PETRI.
H.R. 4728: Mrs. BACHMANN.
H.R. 4753: Mr. JOHNSON of Georgia.
H.R. 4757: Mr. TONKO, Mr. WELCH, Mr. FARR, and Mr. RANGEL.
H.R. 4788: Ms. MARKEY of Colorado and Ms. SUTTON.
H.R. 4790: Mr. BLUMENAUER, Mr. FOSTER, Mr. HINCHEY, and Ms. KILPATRICK of Michigan.
H.R. 4794: Mr. WITTMAN.
H.R. 4812: Mr. PERLMUTTER.
H.R. 4830: Ms. KILROY.
H.R. 4844: Mr. KINGSTON, Mr. PAUL, Mr. BONNER, Mr. SIMPSON, and Mrs. CAPPS.
H.R. 4850: Mr. CLAY, Mr. ROSKAM, Mr. CARTER, and Mr. TEAGUE.
H.R. 4856: Ms. MARKEY of Colorado, Mr. CHANDLER, and Mr. ALTMIRE.
H.R. 4866: Mr. FRANKS of Arizona and Mr. BARTLETT.
H.R. 4868: Mr. FILNER.
H.R. 4870: Mrs. NAPOLITANO, Mrs. DAVIS of California, and Mrs. CAPPS.
H.R. 4871: Mr. ALTMIRE.
H.R. 4876: Mr. HIGGINS, Mr. SCHAUER, and Mr. CROWLEY.
H.R. 4901: Mr. MACK, Mr. HOEKSTRA, and Mr. KING of Iowa.
H.R. 4903: Mr. HOEKSTRA.
H.R. 4904: Mr. CALVERT.
H.R. 4918: Mr. BARROW, Mr. BOREN, Mr. BOYD, Mr. CARNEY, Mr. CHILDERS, Mr. COSTA, Mrs. DAHLKEMPER, Mr. ELLSWORTH, Mr. GORDON of Tennessee, Ms. HARMAN, Ms. HERSETH SANDLIN, Mr. HILL, Mr. MATHESON, Mr. MCINTYRE, Mr. MINNICK, Mr. MITCHELL, Mr. MOORE of Kansas, Mr. NYE, Mr. ROSS, Mr. SALAZAR, Mr. SHULER, Mr. WILSON of Ohio, Mr. MURPHY of New York, Mr. CARDOZA, Mr. BERRY, Mr. HOLDEN, and Mr. BRIGHT.
H.R. 4919: Mr. NEUGEBAUER, Mr. GOODLATTE, Mr. GARY G. MILLER of California, Mr. KING of Iowa, Mr. BURTON of Indiana, Mr. GOHMERT, Mr. MORAN of Kansas, Mr. BONNER, Mr. SMITH of Texas, Mr. PENCE, and Mr. HOEKSTRA.
H.R. 4923: Mr. BOSWELL, Mr. STARK, and Mr. MILLER of Florida.
H.R. 4925: Mrs. NAPOLITANO and Ms. CHU.
H.R. 4933: Mr. ELLISON, Mr. GARAMENDI, and Ms. WATSON.
H.R. 4972: Mr. COLE, Mr. MORAN of Kansas, Mr. GARRETT of New Jersey, Mr. BURGESS, Mr. SHADEGG, Mr. HOEKSTRA, Mr. HALL of Texas, Mr. GINGREY of Georgia, Mr. POSEY, Ms. FALLIN, Mr. JORDAN of Ohio, Mr. ROE of Tennessee, and Mr. RADANOVICH.
H.R. 4974: Ms. RICHARDSON, Mr. MILLER of Florida, Mr. CARNAHAN, and Mr. PETERSON.
H.R. 4985: Mr. MORAN of Kansas.
H.R. 4995: Mr. POSEY, Mr. HALL of Texas, Mr. MCCLINTOCK, Mr. HOEKSTRA, and Mr. ALEXANDER.
H.R. 5000: Mr. SIRES and Ms. RICHARDSON.
H.R. 5013: Mr. LARSEN of Washington.
H.R. 5015: Mr. COSTELLO and Mr. GRAYSON.
H.R. 5020: Ms. JACKSON LEE of Texas and Ms. SUTTON.
H.R. 5022: Mr. BOSWELL.
H.R. 5027: Mr. COURTNEY.
H.R. 5029: Mr. ROONEY.
H.R. 5031: Mr. LOEBSACK.
H.R. 5032: Mr. WEINER and Mr. HALL of New York.
H.R. 5034: Mr. MITCHELL, Mr. THOMPSON of Mississippi, Mr. CUELLAR, and Mr. NEUGEBAUER.
H.R. 5040: Mrs. BLACKBURN, Mr. GONZALEZ, and Mr. COURTNEY.
H.R. 5041: Mr. TIERNEY and Mr. JACKSON of Illinois.
H.R. 5064: Mr. FILNER.
H.R. 5068: Mr. SMITH of Nebraska.
H.R. 5079: Mr. BISHOP of New York.
H. Con. Res. 98: Mr. KENNEDY.
H. Con. Res. 137: Mr. PAYNE.
H. Res. 173: Mr. BLUMENAUER, Mr. MCGOVERN, Mr. ELLSWORTH, Mr. FOSTER, Mr. WHITFIELD, and Mrs. HALVORSON.
H. Res. 213: Mr. KUCINICH.
H. Res. 407: Mrs. BLACKBURN, Ms. GIFFORDS, Mr. RANGEL, and Mr. ORTIZ.
H. Res. 440: Mr. MURPHY of New York.
H. Res. 551: Ms. KAPTUR and Ms. MCCOLLUM.
H. Res. 762: Mr. RANGEL, Mr. GEORGE MILLER of California, Ms. LEE of California, Mr. RYAN of Ohio, Mr. SIRES, and Mr. OWENS.
H. Res. 764: Mr. BARRETT of South Carolina.
H. Res. 904: Mr. GRAYSON, Ms. HIRONO, Ms. NORTON, Mr. CUMMINGS, and Ms. BALDWIN.
H. Res. 1026: Ms. FALLIN and Mr. ISSA.
H. Res. 1033: Mr. MCNERNEY, Mr. LARSEN of Washington, Ms. NORTON, Mr ARCURI, Mr. BUCHANAN, Mr. BARTON of Texas, Mr. INSLEE, Mr. HASTINGS of Washington, Mr. INGLIS, Mr. FLEMING, Mrs. BLACKBURN, Mr. BOUSTANY, Ms. FUDGE, Mr. HINOJOSA, Mr. MURPHY of New York, Mr. ROTHMAN of New Jersey, Mrs. MYRICK, Mr. PITTS, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARKEY of Massachusetts, Mr. KIND, and Ms. BALDWIN.
H. Res. 1053: Mrs. NAPOLITANO and Mr. CAO.
H. Res. 1078: Mr. WITTMAN, Mr. BRADY of Pennsylvania, Mr. HOLT, Mr. STARK, Mr. MCCOTTER, and Mr. NYE.
H. Res. 1116: Mr. SHIMKUS and Mr. CONYERS.
H. Res. 1152: Mr. LOEBSACK.
H. Res. 1153: Mr. LARSEN of Washington, Mr. BRIGHT, Mr. FILNER, Mr. LATTA, Mr. SHUSTER, Mr. ORTIZ, Mr. WILSON of South Carolina, Mr. BOREN, Mr. DAVIS of Tennessee, Ms. SHEA-PORTER, Ms. FUDGE, Mr. SCHAUER, Mr. HUNTER, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mrs. LUMMIS, Mr. PETRI, Ms. LORETTA SANCHEZ of California, Mr. LANGEVIN, Mr. SNYDER, Mrs. DAVIS of California, Mr. GORDON of Tennessee, Mr. NEAL of Massachusetts, Mr. COURTNEY, Mr. MCGOVERN, Mr. PLATTS, Mr. KLINE of Minnesota, Mr. LOBIONDO, Mr. JONES, Mr. CONNOLLY of Virginia, Ms. TSONGAS, Ms. PINGREE of Maine, Mr. SPRATT, Mr. SKELTON, Mr. JOHNSON of Georgia, Mr. OWENS, Mr. MCINTYRE, Mr. REYES, Mr. KRATOVIL, Mr. KISSELL, Mr. COOPER, Mr. ELLSWORTH, Mr. PATRICK J. MURPHY of Pennsylvania, and Ms. FALLIN.
H. Res. 1187: Mr. BRADY of Pennsylvania and Mr. SCHIFF.
H. Res. 1196: Mr. HENSARLING.
H. Res. 1197: Mr. POE of Texas.
H. Res. 1208: Mr. KING of New York, Mr. INSLEE, and Mr. GALLEGLY.
H. Res. 1211: Mr. MEEK of Florida.
H. Res. 1229: Mr. TIM MURPHY of Pennsylvania, Mr. KING of New York, and Ms. JENKINS.
H. Res. 1240: Mr. POLIS, Mr. BOSWELL, Ms. HIRONO, Mr. CARSON of Indiana, Mr. TONKO, and Mr. CAPUANO.
H. Res. 1241: Mr. GINGREY of Georgia, Mr. KING of Iowa, Mr. SHADEGG, Mr. JORDAN of Ohio, Ms. FALLIN, Mr. BROUN of Georgia, Mr. HENSARLING, Mr. CHAFFETZ, Mr. ROONEY, Mrs. LUMMIS, Mr. POSEY, Mr. HERGER, Mr. BILBRAY, and Mr. CALVERT.
H. Res. 1250: Mr. SERRANO, Mr. MCGOVERN, and Ms. DELAURO.
H. Res. 1251: Mrs. EMERSON, Mr. WALDEN, Mr. BROUN of Georgia, Mr. ROHRABACHER, Mr. MCCAUL, Mr. KINGSTON, Mr. POSEY, Mr. BURTON of Indiana, Mr. BONNER, Mr. WALZ, Mr. KING of New York, Mr. NUNES, Mr. CARTER, Mr. SNYDER, and Mr. SMITH of New Jersey.
H. Res. 1254: Mr. HERGER, Mrs. LUMMIS, Mrs. MCMORRIS RODGERS, Mr. MCCLINTOCK, Mr. CULBERSON, Mr. BROUN of Georgia, and Mr. CHAFFETZ.
H. Res. 1256: Mr. GINGREY of Georgia, Mr. HALL of Texas, Mr. ROGERS of Kentucky, Mr. PRICE of Georgia, Mr. PENCE, Mr. SESSIONS, Mr. KUCINICH, Mr. KINGSTON, Mr. TIM MURPHY of Pennsylvania, Mr. BURTON of Indiana, Mr. DANIEL E. LUNGREN of California, Mr. DUNCAN, Mr. MCCARTHY of California, Mr. ROSKAM, Mr. JORDAN of Ohio, Mr. GUTHRIE, Mr. WESTMORELAND, Mrs. BLACKBURN, Mr. MACK, Mrs. BONO MACK, Mr. HARPER, Mr. CARTER, Mr. SAM JOHNSON of Texas, Mr. CRENSHAW, Mr. CONNOLLY of Virginia, Mr. BOEHNER, Mr. BILBRAY, Mr. ALEXANDER, Mr. SHUSTER, Mr. CARNEY, Mr. SHADEGG, Mr. KLEIN of Florida, Mr. ROONEY, Mr. MILLER of Florida, Ms. ROS-LEHTINEN, Mr. BROWN of South Carolina, Mr. BOCCIERI, Mr. SCALISE, Mr. DAVIS of Kentucky, Mr. FORBES, Mr. BOOZMAN, Mr. MORAN of Kansas, Mr. FRANKS of Arizona, Mr. RADANOVICH, Mr. LEWIS of California, Mr. CALVERT, Mr. GARY G. MILLER of California, Mr. CAMPBELL, Ms. KAPTUR, Mr. JONES, Mr. YOUNG of Alaska, Mr. YOUNG of Florida, Mr. BUCHANAN, Mr. STEARNS, Mr. HALL of New York, Ms. WASSERMAN SCHULTZ, Mr. HODES, Mr. TEAGUE, Mr. FOSTER, Mr. WELCH, Mr. SCOTT

of Georgia, Mr. CLAY, Mr. BISHOP of Georgia, Mr. HEINRICH, Mr. LUETKEMEYER, Mr. CUELLAR, and Mr. FORTENBERRY.

H. Res. 1263: Mr. CALVERT.

H. Res. 1276: Mr. PLATTS and Mr. RAHALL.

H. Res. 1277: Mr. OWENS, Mr. BISHOP of Georgia, and Mr. POE of Texas.

H. Res. 1279: Mr. GINGREY of Georgia, Mr. MCCOTTER, Mr. GARY G. MILLER of California, and Mr. KING of Iowa.

H. Res. 1280: Mr. ANDREWS, Mr. BAIRD, Ms. CORRINE BROWN of Florida, Ms. CLARKE, Mr. CLYBURN, Mr. CONNOLLY of Virginia, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DOGGETT, Ms. EDWARDS of Maryland, Ms. ESHOO, Mr. FARR, Mr. GARAMENDI, Mr. HARE, Ms. HARMAN, Mr. HINCHEY, Mr. HINOJOSA, Ms. HIRONO, Ms. JACKSON LEE of Texas, Mr. JACKSON of Illinois, Mr. LARSEN of Washington, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mrs. LOWEY, Mr. PIERLUISI, Mr. RANGEL, Mr. SERRANO, Ms. SLAUGHTER, Mr. STARK, Ms. SUTTON, Mr. SABLAN, Ms. WATSON, and Mr. WELCH.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3936: Mr. PENCE.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, WEDNESDAY, APRIL 21, 2010 No. 57

# Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, thank You for being our strength and shield, for we trust You to guide our steps. Bring unity to our lawmakers so they will be a force for good for the American people and the world. Refresh their faith, renew their vision, and rekindle their courage so that they can find common ground and glorify You in the living of their days. Lord, stir their hearts with the presence of Your spirit, preparing them to be instruments of Your will.

We pray in Your sacred Name. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, April 21, 2010.*

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
*President pro tempore.*

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

## RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business for 1 hour. During that time, Senators will be able to speak for up to 10 minutes each. The majority will control the first 30 minutes; the Republicans will control the final 30 minutes.

Following morning business, the Senate will turn to executive session to debate the nomination of Christopher Schroeder to be an Assistant Attorney General. There will be up to 3 hours for debate prior to a vote on confirmation of this nomination.

Upon disposition of the Schroeder nomination, the Senate will consider the nomination of Thomas Vanaskie to be U.S. circuit judge for the Third Circuit. There will be 3 hours of debate prior to a vote on confirmation of the Vanaskie nomination.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## HONORING ROBERT J. O'MALLEY

Mr. REID. Mr. President, every one of our servicemembers deserves the unqualified appreciation and admiration of the Senate and our entire Nation. Today, I wish to salute the service of one such soldier, a man who first answered his country's call in World War II and has not stopped.

Bob O'Malley served our Nation with distinction in the 10th Mountain Division in combat in Europe. He was a sergeant and a squad leader who led his men bravely and with honor. He put his life on the line on many occasions to protect his men and to fight for freedom against Nazi Germany and was recognized with his squad's admiration, the Combat Infantry Badge and, because he was wounded, a Purple Heart.

But he has not stopped serving his country. Bob came to Washington in 1965 and worked for Congressman Robert Sweeney before starting a 27-year career with the Doorkeeper of the House of Representatives. That is where I first met him, as a young Member of Congress. The Doorkeeper, Mr. Molloy, and Mr. O'Malley, had a suite of offices and it was kind of a hangout for Democratic Members of the House; especially it was a way for new Members of the Congress to become acquainted with what was going on over there. They were very caring about new Members and always pointed us in the right direction. I have always remembered those two men for all the good deeds they did on my behalf.

His was a 27-year career with the Doorkeeper. As I indicated, that is where I met him. By the time the war in Afghanistan started in 2002, Bob had retired from service in the House of Representatives. Most retirees are content to seek a well-earned life of leisure, but Sergeant O'Malley did not. He signed up for a new and worthy mission, waking every day to serve our Nation's wounded warriors. When the war started, he went back to work as a volunteer—again a volunteer—supporting and caring for the men and women of the 10th Mountain Division, his old unit. He has made countless visits to Walter Reed, this great medical center

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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where these wounded warriors come to recuperate. On all these visits to Walter Reed, he spent countless hours talking and sharing stories about the Division and taking his fellow veterans to ball games and other events, including the sharing of meals on many occasions. When many of these wounded warriors could not make it home for the holiday, Bob would reach into his own pocket and pay for Thanksgiving, Christmas, and New Years dinners for soldiers and their families at some of the finest eateries in the Washington, DC, area. Bob says that helping soldiers recover from their war injuries has added years to his life. We know it has added years to the lives of those he helps.

Bob O'Malley would be the first to tell you this is not a one-man mission. He has had help from many different areas. When he decided to help those wounded on the battlefield, for example, he enlisted the help of another veteran, Dom Visconsi, Sr., an original member of the 10th Mountain Division in World War II. He asked Dom to help and Dom was happy to help entertain and support these troops. Many of Bob's friends soon joined the cause as well, and they are a constant presence for the soldiers, whether here or at home. Our Army would not be the best place in the world without the work of veterans such as Sergeant O'Malley, whose life has been synonymous with service, sacrifice, and selflessness.

He is an inspiration to me, our Armed Forces, and our country. He is a hero, and I am proud to call him a friend.

Would the Chair announce morning business now.

## 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 majority controlling the first 30 minutes and the Republicans controlling the final 30 minutes.

The Senator from Rhode Island is recognized.

## SALUTING OUR WOUNDED WARRIORS AND BOB O'MALLEY

Mr. REED. Mr. President, first, let me join Majority Leader REID in saluting these incredible Americans who are with us today, wounded warriors and Bob O'Malley. As someone who served 12 years in the U.S. Army, my appreciation is profound for what you have done and continue to do. Thank you very much.

I have a circuitous connection with the 10th Mountain Division. My classmate, Buster Hagenbeck, commanded the 10th Mountain Division in Afghanistan, and I was there to visit those great soldiers several times. Thank you for your service and thank you for your inspiration.

## FINANCIAL REGULATORY REFORM

Mr. REED. Mr. President, I am here today not only to salute these great Americans but also to talk about the urgency of bringing the issue of Wall Street reform to the Senate for open debate and final passage. We have weathered and witnessed the worst financial crisis in the history of the country. We have seen wealth, trillions of dollars of wealth, evaporate because of this financial crisis. To hear people now talking about, well, this is not a good bill—the question is not whether we should delay further or go forward. The question is going forward with purpose, amending the bill on the floor, if necessary, in an open and transparent way so the American public can see we are moving forward on perhaps their No. 1 priority related to the economy, and economic recovery and financial reform are integrated key elements. We cannot have long-run economic success without fundamental financial reform.

We are here today essentially to urge that the anticipated vote on Monday to proceed to the bill be affirmed overwhelmingly to send a message to the American people we are on the job for them, we are doing the work we have to do. We have to deal with a complex and significant legislative measure—but we have to do it now. The time for discussion, the time for consideration privately, has passed. Now we have to act.

I think we have to act because we should recognize the status quo is unacceptable. Those on the other side who have been saying: Not now, not now, not now, essentially are defending the status quo. We have to ask several questions. Who does the status quo favor? It favors the remaining big banks and other financial institutions. We have seen, over the last several days, that these banks are reporting record profits, mostly based on trading. Here is another irony. Because of the system we have today, we are in desperate need of economic activity at the local level, the infusion of capital, lending—all those things. Where are the banks making their huge profits? On trading, essentially taking their money and other people's money and not investing in new productive capacity, but betting on financial products. That is not, in my view, what we should be doing at this moment. We have to recognize that if we do nothing, the banks will continue to operate as they have.

That, I think, has to be corrected. The second question is, what activities are protected by the status quo? I will tell you. Exotic derivative trading. We saw this week where the Securities and Exchange Commission has made allegations against Goldman Sachs. Now, that will be determined in a court of law.

However, the complexity of the transaction engaged in by Goldman and others, the creation of a synthetic collateralized debt obligation, to translate, was essentially picking out some representative mortgage funds and then betting on them. Somebody took the side that said they would still pay; some would take the side that they would default.

What did that add to our economic capacity? In fact, one of the ironies of this whole crisis is there was such a proliferation of these toxic mortgage bonds that they no longer could sell them at a profit, so they started essentially creating virtual or synthetic securities.

Again, what has it added to the economic productivity of the United States? Not much. In fact, some would argue nothing at all. We have to have a financial sector which performs one of the essential functions of any financial sector, the allocation of capital to productive uses: highways, buildings, education support, all of those things that not only return a profit to the investors but also build up our economic capacity and build up our wealth over the long term.

Other activities that will be protected by the status quo include not only derivatives trading, but dark pools of capital, huge private equity funds that are shadowy in terms of their investment strategy, even to regulators, and the credit rating agencies. They are continuing to operate, and, frankly, we have to say their performance in the last several years was disappointing, and that is being very diplomatic. But they will continue to operate as they have in the past because we will not get the reform that is so necessary.

Of course, the Wall Street salary structure, the incentive compensation, also will continue to be unaffected. So for all of these activities, if you are comfortable with them, then vote against the motion to proceed on Monday evening. If you are uncomfortable with them, if you do not want to see the remaining banks continue to operate as they have, then you have to vote, in my view, to move forward to debate this bill and engage on this issue.

Now, the third question we have to ask is, what does the status quo do for consumers and taxpayers? The answer is very little, if anything at all. We saw in this whole situation consumers who were in some cases misled. In some cases it was obvious they could not afford the credit arrangement they were signing on to, but the incentive on the other side was not to look behind the veneer of the borrower but simply to get the loan closed and then sell it off for securitization profits.

We have to change those incentives, and if we do not proceed to this legislation, we do not have a chance of doing that. So we have to move forward. Some have claimed, the Republican leader and others, that this is just a partisan exercise. It has not been a partisan exercise. We have been, under the leadership of Chairman DODD, engaged in this effort for months and months and months.

Some people might have forgotten around here, but we started the markup of the financial reform bill November 19 of last year. We had a bill. Senator DODD brought it to the committee. We started opening statements, and then everyone said: We have not had time enough to do this. We want more discussion.

Senator DODD, even with the urgency of moving on this measure, said: Fine. I respect my colleagues. I respect the process. We will stop. We will start talking.

Well, the negotiations went on and on and on. It was clear there was no sense of urgency on the other side to move to a decisive vote. Then he engaged other Members. Senator CORKER and others entered the discussion. I have been discussing derivatives in a very thoughtful way with Senator GREGG for months. But we have reached the point now where we have to take deliberate action and make some decisions.

We have to move to the floor, to debate and votes and final passage. This is something we have to continue to move forward. The way to move forward is to vote on the motion to proceed on Monday evening.

We have heard claims that this is a bailout bill, which I think would be a huge shock to many of my colleagues on the committee who have been working on this for months and months, Senator CORKER and Senator WARNER particularly, who crafted many of the provisions in this area.

The reality is, if we do nothing, which is the effect of voting against the cloture motion—if we do nothing, we could have a crisis next week. Greek sovereign debt—there is huge turmoil in Europe about Greek bonds, the ability of the Greek Government to pay, the need for support. If those talks collapse and suddenly throughout the financial system there is a rush away from sovereign debt, not just Greek debt but other countries, what will happen? We do not quite know, I suspect, who is holding all of this debt and what are the systemic effects. We have to be prepared for something like that.

The notion that this crisis has passed and we can go about our merry way without dealing with these issues is naive. The way to deal with it is to establish a resolution mechanism. Senator WARNER and Senator CORKER have done a remarkable job of crafting one. One of the questions they struggled with the most is who is going to pay for the resolution.

Frankly, they stepped up to the plate today and said: Let's put the banks on the line for the first $50 billion. That makes sense to me because it is clear who is going to pay: not the taxpayer but the banks. But, in any case, we cannot engage in this discussion of the mechanism and how it will finally come out until we bring the bill to the floor, debate it, and vote upon amendments or changes. That is what we have to do. But this legislation is clearly not a bailout for the banks. If it was, they would be supporting it.

Frankly, all the newspapers I read suggest the intense lobbying effort against the bill is by the banks, which, coincidentally, seems to favor the position of those who do not want to proceed to the bill. So I think we are in a situation where we have to proceed forward. As I said, if we do not move forward, we are going to have a significant issue of confidence by the American people and others in the stability of our financial system. These are complex, intricate issues. They require debate and discussion. I do not think anyone should be presumptuous enough to stand here and say: We know exactly what to do, and we are going to do it without the consent and without the input of all of our colleagues. But that consent and input comes, ultimately, on the Senate floor through debate, discussion, and voting.

Now, again, where are we if we do not take up this measure next week? Well, the $600 trillion market in derivatives will remain opaque, complex, confusing, and a potential vulnerability for our financial system. I say $600 trillion because when we talk about derivatives markets, billions are—you know, that is a rounding error. It is trillions of dollars, and a miscalculation, a mistake, a misjudgment in that market has huge consequences.

The big banks who sell complex, toxic instruments to pension plans, essentially taking savings and trading them, gambling with them, in some respects, they will continue to do that. They will not only take pension savings, but they will take municipalities' money in fancy bond arrangements that the municipalities never needed.

All of these things will continue.

Unregulated mortgage lenders will continue to go out and operate under the originate-and-sell model, which has led to so many problems. Payday lenders that are charging, in some cases, 900 percent interest will continue to be unregulated. Credit card companies, even after our efforts with the credit card legislation, will continue to try to circumvent the rules to maximize their profit.

The bottom line is, the people who benefit from delay, from taking the course of action of delay and denial, I would say, because this urge to suggest this is a bailout bill is denying the facts of the bill, will be financial institutions and not consumers and not taxpayers.

So, as a result, I would urge all of my colleagues on Monday to vote to proceed to this bill. Again, we have to ask three questions. This will be decided on Monday evening. The status quo favors the banks. If you want to favor the banks, then vote against cloture. The status quo operates to allow all sorts of arcane and exotic activities which we know have posed significant threats to our financial system.

If you want these activities to continue unimproved, uncorrected, vote against cloture. The status quo disfavors consumers and taxpayers. So if you want to see them continue to be on the short side of the sale, vote against cloture. I would urge we vote for cloture, we move forward to debate real ideas about how to improve our financial system, protect consumers, and strengthen our economy.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

## ISRAEL'S 62ND ANNIVERSARY

Mr. CARDIN. Mr. President, I rise today to express my congratulations to Israel on the 62nd anniversary of its independence.

This week, America's closest ally in the Middle East, Israel, commemorated its Independence Day, Yom Ha'atzmaut, 1 day after its Memorial Day, Yom Hazikaron, and 1 week after Holocaust Remembrance Day, Yom HaShoah.

While Independence Day is about celebration for the people of Israel, this Memorial Day was marked by somber ceremonies and national grief over the loss of their soldiers. Nationwide sirens and moments of silence emphasize the sacrifices all Israelis have made living in their thriving, free and democratic state. These intensely personal losses in such a small country underscore the continuing threats faced by Israelis, the scale of their efforts and the importance of a Jewish homeland.

I commemorated last week's observance of Yom HaShoah in Baltimore, where I joined fellow community members to view a movie marking the 50th anniversary of Adolf Eichmann's capture and trial. Eichmann was a premier architect of the Holocaust. Rather than dealing with such a war criminal through forceful vengeance that would have been understandable, Israel prosecuted Eichmann by following the rule of law and his trial was a model of transparency and justice. This display of our shared values of law, justice, and fairness help to illustrate why the United States and Israel have continued to build upon our ''special relationship'' for six decades.

I observed Israel Independence Day at an event focused on the growing threat of a nuclear Iran. If Iran acquired this capability, it would be an unequivocal ''game changer'' in the Middle East and, indeed, throughout the world. An undeniable threat to Israel and the United States, a nuclear Iran cannot become a reality. We therefore must do all in our power to

prevent Iran from acquiring nuclear capabilities. One of our first steps should be immediate enactment of powerful and effective economic sanctions against Iran, and the foreign companies that do business with this rogue nation.

While we work to minimize the key threats to Israel's security, we must also focus on opportunities for peace in the Middle East. Israel has always been prepared to pursue those opportunities and make peace with its neighbors. Over the past six decades, despite diplomatic gestures, multiple Arab countries have repeatedly attacked Israel. We should not forget that it was the Palestinian's leaders who walked away from the negotiation table at Camp David in 2000, on the eve of what would have been a historic breakthrough for peace.

Today, it is Israel who continues to acknowledge the necessary framework for any peace agreements, a two-state solution. While Israel has shown willingness for direct negotiations, the Palestinians continue to be, an unreliable partner in moving forward towards peace. How can Israel make peace with any partner whose so-called ''moderate'' Fatah leaders are not willing to meet directly with Israelis leaders and whose Parliament is controlled by Hamas, an organization still sworn to the destruction of Israel?

I am proud to have joined with 75 of my colleagues in reaching out to Secretary of State Clinton in a recent letter which included a reaffirmation of this fact as well as a reminder, that not only do the U.S. and Israel share common values but also common interests. Top among these interests is restarting the peace process and preventing Iran from becoming a nuclear state.

This is precisely why the role of the United States in this process must be one of an honest broker. President Obama must not place wrongful or unreasonable pressure on Israel or, worse, to put forward a proposal without Israel's consent.

Since Israel's founding 62 years ago, every American administration has worked to strengthen the bonds between the U.S. and Israel. This has been vital for Israel, as the nation is under constant threat of military and terrorist attacks, economic boycotts and diplomatic hostility, often merely due to the fact of its very existence. At this critical moment, when Iran is moving forward with its nuclear program and simultaneously strengthening Hezbollah's capacity to attack Israel, it is imperative the Obama administration say in clear and unambiguous language that we stand with the people of Israel and will do all in our power to protect our shared values and national bonds.

As Israel celebrates its anniversary, let us all proclaim that the U.S. continues its unbreakable alliance with our closest ally in the Middle East.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

## TRIBUTE TO SENATOR DENNIS CHAVEZ

Mr. UDALL of New Mexico. Mr. President, I rise today to pay tribute to a man who served New Mexico and the entire country with distinction for more than three decades in Washington, a man who dedicated his life to being a champion for the least of us. That man is Senator Dennis Chavez, the Nation's longest serving Hispanic U.S. Senator. This month we mark the 122nd anniversary of his birth. In everything he did, Senator Chavez showed his concern for the underdog. He fought for public education because he knew what it could do to help the children of struggling families become successful adults. He supported farmers because he knew how difficult life can be in the small communities where the trains don't stop and the roads don't go. And he fought for civil rights because Senator Chavez believed equality of opportunity is the core of the American creed.

Dennis Chavez fought for the underdog because he was an underdog. Born into poverty in Valencia County, NM, Chavez walked along a difficult road to the pinnacle of political power. A child of an isolated small town, he would see the world and help to shape it. A high school dropout, he earned a law degree and became a lawmaker. A victim of ethnic discrimination, he wrote legislation that would eventually make employment discrimination illegal and, then, unthinkable.

Dennis Chavez was a man of conviction. He also was a man of courage. At the height of anti-Communist sentiment in the 1950s, Senator Chavez was one of the first to denounce the activities of Joseph McCarthy. Here is what he said on the Senate floor during the McCarthy hearings in 1950:

> I should like to be remembered as a man who raised a voice . . . and I devoutly hope not a voice in the wilderness . . . at a time in the history of this body when we seem bent upon placing limitations on the freedom of the individual. I would consider all of the legislation which I have supported meaningless if I were to sit idly by, silent, during a period which may go down in history as an era when we permitted the curtailment of our liberties, a period when we quietly shackled the growth of men's minds.

My father, who died last month, served in the U.S. Congress with Dennis Chavez in the late 1950s and early 1960s. He always said what he saw in Senator Chavez was a visionary and a man of courage. When Senator Chavez left this world in 1962, he was eulogized by Vice President Lyndon Johnson. In that eulogy, Vice President Johnson remembered Senator Chavez as ''a man who recognized that there must be a champion for the least among us.''

Four years later, when the U.S. Congress placed Senator Chavez's statue in Statuary Hall, Rev. John Spence summed up the man nicely. Spence said Senator Chavez was ''ever a champion of the underdog, the poor and oppressed.''

But it is the quote inscribed at the bottom of the statue that best reveals the legacy of Senator Dennis Chavez. Written in three languages, Spanish, English and Navajo, it reads simply:

> He left a mark that will never be forgotten in the hopes that others would follow.

El Senador makes me proud to be a New Mexican and humble to follow in his footsteps as a Senator representing the great State of New Mexico. America is a better place because of Senator Chavez. For that, we honor him today.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DEMINT. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## FINANCIAL REGULATORY REFORM

Mr. DEMINT. Mr. President, good morning.

I rise in opposition to the piece of legislation that Chairman DODD is calling financial reform. All Republicans want to reform our financial system and fix the things that have caused so much financial distress in our country. But rather than address the underlying causes of the 2008 financial crisis, this bill would institutionalize government bailouts for those it chooses are too big to fail. If Democrats were serious about financial reform, they would work with Republicans to permanently end too big to fail, to curb the power of the Federal Reserve, and to address the government distortions in the mortgage market that led to the financial meltdown. This bill does none of these.

Instead of focusing on solving these problems, the Democrats have eagerly crafted another massive bill designed to increase centralized government planning, and they are vilifying anyone who dares to oppose it.

Without bringing any more accountability to the government actors who contributed to the causes of the financial crisis, this bill simply represents additional regulation without real reform. Despite a recent Pew poll stating that more than 80 percent of Americans support ending bailouts, this bill ensures they will continue. The bill requires the government to keep a list of financial companies it considers too big to fail, and it provides these companies with a $50 billion slush fund to help them when they get in trouble.

In one respect the Democrats may be right in saying they would not let the bailouts take place like they did in the past. If their bill passes, the next TARP bailout would not even be voted on by Congress. That is because this slush fund empowers the Treasury, the Federal Reserve, and the FDIC to pump money to ailing banks without asking for any permission from Congress.

There have been rumors that this slush fund could be removed. I hope it will be. But even if that is done, the bill will still perpetuate too-big-to-fail policies.

Additional programs in the bill will still allow the FDIC to guarantee the debts of financial companies in trouble, and they will also allow the Treasury to still selectively bail out the creditors of failing institutions. The bill also fails to stop the Federal Reserve from propping up financial companies as it did AIG. It additionally expands the Fed's reach by creating a new consumer protection bureau inside the Federal Reserve. With its extensive jurisdiction and its unchecked ability to micromanage lending, it should be considered the anticonsumer bureau. This new bureau will have sweeping authority to regulate almost anything it regards as financial activity. From car dealers to other companies that offer financing for their products, to software companies that help people manage their money, this massive new bureaucracy is certain to increase regulatory burdens on community banks, credit unions, and many others who had no role whatsoever in the financial crisis, as well as to raise consumer costs and kill jobs.

Before we rush to give the Fed more control over our economy, we need more information about its activities surrounding the 2008 financial crisis. Even to this day, the Fed refuses to provide information about the extent to which they have used taxpayer money for the bailouts, and it is unacceptable to keep this kind of secrecy. Legislation to fully audit the Fed continues to enjoy widespread support, and I will continue to champion this audit of the Federal Reserve.

I would also like to see this bill bring some much needed accountability to Fannie Mae and Freddie Mac. These government entities that dominate the mortgage market and hold $5 trillion in debt were ringleaders in the chain of buying, securitizing, and spreading toxic subprime mortgages that led to the financial collapse. Since the government took them over in 2008, taxpayers have been forced to give them $127 billion so far, and there is no end in sight. The Obama administration handed them a blank check last Christmas Eve by lifting the $400 billion cap on government aid, ensuring endless bailouts in the future.

Real reform would address the ongoing crisis at Fannie Mae and Freddie Mac. Although the Democratic bill is completely silent on this issue, I intend to see that we find a way to reduce their holdings and divorce them from government ownership. We cannot deny the fact that these two government entities were a major cause of the financial crisis. Yet they are not even mentioned in this so-called financial reform.

Reform would not be complete without also addressing the underwriting issues that led to the explosion of risky lending that fueled the housing bubble. This bill leaves the Community Reinvestment Act and Fannie Mae's and Freddie Mac's affordable housing goals untouched. Each required significant increases in mortgage lending to lower income borrowers, which led to a decrease in the underwriting standards to make more loans to folks who could not afford to pay them back. These bad practices became contagious in the industry.

If we do not deal with these housing policy problems that led to unsafe lending, as well as Fannie Mae's and Freddie Mac's sizable ability to sustain demand for such loans by still buying them, we risk continuing a boom-or-bust housing cycle that saddles taxpayers with the consequences of mortgages given to borrowers who likely cannot afford to pay them back.

Meanwhile, Fannie Mae and Freddie Mac keep getting bailed out by the taxpayers. That is the kind of impervious backing a reckless bank could only dream of getting, and that is the same kind of deal Democrats are now offering to the big banks they pretend to despise.

Despite all the rhetoric coming from my Democratic colleagues, this bill does not crack down on Wall Street. In fact, Wall Street loves it. It turns the relationship between Wall Street and Washington into a freeway. The best way to get tough on Wall Street would be to make sure those banks have the same freedom to fail as the banks who did not get bailed out by the government in the last few years.

Ruling out special treatment for these big banks would be the harshest punishment possible. So instead of ending too big to fail, Democrats are constantly inventing new ways to break down barriers between Washington control and Wall Street. That is not how you stand up to big banks; that is how you deal them in.

It is important we fix the problems that caused our financial meltdown. But it is even more important to recognize that this political vehicle that is being called financial reform is just a lot more government control, a lot more government takeovers, an overreach by the Obama administration, with very little financial reform.

This is not fair to the American people. It perpetuates too big to fail. It essentially guarantees future bailouts. It does not fix the core causes of the problems, and, again, it expands big government control over thousands of community banks, credit unions, and businesses that had nothing to do with this financial crisis. I am afraid it is just another crisis being used as an excuse to expand government without solving real problems.

Republicans are standing by and eager to work with Chairman DODD and other Democrats to fix the problems in this bill so we can present real reform to the American people. I urge my colleagues on the other side to stop trying to stick another bill down our throats and down the throats of the American people and work with us to do what the American people expect.

With that, I yield back and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator withhold his request?

Mr. DEMINT. Yes.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming is recognized.

## HEALTH CARE

Mr. BARRASSO. Mr. President, I come to the floor as a physician who has practiced orthopedic surgery in Casper, WY, for 25 years.

I come to offer a second opinion on the health care bill that was recently passed and signed into law. My opinion on this bill is very different than what I have heard from the administration, from the Speaker of the House, and from the majority leader because my opinion is that this bill—now law—is going to be bad for patients, bad for patients all around this country, bad for health care providers: The doctors, the nurses, the folks who work in our hospitals, the therapists. I believe it is going to be bad for the taxpayers—people who are going to be left with this large bill to pay for a bill that is not to save a health care system but to create new entitlements and new obligations.

As I have looked at this, it struck me last week when they were having the debate in England. They are having an election, and the candidates for Prime Minister were having a debate. It was the first nationally televised debate ever in England in an election. They compared it to the Kennedy-Nixon debate when people were up there debating and discussing.

The question presented to the Prime Minister of England was: What about the national health service? Those of us on my side of the aisle have been very concerned that with this new law we are going to be seeing a nationalization of our health care in a way like we are seeing in other countries, whether it is Canada, whether it is England—a system I think is not what the American people want.

But I wish to read to you from the transcript of the debate because they asked the Prime Minister, Gordon Brown, about the National Health Service. He said:

> My priorities for the health service are that we give people personal guarantees—

So this is what he is promising—

> that every individual patient will know they will get a cancer specialist seen within two

weeks if [they] need it. They'll get a diagnostic test within one week, and the results to them. They will also be able to know that their operation—

So now they know they have cancer—

will be in 18 weeks if you're any patient in need of an operation.

So here you are, you have had your opportunity to see a cancer doctor, you have had your test, you have your diagnosis. What is the best the people of England are being promised by their Prime Minister? The best they can expect is to have an operation within 18 weeks.

The question here is, How many Americans, how many Members of this body, how many people across this country are going to see that as satisfactory? Because that is where we are heading with this health care bill that is now signed into law. How many people want that: You will have your operation in 18 weeks.

So here you are, if you are diagnosed next week in the United States—if this were the situation they have now in Britain—you would be looking at having your operation in September. See you in September. Come back for your operation. Now you can worry about it. You can worry about your diagnosis of cancer the rest of April, all of May, all of June, all of July, all of August. That is what the candidate for Prime Minister and the current Prime Minister of England is promising the people of that country with their national health system—a system that is the model of many people on the other side of the aisle of what they want American medicine to be like.

This story, once again, demonstrates that coverage does not equal care. Because everyone in Britain has coverage, but they sure cannot get care. Then you ask yourself: Does it truly matter? Does 4½ months—18 weeks—of waiting for your cancer surgery truly matter? There is not just the emotional worry of: Is that cancer spreading within my body? Should I leave the county of England and go to the United States where I can get immediate care? You have to worry because the statistics back up the fact that the care in the United States is much better than it is in England—not that the doctors are any better here than they are in England but that the timing of when you can receive the care from those qualified professionals is much better in the United States.

So if you take a look at the statistics behind this from the researchers who look at this—and I will just go through it because my wife is a breast cancer survivor. She has had a series of three operations. She has been through chemotherapy twice, and she is now surviving 6 years after her diagnosis. I am grateful she was treated in the United States, where the day after the diagnosis was made they wanted to get in immediately to do the operation.

So let me tell you, it says that today the United States leads the world in treating cancer. These are scientific studies. For breast cancer, for instance, the survival rate, after 5 years, among American woman—a woman who is diagnosed in the United States with breast cancer and is treated—83 percent are still alive 5 years later. For the women in Britain, 69 percent. Where do you want to get your care? The bigger question is, When do you want to get your care?

For men with prostate cancer, the survival rate is 92 percent in the United States; 74 percent in France; 51 percent in Britain. American men and women are more than 35 percent more likely to survive colon cancer than their British counterparts.

In an article from the August 2008 edition of Lancet Oncology, the cancer Journal there, the United States is No. 1 again. In almost every category, Americans survive cancer at higher rates than patients in other developed countries. American cancer patients have a higher survival rate for every major form of cancer than patients in Canada and Britain.

American women have a 35-percent better chance of surviving colon cancer than British women. American men have an 80-percent better survival rate for prostate cancer. American survival rates are also better than survival rates in France.

You can go on and on with this, but it is evidently clear—evidently clear—that the timing on when one gets their care is critical.

It is interesting to me that just this week—just this very week—the President made his nomination for a new Director of the portion of the Health and Human Services Department that deals with Medicare and Medicaid. The President has been in office for 15 months. We have had a debate and discussion in this body for almost all that time on health care. In this body, the Democrats have voted to cut Medicare by $500 billion from our seniors who desperately depend upon Medicare.

Why is it the President has waited 15 months to finally nominate someone to be the head of the part of government that oversees Medicare and Medicaid? The President has put 15 million to 16 million more people on Medicaid, has cut Medicare, has told us we can trust him on this. Yet he would not put somebody up to go through the confirmation process to head Medicare and Medicaid? Why? Because, in my opinion, he did not want anybody to answer the questions because they are tough questions. Why wouldn't you nominate somebody for all that time and leave the post open, essentially, and not have somebody to come to Congress and say what are the implications to the American people of dumping another 16 million people onto Medicaid, of cutting $500 billion from Medicare?

Well, because the person he has put in has a long history of a love of rationing care. It is a Dr. Donald Berwick. He has a history of support for government rationing of government health care resources on the grounds of cost—not on the grounds of quality, not on the grounds of survivability but on the grounds of cost.

He has said, as recently as last June:

The decision is not whether or not we will ration care—the decision is whether we will ration with our eyes open.

So here we are, the newly nominated person has basically said: I am going into this to ration care. He is a big supporter of what they have going on in Britain right now. In Britain, they call it NICE. It stands for National Institute for Health and Clinical Excellence. Well, this is what Dr. Berwick has said about it. He said:

Those organizations are functioning very well and are well respected by clinicians, and they are making their populations healthier and better off.

Well, let me tell you what a London doctor, a colon cancer specialist, had to say. This doctor said:

A lot of my colleagues also face pressure from managers not to tell patients about new drugs.

He said:

There is nothing in writing, but telling patients opens up a Pandora's box for health services trying to contain costs.

He further went on—this now being again Dr. Berwick saying about this British group:

NICE is an extremely effective and conscientious, valuable and—importantly—knowledge-building system.

What did the BBC, the British broadcast group, say? They say:

Doctors are keeping cancer patients in the dark about expensive new drugs that could extend their lives . . . A quarter of the specialists—

one in four specialists—

polled by Myeloma UK said they hid facts about treatments for bone marrow cancer that may be difficult to obtain from the National Health Service. Doctors said they did not want to ''distress, upset, or confuse'' patients if drugs had not yet been approved by the National Health Service drugs watchdog NICE.

So when we take a look at the British health care system: 18 weeks of a wait—which is the promise from the Prime Minister in the debate last week—18 weeks from when you are diagnosed with cancer until you have your operation. That is their aspirational goal. It makes you wonder what it is now. It has to be a lot longer than 18 weeks. So I would tell my colleagues it is no surprise that in the latest polls that were out this morning, the Quinnipiac poll, polling done this past week: Do you support passage of the health care reform bill? Less than 4 in 10 Americans, only 39 percent, approve of what this body crammed down the throats of the American people, whereas over half of all Americans disapprove of what this administration—this President, HARRY REID, NANCY PELOSI, and this Congress—has now forced upon the American people.

The American people have great cause to worry about what they are going to face in their health care, in their health care decisions; if they are going to be able to keep the doctor

they like seeing. Those are the questions, and those are the concerns of the American people. My colleagues know my second opinion on the health care bill that we were told by NANCY PELOSI: You have to pass it before you get to find out what is in it.

Thank you, Mr. President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

## ORDER OF PROCEDURE

Mr. CORKER. Mr. President, could I make an inquiry as to the time remaining? I see Senator HUTCHISON is here.

The ACTING PRESIDENT pro tempore. The Republican side has 8 minutes 27 seconds.

Mr. CORKER. I need about 4 minutes, but if the Senator from Texas wishes to go first, that is fine.

Mrs. HUTCHISON. Then I will split the remaining time, unless—is there any further time? What is the order of business after the 8 minutes?

The ACTING PRESIDENT pro tempore. After the expiration of morning business, the Senate will proceed to executive session.

Mr. CORKER. I understand we might extend, with permission, for 10 more minutes, is that correct?

The ACTING PRESIDENT pro tempore. That is correct. If there is unanimous consent, that is correct.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to extend morning business for 10 minutes, and that the added time be split between Senator CORKER and myself; and if a Member of the majority comes forward, we will certainly agree to allow the equal time.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, if there were 4 minutes and we added 10, I would have 9 minutes and Senator CORKER would have 9 minutes?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mrs. HUTCHISON. Mr. President, I thank the Senator from Tennessee.

## FINANCIAL REGULATORY REFORM

Mrs. HUTCHISON. Mr. President, I rise today to speak on financial regulatory reform. During the current economic downturn, we have seen far too many Americans lose their jobs, homes, and their savings. Today, 15 million of our citizens are still out of work, and national unemployment continues to hover near 10 percent.

It is this uncertain climate in which we consider financial reform legislation. The crisis is going to remain in the forefront of our national consciousness for years to come, mainly due to the immense government intervention that was pushed through over the past year and a half, attempting to stabilize our frozen credit markets but instead accumulating massive debt that threatens to harm our economy much worse than the original problems.

The current legislation continues the government's failed ''too big to fail'' policy. Too big to fail perverts free market capitalism and suggests that entities can privatize their profits, yet socialize their risks, and taxpayers foot the bill. The American taxpayer should not be forced to pay the gambling debts of risky bets made by large financial institutions.

Republicans and Democrats alike agree that we must end too big to fail, but the bill that is being proposed does not do that. Chairman DODD's bill provides both the FDIC and the Treasury Department emergency authority to provide broad debt guarantees in times of ''economic distress'' to ''struggling firms.'' As written, it is foreseeable that the FDIC or Treasury could step in to prop up a firm under any circumstance, all without seeking to resolve and unwind the firm.

The chairman's bill authorizes continued emergency lending authority for the Federal Reserve, but conceivably only for large banks. Under the Dodd bill, the Federal Reserve would retain supervisory authority over bank holding companies with assets over $50 billion. The Federal Reserve supervision essentially predesignates the firms that are too big to fail. These banks would have the implicit backing of the government and the taxpayers and, with it, the competitive advantage, giving it access to cheaper credit from lenders expecting to be made whole. This puts our Nation's community and independent banks at a severe competitive disadvantage.

I will offer an amendment, if this bill comes to the floor, to permit community banks to remain under the supervision of the Federal Reserve. If the Fed supervises only the largest firms, it will gear monetary policy toward these large financial institutions, effectively leaving out the voice and real-time experience of community bankers in my State and across the country.

While the large financial institutions were making bad bets on subprime mortgage markets, community banks were making home and business loans to local customers. Local community banks provide the lending and deposit services for our Nation's small businesses so they can operate, invest, create jobs, and drive our economy. It is this business lending that will help create jobs and grow our economy.

Tom Hoenig, President of the Federal Reserve Bank of Kansas City, said recently that our Nation's largest banks would be well served to take lessons from our community banks. Why? Because community banks have been committed to providing the credit and services needed for small business. They know their customers, and they can make good, solid loans that are supportable.

In Texas, Richard Fisher, President of the Dallas Federal Reserve Bank, said the provision in the bill would leave the Dallas Federal Reserve jurisdiction with only one or two bank holding companies, down from 36 member banks, for $74 billion in assets that he now has supervisory authority over. The Fed should know the needs and the economic conditions throughout the country, not just New York and Washington, DC.

It is precisely the ability to foster bottom-up growth through small businesses that sets community banks apart from other financial institutions. Unlike the big financial institutions we see in the headlines for bailouts and bonuses, community banks don't have a systemic risk to our financial system and they are not identified as primary contributors to our latest crisis.

However, community banks would soon be subjected to a considerable amount of new costs and regulatory burdens as a result of this legislation. Community banks are already regulated. They are well regulated. Adding additional layers of Federal bureaucracy with limitless authority would be a burden that would only serve to hamper the ability of community banks to effectively provide depository and lending services to America's consumers and small businesses.

Community banks should not be punished as a result of this legislation. We should preserve and enhance our dual banking system, not impose additional Federal regulations that stifle their ability to serve their communities.

I am also concerned about the direction of the regulation of over-the-counter derivatives. In the wake of the collapse of the mortgage market where the use of derivatives and even derivatives of derivatives helped cause great losses to banks and nearly brought our economy to its knees, it is important that Federal regulators have a greater understanding of this derivatives market. We have Members on both sides of the aisle who are negotiating these terms. Republicans and Democrats have the same goal. We want to end too big to fail. We want to end bailouts. We want to assure that our community banks still have the capability to serve Main Street customers.

The bill before us that is not being brought to the floor because it did not have any input from the Republican side does not achieve those goals. So we are now meeting in small groups. We are meeting with the Secretary of the Treasury and others within the administration to try to come to terms that would do the right thing and meet the goal that we all agree is the goal. That is what is going on right now in the Senate.

It is my great hope—and I see my colleague from Tennessee who is also on the Banking Committee with me, and he too is a part of the negotiations and wants to bring this bill to the floor—we can do something good for our economy. Passing the bill or letting it come to the floor and roll out of here in its present form would not

achieve that objective. So I welcome my colleague from Tennessee, who has been a major player in this debate. He has been a major reason that we are coming to a point at which I think we can have a successful bipartisan bill.

I will say that our chairman and ranking member, Chairman DODD and Senator SHELBY, have been meeting for weeks to try to come to terms. So I think everyone is sincere at this point that we want a bipartisan bill. Financial regulation is not political. The consequences of passing a bad bill are huge for our country, for every American. We can do this.

I welcome the comments of my colleague from Tennessee and I look forward to his continuing leadership so we can have a bill that will help the consumers in our country, stabilize our economy and, most of all, will bring the unemployment rate down from 10 percent so that more Americans can go to work.

Thank you, Mr. President, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Mr. President, typically when we come to the floor to speak, we don't like to wait for another Senator who wants to speak; we want to speak and go back to what we were doing, but today I am so glad I had the opportunity to hear the remarks of the Senator from Texas.

Both of the Federal Reserve leaders in Kansas City and Dallas have added tremendously to this debate. No one has been more of a supporter for community banks than the Senator from Texas. I could not agree more with everything the Senator said regarding the Fed keeping community banks. My sense is that by the time the bill comes to the floor, it will either have that in it, or let me say to my colleague right now that I will cosponsor the amendment the Senator brings forth, because I think the Senator is absolutely right, that the Federal Reserve should keep the smaller State-chartered Fed members. The fact is this rearranging the deck chairs serves no purpose, so I could not agree more.

I also agree with the Senator regarding derivatives. I notice the Senator from Texas has a microphone if she wishes to comment. I am going to speak based on what the Senator said on derivatives, but if it is OK, I would like the Senator from Texas to be able to respond.

Mrs. HUTCHISON. Mr. President, I appreciate the remarks of the Senator from Tennessee and, of course, I welcome his cosponsorship of the amendment. It is essential. I couldn't support this bill if we shut the Fed off from Tennessee and Texas and California. Then we might as well all move to New York.

New York doesn't want any more people, I am sure. They are well populated. But most of all, I want to make sure that the Main Street bankers and the small businesses of all of our States are known to the Fed, and the way they are known to the Fed, of course, as the Senator knows, is that their local Federal Reserve bank knows their issues and problems and needs, because they have the ability to serve those banks, which is not allowed in the bill before us.

I thank the Senator from Tennessee for his leadership. I look forward to coming up with something we can all support.

Mr. CORKER. Mr. President, that brings me back to where I want to be. The fact is, there are a lot of people coming to the floor and a lot of things are being said in the press. First, I think we are going to end up with a bipartisan bill before the actual vote to proceed takes place. I believe that is being led by Senators DODD and SHELBY. They are the point people. You cannot have eight negotiators. I believe that is where we are headed. So when I hear a lot of the rhetoric on the floor and other places, I think it is just rhetoric; but at the end of the day, I think we will end up with a solid bipartisan bill. I hope it is one I can support. Obviously, I am giving input on that.

That leads me to this. There have been folks who have come to the floor talking about the Republicans supporting Wall Street by not supporting the Dodd bill in its present form. That is ridiculous. What is happening—some reporter made comments yesterday about Republicans and that I slammed the Dodd bill. That is not true. I was emphatic about two things: One, Republicans are not representing Wall Street. Candidly, when I look at the bill—and my friend from Delaware will actually agree with this—there is not much in this bill that is very offensive to Wall Street, to be candid.

This bill focuses on three topics. What I have said to my colleagues is this: Whenever we have regulations, the big guys get bigger, right? The small guys are the ones who bear the brunt of regulation. What we are all trying to do, as Senator HUTCHISON laid out, on our side of the aisle is make sure this legislation deals appropriately with community bankers and manufacturers in Iowa, Texas, and other places. In fact, there are issues with the bill that we need to work out.

Candidly, to say that Republicans are representing Wall Street could not be further from the truth. There is not much in this bill that is very offensive to Wall Street, to be candid. I am not saying we should go out of our way to be offensive, but anybody who looks at what this bill says would know there is not much in the bill that is that offensive. The fact is, we are putting derivatives on clearinghouses, which I hope happens. I think that is a good thing. I think we need to get as much of that done as possible, where if somebody's money is bad, they have to put money up that day. It alleviates some of the systemic risk. We deal with resolving a firm that fails. I think that is appropriate.

Hopefully, we will get consumer protection back into the middle of the road. By the way, that is a section of the bill that, if it is not handled properly, won't affect the JPMorgans and Citigroups and Banks of America. It will affect community bankers. All we are trying to do on our side—and this is what I was emphatic about yesterday—is trying to make sure this bill is in balance. I think we can do that.

Look, there is not much in this bill that is particularly offensive to Wall Street. To say that those of us who want to get it right for everybody else in the country are defending Wall Street was way off the mark, not true.

Second, there are many things in the bill that are good. There are some things that aren't so good that I think are being worked out right now. That is typically what happens when we have a bipartisan discussion. Each side brings their particular strengths to a bill. We all represent different points of view and, when we work together, we end up with a good bill.

One of the things that troubles me—and I was very emphatic about it yesterday, and will be again today and tomorrow, as I have been for a long time—is that this bill doesn't even deal with underwriting. At the end of the day, at the bottom of this upside down pyramid, the crisis began because we had a lot of mortgages in this country that should have never been written in the first place. Then we had firms that were way overleveraged that were doing that. Then we spread the pain through $600 trillion in notional value around the world. It started with the fact that a lot of loans were written that should not have been written. I don't think this bill even addresses that. I think that is a little bit of an issue.

If we come to the floor with a template that deals with consumer protection, systemic risk, and derivatives, I hope my colleagues on the other side of the aisle will join in with many Members on this side of the aisle to correct that. At the end of the day, if we continue to write loans that should not be written, and we continue to securitize them, and if we continue to spread them around the world, we have not done much in this legislation. So I have been emphatic about that, and I have wanted these two pieces of the legislation to balance as it relates to the rest of the country, making sure our underwriting is done appropriately. Do I believe those are things that are important? Yes. Do I think we are going to address those? I hope so on the underwriting, but I am not sure. I cannot tell if people are willing to make sure that Americans across this country have to live in a semidisciplined way as it relates to mortgages. I hope we get there because I think it is important.

In closing, in spite of all the rhetoric about bailouts and not bailouts and Wall Street and not Wall Street, I think what is happening in rooms and

offices around the Hill is that negotiations are taking place that will get us to a place where we at least have a template, a piece of legislation that can be embraced in the beginning in a bipartisan way, and then what I hope will happen—I know my friend from Delaware will be highly engaged in this, because he has been focused on this for a long time—what I hope happens, after we get the base template together, is that we have a vigorous debate on the floor about where we need to go from there. There are other pieces—I would consider them to be central—but I am OK with legislation coming to the floor where we have a balance between resolution, derivatives, and consumer protection. Then let's go from there and have the kind of debate I think our country would love to see us have in public, focused not on rhetoric—because we have plenty of substance on this issue—but on substance, and let's do something that will stand the test of time. I think we are going to do that. As a matter of fact—and I know my time is up—I think this bill has the opportunity in the next few days, and once we begin debate on the floor, which I hope will happen in a bipartisan way—I think this bill is potentially the beginning of us being able to function in an appropriate way in this body. That is what I hope happens.

That is why for weeks and months I have been saying that I think at the end of the day we are going to end up with a bipartisan bill. I hope it has some important elements in it, such as the ones I mentioned, that will allow me to support it. Whether that happens—and I hope it happens—or not, I hope we have a vigorous debate and end up with a good product.

I yield the floor.

## CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

## EXECUTIVE SESSION

### NOMINATION OF CHRISTOPHER SCHROEDER TO BE AN ASSISTANT ATTORNEY GENERAL

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Christopher Schroeder, of North Carolina, to be an Assistant Attorney General.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. KAUFMAN. Mr. President, I rise today to express my support for Chris Schroeder's nomination to be Assistant Attorney General for the Office of Legal Policy in the Department of Justice.

Before I go any further, I want to state for the record that Chris Schroeder is a long-time colleague and great friend. Not only did we work together for Senator BIDEN, but for the past 20 years we have co-taught a course on the Congress at Duke Law School—a course that for many of those years was cosponsored by the law school and the Stanford School of Public Policy.

Chris is currently the Charles S. Murphy Professor of Law and Professor of Public Policy Studies at Duke, as well as director of Duke's Program in Public Law.

Chris was born in Springfield, OH, received his B.A. from Princeton University, a master of Divinity from Yale, and his J.D. from the University of California at Berkley, where he was editor in chief of the California Law Review.

He is married to Katherine T. Bartlett, former dean and current A. Kenneth Pye Professor at Duke Law School. Chris and Kate have three wonderful children.

During his legal career, Chris has excelled in private practice, government service, and academics.

Following his graduation from law school, Chris practiced law in San Francisco, gaining valuable experience in a wide variety of both State and Federal practice.

In 1979, he became a law professor at Duke, where he has been a respected and prolific scholar, an invaluable administrator, and a committed and effective teacher.

He has authored and edited several books, including a leading casebook on environmental law, ''Environmental Regulation: Law, Science and Policy,'' now in its sixth edition.

He also has published countless articles in law reviews and journals, on an impressive range of topics, including environmental law, federalism, Federal courts, executive and legislative power, and national security.

Chris's teaching is just as broad and deep as his scholarship. Over the course of his career, he has taught environmental law, constitutional law, comparative constitutional law, administrative law, civil liberties and national security, Federal policymaking, the Congress, government, business and public policy, an environmental litigation clinic, toxic substances regulation, land use planning, water law, philosophy of environmental protection, property, and civil procedure.

Chris is a true renaissance man. I can personally attest to the quality of Chris's teaching, having co-taught with him for 20 years. Here in the Senate, we have many former students doing excellent staff work on both sides of the aisle.

Chris has also contributed his legal and policy expertise to practical problems affecting the health and safety of the community. He served on National Academy of Science and Institute of Medicine committees to evaluate the use of human intentional dosage studies by the EPA and the adequacy of the U.S. drug safety system.

Duke has also recognized Chris's considerable administrative skills. In addition to serving as co-chair of the Center for the Study of the Congress, with me, and the director of Program in Public Law, Chris has chaired the school's appointments committee, served on the dean's selection committee, and served as a member of the university's judicial board.

In the 1990s, while at Duke, he took several leaves of absence for positions in public service. As a result, he has considerable experience in government, which will stand him in good stead at the Office of Legal Policy.

He has served in several capacities in the Senate, including as special nominations counsel and then he was the No. 1 staffer as chief counsel for the Judiciary Committee.

He also held numerous positions in the Department of Justice, including counselor to the Assistant Attorney General of the Office of Legal Counsel, Deputy Assistant Attorney General, and acting Assistant Attorney General.

In short, Chris Schroeder has the experience, the intellect, and the judgment necessary to be a superb leader of the Office of Legal Policy.

Just as important, he has the character and integrity to help the Attorney General continue to restore the public faith in the Department of Justice.

The Office of Legal Policy, OLP, has a wide range of important responsibilities within the Department of Justice. Let me read from the description on the DOJ Web site:

> The major functions of the Office of Legal Policy are to:
>
> Develop strategies and programs to implement legislative, programmatic and policy initiatives;
>
> serve as a liaison to the Executive Office of the President and other agencies on policy matters;
>
> conduct policy reviews of legislation and other proposals and support and coordinate Departmental efforts to advance the Administration's legislative and policy agenda;
>
> assure policy consistency and coordination of Departmental initiatives, briefing materials and policy statements;
>
> provide support and policy expertise in conjunction with other components to implement effectively major departmental and administration initiatives in the criminal and civil justice areas; assist the President and the Attorney General in filling all Article III and certain Article I judicial vacancies; coordinate regulatory development and the review of all proposed and final rules developed by all Department components; To serve as liaison to the Office of Management and Budget and other agencies on regulatory matters: Track and coordinate departmental implementation of statutory responsibilities and reporting requirements.

In sum, OLP is responsible for developing the high-priority policy initiatives of the Department of Justice. The Assistant Attorney General for OLP serves as the primary policy adviser to the Attorney General. OLP is the place within the Department where critical long-term planning gets done. OLP also handles special projects that implicate the interests of multiple Department components and coordinates the regulatory development and review of all

proposed and final rules developed by the Department. Finally, OLP advises and assists the President and the Attorney General in the selection and confirmation of Federal judges.

Chris's extraordinary career and exemplary character render him uniquely qualified to lead OLP. As we saw from his confirmation hearings in the Judiciary Committee back in June, Chris has excellent credentials and broad experience in law and government. He fully understands the special role at the Department of Justice and is deeply committed to the rule of law.

He has broad support from lawyers of all political and judicial philosophies. Just as an example, A.B. Culvahouse, former White House Counsel to President Reagan, gave Chris a ringing endorsement, describing him as having ''the requisite maturity, experience, and confidence to work constructively across institutional, interest group, and party lines to advance the public interest.''

Ken Starr was similarly enthusiastic in his endorsement, saying:

> Chris has a particularly keen and nuanced sense of what the founding generation was seeking brilliantly to achieve: balanced government. From both practical experience and engaged scholarship, he understands deeply the appropriate role of the coordinate branches.

Before I conclude, I would like to give my colleagues a little better sense of Chris Schroeder outside of his professional life because I think his model character is something we should all bear in mind as we consider his nomination.

Chris has deep roots in the Durham, NC, community. He and his wife Kate have been members of the Pilgrim United Church of Christ for 30 years. This is the church in which Kate and Chris have raised their three children, and it has been an important part of their family life. Chris has been a member of every elected board or committee of his church. He has been the chairman of the fellowship committee several times—a job he cherishes because of the simple pleasures that come from providing good meals and hospitality at church events of every description. Chris has also taught Sunday school for over 20 years at Pilgrim, most often a Bible study class.

Chris has also been a member of the board of directors of the Meals on Wheels program in Durham which supplies lunches to elderly and shut-in members of the Durham community. Besides having served in a leadership position for Meals on Wheels, Chris and colleagues from the Duke University faculty drive one of the Meals on Wheels routes every Friday. They have been doing this for more than 20 years.

Chris and his children have also been active in the CROP Walk, an annual event in Durham and many other cities around the country that raises funds for local as well as international food programs. Chris is proud of the fact that Pilgrim United Church of Christ is regularly among the leaders among churches its size in raising funds in the CROP Walk.

In selecting Chris Schroeder, the President has chosen wisely. Based on our long association, I know him to have a piercing intellect, impeccable judgment, and unparalleled integrity. I am proud to call him my friend. I urge my colleagues to confirm him without delay.

Mr. President, I ask unanimous consent that any time in a quorum call during the debate on the Schroeder nomination be charged equally to both sides.

The PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that 5 minutes be set aside for the chairman during the debate.

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

Mr. KAUFMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BURRIS. 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. BURRIS. Mr. President, I ask unanimous consent to speak as in morning business.

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

FINANCIAL REGULATORY REFORM

Mr. BURRIS. Mr. President, in early 1933, just after Franklin Roosevelt was sworn in as President, the Great Depression was at its worst. The American economy had been shaken to its core. Financial institutions had closed, people's life savings had evaporated, and no one knew where to turn. That is when the unthinkable happened: Much of the American commercial banking system collapsed.

President Roosevelt and his colleagues in the House and Senate sprang into action. Congressman Henry Steagall and Senator Carter Glass, both Democrats, worked with the President to write sweeping reform legislation. They set out to get the economy back on the road to recovery. The resulting law—known as the Glass-Steagall Act of 1934—helped to lay the foundation for sensible bank regulation in this country. It would come to define America's financial landscape in the decades that followed the Depression.

Mr. President, it is in this spirit that I ask my colleagues to join me today in supporting major financial reform and making sure that the Volcker rule is included in our financial legislation. If we pass the bill that has been introduced by Senator DODD, we can help prevent another economic crisis and reinstate some of the basic protections included in Glass-Steagall.

Almost 80 years ago, this legislation established the FDIC, which still insures bank deposits—and it drew a sharp distinction between commercial banks and investment banks. In the wake of economic collapse, Congress recognized that these dueling roles often came with massive conflicts of interest. In some cases, this resulted in risky behavior. In others, fraud.

So Glass and Steagall designed their bill to set up a barrier between commercial banks and investment banks. The law prevented these two activities from mixing and kept financial professionals honest and accountable. For much of the next half century—as our economy recovered from the Great Depression and prosperity returned to America—the system worked just as it was intended.

As a former banker, I can personally speak to the significance of the Glass-Steagall Act in helping to keep our financial system on an even keel. This important law was essential to the stability of our economy—right up to the moment when my Republican friends repealed it—a little more than a decade ago.

In 1999, the Republican Congress decided there was no longer a need to keep commercial and investment banks separate, so they passed a bill that rolled back key portions of the Glass-Steagall Act. Unfortunately, President Clinton signed it into law, and with the stroke of a pen, the walls between commercial banks and investment banks were torn down.

Almost overnight, commercial institutions started to move into this fresh territory. They started to underwrite CDOs and mortgage-backed securities. Then they began to trade them. Commercial lenders even created new investment vehicles, which bought these very same securities. Without the Glass-Steagall Act, it was a free-for-all.

As soon as the regulations were removed, big banks swooped in without regard to responsible lending practices. Conflicts of interest sprang up everywhere. Fraud was allegedly committed by some of our largest and most respected institutions. Then, 2 years ago, our economy went into a massive downward spiral—a great recession from which we are still trying to recover.

The repeal of Glass-Steagall certainly did not cause this financial crisis on its own. But many believe it was a contributing factor, and unless we can take action to close this regulatory gap, the absence of Glass-Steagall could expose our economy to major systemic risk in the future.

So, today, as the Senate stands on the verge of considering major financial reform, I would urge my colleagues to reinstate some of these protections. We must prevent big banks from engaging in these irresponsible practices ever again. That is why I am proud to support the Volcker rule, which my friend, Senator DODD, has included in his financial reform bill.

This provision will prevent traditional banks from making private equity investments. It will stop them from running hedge funds. It will help keep them from placing bets on the market. As a key part of Senator DODD's bill, the Volcker rule will essentially serve as a modernized version of the Glass-Steagall Act.

It would stop short of reinstating the old law of 1933, but it would help to prevent fraud, discourage conflicts of interest, and keep large banks from engaging in reckless behavior. It would also allow us to help regulate mergers among our biggest banks so we can prevent the market from becoming too concentrated or incurring systemic risk.

Mr. President, I believe each of these key components is a necessary part of any financial reform bill. That is why I am proud to join Senator DODD, as well as President Obama, in supporting the Volcker rule. Colleagues, let's learn from the events of history. Let's impose fair and reasonable regulations so a handful of banks would not be able to undermine the American economy with a few foolish decisions. Let's pass a financial reform bill that includes the Volcker rule.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

(The remarks of Mr. FEINGOLD and Mr. LEAHY are printed in today's RECORD under ''Morning Business.'')

Mr. LEAHY. Madam President, today the Senate will finally confirm Professor Chris Schroeder to lead the Office of Legal Policy at the Department of Justice. I say ''finally'' because he was nominated by President Obama nearly 11 months ago. Professor Schroeder was first nominated to this position on June 4, 2009. He appeared before the Senate Judiciary Committee last June. He was reported favorably last July, a year ago, without dissent from both Republican and Democrat members on the committee. But then he sat on the Executive Calendar for 5 months, blocked by mysterious holds from the Republican side. Then, as the last session drew to a close, Republican Senators objected to carrying over Professor Schroeder's nomination into the new session, so it had to be sent back to the White House. The President had to renominate him. The President did that, to his credit. His nomination was reconsidered, reported favorably by the Judiciary Committee by a rollcall vote, with a majority of the Republicans voting for him. That was nearly three months ago.

Professor Schroeder is a scholar and public servant who has served with distinction on the staff of the Senate Judiciary Committee and in the Justice Department and has support across the political spectrum. The Judiciary Committee has received letters of support for Professor Schroeder's nomination from Arthur B. Culvahouse, Jr., former White House Counsel to President Ronald Reagan; Ken Starr, former Solicitor General under former President George H.W. Bush; 11 former high-ranking officials at the Justice Department; and Dean David F. Levi of Duke Law School, where Professor Schroeder has taught for many years.

Madam President, I ask unanimous consent to have those letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LETTERS OF SUPPORT FOR THE NOMINATION OF CHRISTOPHER SCHROEDER TO BE ASSISTANT ATTORNEY GENERAL, OFFICE OF LEGAL POLICY

(As of April 21, 2009)

CURRENT AND FORMER PUBLIC OFFICIALS

Arthur B. Culvahouse, Jr., Former White House Counsel to President Reagan, 1987–1989.

Joint letter from former Department of Justice Officials [Eleanor D. Acheson, former Assistant Attorney General for the Office of Policy Development; Walter E. Dellinger III, former Assistant Attorney General for the Office of legal counsel, former Acting Solicitor General; Jamie S. Gorelick, former Deputy Attorney General; Randolph D. Moss, former Assistant Attorney General for the Office of Legal Counsel; Beth Nolan, former Deputy Assistant Attorney General for the Office of Legal Counsel; H. Jefferson Powell, former Deputy Assistant Attorney General for the Office of Legal Counsel, former Principal Deputy Solicitor General; Teresa Wynn Rosenborough, former Deputy Assistant Attorney General for the Office of Legal Counsel; Lois J. Schiffer, former Assistant Attorney General for the Environment and Natural Resources Division; Howard M. Shapiro, former General Counsel, Federal Bureau of Investigation; Richard L. Shiffrin, former Deputy Assistant Attorney General for the Office of Legal Counsel; Seth P. Waxman, former Solicitor General].

Kenneth Starr, Former Solicitor General, Duane and Kelly Roberts Dean and Professor of Law.

OTHER SUPPORTERS

David F. Levi, Dean, Duke Law School.

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O'MELVENY & MYERS LLP
*Washington, DC, July 14, 2009.*

Hon. PATRICK J. LEAHY,
*Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.*

Hon. JEFF SESSIONS,
*Ranking Minority Member, Committee on the Judiciary, U.S. Senate, Washington, DC.*

DEAR CHAIRMAN LEAHY AND SENATOR SESSIONS: I write to endorse the nomination of Christopher H. Schroeder of North Carolina to serve as Assistant Attorney General for the Office of Legal Policy.

I am sure the Committee on the Judiciary is well aware of Chris Schroeder's substantial record of academic accomplishment as a chaired professor at Duke Law School and of his distinguished public service with the Department of Justice Office of Legal Counsel and with the Senate Judiciary Committee. Perhaps less well known is Chris Schroeder's part-time private practice association with our law firm, O'Melveny & Myers, from January 2002 to the present, the last four years in an ''of counsel'' position. As Chair of the Firm, I can attest Chris has provided exemplary legal services to the Firm and its clients, while working on highly complex legal matters. His capacity for keen analysis, his great maturity and judgment, and his ability to work in a constructive and purposeful way with others, have impressed both his colleagues and our clients.

Chris Schroeder's experience as counsel to our firm adds yet another dimension to his qualifications for office, making Chris one of the rare individuals who has excelled in academic law, in public service to both the legislative and executive branches of the national government, and in private practice. This diversity of experience and perspective will serve the Justice Department and the country well if Chris is confirmed as head of the Office of Legal Policy.

From my time as White House Counsel to President Reagan until now, I know how important it is to have senior Justice Department office holders who not only are first-rate lawyers, but also have the requisite maturity, experience and confidence to work constructively across institutional, interest group and party lines to advance the public interest. I believe that Chris Schroeder will be one of those leaders. I am pleased to endorse his nomination.

Yours very truly,

ARTHUR B. CULVAHOUSE, Jr.,
*Chair.*

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JUNE 23, 2009.

Re Nomination of Christopher Schroeder to serve as Assistant Attorney General.

U.S. SENATE,
*Committee on the Judiciary,*
*Washington, DC.*

DEAR CHAIRMAN LEAHY, RANKING MEMBER SESSIONS, AND MEMBERS OF THE SENATE JUDICIARY COMMITTEE: We are all former Department of Justice officials who worked closely with Chris Schroeder when he served as a Deputy Assistant Attorney General, and later Acting Assistant Attorney General, in the Office of Legal Counsel in the 1990s. Many of us have also known and worked with Chris in a variety of other settings. Based on our broad range of experiences, we all offer our enthusiastic support for Chris' nomination to serve as the Assistant Attorney General for the Office of Legal Policy.

Chris brings together a broad range of talents, experience and perspective that make him an ideal candidate to lead the Office of Legal Policy. First, Chris is a superb lawyer. He is a distinguished scholar, with an expertise in public law and policy. He has taught classes on constitutional and administrative law, on civil liberties and national security, and on the Congress. As acting head of the Office of Legal Counsel, he grappled with some of the most difficult legal issues in the executive branch and, in the course of doing so, earned the broad respect of others throughout the government.

Chris would also bring to the job extensive knowledge of the workings of the Department of Justice, and a deep respect for the Department as an institution. Equally importantly, Chris has worked extensively with other offices throughout the government, and he has a clear understanding of the interagency process. As a result, Chris would know how to ensure that Department of Justice policy judgments are fully informed by others in the executive branch.

Similarly, Chris also understands how the legislative process works. He would be well positioned to ensure that the Department's policy judgments are consistent with the laws Congress enacts and that they are informed by the judgment and experience of

those in the legislative branch. Chris served as chief counsel to the Senate Judiciary Committee, and he understands how important it is to work effectively with Members of Congress on both sides of the aisle in formulating effective public policy.

In addition, Chris would bring to the job the perspective of a lawyer who has engaged in the private practice of law. As a result, he would also understand how Department of Justice policy might affect the legal profession, and he has the experience to understand the practical implications of those policy decisions.

Finally, and most importantly, Chris is a balanced, fundamentally fair, and honest person. He has excellent judgment and a compelling sense of what is right. All of us have worked with Chris, and we can all affirm that he is a colleague of the highest order.

In short, Chris would bring to the job the perfect mix of experience: he is a distinguished scholar; he has worked in the Department of Justice, for the Congress, and in private practice; and he has the integrity and judgment the job demands. For all of these reasons, we believe that Chris is superbly well-qualified to serve as the Assistant Attorney General for the Office of Legal Policy.

Respectfully,

Eleanor D. Acheson (former Assistant Attorney General for the Office for Policy Development), Walter E. Dellinger III (former Assistant Attorney General for the Office of Legal Counsel; former Acting Solicitor General), Jamie S. Gorelick (former Deputy Attorney General), Randolph D. Moss (former Assistant Attorney General for the Office of Legal Counsel), Beth Nolan (former Deputy Assistant Attorney General for the Office of Legal Counsel), H. Jefferson Powell (former Deputy Assistant Attorney General for the Office of Legal Counsel; former Principal Deputy Solicitor General), Teresa Wynn Roseborough (former Deputy Assistant Attorney General for the Office of Legal Counsel), Lois J. Schiffer (former Assistant Attorney General for the Environment and Natural Resources Division), Howard M. Shapiro (former General Counsel, Federal Bureau of Investigation), Richard L. Shiffrin (former Deputy Assistant Attorney General for the Office of Legal Counsel), Seth P. Waxman (former Solicitor General).

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SCHOOL OF LAW,
PEPPERDINE UNIVERSITY,
*Malibu, CA, June 22, 2009.*

Hon. PATRICK J. LEAHY,
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

Hon. JEFF SESSIONS,
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SENATOR LEAHY AND SENATOR SESSIONS: It is my privilege to endorse, and heartily so, the nomination of Christopher Schroeder to be Assistant Attorney General for the Office of Legal Policy. Having known Chris for many years, I know him not only to be a distinguished professor at my beloved alma mater, but—as befits his fine reputation—I also know him to be a thoughtful and measured person. He has sound judgment. Indeed, Chris is quite well known, and again rightly so, for his balanced, careful writing.

Equally relevant, Chris served with great distinction in the Department of Justice in the highly important Office of Legal Counsel. He has thus been fully engaged in fashioning the advice and counsel that is foundational to our system of the rule of law. Having also served in the Article I branch, Chris has a particularly keen and nuanced sense of what the Founding generation was seeking brilliantly to achieve: balanced government. From both practical experience and engaged scholarship, he understands, deeply, the appropriate role of the co-ordinate branches.

In short, based on both his personal character and professional qualifications, I enthusiastically recommend him to you for confirmation to this very important role at the Justice Department.

Yours sincerely,

KENNETH W. STARR,
*Duane and Kelly Roberts Dean and Professor of Law.*

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DUKE UNIVERSITY SCHOOL OF LAW,
*Durham, NC, June 19, 2009.*

Hon. PATRICK J. LEAHY,
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

Hon. JEFF SESSIONS,
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SENATOR LEAHY AND SENATOR SESSIONS: I am the Dean of Duke Law School. Previously I was U.S. Attorney in the Eastern District of California (1986–1990) and then a United States District Judge in the same district (1990–2007). I am writing in my personal capacity to endorse the nomination of Christopher Schroeder to be Assistant Attorney General for the Office of Legal Policy.

Professor Schroeder is currently a distinguished member of the Duke Law School faculty, and the Charles S. Murphy Professor of Law. His scholarship is well recognized across a range of subject areas, including constitutional law, administrative, and environmental law. He is the author of dozens of articles and books in these fields, and has the reputation of a fair, thoughtful teacher who respects all points of view.

Professor Schroeder also directs Duke Law School's Program in Public Law. This Program in Public Law exposes law students to the opportunities and value of public service as part of their professional careers, through speaker series, workshops, conferences and other programs. The Program engages topics that are newsworthy and often controversial, in order to provide students an informed basis for evaluating the public debate about them. I have participated in a number of events sponsored by the Program and have been impressed both with the quality of Professor Schroeder's own contributions, and with the even-handedness of points of view that he consistently brings to the programming. His leadership of this program demonstrates, again, a balanced, fair-minded person who respects, and is respected by, people from many different backgrounds and perspectives. Professor Schroeder is not an ideologue.

Professor Schroeder also has considerable government experience both in the Department of Justice and in the United States Senate. In the Department of Justice, he has served in the Office of Legal Counsel, including as its Acting Assistant Attorney General. Through that experience he has gained knowledge of the organization and operation of the Department, as well as of many of the policy issues that regularly face the Department of Justice. His prior work at Justice provides valuable preparation for the leadership position to which he has been nominated. In the United States Senate, he has served as Chief Counsel to the Senate Judiciary Committee and in several other capacities as well. I know from my conversations with him that he appreciates the responsibilities of the Senate and the Congress, and possesses a genuine respect for the role of the legislative branch in our constitutional system. This orientation, too, will be an asset in leading the Office of Legal Policy, which often works closely with members of Congress in developing policy initiatives.

Professor Schroeder possesses the intellect, skill, training, reliability, and disposition to make him an effective and dynamic director of the Office of Legal Policy. He is someone in whom the members of the Senate and the American people can be confident. He has distinguished himself in every endeavor that he has undertaken. I am certain that he will do so as the AAG for the Office of Legal Policy. I highly recommend him for this position.

Sincerely,

DAVID F. LEVI.

Mr. LEAHY. Madam President, Chris Schroeder is well known to many of us in the Senate. He has served in a number of positions, including chief counsel for the Judiciary Committee when the chairman was then-Senator JOE BIDEN. He spent years in private practice and as a professor, including for the last 10 years as director for the Program in Public Law at Duke University Law School. He has also served in a number of high-ranking positions at the Justice Department making him extraordinarily well prepared for the position to which he has been nominated. In fact, in my nearly 36 years here, it is hard to think of somebody more well qualified.

Look what he has done. He graduated from Princeton University, received his master of divinity from Yale Divinity School before earning his law degree from the University of California at Berkeley Boalt Hall in 1974. There is no question that he is well qualified to run the Office of Legal Policy.

For somebody who is going to be confirmed easily, it shouldn't be necessary for the majority leader to have to file cloture in order to end the Republican filibuster. The Senate should be able to at least have an up-or-down vote on Professor Schroeder's nomination. What has this place come to when we have filibusters on routine nominations such as this?

I remember, when I first came here, probably the biggest nomination we had before a heavily Democratic-controlled Senate was a nomination by a conservative Republican President, Gerald Ford, for the U.S. Supreme Court. President Ford nominated a well respected Republican from Chicago seen as a conservative; John Paul Stevens. We took that nomination from the Republican President 2½ weeks after that nomination arrived here. We all voted for John Paul Stevens to be confirmed for the Supreme Court, including myself. In fact, I am one of only three Senators still here who voted, with Senator INOUYE and Senator BYRD being the other two.

What have we come to when we have a nominee who is as extraordinarily well qualified as Professor Schroeder, who is going to be confirmed, but he has to get past a Republican filibuster.

The 11 months it has taken us to consider this nomination is a far cry, incidentally, from the way the Democrats

treated President Bush's nomination to run the Office of Legal Policy. A Democratic majority confirmed President Bush's first nominee to head that division, Viet Dinh, by a vote of 96 to 1 only 1 month after he was nominated and only 1 week after his nomination was reported by the committee. The 3 nominees of that office who succeeded Mr. Dinh—Daniel Bryant, Rachel Brand, and Elisabeth Cook—were each confirmed by a voice vote in a far shorter time than Professor Schroeder's nomination has been pending. None of these nominations were returned to the President without explanation. None of them required cloture to be filed before being considered.

What is going on when a Republican President is treated with fairness but a Democratic President, President Obama, is treated this way? It makes me think of what one of the leaders of the Republican Party said last year: I want this President to fail. If you have an objection to a nomination, vote against it, but none of us should want the President of the United States to fail because if the President fails, America fails and we all suffer, Republicans and Democrats alike. We have to get out of this mindset that if President Obama is for something, everybody has to find ways to block it.

I agree with Senator FRANKEN's observation on the Senate floor earlier this week concerning the Schroeder nomination. He remarked that perhaps Republicans were blocking this nomination because Professor Schroeder has been nominated to lead the office that vets potential judicial nominees. Well, he is right, as is Senator KAUFMAN, who has spoken so eloquently on behalf of Professor Schroeder today.

To deflect criticism for Republican delays and obstruction of judicial nominations that have left 25 judicial nominations languishing on the Executive Calendar, Senate Republicans have tried to place the blame on the administration for sending too few nominees to the Senate. But these same Republicans have held up Professor Schroeder's nomination to lead the division of the Justice Department involved with reviewing and preparing judicial nominations for nearly a year. In other words, they stopped the person who is supposed to do the initial review on judicial nominations and then said: Oh, my goodness, President Obama is not sending up enough nominations. Come on. Come on. This is like a burglar saying: I should be excused for burglarizing this warehouse because you had such nice things in the warehouse to steal. It is your fault for having nice things to steal. How can you blame me for stealing them? What they are saying is: It is President Obama's fault for not moving through judges who have to be vetted by somebody we are blocking from vetting them.

I know the Department and the administration would be grateful to have Professor Schroeder help them prepare judicial nominations. He has shown that he has a deep understanding of the proper role of a judge tasked with interpreting the Constitution. As he emphasized in a response to a question from Senator SESSIONS:

> Any interpretation of the Constitution must begin with the document's text, history, structure, and purpose, as well as judicial precedent . . . [A] fundamental qualification for anyone being considered for a judicial appointment is that he or she understand the Constitution has binding force that must be applied faithfully in cases that come before any court, independent of his or her own policy or preferences.

So, again, I thank Senator KAUFMAN. He is one of the most valued members of the Judiciary Committee and somebody I am going to miss sorely when he retires this year. I thank him for his dogged efforts in support of Professor Schroeder's nomination and for his assistance in managing the debate so well today.

I congratulate Professor Schroeder and his family on his confirmation. I have every confidence he will be an effective and devoted public servant.

I might note—I see the distinguished Senator from North Carolina, who is presiding over the Senate today. Among the 25 judicial nominees stalled before a final Senate vote, there were two courts of appeal nominees for North Carolina. I know the distinguished Presiding Officer took a totally nonpartisan attitude toward recommending these judges and has worked extraordinarily hard, and I hope Judge Wynn and Judge Diaz will soon be allowed by Senate Republicans to be considered and voted on. They are supported by both the distinguished Presiding Officer, Senator HAGAN, and the other distinguished Senator from North Carolina, Senator BURR. So they are supported by a Democrat and a Republican.

Incidentally, Judge Wynn was reported out of the committee 18 to 1. Most of us would love to win elections by that kind of a margin. Judge Diaz was reported unanimously 3 months ago.

So let's stop this unprecedented kind of stalling and clear these 25 judicial nominees.

I see nobody else seeking recognition.

Madam President, I ask unanimous consent that at 2:15 p.m. today, the Senate proceed to vote on confirmation of the nomination of Christopher Schroeder, with the time until then equally divided and controlled as previously ordered; further, that any other provisions of the previous order with respect to the nomination remain in effect.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LEMIEUX. I ask to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Florida is recognized.

FINANCIAL REGULATORY REFORM

Mr. LEMIEUX. Madam President, I come to the floor of the Senate today to talk about the issue of financial regulatory reform, an issue that is consuming the good efforts and time of many of our colleagues in the Senate. It is an issue that is very important to the future economic health and viability of this country.

As we go about our lives, even in this difficult economy, I think it is easy to forget how bad things were just a couple of years ago, how bad things were in the fall of 2008. It is important for us to remember the situation that we were put in, where our stock market fell precipitously, where our financial institutions were on the verge of collapse, where the Congress was forced to step in to give billions of dollars of taxpayer money to save the financial institutions, to avoid what was perceived at the time to be a situation as dire as that which happened in the late 1920s when the Great Depression started.

It is important for us to remember that terrible, challenging time as we evaluate what we should do now to prevent that time from happening again. We should be looking back to the causes of that crisis in order to figure out the solutions we should impose today.

There has been good work done among Members of both sides of the aisle. Senators DODD, SHELBY, CORKER, and others on the Banking and Finance Committee have been working overtime to come forward with a piece of legislation that will help put us in a situation where we will no longer have companies too big to fail which could have us going back to the American taxpayer to bail out Wall Street to save our financial institutions. We should never be put in that position again, so I commend the work that is being done. I am hopeful we will have a bipartisan product.

There are pieces of this legislation as it is currently constructed which give me concern; that they would cause a bailout to again be a situation that the Congress has to address gives me great concern. There is particular legislation as part of this package which would set up a fund of $50 billion with certain companies designated as too big to fail. I think that is a wrong strategy. I think, therefore, we are guaranteeing future bailouts. We are saying to these companies: You are too big to fail. The Federal Government is giving you its stamp of approval. We will come in and rescue you with taxpayer dollars—or shareholder dollars, for that case.

I think that creates the wrong incentive. I think it promotes risky behavior

and at the same time creates an unfair playing field for those institutions which have played by the rules, which have had sound financial management. We should not forget in this debate and discussion that the way business is supposed to work in this country is you put together a venture to sell a product or a service. If you succeed, you have a profit. If you fail, you go out of business. The failures of the American economic system are in many ways just as important as the successes.

Where would we be if technologies that proved to be failures were subsidized and preventing better technologies from coming forward? That doesn't make any sense for consumers. It doesn't make any sense for the American way of life. We need to make sure businesses can fail if they do not succeed.

We have a system of bankruptcy in this country that is admired around the world that, in an orderly way, takes companies into its procedures and either reorganizes them or liquidates them. That should be the way the process works. We do not want to continue to support bad businesses with bad practices and bad ideas. We want the good businesses to succeed, and we certainly do not want to create a playing field where the businesses that run the right way are at a disadvantage. So I have problems with that portion of the bill.

There are other portions of the bill with which I have trouble. Certainly, we should not be in a situation of more taxpayer bailouts or even shareholder bailouts.

I wish to talk today about the causes of the prior crisis and what this bill needs to do to make sure that crisis does not happen again. If we go back to 2007–2008, we can see in hindsight what led to this financial meltdown. In a State such as mine, Florida, we have been particularly impacted by the meltdown that occurred because the basis of this meltdown was residential property and the mortgages that went along with that property.

In a State such as mine, in Florida, we have been very fortunate over the past 30 years or so because as we have had slowdowns in our real estate economy—which is a main driver of the economy in Florida, construction of real estate—other parts of the market have been able to step in and succeed when real estate construction fell back. Never before, until this most recent crisis, was the financial market wedded with the real estate market.

Let's look back at the circumstances that occurred. Sometime during the early 2000s, a process started whereby banks and lending institutions would give mortgages to people who did not have the ability, in all honesty, to afford the home they were purchasing. There was a type of loan in Florida, and I am sure in other parts of the country, called the Ninja loan—no income, no job. Why would any lending institution give you a loan if you were not creditworthy in order to obtain that loan.

I had the opportunity to purchase my first home back in 1995. When I did, I could only put down 15 percent. My bank required me to get mortgage insurance in order to make it to the 20 percent deposit requirement. That was the way it was in this country. There was a time when you tried to obtain a mortgage where the bank was very vested in you being able to pay because they were holding the note.

Sometime in the early 2000s, the process started whereby mortgage brokers and banks could sell off your mortgage into the marketplace because we started to securitize mortgages, make mortgages trading instruments. When that happened and when now the mortgage broker or the bank that generates a fee from the writing of the mortgage of itself can take that mortgage and send it off, sell it off to somebody else, we created a bad incentive.

The bad incentive was, I don't care about the creditworthiness of the person to whom I am loaning the money because I no longer have to hold the mortgage. So the creation of these instruments, these securitized instruments to trade mortgages created that bad incentive, and all of a sudden mortgages were being written to people who otherwise did not have the credit and didn't have the likelihood of repaying them.

What did that do? Easier money meant prices became inflated. Most folks in Florida and all around this country did not look at the price of the home they were purchasing, they looked at their monthly payment. Interest rates were extremely low, money was easy to get, a downpayment was no longer a requirement. This helped the building business, the home construction business to take off—more homes, more mortgages.

The financial markets on Wall Street found that putting together these mortgage-backed securities, these large trading instruments with thousands, tens of thousands of mortgages, was very profitable for them. They could trade these back and forth and they, too, could receive a commission on the sale of these products. That made them money. Guess what. They were not responsible if they went under either.

In order for all of this to work, someone had to vouch for the worthiness of these large mortgage-backed securities, these trading instruments of mortgages. Wall Street looked, as it always has looked, to these rating agencies such as S&P, Moody's, Fitch—and guess what. They came along and allegedly looked at these products and stamped them as being AAA, the highest level of creditworthiness, very unlikely to have any problems with them where the person who purchased some kind of instrument on them would not get paid let alone lose their investment.

The challenge was that the rating agencies did not understand the mortgages that were in these products. They didn't do the due diligence, and we protect them by Federal law from any recourse. They didn't have any skin in the game either.

So now we have the borrower with no skin in the game because they didn't have to put anything down on their house—they are basically renting. We have the bank and mortgage broker with no skin in the game because they don't have to hold the mortgage on their books. We have the financial firms with no skin in the game because they are just trading these large securitized instruments, and worse still they create what they call synthetic agreements where you do not have to hold any of these mortgages yourself. You are just creating sort of a shadow trading instrument that trades off of the same underlying mortgage when, in fact, it doesn't hold them. It is like me betting that your house will burn down without me having an interest in your house.

We created this long chain of people in the marketplace, from the borrower to the mortgage broker bank to the financial institution to the rating agency, who had no skin in the game on these transactions. The sale of these market-backed securities, and later the credit default swaps which was the insurance policies against them, created huge fees for the financial firms.

We did, for the first time in this history, something we had never done before. We put the prime asset of most Americans—their home—in play on Wall Street. Year after year the demand for these mortgages drove the excess. More and more, poorer and poorer mortgages went to feed the beast on Wall Street. At the end of the day, the housing market couldn't sustain itself, and when the mortgages started to fail, when people started to not be able to make their payments, when the increase in property prices could not increase any more because gravity affects everything after a while, the whole system in 2007 and then 2008 began to fall apart, and we found out that companies such as AIG were all entangled in buying and selling insurance products on these products; that they had huge exposures, that Wall Street banks had $5, $10, $15 billion or more in exposure and some of the biggest institutions that we know from Wall Street failed—at first bought up by other companies and then ultimately bailed out by you, the taxpayer. I go through this history and explain it in the best way I know how. It is a very complicated topic, because what we do in this reform bill has to address the skin-in-the-game problem. So to my friends, Senator DODD, Senator SHELBY, Senator CORKER, Senator WARNER, and others, who are in the midst of negotiating the bill that will come to this floor, I have made three suggestions as to what we need to do to make sure we do not replicate this problem again.

First, these rating agencies, which are captive to the investment banks whose products they rate, can no longer be held harmless to not do the due diligence required and stamp AAA on products they do not investigate and do not understand. But for these rating agencies, this crisis probably would not have happened. But for them, but for the imprimatur of their AAA stamp, people would not have slept well at night buying a product they did not understand. It is like Consumer Reports. Consumer Reports says, this is a great car. It is safe. You as a consumer do not understand the modern workings of a car with all of its computer technology, but you buy Consumer Reports, and you read it. It tells you this is the safest car in America, so you feel safe putting your wife and your kids in that car.

But you did not know under this circumstance that the very rating agencies that were rating these products, one, were not doing any due diligence, and, two, were being paid by the investment banks whose products they were rating. That has got to change.

Suggestion No. 2. In terms of residential mortgage underwriting, if a broker or bank is going to write some exotic-type mortgage where there is little to nothing down, then they should be required to maintain a portion of those mortgages on their books. Let them bear the risk. Do not let the bank shift it off so it can become securitized in the marketplace, entangle all of our financial institutions, and put us, the taxpayer, at risk. If we make those banks hold some of these nontraditional mortgages, I guarantee you they will do a better job of making sure the people they are lending money to are good creditworthy investments for them.

The third suggestion is this: The issuers of securitization, including these synthetic—which basically means manufactured, not real—collateralized debt obligations also should be required to retain a substantial stake of the instruments they market. They have to have skin in the game as well, so that if these instruments fail, they are going to lose money.

We have got to understand, not only in this discussion but throughout the problems we address, the incentives we are creating. We cannot have a financial market system whereby there is no exposure to me in any part of the equation, because that is going to encourage bad behavior. It is the same reason why we got it wrong on health care reform. Because as long as we have third-party payers, Medicare and Medicaid insurance companies, we, the consumers, have little interest in the cost we are paying. Therefore, costs do not go down.

It is the same brewing problem we are going to have when a recent statistic says that 47 percent of Americans do not pay taxes. If 47 percent of Americans do not pay taxes, do they actually care if the U.S. Government does a good job of spending money effectively and efficiently? The incentive is for them not to care, because it is not their money.

We have got to address this issue today in the financial markets, and tomorrow in all of the legislation we pass.

Americans, banks, consumers, in all forms, whether we are buying health care services or financial products, whether we are buying a home or trading on Wall Street, we have to have skin in the game, or we create bad incentives that harm our country.

With that, I conclude my remarks 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. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to speak for up to 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DERIVATIVES

Mr. BROWN of Ohio. I know the Democrats are a bit shorter than that in time. If a Republican comes, I will yield the floor more quickly if they ask.

I only have a couple of things I want to say. I just came earlier from the Agriculture Committee meeting where we passed legislation, bipartisanly, to regulate derivatives. It was a major step in financial reform. The discussion was vigorous, the discussion was not contentious, but there was a good bit of disagreement. But in the end, the committee voted bipartisanly for stronger derivative legislation. It will provide financial stability by requiring banks to put capital behind their trades. It will use transparency and accountability to prevent Wall Street banks from taking advantage of their business customers. It will reduce speculation that fuels bubbles in markets such as natural gas and mortgages.

We understand derivatives can be used responsibly by businesses to hedge commercial risk. But commercial businesses make up a relatively small part of the derivatives business. It used to make up a much larger part. A lot of the synthetics, CDOs, and other derivatives have become way more commonplace and, parenthetically but importantly, put us in the position that we are in as a nation in our economy.

I commend Senator LINCOLN for her advocacy and leadership in voting out a strong derivatives regulation. The reason this is so important is we know what happened because of Wall Street excess. What happened is some homeowners in Bryan, OH, lost their homes. We know that retirees in Ravenna, OH, lost a good bit of their wealth. We know that workers in Dayton, OH, lost their jobs. That is repeated in Charlotte, and Raleigh, and Asheville, NC. It is true in Marietta and Cleveland and Bedford, OH, that because of Wall Street excesses, too many people lost their homes, lost their wealth, lost their retirement, lost their jobs.

This legislation today, coupled with Senator DODD's legislation coming out of Banking, was bipartisanly passed. It will move us in the right direction. It was bipartisan but not a compromise of Wall Street. When bipartisanship means bring Wall Street to the table to write the legislation, that is not what the American people want. What bipartisanship means is that our committee writes strong language and Republicans and Democrats, at least one Republican and Democrats, come together. That is what we ought to do. That is the direction we should go. That is what responsible governing is all about.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Christopher H. Schroeder, of North Carolina, to be an Assistant Attorney General?

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

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 Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Utah (Mr. BENNETT), and the Senator from Nebraska (Mr. JOHANNS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 72, nays 24, as follows:

[Rollcall Vote No. 121 Ex.]

YEAS—72

| | | |
|---|---|---|
| Akaka | Cardin | Franken |
| Baucus | Carper | Gillibrand |
| Bayh | Casey | Graham |
| Begich | Collins | Grassley |
| Bennet | Conrad | Hagan |
| Bingaman | Corker | Harkin |
| Boxer | Dodd | Hatch |
| Brown (MA) | Dorgan | Inouye |
| Brown (OH) | Durbin | Johnson |
| Burris | Feingold | Kaufman |
| Cantwell | Feinstein | Kerry |

| | | |
|---|---|---|
| Klobuchar | Merkley | Shaheen |
| Kohl | Mikulski | Shelby |
| Kyl | Murkowski | Snowe |
| Landrieu | Murray | Specter |
| Lautenberg | Nelson (NE) | Stabenow |
| Leahy | Nelson (FL) | Tester |
| LeMieux | Pryor | Udall (CO) |
| Levin | Reed | Udall (NM) |
| Lieberman | Reid | Voinovich |
| Lincoln | Rockefeller | Warner |
| Lugar | Sanders | Webb |
| McCaskill | Schumer | Whitehouse |
| Menendez | Sessions | Wyden |

NAYS—24

| | | |
|---|---|---|
| Barrasso | Cornyn | Isakson |
| Bond | Crapo | McCain |
| Brownback | DeMint | McConnell |
| Bunning | Ensign | Risch |
| Burr | Enzi | Roberts |
| Chambliss | Gregg | Thune |
| Coburn | Hutchison | Vitter |
| Cochran | Inhofe | Wicker |

NOT VOTING—4

| | |
|---|---|
| Alexander | Byrd |
| Bennett | Johanns |

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. Under the previous order, a motion to consider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

## THOMAS I. VANASKIE TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT

The ACTING PRESIDENT pro tempore. The clerk will report the next nomination.

The legislative clerk read the nomination of Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 3 hours of debate on this nomination. Who yields time?

The Senator from Vermont.

Mr. LEAHY. Mr. President, the Senate just devoted more than 3 hours to the nomination of Chris Schroeder. I am glad that after many months the Senate has finally been allowed to act on that nomination and gratified that he received a bipartisan confirmation vote. After months of delay no Republican came to the Senate to speak in opposition to the nomination in the 3 hours that Republicans insisted be set aside to debate it. Senator KAUFMAN spoke in favor; I spoke in favor. Not a single opponent came to debate. That wasted more of the Senate's time when we should be considering other matters. We could be debating Wall Street reform, patent reform, or clearing the way for some of the other 100 Presidential nominations being stalled. We should have been.

With respect to the President's judicial nominees, we are well behind the pace I set as chairman when the Senate was considering President Bush's nominees during the second year of his Presidency. By this date in President Bush's second year, the Senate, with a Democratic majority, had moved ahead to confirm 45 of his Federal circuit and district court judges. So far during President Obama's Presidency, Senate Republicans have only allowed votes on 18 of his Federal circuit and district court nominations. During the first 2 years of President Bush's Presidency we moved forward to confirm 100 of his judicial nominees. Republican obstruction of President Obama's nominations makes it unlikely that the Senate will reach 50 such confirmations. Last year they allowed only 12 Federal circuit and district court nominees to be confirmed, the lowest number in more than 50 years.

Today, thanks to the perseverance of the majority leader and the Senators from Pennsylvania, we will consider and I hope confirm the 19th of President Obama's Federal circuit and district court nominees, Judge Thomas Vanaskie. It has been more than 4 months since Judge Thomas Vanaskie's nomination to fill a judicial emergency on the U.S. Court of Appeals for the Third Circuit was reported favorably by the Judiciary Committee with strong bipartisan support. His nomination has the support of both of his home State Senators, Senator SPECTER and Senator CASEY. He has more than 15 years of Federal judicial experience having served as a district court judge in Pennsylvania since 1994. The American Bar Association Standing Committee on the Federal Judiciary has unanimously rated him well qualified to serve as a circuit judge on third circuit. His nomination is not controversial. Yet, it has taken months to get consent from the other side for an up-or-down vote on Judge Vanaskie's nomination and that did not occur until the majority leader was forced to file cloture to end the stalling. Judge Vanaskie is one of the 25 judicial nominees still being stalled from final Senate consideration.

I appreciate the significant steps taken by the majority leader to address the crisis created by Senate Republican obstruction of the Senate's advice and consent responsibilities. Their refusal to promptly consider even the most noncontroversial nominations is a dramatic departure from the Senate's traditional practice of prompt and routine consideration of noncontroversial nominees. The majority leader's decision to file cloture was an unfortunate but necessary step, resulting from Senate Republicans' refusal month after month to join agreements to consider, debate and vote on this nomination. Those practices have obstructed Senate action and led to the backlog of almost 100 nominations pending before the Senate, awaiting final action. These are all nominations favorably reported by the committees of jurisdiction. Most are 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 Presidency.

The vote on the confirmation of Judge Vanaskie's nomination is the first vote on judicial nominations that the Senate will hold in 5 weeks. Despite the dozens of judicial nominations ready for Senate consideration, none has been allowed to move forward for over a month to fill longstanding vacancies in the Federal courts. Of the 25 pending judicial nominations, 18 were reported from the Senate Judiciary Committee without any Republican Senator voting against. I have been urging the Senate Republican leadership for months to allow votes on these noncontroversial nominations and to enter into time agreements to debate the others. We need to clear the backlog of nominations and move forward.

I am pleased that the Senate tomorrow will consider another judicial nomination, that of Judge Denny Chin to the Second Circuit Court of Appeals. His nomination was reported by the Judiciary Committee unanimously, but it has also been stalled from Senate consideration for more than 4 months. Senate Republicans should lift their secret holds and also allow votes on the remaining 23 judicial nominations currently pending final action by the Senate. If we are allowed to act on the judicial nominations reported favorably by the Senate Judiciary Committee but on which Senate Republicans are preventing Senate action, we will more than double the number of judicial nominations confirmed by the Senate this Congress, and bring the number of confirmations in line with the number we confirmed at this point during President Bush's first two years in office.

Judicial vacancies have skyrocketed to over 100, more than 40 of which have been designated ''judicial emergencies.'' Caseloads and backlogs continue to grow while vacancies are left open longer and longer. On this date in President Bush's first term, not only had the Senate confirmed 45 Federal district and circuit court judges but there were just seven judicial nominations on the calendar. All seven were confirmed within 9 days. By the end of this month, which is nine days from now, we should clear the backlog that Republican obstruction has created and vote on the judicial nominations stalled on the Senate Executive Calendar.

By this date during President Bush's first term, circuit court nominations had waited less than a week, on average, before being voted on and confirmed. By contrast, currently stalled by Senate Republicans are circuit court nominees reported by the Judiciary Committee 5 months ago, in November of last year. The seven circuit court nominees the Senate has been allowed to consider so far have waited an average of 124 days after being reported before being allowed to be considered and confirmed.

Judge Vanaskie was born and raised in Shamokin, PA. He is one of seven children raised by two working parents. He graduated magna cum laude from Lycoming College in 1975 and cum

laude from Dickinson School of Law in 1978, where he was an editor of the law review. After law school, he spent 2 years as a law clerk to the Honorable William J. Nealon, then Chief Judge of the United States District Court for the Middle District of Pennsylvania. Prior to joining the Federal bench, Judge Vanaskie spent 14 years in private practice.

In 1994, Judge Vanaskie was confirmed by voice vote to serve as a United States District Court Judge for the Middle District of Pennsylvania. He served as the Chief Judge of the Middle District from 1999 to 2006, and has sat by designation with the Third Circuit Court of Appeals on several occasions. He has also served as cochair of the Third Circuit Library Resources Task Force and as a member of the Board of Directors of the Federal Judges Association. He is presently the chair of the Third Circuit Judicial Council's Information Technology Committee. His work in the area of technology in the courtroom has won him widespread admiration and appreciation.

I congratulate Judge Vanaskie and his family on what I expect will be strong bipartisan vote in favor of his confirmation to serve on the Third Circuit. It is long overdue.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

NOMINEES JIM WYNN AND AL DIAZ

Mrs. HAGAN. Mr. President, there are two judicial nominees on the calendar from North Carolina who I believe would be confirmed by this body overwhelmingly. Judges Jim Wynn and Al Diaz, nominees for the Fourth Circuit Court of Appeals, were both approved by the Senate Judiciary Committee in January. Judge Diaz had the vote of every single member of the committee, and just one Senator opposed Judge Wynn.

The reality of this situation, though, is that North Carolina has been waiting for one of these judges since 1994. That is 1994. Since then, there has been only one judge from North Carolina on the 15-judge panel of the Fourth Circuit Court of Appeals, even though North Carolina is the largest and fastest growing of the five States in the Fourth Circuit. Partisan bickering has continually blocked qualified North Carolinians from confirmation since the court's establishment back in 1891.

But in consultation with both me and Senator BURR, the President has appointed two highly qualified, experienced, and fairminded North Carolina judges: Al Diaz and Jim Wynn. Judge Diaz, of Charlotte, a Business Court judge, handles extremely complex business cases. Before that, he was a State superior court judge. Judge Wynn, of Cary, is a 19-year veteran of the North Carolina Court of Appeals and formerly served on the North Carolina Supreme Court. The American Bar Association has given them both its highest possible rating. They both have served our country in the military. They have the support of Democrats and Republicans, including my North Carolina Senate colleague, Senator RICHARD BURR. They have no real opposition that I am aware of.

Finally, we have not one but two qualified and bipartisan choices to serve North Carolina and our country on the Fourth Circuit. I am hopeful that we are close to confirming these two outstanding nominees for the Fourth Circuit. I will continue working with my colleagues to ensure they are confirmed as swiftly as possible.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

Mr. CASEY. Mr. President, I rise today to speak about the nomination we are considering in the next few hours, which is the nomination of Judge Thomas I. Vanaskie.

I can't tell you how proud I am to talk about his nomination. I have known him for a long time. I think it goes without saying that—and I join a lot of people who have spoken about him already and know him—I strongly support his nomination and confirmation for a seat on the United States Court of Appeals for the Third Circuit. Tom Vanaskie is a legal scholar, he is fair minded, and he has unquestioned integrity and ability. He is an experienced Federal judge since his appointment in 1994. On top of all that, he is a decent, compassionate man.

The Standing Committee on the Federal Judiciary of the American Bar Association has unanimously rated Judge Vanaskie well qualified to serve as a judge on the United States Court of Appeals for the Third Circuit.

Judge Vanaskie's biography highlights both his scholarly and professional accomplishments and the highest esteem in which he is held by his colleagues in the legal profession. He graduated magna cum laude from Lycoming College in Williamsport, PA, where he was also an honorable mention all-American football player, a first-team academic all-American, and he was the college's outstanding male student athlete, and the recipient of the highest award given to a graduating student.

Then he went to Dickinson School of Law in Pennsylvania, from which he graduated cum laude in 1978, where Judge Vanaskie served as an editor of the law review and received the M. Vashti Burr award, a scholarship given by the faculty to the student deemed "most deserving."

After graduating from law school, Judge Vanaskie served as a law clerk for Judge William J. Nealon, chief judge at the time of the U.S. District Court for the Middle District of Pennsylvania.

Judge Vanaskie practiced law for two highly regarded Pennsylvania law firms before his appointment to the United States District Court for the Middle District of Pennsylvania in 1994. He became the Middle District's chief judge 5 years later, in 1999, and completed his 7-year term in that capacity in 2006.

He was appointed by Chief Justice Rehnquist to the Information Technology Committee of the Judicial Conference of the United States, where he served as chairman for 3 years. He also participated in several working groups at the Administrative Office of the U.S. Courts, most recently on the Future of District CM/ECF Working Group, tasked with determining the design and development of the next generation of the Federal judiciary's electronic case filing program.

Finally, he is an adjunct professor at Dickinson School of Law and has been active in civic and charitable endeavors in northeastern Pennsylvania. Like me, he is a northeastern Pennsylvania native and resident.

Just a few accolades about his service from a wide variety of people. We could read a number of these. I will highlight a few: Lawyers who have appeared before Judge Vanaskie have expressed tremendous respect for his intellectual rigor and the disciplined attention he brings to the matters before him.

One attorney, who tried over a dozen cases before Judge Vanaskie, has described him as "objective, fair, analytical, dispassionate, extraordinarily careful, and very respectful of appellate authority." This same lawyer, the same practitioner, said he had not always agreed with Judge Vanaskie's decisions, but he always felt his rulings reflected what the judge considered to be the most appropriate result and the result that he was obligated to impose under the law.

A U.S. district court judge, William J. Nealon, for whom he clerked, described him as follows:

> Superbly qualified. He's outstanding, he's brilliant, he's objective, and he's tireless.

Judge Vanaskie recognizes that for many citizens, his decisions will be the final word on their claims before the court. He treats people with respect and honors their right to be heard. His deep understanding of and respect for the rule of law will serve him well in ruling on cases and authoring opinions that will be influential in the Third Circuit Court of Appeals and beyond.

For all these reasons and many others, I am proud to stand in support of Judge Vanaskie and urge his confirmation today.

With that, I ask unanimous consent that all quorum calls during the controlled time on the Vanaskie nomination be equally divided.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. CASEY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FINANCIAL REGULATORY REFORM

Mr. CASEY. Mr. President, I rise today to talk about a major issue that will be before the Senate very shortly, and which we have spent some time on in the Agriculture, Nutrition and Forestry Committee over many weeks and days, but most recently today in a markup. I will talk about that in a couple moments.

It is time that the Senate, in the next couple of days and weeks, focuses on passing comprehensive reform measures that will put an end to Wall Street's reckless endangerment of our economic system. For too long—in fact, for many years now—we have allowed this system to be in place, where high-risk deals were cut on Wall Street. Some people made a lot of money, but our economy went into the ditch because of it.

It wasn't always like that. For decades following the Great Depression, we enjoyed a financial system that worked—worked for American families and small businesses. It is pretty simple when you think about it, and it has been successful at the same time. Local banks, operating in communities across the Nation, took deposits and made loans for homes, cars, or businesses. People knew their bankers and their bankers knew them. Each party was invested in the success of the other. During this time, our economy thrived. It experienced prolonged growth and innovation. These benefits were felt across the board by people across our economy and our country.

Let's contrast that period of growth and shared prosperity with what has happened in the last few years, and even over the last 30 years. This most recent period can be characterized by the massive growth of the financial sector.

In 1978, commercial banks held $1.2 trillion in assets, equivalent to 53 percent of gross domestic product. By the end of 2007, that same measurement, what commercial banks held in assets, had grown to $11.8 trillion or 84 percent of gross domestic product. So the percentage went from 53 to 84, and the number went from $1.2 trillion to $11.8 trillion in assets. Unlike the preceding period, this growth was not spread across the real economy to households and businesses. Instead, it was explicitly shifted away from families and communities and concentrated on Wall Street.

The impact of this concentration has been acute. People used to rely on local institutions, but they now face a financial service marketplace dominated by a few banks with retail outposts sprinkled across the country.

Instead of supporting small businesses, little league teams, or families, as did their local predecessors, these megabanks gather deposits from Main Street and then slice and dice them and leverage them to the hilt and use the hard-earned wages and savings of Americans to make a handful of people very rich.

Make no mistake about it, the megabanks profited tremendously from this new model. Over the last 30 years, profits and compensation in the banking industry have skyrocketed. From 1948 to 1979, the average compensation in the banking sector was more or less the same as any other job in the private sector. Today, bankers earn, on average, two times what other private sector employees take home.

Simply stated, American families and small businesses are no longer the customer in this broken system. Instead, these institutions function to make wealth for themselves and their stockholders.

A clear example of this can be found in recent news stories detailing the record profits of these megabanks—record profits in a time of historically high unemployment and a bad economy. These profits were not made through savvy lending to their customers. In fact, in the case of JPMorgan Chase, Citigroup, and Bank of America—three of our largest megabanks—they have cut lending through a key Small Business Administration lending program by between 85 and 90 percent from 1 year to the next.

These multibillion dollar profits have been made through high-risk trading operations with money deposited by families and businesses. The banks are expecting people in our communities to shoulder all of the risk, while getting none of the upside.

Something has to give in this situation. These megabanks, these big companies, are entitled to make profits, but we will no longer allow them to continue to use the federally insured deposits of working people as capital for their money-making schemes. We need commonsense rules that separate conventional commercial banking operations from high-risk financial gambles.

In no area is this need for reform more apparent than in the so-called derivatives market. A derivative is a high-risk bet that the value of another financial instrument, or commodity, or other product will go up or down. It is a bet. For years, Wall Street fought and won the battle to keep derivatives unregulated. In this highly unregulated market, Wall Street could place bets on bets, without backing them up. Therefore, when the underlying weakness of assets became apparent, the derivatives market went bust—along with it, the Wall Street banks playing in the market, causing the need for the massive bailout of these institutions.

To prevent another catastrophe, we need a strong regulation of the derivatives market. Today, the Senate committee of which I am a member, the Committee on Agriculture, Nutrition and Forestry, had a markup session. What we are talking about is members of the committee talking on amendments and then voting for final passage of the bill out of committee. That is a markup. We had that markup session today on the Wall Street Transparency and Accountability Act of 2010.

I applaud our chairwoman, Senator LINCOLN, for her work on putting forth a bill that cracks down on the reckless activities of Wall Street. I also commend her and other members of the committee for reporting it out of committee so we can incorporate it into the Banking Committee bill we will be considering on the floor soon.

The Wall Street Transparency and Accountability Act of 2010 will add those two important words to our financial system, both transparency and accountability. In particular, it will impose it on the derivatives market, No. 1, by requiring that derivative transactions—most of them—be cleared through a central clearinghouse; second, require real-time reporting, similar to a stock exchange, of the transactions that parties are entering into.

Besides a more transparent market, the most important provision in this bill is the requirement that commercial banks that have FDIC-insured accounts can no longer trade on the derivatives market. This provision will force commercial banks to refocus on what should be their No. 1 priority—the customer—instead of just profits and their own stockholders.

Our current financial system is broken and no longer works for families and small businesses. When I travel across the Commonwealth of Pennsylvania, I often hear about the financial difficulties people are experiencing. We have close to record-high unemployment, 582,000 people out of work. A lot of people lost their jobs or their homes or both, and, in so many ways, their hopes and their dreams. Then they read in the paper every day it seems about record profits of these big megabanks.

They think: What about me and my family? Why can't I get a loan? They will ask people like me: Why is the interest rate being raised on my credit card? Questions such as these have persisted for so long now. Did we not bail out these megabanks on Wall Street already so they can continue to lend money to people like me or their customers? Those are the questions I get.

The answers to each of these questions are the same. These institutions have failed the American people. It is that simple. By extension, they have helped to collapse our economy. Thank goodness we are starting to turn, seeing some job growth in our economy. But we need financial institutions that focus on the needs of our families and our small businesses once again.

Senator LINCOLN's bill is a step in the right direction. We are not there yet. With that bill and with the work we will do on the Banking Committee bill,

we can begin to restore not only transparency and accountability and sunlight, but I believe we can restore some measure of confidence in our financial system and make it work better for real people, for families, and for small businesses and also to strengthen our economy.

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

The PRESIDING OFFICER (Mr. MERKLEY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. 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. DODD. Mr. President, I wish to take a few minutes this afternoon, if I may, to discuss further the efforts in financial regulatory reform.

I would be remiss if I did not note the contribution of the Presiding Officer to this effort. I thank him personally once again. He is a member of the Banking Committee and has expressed strong interest in this legislation and various parts of it, and I thank him for it.

Today I wish to talk about aspects of the bill. I have been talking about this bill on the floor over the last several days, issues such as too big to fail, which we aggressively address in our legislation. I talked about the efforts that have been made to try to forge a comprehensive bill, a strong bill. We have involved, we have invited virtually everyone interested to participate in the product. I am proud to say many did offer their ideas and thoughts as we tried to develop a proposal that was not only strong and broad based but attracted, again, a strong group of our colleagues, both Democrats and Republicans, to this effort.

Over the days, we have spent a lot of time discussing the impact of Wall Street reform on large financial firms, big banks, investment banks, nonbanks, corporate executives, Federal regulators, and other power players in the financial sector—that has been the subject of a great deal of attention—and the complicated subject matters of derivatives—how they work, how they apply—shadow economies, black pools, systemic risk—all this language and discussion that sometimes can leave the average citizen feeling as though we are talking in a foreign language about these matters.

The question they ask is: How does this affect me? I am glad you are going to try to clean this up, but what is happening with all of this that has some positive impact on my life as a taxpayer, as a working American? I would like to know what is being done to see to it that my interests are going to be considered as you are trying to resolve all of these larger questions that somehow seem very distant to my concerns every day.

Today I wish to take a few minutes to talk about the impact of this legislation on millions and millions of our fellow citizens who are not financial wizards—and would be the first to tell you so—they are not big wigs on Wall Street, major players in large banks and financial institutions. They are people just trying to build a nest egg for their families, invest in their futures, maybe take a loan out to buy an automobile, a home, send a child to college because that child has done everything they have asked them to do over the years and now wants to go on to that educational opportunity and needs the resources to do so.

The stories are myriad. There are many. The demands are obviously clear. Unfortunately, as we know and many Americans found out the hard way over the last few years, our current financial system leaves consumers too often vulnerable to being deceived into purchasing risky products, if not outright ripped off by greedy Wall Street firms and others. After all, at the heart of the financial crisis that has cost our Nation so dearly were the subprime mortgages sold by unscrupulous lenders to Americans who did not understand their terms and who never, ever could have afforded them, and the lenders knew it. They knew going into it. Yet they lured them into those arrangements, with great damage done to individuals and to the economy as a whole.

Wall Street's unquenchable thirst for profits and utter disregard for ordinary consumers led to a pattern of greed and recklessness that darn near led to creating a complete collapse of our financial markets and our economy. Millions of Americans lost their jobs, around 8.5 million. Seven million homes have gone into foreclosure, many lost forever. Retirement earnings, as I have said over and over, evaporated in some cases almost instantaneously as a result of the collapse of our economy. Maybe more important than all of that—as hard as it is if you lost your home, your job, your health care—is they lost their faith and sense of optimism and confidence in our financial system in this country, that loss of confidence, that loss of optimism, that loss of belief that while you may make a bad bet on a stock, the system was sound and fair. It would treat you fairly, and you were not going to get hurt because we had a good system in place. That confidence, that faith has been lost. That may be more important than everything else I have mentioned in terms of the future strength of our economy and our country.

To add insult to injury, those same Americans then saw those same firms collecting billion-dollar bailouts at the expense of the taxpayer—and paying million-dollar bonuses to the same executives whose bad decisions put us in the mess in the first place and who would have been out of a job had the bailout not occurred.

The bailout allowed those financial institutions to survive and their expression of gratitude was to write themselves a huge bonus check and being able to do so only because in this Chamber we voted 75 to 24 to stabilize our financial system—a decision I believe was the right one. I think we made the right call in doing it, as difficult as it was. But at the end of all that, major executives in these companies then rewarded themselves as the head of these institutions because we—mostly the taxpayers, by the way—came up with the resources to make it possible for those institutions to survive.

So the American people are angry and with good reason. But they are also wondering: Who is looking out for us? Whose job is it to make sure this doesn't happen again? While our current system pays lip service to consumer protection, those responsibilities are divided among some seven different regulators for whom consumer protection is just an afterthought, in too many cases, to their primary safety and soundness missions that they are responsible for as well. The result is, regulators put the interests of banks and large financial institutions, in too many cases, before the interests of the consumers who rely on those institutions for their long-term economic security.

If this sounds like a recipe for failure, that is because it is. Assistant Secretary of the Treasury Michael Barr testified before our Banking Committee not long ago, and he said:

> Today's consumer protection regime just experienced massive failure. It could not stem a plague of abusive and unaffordable mortgages and exploitative credit cards despite clear warning signs. It cost millions of responsible consumers their homes, their savings, and their dignity. And it contributed to the near collapse of our financial system. We did not have just a financial crisis, we had a consumer crisis.

That massive failure could happen again. Today, we are in no different position than we were in 2007, 2008, and 2009. Nothing has changed. Yet we are on the brink of creating change that could make a difference in this very area. So today those massive failures are still lurking out there, and the same consumers who lost their homes, lost their jobs, lost their retirement, lost their health care are in no different position should another crisis happen tonight or tomorrow. It is exactly the same system, exactly the same structure, exactly the same so-called regulators out there charged with protecting consumers from the kinds of problems that led us to the difficulties we are in today. Again, the financial products and practices being devised on Wall Street, even as we speak, will make it even more difficult in many ways. Are they safe? Are they exploitative? We have no idea, and neither do the American people because no one is looking out for them at this juncture.

Our legislation answers the question of who is looking out for ordinary Americans when they interact with our

financial systems. The bill we will present to our colleagues in just a matter of hours in this Chamber creates an independent Consumer Financial Protection Bureau, a watchdog with bark and with bite. This new bureau will not have any job more important than helping American consumers make smart financial decisions—because protecting, educating, and empowering American consumers will be their only job.

This bureau will have an independent Director, appointed by the President and confirmed by the Senate. It will have a dedicated and independent budget paid by the Federal Reserve Board. It will be empowered to write consumer protection rules governing any institution, whether it is a bank or a payday lender that offers consumer financial services or products. It will have a new Office of Financial Literacy to ensure that consumers are able to understand the products and services they are being offered and a national toll-free consumer complaint line so, for the first time, Americans have somewhere to go when they need to report a problem.

When I talk to people back in my home State, they understand it is their responsibility to make smart decisions about their family finances, and nothing in our bill suggests otherwise. That is the first line of defense, so we all bear responsibility to learn more, to pay attention, and to understand the financial arrangements we are getting into. I am not saying anything different. Unlike Wall Street, they are not looking to shirk that responsibility. They welcome that responsibility, but they would like to understand it better. What they need is clear, accurate information so they can make those good decisions and a cop on the beat to stop abusive practices when they occur. That is what our legislation, which will soon be before this body, does.

Our legislation finally puts consumers in control of their financial lives by requiring large financial institutions and credit card companies to tell them what they are selling in plain English so the purchaser doesn't need a master's in business administration to understand. It will finally put an end to the practices that have become almost standard operating procedure—skyrocketing credit card interest rates, the explosion of overdraft fees, predatory lending by mortgage firms, and more.

This Congress has taken steps to address these abusive practices, passing the Credit CARD Act, which was authored by the members of our committee—again, I thank the Presiding Officer for having been a part of that—and forcing large banks to change their overdraft fee policies.

But credit card companies continue to look for ways around the new rules, and history shows them to be pretty good at getting away with it as well.

Between 1997 and 2007—in that decade—credit card companies engaged a wide variety of, frankly, unethical practices—from so-called double-cycle billing and universal default to retroactive and arbitrary interest rate hikes. In that entire decade—a decade in which literally millions of our fellow citizens were overcharged or outright ripped off by these banks—there were just nine formal enforcement actions taken by the seven regulators in our national government. Let me repeat that. In that entire decade—when nearly every single citizen in this country could talk about one horror story after another, where rates were increased, fees were enlarged, and every gimmick and trick was used to squeeze every last nickel out of a consumer's pocketbook—there were only nine formal enforcement actions taken by the regulators at the national level.

There are stories similar to the one I heard from Mario Livieri of Branford, CT. Mario is a 75-year-old retired homebuilder who accidentally overdrew his account by $2. I am not making this up. Mario is 75 years old and a small business contractor. He overdrew his account by $2 and was charged $35. The bank took several days to notify him that the account was overdrawn. In the meantime, of course, additional minor purchases yielded three additional $35 fees, for a total of $140, which Mario Livieri was charged because he was $2 overdrawn in his banking account.

Unfortunately, that story by this individual in my State can be repeated millions of times all across the country. A $2 mistake made by a conscientious individual, and one that he was unaware of until notified later, and every subsequent purchase he made brought an additional $35 fee until he had a bill—before he discovered the mistake—of $140 because of being $2 overdrawn. That used to go on all the time, and in too many cases it still does. When Mario protested, the bank waived one of the four $35 charges, but they told him there was nothing he could do to fight the fees because the practice was perfectly legal.

Then there are the auto dealers that have been shown to take advantage of military servicemembers, the shady payday lenders that prey on minority communities, and a wide range of malicious actors who look to take advantage of American consumers. This bill that will be before this body, which passed out of our committee, puts an end to those abuses, and that is why it is supported by the Military Coalition, civil rights groups, consumer rights groups, and more. It is also why it is opposed by large financial institutions whose business strategies are based too often on taking advantage of their very own customers.

Let me take a moment to put an end to some of the malarkey we have been hearing from the Wall Street crowd. The large banks are paying for ads now claiming that this legislation will impose new restrictions on dentists and butchers and other Main Street merchants. That is not true. You and I know this. But that kind of falsehood that goes out across the country is exactly the kind of propaganda they are determined to engage in to undermine this legislation.

These rules we have crafted apply only to firms engaged in offering consumer financial services or products, not the butcher, not the laundromat, and not the dentist. An entity must be engaged in financial services or products. Just because your butcher lets you keep a tab or your dentist offers a payment plan doesn't mean these new rules apply.

Moreover, this legislation doesn't seek to strangle innovation in the financial sector. Quite the opposite. That innovation is part of what keeps America prosperous. We are not dictating what products can be offered any more than the Consumer Product Safety Commission directs what toymakers can invent. But just as the Consumer Product Safety Commission watches out for toys that could hurt children, the independent Consumer Financial Protection Bureau will watch out for products that will hurt someone's finances so customers and consumers can make smart decisions.

The large financial institutions have tried to push this notion that this legislation creates an enormous burden on small community banks. Let me address that. How nice of them to look out for their competitors, the ones they have been trying to drum out of business for decades. But the fact is, the small community banks with $10 billion or less in assets will not see any regulatory changes. They will not be charged any fees or assessments. They will follow the same rules they follow today. Even better, these small community banks will be able to operate on a level playing field without the unfair competition from the underregulated or unregulated shadow banks that don't operate with any rules whatsoever.

So this legislation has many important objectives, from ending taxpayer bailouts to establishing an early warning system so future financial crises can be nipped in the bud before they threaten our entire economic system. But for millions of Americans who don't pay much attention to what goes on, on Wall Street, except when they have to write a check to bail out the firms that live there, perhaps nothing in this bill will impact their lives more directly than the new independent Consumer Financial Protection Bureau. Finally, there will be a cop on the beat watching out for them.

The safety and soundness of our financial institutions are critically important. I am not arguing against that at all. But that is not the only consideration. As this real estate bubble was building up, we were told over and over that the system was safe and sound. Why? Because people were making money. It was growing in profits. What we failed to look at and understand

was it may have been safe and sound from that narrow perspective, but for the consumers who were relying on these financial institutions for their economic security, it was anything but safe and sound. With the establishment of this bureau, for the first time in the history of our country, we are saying that financial products ought to be no different than any other product consumers buy. There ought to be a place where someone can go when they have been deceived or defrauded in the use of these financial products.

If your lawnmower breaks or your car malfunctions, we get all sorts of reports, as recently seen with recalls of products because they are unsafe for a consumer to use. Why shouldn't that also exist if someone is out there purchasing a financial product that could put them in great danger—in fact, bankrupt them and ruin their life because they have been deceived and drawn into a financial arrangement because it was a quick profit-making operation for the lender, but it put the consumer at great risk—and ultimately causes, as we have seen in millions of cases, the ultimate financial ruin of individuals, families, and businesses. Thus, we have established a parity between physical products you may buy and financial products you may engage in.

Finally, Americans will be able to rely on clear and accurate information about their family finances. They will know that someone will be looking out for them. There is no better way to restore faith against the loss of homes, the loss of jobs, the loss of retirement—all of which have occurred—and perhaps the greatest tragedy of all being the loss of faith in our financial system. We need to restore that. The absence of that will not make this get better. Every single other thing we do will not achieve its goal if Americans don't have confidence in our financial systems—the faith that it is there, it is safe; that they can be secure in the knowledge that when they deposit a hard-earned paycheck, when they buy an insurance policy, when they buy a stock, when they engage in financial activity, the structure, the system there is not unfair. It is not out there to deceive them, to defraud them, to take advantage of them, but to see to it they are protected. That is our goal in this bill.

My hope is that my colleagues will allow us to get to this debate. If you have objections or ideas, let's have that full-throated debate that has been the history of this Chamber on important matters that have come before us in the past. We ought not be denied that opportunity again on this bill.

But I wanted to take a moment to talk about the consumer protection efforts on this legislation, and I again compliment my colleague in the chair, the Presiding Officer, because he has been a champion in our short service together on this committee on the very issues I have addressed today, and I thank him for his commitment and passion for these issues.

I yield the floor, and I see my colleague and friend from Arizona, so I will not note the absence of a quorum.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, before I begin talking about this bill specifically, I wish to compliment Chairman DODD for the hard work he has put into this matter. I believe it is important for us to reach a bipartisan consensus, and many of the things we just discussed are matters on which we can reach a consensus. That is the goal of Republicans.

I am concerned that there has been some politicization of this issue by many on the other side and, frankly, some in the administration. I know, for example, that Senator CHAMBLISS, a Republican, and Senator LINCOLN, a Democrat, worked very closely together and had virtually, I am told, reached an agreement on the derivative issue as it pertains to the jurisdiction of their Agriculture Committee, only to be told by the White House that was not acceptable and that Chairman LINCOLN needed to go back and redo it the way they wanted it done. As a result, the bill was passed out of the Agriculture Committee on an almost partisan line. The same thing was true of the legislation that came out of the Banking Committee.

While Chairman DODD is here, let me make this point. He suggested this morning that there are Republicans who support this bill, he knows, but that they are being told by Republican leadership that they can't support it. I want to make it clear that our leadership does not operate that way. One reason I know that is because I am one of our leadership. Our members of the Republican caucus think for themselves.

We came to a conclusion unanimously in the Republican conference that the partisan bill that came out of the Banking Committee—and it was partisan; it was written by Democrats, not Republicans, and it was passed on a party-line vote—that bill was not the way to move forward. It was partisan, it was flawed and, among other things, it would provide for perpetual bailouts and therefore didn't achieve the first goal of the legislation, which was to finally end the taxpayer bailouts.

So all 41 of us wrote to the leader and said we will not vote to proceed to that bill because it is a partisan bill. It would be better if we could work together in a bipartisan way to bring a bill to the floor of the Senate that represented not just Republican ideas but a combination of Democratic and Republican ideas that had been negotiated by the members of the Banking Committee, members of the Agriculture Committee, and others. That would ordinarily be the way we would take up a bill here on the Senate floor.

Having said that, I am still confident, based upon what Senator SHELBY and other Republicans on the Banking Committee have said, that it is possible to reach a bipartisan consensus. I know Chairman DODD and Senator SHELBY have been working hard every day on various aspects of the bill to try to reach a conclusion.

The second point I wish to make is that one should not describe the bill that passed out of the Banking Committee as the end of the story, as a successful bill that is going to solve all of these problems. I do not think it will. It does not end taxpayer bailouts, for example, and at a minimum, it seems to me it ought to do that. So in just a few minutes here, I would like to describe some of the things that I think the bill should address and that I hope are being addressed in the bipartisan negotiations.

I am sure it is obvious that it is very difficult—once a bill comes to the floor and you have a chairman and leader supporting the bill, with 59 Senators on their side of the aisle, it is very hard to amend that bill. That is one reason Republicans would like to see a bill brought to the floor that already has bipartisan consensus, and then, yes, we can work our will on the bill and maybe amend it, maybe not, but at least we know it is not going to be a purely partisan proposition.

There has been much attention paid to the $50 billion fund that is created by this bill. While it is true that the financial institutions, of course, pay the money, supply the money that goes into that fund, we all know where the money eventually is paid—the costs are passed on to the consumers. But that is not the real problem because there are other funds, such as the FDIC fund, for example, which the banks obviously pass on to their consumers in order to have an ability to take care of their expenses to creditors should they not be able to do so.

But what this bill does is not just create this $50 billion fund but also continuing government obligations beyond that. It provides not an orderly bankruptcy type of procedure for the resolution of a failed company but, rather, an ad hoc procedure determined by bureaucrats who are not accountable to anybody and who can apply pretty much any rule they want to the winding down of the institution.

What does that do? Today—and frankly, it has been this way for two centuries—we have a series of laws that dictate what happens in the event of the failure of a company. Primarily, these are our bankruptcy laws. You know in advance what happens. If you are a company that cannot make it and you go bankrupt, there are two basic ways you can file bankruptcy, one in which you totally liquidate, the other in which you reorganize. In those two situations, the law provides for what happens to your creditors.

By definition, bankruptcy means you cannot pay all your debts. So who gets paid and who doesn't and how much and in what order—all of that is resolved by the bankruptcy laws and by

the laws built up as precedent applied in the bankruptcy courts. That is why you know—when you either lend money to an institution or you invest in it in equity investments, you have an idea of where you stand, where your loan or equity investment stands in the order of priority should the entity fail. For example, a secured creditor would be very high on the list. Security means you have something to fall back on to take from the company if they can't pay their debt to you. As a result, you can lend the money at a lower rate because you don't have to account for that risk when you lend the money. It is a good way for companies to borrow money. Granted, they have to have something that backs it up. Sometimes it is even the personal guarantee of the CEO of the company. But you get a pretty cheap loan if you do that because the lender knows he or she or it is going to get its money back. By the same token, if you need money pretty badly and don't have any more security, you might ask people to invest in your company or to borrow money on an unsecured basis. Well, you are going to get charged a higher rate of interest on that because there is more risk to the investor or to the lender. But in every case, they know where they stand in the event you can't make it or you fold.

What this bill does is substitute an unknown, untested process for the tried-and-true rules of bankruptcy. Nobody is suggesting there could not be some modification of the bankruptcy process or rules that might govern these particular institutions. They are unique institutions in some respects, and to the extent the rules should be tailored in order to fit these circumstances, they could be. But that is not what is done in this legislation. Instead, new entities are created and bureaucrats are allowed to decide when a company could destabilize the markets and therefore decide what to do about it. Their range of options is essentially unlimited. The bottom line is that taxpayers could end up being on the hook for the bailout. That is true with the FDIC, it is true with the Fed, and this legislation has specific language in it that provides for that.

There are those who say: Why don't we just get rid of this $50 billion fund, and then the problem will go away. No, that problem doesn't go away unless you correct the other language as well.

I will not try to substitute my judgment for that of others who say we need a $50 billion fund. I will say this: Creating that fund makes it more likely than less that risks will be taken and that therefore there will be instability in the market. I also suspect that those who have an implicit guarantee from the fund are more likely to receive credit, for example, at a lower rate because there is much of an assurance on the part of the lender or the equity investor that they will get their money back. So there are some downsides to having this fund.

But those aside, if you want to do away with the fund, OK. If you want to keep the fund, OK. But what you should not do is provide that beyond that, the taxpayers are on the hook. Here is the problem. Lehman Brothers, I am told, had well over $600 billion in liabilities, and a $50 billion fund does not go a long way toward resolving a $600 billion liability. In the case of Fannie Mae and Freddie Mac, which are not even dealt with in this legislation even though they were the prime causes of the problem—and by the way, that is a deficiency in the law that needs to be corrected. I hope these negotiations will provide something in that regard. But they have now created—it is about $6.3 trillion in obligations. Guess who is on the hook for those obligations. Congress never passed a law that said the taxpayers were going to be on the hook, but that is exactly the result of the actions taken by the bureaucrats who decide these matters now.

I do not want to create a perpetual situation where not Congress, not the courts, but bureaucrats—by the way, I do not use that term pejoratively. ''Government officials''—let's use that term. Unelected government officials, to whom we give the power, simply decide who gets bailed out, when, under what circumstances, who gets paid back, who doesn't get paid back, and how much it is going to cost the taxpayers. That, in essence, is what is provided for in this legislation.

So when folks say this is a bill we need to support because it ends too big to fail, that is wrong because it doesn't end too big to fail and taxpayers are still on the hook.

If those things are fixed, then my criticisms in this respect go away. But we have not heard from these negotiations that is being done. So I told my colleagues: Don't come to the floor and say this is a great bill, it solves all these problems, it ends too big to fail, and there is nothing wrong with it. There are some things wrong with it that need to be fixed. Let's do those things. I assume, on a bipartisan basis, if you just ask the abstract question of every 100 of the Senators, do you think we ought to end too big to fail, the answer would be yes. Ask our constituents—yes. Then we can get down to the nitty-gritty.

What about the language in the bill that says the FDIC ''will guarantee the obligations of banks'' under certain circumstances? That is language that has to be carefully either defined, limited, crabbed, or eliminated, or we are going to have taxpayers continuing to be on the hook for these obligations.

As I said, we haven't done anything to Fannie and Freddie in the legislation, and that is going to continue to mean a continuing taxpayer obligation as well.

As I said before, too, those firms, the ones deemed too big to fail, have an advantage over the smaller banks, the community banks. My colleague just mentioned those a moment ago. We just met with the community bank representatives in Arizona, and they fear this kind of provision will make them uncompetitive vis-a-vis the big boys. As a result, what we will eventually end up with is a few really big banks and maybe some that aren't, in kind of a medium-size operation, and almost all of the smaller banks having to go out of business because of this anticompetitiveness that will result from the legislation.

One of the other ways in which what I have been talking about occurs is through section 113, the so-called Financial Stability Oversight Council. This is one of the entities that allow for these backdoor bailouts. It gives the Federal Reserve the authority to prop up any nonbank company that the council, this new council, deems to be a potential threat to systemic stability in our economy. This is a board based in Washington. It decides which institutions get special treatment. It gives these bureaucrats tremendous latitude to pick winners and losers, again resulting in a competitive advantage and disadvantage. What determines whether a nonbank is a threat to stability? What are the criteria? Among other possible considerations, ''any other factors that the council deems appropriate.'' That is pretty much an open book—''any other factors that the council deems appropriate.'' I would think, if Congress is going to try to legislate in this very complex and difficult area, we would try to give pretty specific direction to the Federal authorities, to whom we give great power, as to how we want it exercised, and I don't think this meets the test—''any other factors that the council deems appropriate.'' Take that out of the bill. Let's have a bipartisan negotiation to do that. If somebody can demonstrate to me why that would have to be left in, then great, but these are the kinds of things that lead me to the conclusion that, no, we should not agree to consider the bill that came out of the Banking Committee on a purely partisan basis because there are problems in it.

Today, the Wall Street Journal says:

> The Dodd bill allows too much discretion to federal regulators to determine which firms to regulate and how, which firms to rescue or close down, and which creditors to reward and how. . . .

Exactly what I was just saying. It goes on to conclude:

> The Dodd bill also extends the FDIC's resolution authority (subject to other executive approval) beyond deposit-taking institutions to any financial company deemed to be systemically important. And it gives the FDIC the discretion to discriminate among creditors as it judges who gets paid what as part of a resolution. . . .Recall how the White House exploited its authority under TARP to trash Chrysler's creditors and give unions a better deal.

Now, that is not the only section. Section 1155 of the bill is entitled ''Emergency Financial Stabilization.'' This is another way in which the bill

guarantees bailouts and puts them into the law and leaves the taxpayers on the hook.

Under this section, the FDIC would be allowed to create a new program of unlimited size to guarantee the obligation of depositories and holding companies with depositories.

What does this mean since there is no requirement that a company that receives, guarantees, and defaults on its obligations be taken into an FDIC receivership, bankruptcy, or resolution? The FDIC and Treasury can prop up whatever company they choose. This authority can be exercised without congressional approval.

It is one of the reasons I have said I think there needs to be some element of bankruptcy or other process prior to the instigation of this particular kind of authority. We cannot say this bill ends taxpayer bailouts as long as we have all of those sections in it.

Finally, there is much said about consumer protection. Does anybody know anybody who does not favor consumer protection? I think we all do. There are questions about how to intelligently do it. We can create a lot more cost to consumers if we make the regulations so costly and inefficient that they end up paying more money than they would have otherwise. That is, I fear, what can happen here. It happened with the credit card legislation we passed. I think it is predicted that it can happen here as well.

It could easily happen with businesses we do not even intend to cover. I know I have heard from dental offices and car dealerships. When we think about Wall Street bailouts, we do not think about our next-door neighbor who sells cars, or maybe our neighbor who is a dentist. But if they have an installment plan where it takes 4 months—where you can get up to 4 months to pay your bill to them, boom, you can be covered by provisions here. Then all of the consumer protections apply and so on.

Let's be careful that in an effort to make sure Wall Street handles its affairs properly that we do not impose conditions on Main Street, the folks we would like to see thrive, particularly in times of recession, in a way that would end up either causing them more expenses or, at worst, even making them uncompetitive with these so-called bigger guys.

Restraining credit is a big way to do this, requiring that they have to apply capital not to building their businesses but to somehow backing up their credit issuance, even though that is not the main part of their business.

Just quoting briefly from the New York Post:

> New restrictions on credit . . . are likely to cost our economy tens of thousands of jobs a year.

And:

> Reductions in credit—

Which would result here—

> means declines in job creation. Many small business start-ups use home equity debt or credit cards as their source of funding.

There is not a lot of home equity debt to be had these days. A lot of our homes are not mortgageable at the present time, so credit cards are maxed out and so on. Well, that is a difficult way to do it. But we have to make sure if small businesses are doing this that the credit flows are not stopped because of provisions of this bill.

In an op-ed in the New York Post today, Mark Calabria pointed out:

> The bursting of the housing bubble largely eliminated the first option.

That is the mortgaging of your home to get additional credit.

> Now Washington is trying its best to kill the second.

That is the credit card provision.

> [The Dodd bill's] proposed ''consumer protections'' would reach beyond credit cards and restrict the availability of all forms of credit, while raising costs.

Now, nobody intends this result. I do not think anybody in this body wants to impose additional costs, especially on smaller businesses or on startup businesses. It is simply an inevitable result of a policy that is written too broadly. We need to be careful how we do it. We need to ensure we do not write it so broadly that friends we want to protect are not adversely impacted.

They have been coming to my office. Folks you never dream of who would be covered by this act are coming in and saying: Here is how this bill could affect me. Please make sure it does not.

All I urge my colleagues on the other side of the aisle to do is, take these concerns on board—they are not partisan concerns—and make sure when these negotiations figure out how to amend the bill, that we take into consideration the things we are raising. They are not partisan concerns. They are concerns of everyday Americans, and we owe it to our constituents to think these things through and, if need be, change the bill.

I am sure even Senator DODD would say the bill is not perfect. If there are things we need to see changed in it, then let's do that.

The last point has to do with another element of consumer protection. A lot of folks do business in more than one State. In fact, some of the larger companies do business in all States, and it is cost efficient for them if there is one rule, if there is one regulator, so that they do not have to, for example, figure out what every single State requires in terms of different consumer protections or notice or whatever it might be, and then have to comply with all 50 States, some of which may be contradictory, as well as a Federal regulator.

So up to now we have pretty much had a Federal regime that has preempted the State jurisdiction in some of these areas. Well, as I understand it, the legislation does away with a significant component of that and would allow the State regulators to impose individual requirements on these companies that are doing business throughout the United States. So we could have the anomalous situation where we have lots of different requirements.

Some of you have seen ads on TV. It says: Call now to get your $29.95 knife. If you call right now, you will get another one thrown in for free. Then the last 10 seconds of the ad has some guy reading in very fast language: Offer not valid in New Mexico, New York, Arizona, Tennessee, Oregon, and so on and so on. You cannot even follow what he is saying. But the reality is, there are a lot of different requirements.

So what we would like to try to do is have things be as uniform as possible to keep the costs down because the greater the costs, the more the cost to the consumer. Unfortunately, as I said, however, this bill creates a patchwork of regulatory regimes that expand the number of regulators by 50 in certain areas. As a result, it is going to be much more difficult to comply with and much more costly.

If we believe we understand what is necessary in consumer protections, then let's provide for it. If we think we do not, that we need to leave this to a lot of other regulators, then let's not try to make the rules ourselves. Just let them do it. But we should not do both.

In addition to that, the chairman talked about safety and soundness. This is a technical term that essentially has regulators requiring banks and other financial institutions to carry a certain amount of reserves so that if people want their money back out of the bank, the bank has enough money to give to them. No bank believes every day 100 percent of its deposits are going to be called back by its depositors. But they have to have a certain percentage of those funds on deposit so if you go and say: I want my money out of the bank, they have enough money to give it to you or, if they have loans go bad, they have enough to carry those loans, and so on. That is what the safety and soundness requirements of the regulators do. It is a good thing.

Those same people can also provide for consumer protections, and say: Look, we know the bank needs to reserve a certain amount of money, and we also know, consistent with that, they need to ensure the protection of their consumers in a certain way.

What is difficult is when we separate these two functions, as this legislation does, so we have one group saying to the bank here is what you have to do for safety and soundness purposes, and we have another totally independent group saying, we do not care anything about that, but here is what you have to do for consumer protection.

We can end up with duplicative, overlapping, costly, and sometimes even inconsistent requirements, all of which make it more difficult for these institutions to give a cheaper product, a better loan, a credit card with a lower interest rate, or whatever it may be.

I just urge my colleagues, everyone is for consumer protection. Everyone is

for safety and soundness. Let's try to do this in a way that does not impose such great burdens, especially on the smaller folks, that they are not able to be competitive and provide their consumers, about whom, after all, we should be mostly concerned, with the cheapest product that is backed by the safety and soundness of the institutions.

Incidentally, on this last point, some who are a little more cynical have said: Well, maybe this is being done for a more nefarious purpose. If every single attorney general in the country can go out and hire trial lawyers on a special contract to bring class action lawsuits because of a violation of State laws, then we have a brandnew cause of action for the trial lawyers to do even better than they have done in the past.

I am not going to suggest that is the motivation, but I am going to suggest that I see nothing in the bill that will prevent that. As long as that is a potential, then, Katey, bar the door.

So, again, there are many things in this legislation that are not partisan in terms of we all want to protect the same folks. But there are questions that have been raised that need to be dealt with. I think it would be far better to take the time, to have Republicans and Democrats sitting down and going through all of these issues carefully, writing up a bill on which they can agree, bring that bill to the floor so the rest of us can then look at it, and hopefully we would all say: Gee, that is a lot better product than we thought.

It is not exactly as I would have done it. It looks like there are some compromises in there, but after all, that is what the process is when we have little more than half of the body of one party and less than half of the other party. That is how we get things done.

I can assure you this and assure my colleagues on the other side, Republicans want to work with our Democratic friends to get a good bill that all of us can support and that will be good for our country.

I think if we can work in good faith toward that end, we will be much happier with the result than if it is the result of a partisan or a near-partisan vote in this body and likewise in the House of Representatives.

I thank my colleagues for their patience and am happy to yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN.) The Senator from Ohio is recognized.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to engage in a colloquy with Senator KAUFMAN for up to 30 minutes as in morning business.

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

Mr. BROWN of Ohio. I want to believe what I just heard. I do. I believe the genuineness and the sincerity of the words from my colleague from Arizona. I also, though—and I agree with him there are things we need to fix in this bill. There always are. And we can work to improve it.

I met only 2 hours ago a dozen manufacturers from Ohio—mostly metalworking companies, stamping, bending metal, all of that—who came to see me to talk about credit. Their frustration with the banking system and Wall Street is pretty deep and pretty intense. Anger, frustration—I will not speak for them, to be sure. But it is pretty clear that Wall Street has not served them well and has not served this country well.

As I said, I know we need to fix some things about this bill. A guy years ago told me: Don't tell me what you believe. Show me what you do; I will tell you what you believe.

When I listen to leadership on the other side, especially to our colleague from Kentucky, I really do watch what he does, not just what he says. I know he says this bill does not work because it will mean more bailouts. That is battle tested, focus group tested, poll tested. That is the right thing to say you are against the bill.

But more than that, I watch what he does, and I watch what Republicans have done on this bill. Back in December 100 bank lobbyists met with Republican leadership in the House to talk about how to defeat any kind of Wall Street reform.

Earlier this month, Senator MCCONNELL and Senator CORNYN—Senator MCCONNELL, the Republican leader; Senator CORNYN is head of the Senate Republican Campaign Committee—went to New York and met with 25 hedge fund and other Wall Street executives to figure out how to defeat the bill and to do what—you know, what you would expect. The best way to beat this bill is elect more Republicans. We need help. All of that.

So when I hear them talk about bipartisan, that they want a bipartisan bill, what they really mean, and I know Senator KAUFMAN and I have talked about this—what they really mean is, we want Wall Street to come to the table and help us write the bill. That is what is bipartisan, in the same way that ''bipartisan'' in the health care bill of the last year was, we want to invite the insurance companies to the table and have them help write the bill.

The public wants bipartisan. They want us to work together. They want us to cooperate. We do that in a lot of things. But on a big bill like this, the public does not want bipartisan if it means: Let's get Wall Street and the five biggest banks in the country to write this bill and then we can all be happy and let's get along and let's have legislation that way.

Then I hear over and over, Senator MCCONNELL, you know, kind of getting a little bit—the leader gets a little upset when he talks about this bill. It is a little bit like when you throw a rock at a pack of dogs, the dog that yelps is the one you hit.

That is kind of what is going on here.

(The remarks of Mr. BROWN and Mr. KAUFMAN pertaining to the introduction of S. 3241 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. SPECTER. Mr. President, I have sought recognition to vigorously, enthusiastically support the nomination of U.S. district court judge Thomas I. Vanaskie for the Court of Appeals for the Third Circuit.

Judge Vanaskie is someone known to me personally for the better part of two, perhaps even three decades as a practicing lawyer in Pennsylvania, as a judge on the Middle District Court. I had the privilege of recommending him, originally, for the district court during the Clinton administration. I have had the privilege of joining with Senator CASEY in recommending him to President Obama for the Court of Appeals for the Third Circuit.

Judge Vanaskie has a spectacular record. He is a graduate of Lycoming College, in 1975, with a BA degree, magna cum laude; Dickinson Law School in 1978, cum laude. He was a law clerk to Judge William Nealon from 1978 through 1980. For those who know Judge Nealon, he is a masterful judge, a paragon, a great person to learn from. Judge Vanaskie was in private practice in Scranton from 1980 to 1994. He was confirmed to the U.S. District Court for the Middle District of Pennsylvania on February 10, 1994.

Judge Vanaskie has been awaiting confirmation for some time now. He has had his hearing. He was reported out of the Judiciary Committee by a vote of 16 to 3. He is an outstanding jurist.

During the course of the discussions on the Judiciary Committee, where I have served during all of my tenure in the Senate, there was nothing really said in any way which was substantive in opposition. The contention was raised that he has cited foreign law, the law of other countries, but that is in keeping with the decisions of the Supreme Court in the United States, which has cited foreign legal precedents—not that they are binding. They are not the U.S. Constitution. They are not decisions in the U.S. Federal judicial system. But they have been recognized by the Supreme Court as worthy of some consideration.

It is regrettable that Judge Vanaskie has been caught up in the partisan battle in the Senate. This is a part of a broader picture of gridlock in the Congress of the United States, as we have seen the popularity and approval rating of Members of the House and Senate fall precipitously because of what America is seeing going on in this body

and across the Rotunda in the House of Representatives. We see a stimulus package where there is very little willingness on the part of people on the other side of the aisle to negotiate with people on this side of the aisle. We have seen a health care package enacted into law without a single vote in the Senate. In the House of Representatives, 176 Republicans said no and 1 said yes. On reconciliation, all 177 said no; all 41 in the Senate said no.

There has been a point reached where there is really an issue of whether there can be governance at all with an obstructive minority standing fast. We have seen a slight break in ranks when the issue came up on the vacation for the payroll tax. One Republican stood up and voted with Democrats. That led a few others to join. And on unemployment compensation, again, one Republican took the lead, and a few others joined. I think it is realistic to conclude that it is the pressure from back home. There are some on the other side of the aisle who may sensibly calculate—I do not fault them for the calculation—but they have to have some flexibility if they want to return to this body.

We have had concerns on Wall Street which are overwhelming with what has gone on in the economy: the precipitous great recession, which has engulfed America and has engulfed the world. And for a lengthy period of time, there has been resistance to any real negotiation by the other side of the aisle.

Finally, within the last day or two, there has been some willingness to consider legislation on the Wall Street issue, but I think that has come about as a result of public pressure. It is, simply stated, impolitic to be against reforming Wall Street, considering what has gone on.

It would be my hope these cracks in the die would lead to some substantial shift in position so we could return to the bipartisanship which was present in this body when I was elected in 1980. At that time, we had Mac Mathias of Maryland, who was willing to cross the aisle, and Mark Hatfield of Oregon similarly and John Danforth of Missouri, Lowell Weicker of Connecticut and Bob Stafford of Vermont and John Heinz of Pennsylvania and John Chafee of Rhode Island and Bill Cohen of Maine, so that when we had the so-called Wednesday club, it was full. That has dwindled so that the moderates can meet in a telephone booth today. We ought to go back to the days of just a little bipartisanship.

We had an enormous problem in 2005 when the shoe was on the other foot and the filibustering was being done on this side of the aisle. Fortunately, we were able to work through that problem. There was a flirtation with the so-called nuclear constitutional option, which would have changed the rules on filibuster. We preserved the procedure of the Senate, the tradition of the Senate, to be the ''saucer which cools the tea'' as the expression was used during the colonial days. I think it is very important to maintain that tradition and that procedure. It was the coolness of the Senate which saved the independence of the Federal judiciary and the impeachment proceeding of Supreme Court Justice Chase of 1805 and preserved the independence of the Presidency and the acquittal on the impeachment proceeding of Andrew Johnson, when a controversy arose with the claim being made that there had to be congressional or senatorial approval to fire a Secretary of War, and he barricaded himself in the office. President Johnson refused to seek Senate consent to fire the Secretary of War. Articles of Impeachment were filed and he was saved by the vote of the Senator from Kansas. Growing up in Kansas, there was great pride in the State about that courageous Senator who stood and later was defeated. Maybe that—I would not make any predictions of the cost of standing up.

So it is important to maintain the traditions of this body, but we have to do it in the context of capacity to govern. Supreme Court Justice Jackson, in a somewhat different context, said the Constitution is not a suicide pact. Whatever rules we have are not substitutes for our capacity to govern.

We have seen this pattern illustrated by the nomination of Barbara Keenan of Virginia for the Fourth Circuit. Judge Keenan's nomination was stalled for 4 months, and after the time-consuming process of cloture, her nomination was approved 99 to nothing. Well, if she can be approved 99 to nothing, why require the filing of cloture? Why tie up this Senate for the better part of 2 days?

May the RECORD show that the distinguished Presiding Officer, the junior Senator from Minnesota, is nodding in agreement with my statements. That is a procedure we lawyers use to perfect the RECORD. But that has been the policy—tying up this body, going to cloture, the delay, and then overwhelming confirmations; not all unanimous but very substantial, and I predict that is what will happen with Judge Vanaskie when the roll is called a little later this afternoon.

One additional note. These proceedings take a very heavy toll on the nominee. Judge Vanaskie is a man devoted to public service. When he was practicing law in Scranton, his paycheck was a great deal bigger than when he became a Federal judge. When he comes into the process of the nominating procedure and he is questioned and his writings are impugned because he follows the Supreme Court of the United States, it is a jolt and it is hard on the Vanaskie family and it is hard on the community. I have had many calls from the people in Judge Vanaskie's community saying: What is going on in the Senate? What is going on? What is happening? Repeated calls. Finally, I decided to write a column for the Scranton Times Tribune, explaining what happens in the Senate as to why the delay has occurred.

So I am glad to see this brought to a close. I hope we will move the appointments of the President. Consideration is being given to limiting the filibuster, not having it apply to members of the administration. We all concede, as a governmental doctrine, the President ought to have the right to name his own team but maintaining the filibuster for judicial nominations where we are talking about lifetime appointments. But this is a good and true man and he has been subjected to a process which is fundamentally unfair. I am glad to see it brought to an end this afternoon.

I ask unanimous consent that the copy of the article which I wrote for the Scranton Times Tribune, dated February 26, 2010, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Scanton Times Tribune, Feb. 26, 2010]

GOP DELAYING VANASKIE APPOINTMENT

(By Arlen Specter)

Republican inaction on nominations is paralyzing the work of the Senate and putting the government's ability to confront the nation's challenges at risk.

We have seen much obstructionism by the minority in this Congress, but nothing compares to the gridlock on nominations. During President Obama's first year, 46 executive nominees waited at least three months to be confirmed, 45 waited at least four months, and nine took six months or longer. Inaction on these qualified nominees, many in defense-related and national security posts, is unacceptable.

This applies to nominations for federal judgeships, many to important or long-vacant jurisdictions. Currently, 14 judicial nominees, who have been approved—in many cases unanimously—by the Senate Judiciary Committee are awaiting confirmation in the face of Republican objections, many of them specious or just plain outlandish. It is time to put partisan politics aside and work to fill these positions as quickly as possible.

Take the case of Judge Thomas I. Vanaskie, nominated by President Obama last August to the U.S. Circuit Court of Appeals for the Third Circuit. The Senate Judiciary Committee voted 16–3 in support of his nomination on Dec. 3. More than two months later the nomination still awaits confirmation.

Judge Vanaskie's appointment, like so many of this administration's, has been stalled by political posturing. The near certainty of his eventual confirmation only adds to the charade. When Senate Majority Leader Harry Reid recently called for a vote on a long-delayed circuit court nomination, the Republicans voted to confirm unanimously. One legitimately wonders whether partisanship is not the only explanation for the delay.

The Senate can force a vote by resorting to the time-consuming step known as cloture, which takes up two days of the Senate's time. If cloture were to be invoked in each of the 67 currently pending nominations that have been approved by committee, it would take most of the year to deal with nominations. This is an intolerable imposition on the Senate's time and business.

Judge Vanaskie is eminently qualified to serve on the Third Circuit, as evidenced by

his 16-year record on the U.S. District Court for the Middle District of Pennsylvania and the overwhelming bipartisan support he received from the Senate Judiciary Committee. He has built a reputation for consistency and judicial restraint, backed by a first-class legal mind and even temperament.

Republican objections to his nomination are specious. One criticism—that Judge Vanaskie inappropriately cites foreign law precedents—was ably explained in his testimony before the Judiciary Committee that he was following Supreme Court decisions when it relied upon foreign sources in Lawrence v. Texas and Roper v. Simmons. In Lawrence, the Supreme Court majority cited the European Court of Human Rights in a decision overruling its own prior precedent on the criminalizing of consensual gay sex. In Roper, the court cited international law to support a ruling striking down the death penalty when applied to individuals who committed murder before they were 18. In short, Judge Vanaskie was merely following the Supreme Court's lead. Following precedent is mandatory, not grounds for rejecting his elevation to the Third Circuit.

There is no reason to further delay the nomination of this highly qualified jurist to the Third Circuit Court of Appeals. The Senate should carry out its constitutional duties promptly and promote this eminently qualified judge.

Mr. SPECTER. I thank the Chair and yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURRIS). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Pennsylvania.

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

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

Mr. SPECTER. Mr. President, I ask unanimous consent that the vote on confirmation of the nomination of Judge Thomas Vanaskie occur at 5:30 p.m. today, with the time until then divided as previously ordered and the remaining provisions of the order governing consideration of this nomination still in effect.

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

Mr. SPECTER. In the absence of any Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I briefly wish to share a few thoughts about Judge Thomas Vanaskie, who has been nominated for the Third Circuit Court of Appeals—a very important position. He currently serves on the U.S. District Court for the Middle District of Pennsylvania. I do intend to support his nomination, giving deference to the President, but I would just like to share a thought or two about his testimony before the Judiciary Committee.

Judge Vanaskie testified he believed American courts should not use foreign law in interpreting the Constitution, but he did believe the Supreme Court properly used foreign law in cases such as Lawrence v. Texas, and I think that is a bit contradictory. He also testified that the Supreme Court properly used foreign law in Roper v. Simmons, where the Court concluded that the Constitution, because of ''evolving standards of decency,'' would now prohibit States from imposing the death penalty on juveniles who commit murder. I think that is a legitimate public policy issue to discuss, but the question is, Does the Constitution say a State is not able to decide at what age people are executed?

Judge Vanaskie said, at another point, that foreign law was relevant to determining fundamental constitutional rights. Well, our Constitution is the one we have, and judges, if they are faithful to their oath, will enforce our Constitution—the one we have. It is difficult for me to comprehend how somebody could conclude that a legal action in the European Union would provide illumination to a judge on how to interpret our Constitution and what the Founders meant and the plain meaning of its words.

So I think this is a bad philosophy, and it evidences a detachment of the judiciary from the limited role they are given. We have limited powers, the President has limited powers, and the courts have limited powers. Courts are not empowered to reinterpret our laws and our Constitution based on some better idea they think they may find in France. They are not. This is not a little bitty matter. It is a trend that is occurring in our courts, and I am disappointed that several of the President's nominees seem to be seduced by these ideas, including speeches made by Justice Sotomayor where she talked about how she favored Justice Ginsburg's views about that.

So I wish to give this judge the benefit of the doubt. He did say he didn't follow this doctrine to the full extent of it, and I will give him the benefit of the doubt. But also, some of his statements indicate that he may yet be seduced by this idea. He had difficulty articulating any limit on the commerce clause. The commerce clause says Congress can regulate commerce. Does that mean everything? Does regulating commerce mean you can reach down into Oklahoma and tell an individual farmer: You have to have insurance? That raises a serious question of constitutional power, and does that impact interstate commerce? Well, you could theoretically conjure up a way that it could, but I want to know that a judge understands there is some limit to the amount of reach the Federal Government can have.

We have had a number of people complaining about the process of confirmation and judges languishing before the Senate. In particular, my friend, Senator WHITEHOUSE, noted the nominations of Judge James Wynn and Judge Albert Diaz to the Fourth Circuit. Senator WHITEHOUSE hasn't been here but since 2006, so maybe he isn't familiar with some of the procedures that have gone on before. Wynn and Diaz's nominations have been pending in the Senate for only 167 days. That is half the time—half the time—that President Bush's circuit court nominees waited—350 days.

In fact, four of President Bush's nominees to the Fourth Circuit never received any hearing, and they were highly qualified nominees. Those nominees—Mr. Steve Matthews, Chief Judge Robert Conrad, Judge Glen Conrad, and former Maryland U.S. attorney Rod Rosenstein were well qualified and had the bipartisan support of their home State Senators. Yet they were blocked steadfastly from ever moving forward. President Bush nominated Steve Matthews in September of 2007 to the same seat on the Fourth Circuit for which Judge Diaz has now been nominated and expects to be confirmed—and will be confirmed, I am sure.

For Senators to be whining about how long it takes Judge Diaz to move along, in a fairly steadfast way, in light of what was done to Mr. Matthews, is a bit much to me, I just have to tell you. We all know this is a robust body. We don't mind speaking our minds. But Mr. Matthews had the support of his home State Senators and received an ABA rating of ''qualified.'' He was a graduate of Yale Law School, had a distinguished career in private practice, and he waited 485 days for a hearing and never got one. So his nomination was returned and expired in January of 2009.

Another of President Bush's nominees, Chief Judge Robert Conrad, was nominated to the seat for which Judge Wynn is now nominated. He had the support of his home State Senators, received an ABA rating of unanimous ''well-qualified,'' which is the highest rating. Judge Conrad met Chairman LEAHY's standard for a noncontroversial consensus nominee. He had received bipartisan approval by the committee when he was confirmed by a voice vote to be U.S. attorney and later district court judge for the District of North Carolina. He was then chief judge. Senators BURR and Dole sent letters in support of that confirmation. Yet he was blocked.

I know he can make decisions because, if I am not mistaken, I used to say he was the point guard for the University of North Carolina basketball team. I think that was incorrect. I think he was point guard for Clemson. Regardless, anybody who can play a point guard in the ACC can make decisions. He was chosen out of all the prosecutors in America by Attorney General Janet Reno to conduct a very sensitive investigation of President Clinton, when he was accused of some

wrongdoing. He conducted that and concluded no charges ought to be brought. This was a highly qualified person. Yet he was blocked.

My time is up, but I know every nominee is not brought up immediately or when some people would want to call up the nomination. It requires unanimous consent to bring up a nominee, to immediately get a vote, and unanimous consent isn't always given, so it does slow down people. I do believe we ought not to unnecessarily delay persons, but I would want to say that the alacrity by which President Obama's nominations are moving far surpasses anything like the difficulties that President Bush's nominees had. I have been here, I have seen it, and I know that to be a fact.

I hope we can create a climate where judges have a reasonable time on the calendar, that they have hearings in the Judiciary Committee, that there is opportunity to raise objections, when they are made, and the nominee comes to the floor and eventually can be brought up for a final confirmation vote. That would be my request.

I see it is time for the vote, and so I yield the floor.

Mr. LEAHY. Mr. President, the Senate just devoted almost 3 hours to the nomination of Thomas Vanaskie. Senate Republicans demanded this extended time for debate. I thank Senator SPECTER and Senator CASEY for their statements. The Senators from Pennsylvania know Judge Vanaskie best, and strongly support him.

I was glad to see Chairman DODD, Senator BROWN of Ohio and Senator KAUFMAN come to use some of the time to talk about Wall Street reform. That is what we should be working on. Wall Street reform, patent reform, and other matters that are important to the American people are what we should be debating. I was glad to see that time not wasted in another extended quorum call because those who demanded this time to debate the nomination did not use it.

I was glad to hear Senator HAGAN talk about the two North Carolina nominees to the Fourth Circuit. They are among the 25 judicial nominees that Republicans have objected to considering even though they were voted out of the Judiciary Committee unanimously or nearly so.

With respect to the President's judicial nominees, as I have said, we are well behind the pace I set as chairman when the Senate was considering President Bush's nominees during the second year of his presidency. By this date in President Bush's second year, the Senate with a Democratic majority, had moved ahead to confirm 45 of his Federal circuit and district court judges. So far during President Obama's Presidency, Senate Republicans have allowed votes on only 18 of his Federal circuit and district court nominations. During the first 2 years of President Bush's Presidency we moved forward to confirm 100 of his judicial nominees. Republican obstruction of President Obama's nominations makes it unlikely that the Senate will reach 50 such confirmations. Last year they allowed only 12 Federal circuit and district court nominees to be confirmed, the lowest number in more than 50 years.

Today, thanks to the perseverance of the majority leader and the Senators from Pennsylvania, we will consider and confirm only the 19th of President Obama's Federal circuit and district court nominees. I have already noted Judge Vanaskie's qualifications. There is no dispute that he is well qualified. Indeed, the only concern his opponents have raised is their fixation that no Federal judge be aware of foreign law. As Senator SPECTER has explained, the matter on which Judge Vanaskie is criticized was a case involving an international treaty. To those whose ideology clouds their judgment, I remind them that the Constitution of the United States, our Constitution, expressly provides that the judicial power of the United States extends to cases arising under the Constitution, laws of the United States ''and Treaties.'' Treaties are international by their nature. How treaties are interpreted by other courts in other jurisdictions is relevant. In fact, Justice Scalia observed, when writing for the unanimous Court in Zicherman v. Korean Air Lines Co., 516 U.S. 217, 226 (1996):

> Because a treaty ratified by the United States is not only the law of the land, see U.S. Const., Art. II, § 2, but also an agreement among sovereign powers, we have traditionally considered as aids to its interpretation the negotiating and drafting history (travaux préparatoires) and postratification understanding of the contracting parties.

I appreciate the significant steps taken by the majority leader to address the crisis created by Senate Republican obstruction of the Senate's advice and consent responsibilities. Their refusal to promptly to consider nominations is a dramatic departure from the Senate's traditional practice of prompt and routine consideration of noncontroversial nominees. The majority leader was required to file five cloture motions to break through the logjam. I, again, urge the Senate Republican leadership to reverse its course and its obstructionist practices. Those practices have obstructed Senate action and led to the backlog of almost 100 nominations pending before the Senate awaiting final action. These are all nominations favorably reported by the committees of jurisdiction. Most are 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 Presidency. I hope it will now, finally, be abandoned and we will be allowed to make progress after weeks and months of delay.

The vote on the confirmation of Judge Vanaksie's nomination is the first vote on judicial nominations that the Senate will hold in 5 weeks. Despite the dozens of judicial nominations ready for Senate consideration, none has been allowed to move forward for over a month. These are nominations to fill longstanding vacancies in the Federal courts. Of the 25 pending judicial nominations, 18 were reported from the Senate Judiciary Committee without any Republican Senator voting against. I have been urging the Senate Republican leadership for months to allow votes on these noncontroversial nominations and to enter into time agreements to debate the others. We need to clear the backlog of nominations and move forward.

Judicial vacancies have skyrocketed to over 100, more than 40 of which have been designated ''judicial emergencies.'' Caseloads and backlogs continue to grow while vacancies are left open longer and longer. On this date in President Bush's first term, not only had the Senate confirmed 45 Federal district and circuit court judges, but there were just seven judicial nominations on the calendar. All seven were confirmed within 9 days. By the end of this month, which is 9 days from now, we should clear the backlog that Republican obstruction has created and vote on the judicial nominations stalled on the Senate Executive Calendar.

By this date during President Bush's first term, circuit court nominations had waited less than a week, on average, before being voted on and confirmed. By contrast, currently stalled by Senate Republicans are circuit court nominees reported by the Judiciary Committee as long ago as five months, in November of last year. The seven circuit court nominees the Senate has been allowed to consider so far have waited an average of 124 days after being reported before being allowed to be considered and confirmed.

I congratulate Judge Vanaskie and his family on what I expect will be strong bipartisan vote in favor of his confirmation to serve on the Third Circuit. His confirmation is long overdue.

The PRESIDING OFFICER (Mr. FRANKEN). Under the previous order, the question is, Will the Senate advise and consent to the nomination of Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Mr. CASEY. Mr. President, 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 assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) was necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT) and the Senator from Nebraska (Mr. JOHANNS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 77, nays 20, as follows:

[Rollcall Vote No. 122 Ex.]

YEAS—77

| | | |
|---|---|---|
| Akaka | Graham | Murkowski |
| Alexander | Gregg | Murray |
| Baucus | Hagan | Nelson (NE) |
| Bayh | Harkin | Nelson (FL) |
| Begich | Hatch | Pryor |
| Bennet | Inouye | Reed |
| Bingaman | Johnson | Reid |
| Bond | Kaufman | Rockefeller |
| Boxer | Kerry | Sanders |
| Brown (MA) | Klobuchar | Schumer |
| Brown (OH) | Kohl | Sessions |
| Burris | Kyl | Shaheen |
| Cantwell | Landrieu | Shelby |
| Cardin | Lautenberg | Snowe |
| Carper | Leahy | Specter |
| Casey | LeMieux | Stabenow |
| Collins | Levin | Tester |
| Conrad | Lieberman | Udall (CO) |
| Corker | Lincoln | Udall (NM) |
| Dodd | Lugar | Vitter |
| Dorgan | McCain | Voinovich |
| Durbin | McCaskill | Warner |
| Feingold | McConnell | Webb |
| Feinstein | Menendez | Whitehouse |
| Franken | Merkley | Wyden |
| Gillibrand | Mikulski | |

NAYS—20

| | | |
|---|---|---|
| Barrasso | Cornyn | Inhofe |
| Brownback | Crapo | Isakson |
| Bunning | DeMint | Risch |
| Burr | Ensign | Roberts |
| Chambliss | Enzi | Thune |
| Coburn | Grassley | Wicker |
| Cochran | Hutchison | |

NOT VOTING—3

| | | |
|---|---|---|
| Bennett | Byrd | Johanns |

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate return to legislative session.

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as in morning business for 10 or 12 minutes.

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

## SECRET HOLDS

Mr. GRASSLEY. Mr. President, I have not listened to every speech on the Senate floor in the last week or so where there has been a lot of talk about secret holds and everything. But since I have been in the Senate working with Senator WYDEN in a bipartisan way over the course of maybe a decade, not to do away with holds but to have a transparency of holds, and seeing those things compromised, and then particularly to see exception taken to what has happened when this side of the aisle has put on holds, and then considering when Senator WYDEN and I did try to do something, that was gutted by people on the other side of the aisle. So I would appreciate it if Democratic Members of the Senate would listen while I explore some of the history so that they know this bipartisan effort, that if it had been done the way Senator WYDEN and I did it before it was gutted, we would not have a lot of problems today that we have.

So I wanted to go into my remarks, but I preface it with what I just said. There has been a lot of talk recently on the Senate floor about secret holds. For a practice with so much bipartisan guilt to go around, it is interesting that the discussion has taken on a partisan tone. Republicans are being accused of being particularly egregious offenders when it comes to circumventing disclosure requirements.

Let me say that if any of my colleagues have holds on either side of the aisle, they ought to have the guts to go public and to go public the minute they put the hold on, not like the mysterious way it is done now, which amounts to nothing. It has been my policy for years to place a brief statement in the CONGRESSIONAL RECORD each time I placed a hold, with a short explanation of why I placed the hold. I did that before there was ever any Wyden-Grassley proposal. The current disclosure requirements for secret holds have been discussed quite a bit lately, as has bipartisan work with Senator WYDEN to address the issue. It is important I give a little background about how we got where we are today.

After many attempts to work with various leaders over the years on policy to make all holds public, Senator WYDEN and I decided the only way to settle this matter once and for all was for the full Senate to adopt a very clear policy. In the 109th Congress, Senator WYDEN and I were successful in passing an amendment to the ethics reform bill by a very wide vote of 84 to 13 to require public disclosure of holds. That bill was never enacted, but the identical provision was included in the ethics bill passed by the full Senate at the very beginning of the 110th Congress. Members may recall the Democrats had just secured a majority in both houses of Congress. Then, in a process that has become all too familiar under the past two Democratic Congresses, there was no conference committee. Instead, in a twist of irony, the so-called Honest Leadership and Open Government Act was rewritten behind closed doors by the Democratic leadership. Lo and behold, the public disclosure provision Senator WYDEN and I had worked so hard on, which the Senate had overwhelmingly adopted on that 84 to 13 vote, had been altered, and altered significantly. Keep in mind, under Article I, section 5 of the Constitution:

> Each House may determine the Rules of its Proceedings . . .

That means that the House of Representatives has no say whatsoever about the Senate rules. When the full Senate speaks on a matter of Senate procedure, that should be the final word, particularly if it is 84 to 13. I want to be clear, the current weak disclosure requirements we now have are not the ones originally proposed by Senator WYDEN and this Senator. In fact, at the time I came to the floor and criticized the specific changes, because I saw they would be ineffective. And ineffective they are.

Let me reiterate some of those criticisms I initially aired to the Senate on two occasions: August 2, 2007, and September 19, 2007. In the version the Senate originally passed, we allowed 3 days for Senators to submit a simple public disclosure form for the record, just like adding oneself as a cosponsor to a bill. This was intended simply to give time to perform administrative functions of getting the disclosure form to the Senate floor, not to legitimize secrecy for the period of 3 days. The rewritten provision gives Senators 6 session days. That might not sound so bad but wait to see how that actually works out in practice. First, it doesn't take a week to send an intern down to the Senate floor with a simple form saying one is putting a hold on a bill. The change I find most troubling is that the 6 days until the disclosure requirement is triggered begins only after a unanimous consent request is made and objected to on the Senate floor. That is too late. I will explain how that is ineffective. By that point, a hold could have existed for quite some time, perhaps without the sponsor of the bill even realizing it. In fact, most holds never get to the point where an objection is made on the floor, because the threat of a hold prevents a unanimous consent request from being made in the first place. So maybe this 6 days is never even triggered.

The original Wyden-Grassley provision required disclosure at the time the hold was placed. That is where it ought to be today. We have heard lately about how the minority party has used the weak disclosure requirements to avoid making holds public. However, this change made it far less likely that majority party holds would ever, in fact, become public. Since the majority leader controls the Senate schedule, he would hardly object to his own request to bring up a bill or nominee. He would simply not bring up a bill or nominee being held up by a member of his own party, and we might never know that there was a hold on it at all.

Why were these provisions changed? Simply, I don't know. I don't know who does know, because I can't be sure who it was who rewrote these provisions in secrecy behind closed doors. The majority party should be careful now, as they complain about Republicans exploiting loopholes in the disclosure requirements for holds. Both parties are guilty of using secret holds. But we can't blame Republicans for the fact that the current disclosure requirements are weak and ineffective. Again, there is plenty of blame to go around when it comes to using secret holds, but I am hopeful this recent attention to the problem can result in a bipartisan consensus to end secret holds once and for all. That is something we

hope, Senator WYDEN and I, other people will talk to us about. We would like to move in this direction. I, for one, am happy to work with anyone on either side of the aisle to that end.

It should be stressed that this has been a bipartisan effort. Everybody in this body talks about bipartisanship. When this was watered down, it wasn't watered down in an environment that I know about where any Republicans were present.

Mr. WYDEN. Will the Senator yield for a question?

Mr. GRASSLEY. Yes.

Mr. WYDEN. First, let me tell the Senator from Iowa how much I have enjoyed working with him on this. We have had, as incredible as it sounds, a 10-year campaign to try to end secrecy in the Senate, just so people know a little bit about it. I always think when people hear about a hold in the Senate, they probably think it is a hair spray or a wrestling move or something like that. Isn't it correct that a hold, the ability to block a nomination or a piece of legislation, is one of the most powerful tools a Member of the Senate has today to influence policy?

Mr. GRASSLEY. Mr. President, Senator WYDEN is absolutely right. It is a very powerful tool.

Mr. WYDEN. And with respect to transparency, what he and I have focused on all these years, people asked: Are you trying to abolish a hold? I think he and I have said we believe Senators ought to have a right to weigh in on something important. But at a time when the public wants transparency and openness and accountability, a Senator who wants to use what the Senator has said is an extraordinary power, the real public interest is satisfied by that Senator having to disclose promptly that they are imposing a hold; is that correct?

Mr. GRASSLEY. Mr. President, Senator WYDEN is correct. I would add this point, that not only is it transparency that is essential—and it happens that way—but also a lot of times holds are put on because there is something wrong. We have to know what it is somebody believes is wrong, if we are going to work out some sort of a compromise.

Mr. WYDEN. One additional point, is it the Senator's sense, because we have talked about this often as we have been watching the spectacle of all these secret holds, that the central problem is it is triggered too late and it takes too long to kick in? Is that a fair statement of what needs to be changed? We need to get the openness earlier? It needs to be triggered earlier, and it needs to get into the public domain earlier; is that correct?

Mr. GRASSLEY. Mr. President, the Senator is correct. The present rules are practically not much better than what we have always operated under. So there isn't transparency, and it isn't done soon enough.

Mr. WYDEN. I express my appreciation to the Senator from Iowa for giving me the opportunity to work with him. He and I have pursued a lot of issues in the past. Very often those issues are part of television news debates and the like. Obviously, the secret hold would not be something on Main Street in Des Moines or Portland that people know about. This is the time to get this right once and for all. We sought to do it literally for a decade. A number of majority leaders, Democratic and Republican, said they wanted to get this done. Yet as of this day, I personally believe it continues to be abused and flagrantly so. At a time when the American people are looking at these challenging economic circumstances, they deserve a government that is truly open, truly accountable, and truly transparent. That has been what has guided our bipartisan efforts over this last decade. I appreciate the Senator coming to the floor this evening. There are not that many opportunities to advance a truly bipartisan agenda. He has given us the opportunity to do that tonight.

I look forward to working with my colleague to once and for all get secret holds abolished in the Senate.

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from Oregon.

Mr. WYDEN. I ask unanimous consent to speak for up to 10 minutes.

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

Mr. WYDEN. Mr. President, to continue this topic, we need to kind of put into perspective a little bit about why this secret hold has become such a detrimental practice. When Willy Sutton was asked why he robbed the bank, he said: That's where the money is. Secret holds are where the power is. Senator GRASSLEY and I have outlined the enormous effect a secret hold can have on a piece of legislation but, frankly, one of the other points that needs to be made is that a secret hold is a very powerful weapon that is available to a lobbyist.

I expect that practically every Senator has gotten a request from a lobbyist asking if the Senator would put a secret hold on a bill or nomination in order to kill it without getting any public debate and without the lobbyist's fingerprints appearing anywhere. If you can get a U.S. Senator to put an anonymous hold on a bill, it is like hitting the lobbyist jackpot. Not only is the Senator protected by a cloak of anonymity but so is the lobbyist.

A secret hold lets lobbyists play both sides of the street and can give lobbyists a victory for their clients without alienating potential or future clients. Given the number of instances where I have heard a lobbyist asking for secret holds, I am of the view that secret holds are a stealth extension of the lobbying world.

In the U.S. Senate, there has been an effort to improve the rules and have stricter ethics requirements with respect to lobbyists. It seems to me it would be the height of irony if the Senate were to adopt a variety of changes to curtail lobbying, as we have done in the past, without doing away with what, in my view, is one of the most powerful tools that can be available to lobbyists.

The overwhelming majority of our citizens, in every corner of the land, be it Alaska or Oregon or Rhode Island, say they want public business done in public. If you walk down the streets of this country, I do not think you could find 1 out of 100 people who would have any idea what a hold is or what a secret hold is all about. But the fact is, these secret holds in the U.S. Senate can dramatically affect and change the lives of our citizens, and our people will not even know about it.

The hold—the ability to block a piece of legislation, block a nomination—cannot even, in a number of instances, end up being discussed on the floor of the Senate. Literally, the Senate will not even get a peek, will not even get the briefest look, at a particular issue that may involve millions of our citizens, billions of dollars, and affect the quality of life of citizens in every corner of the land.

So what this is all about, what Senator GRASSLEY and I have been working for lo, this past decade, what I have heard colleagues talk about—and Senator WHITEHOUSE has spoken eloquently about this—is we believe now is the time, once and for all, to permanently wipe the secret hold off the rulebooks of the Senate.

It is one thing if a Senator exercises the extraordinary power that a hold presents. It is quite another when they cannot be held accountable because they exercise this power in secret. So the average person in America may not know what a secret hold is, but I am very certain they want the Senate to do its business in public.

I want to express my appreciation to Senator GRASSLEY, who has left the floor, for working with me over this past decade to end what I think is a simply inexplicable denial of the public's right to know. That is what this is essentially about. This is a denial of the public's right to know. With colleagues on both sides of the aisle, I am determined to, this time, get this changed, shorten the period, to make it easier to trigger the requirements of public disclosure.

Mr. President, I know my colleague from Rhode Island is interested in getting in this issue. I look forward to his comments and yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to engage for 5 or 10 minutes in a colloquy with the distinguished Senator from Oregon.

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

Mr. WHITEHOUSE. Mr. President, I, first of all, want to salute Senator WYDEN of Oregon for his long work on this issue. He has been working on this issue since before I came to the Senate, before I had any experience of secret

holds, and saw—as we are seeing right now—their pernicious effect.

At present, we are looking at probably a little less than 80 secret holds by Republicans of President Obama's nominees—some judges. In the past few days, Senator MCCASKILL and I have come to the floor to push some of these nominees forward, to ask unanimous consent they go forward.

In one case, a nominee was a judge who was supported by both a Democrat and a Republican—the Senators from his home State—who had passed out of the Judiciary Committee by a unanimous rollcall vote of 19 to 0. They have been held for months and months. The distinguished Senator from Arizona, Mr. KYL, was put in the unfortunate position, since he had voted for this nominee in committee, to have to come to the floor and raise an objection to the unanimous consent request for a judge who he voted for in committee and one of his Republican colleagues supported—the home State Senator supported—to have to object to that nomination going forward because somebody had a secret hold.

We went through a great deal of these. I want to salute Senator MCCASKILL. She carried the greater part of the burden. I only tried to move a few. I think she tried to move over 70 by the time the day was done. I really want to extend my appreciation to her for that.

I say to Senator WYDEN, as I understand it, the rule is that now that these unanimous consent requests have been made, there is a 6-day-of-session period that has now begun to run, and at the end of that 6 days, our Republican colleagues will be obliged to disclose publicly their holds, who is holding it, and what their reason is.

I understand there is a potential loophole, which is they could pull sort of the old switcharoo, and in the 6-day period the Senator or Senators with the hold could all release their hold so that at the end of the 6-day period they have no hold to disclose, but they could connive with another colleague to put in a new hold, since the unanimous consent request, so they can start the process all over and hide their accountability.

But it strikes me those are really the only two choices our Republican colleagues have: They either have to divulge or they have to engage in a game of switcharoo, connivance with another Republican colleague to try to duck out from under the rule which was passed I think by 92 votes. It has very strong bipartisan support.

I say to Senator WYDEN, I just wanted to clear that understanding with the Senator since he is an expert on this issue, that the clock is running, that they have 6 days to come clean about this; and that the only two ways out are either to divulge or connive with another Senator to engage in a little switcharoo.

Mr. WYDEN. Or I think there might be a third option, of course, which is to lift the hold. But the Senator has done a very careful and thoughtful analysis of the situation and particularly this situation of what Senator GRASSLEY and I came to call the ''rotating hold,'' simply shifting to another person—something that has been done often over the years by Democrats and Republicans. I think now is the time to get this changed. By the way, the Senator is absolutely correct on the bipartisan nature of the rule change. The vote was 84 to 13. There was overwhelming bipartisan support for it.

The Library of Congress has actually put together a very thoughtful historical analysis featuring the discussion of things such as the ''Mae West'' hold, which came to be known as the ''come look me over'' hold, which I gather was not a full-fledged hold but it might actually blossom into one.

So the Senator is absolutely right about what the choices are. That is why it is time, once and for all, to get this changed. I so appreciate the Senator, and also Senator MCCASKILL from Missouri, coming and highlighting the fact that this has again gotten out of hand.

The historical analysis of this has been that the hold was something that would be used rarely. The hold was for something of great consequence. Yet now it seems we have these secret holds that are simply thrown out for nominations and pieces of legislation because someone has some modest interest or is carrying out a different agenda, and I think that is why the secrecy is so unfortunate.

I thank my colleague.

Mr. WHITEHOUSE. So to have 80 secret holds by one party, all at once pending in the Senate, is not consistent with the history of the use of this procedural tactic in this body. Is my understanding correct?

Mr. WYDEN. The Senator is absolutely right about the fact that 80 secret holds is clearly not what Senator GRASSLEY and I and reformers thought would happen. Given all these secret holds, you would think at the back of the Executive Calendar—which is page 19; it is entitled ''Notice of Intent to Object to Proceeding''—given what the distinguished Senator from Rhode Island has pointed out, one would think that page 19, ''Notice of Intent to Object to Proceeding,'' would be filled with these names if the rule was being honored.

I say to the Senator, both you and I are holding up this page 19 with nary a word on it.

Mr. WHITEHOUSE. We are looking at an empty page.

So just to summarize, the clock has run as a result of this series of unanimous consent requests Senator MCCASKILL and I have put forward. The 6 days have begun. By the end of that, one of three things—as the Senator has corrected me—will have happened. Either the hold will have been lifted, and then we can move to unanimous consent and clear these individuals who the President has nominated and get them to work for the American people or, two, the Senator who has the secret hold will have to acknowledge publicly and become transparent and clear and candid with the rest of the body about who they are holding and why, or, three, they can engage in this rather obscure, shall we say, game of rotating holds, what I called the switcharoo, ducking out before the time runs and getting somebody else to actually have your hold for you but get in a proxy.

Given this was a rule that was adopted with a very strong vote, a very strong bipartisan vote, and that it is now a rule of the Senate, what comment would the Senator have on that third tactic in terms of its merit and appropriateness, if we find it is being used at the end of the 6 days? Would that spur the need for reform of this rule?

Mr. WYDEN. It surely would. I am grateful to the Senator from Rhode Island for prosecuting the reform case. I have talked with Senator GRASSLEY about it, and with Senator MCCASKILL and the Senator, and I think this is the time.

There are two points with respect to the secret hold: one as it relates to the institution and one as it relates to an individual Senator. With respect to the institution, in this example, the Senator has given us scores of these secret holds. I think this serves to undermine the credibility of the institution at a crucial time in American history. It is no secret Americans are divided on a host of issues.

Well, if the Senate insists on doing so much important business in secret—which is what happens if you honor these secret holds—I think that just undermines the institution. Because I think, first and foremost, you are absolutely right to zero in right now where we have all these secret holds.

Secondly, with respect to an individual Senator, what seems particularly important—the Senator and I share an interest in health care and a variety of economic issues—suppose an individual Senator works for years and years to try to build a bipartisan coalition on an issue and then is done in by an unknown or secret opponent, an unknown, unseen opponent who has been able, in effect, to block all that bipartisan work in secret.

So I want the Senator to know I am four-square behind his efforts to get this changed. Senator GRASSLEY and I have been talking about it. I think there is an opportunity to make this bipartisan.

I will also say, in closing—and the Senator has been kind to give me all this time—I do not think the secret hold passes the smell test of openness in American government. It is time to change it. I look forward to working with my colleague to finally, after all of these years, get this done and send the secret hold off into the dust bin of history.

Mr. WHITEHOUSE. The legacy of the Senator from Oregon on this, with 10

years of work, is very impressive to this newer Senator. I appreciate so much what he and Senator GRASSLEY have done over the years to begin to put an end to this practice.

I think the straw that broke the camel's back—or maybe the 80 straws that broke the camel's back—was the absolute avalanche of secret holds that has confronted our new President from this Republican minority. It has come to the point where the President, I think fairly, believes his ability to staff his own administration is being compromised by people who will not stand and be counted and be accountable for the reason for their opposition. It is being done in the dark, secretly, and without any accountability. I agree that needs to be put to an end.

So I urge people who are watching this: The sixth day has begun—6 days of session. At the end, we will know who is doing this or we will be able to clear these nominees, and we will have broken this unfortunate practice, to a significant degree or we will have learned something I think very unfortunate about our friends on the other side; that is, that they have agreed to connive with one another to play a switcharoo and bring in a new Senator to dodge the clear import of the rule that the Senator from Oregon and Senator GRASSLEY worked on, on a bipartisan basis, to put into effect in this body and which was approved by an enormous majority of this body. So the clock is running and we will see. We will learn a lot about this institution and our colleagues in 6 days. I thank the Senator for his leadership on this issue.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Rhode Island.

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

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

## MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

## 40TH ANNIVERSARY OF EARTH DAY

Mr. FEINGOLD. Mr. President, I come to the floor to recognize the 40th anniversary of Earth Day and to remember the man who founded Earth Day, the late Wisconsin Governor and Senator Gaylord Nelson.

Before he was the founder of Earth Day, and one of the Nation's greatest conservationists, he was a son of Wisconsin. He was a young boy growing up in the town of Clear Lake, WI, amid the great natural beauty of our State. When asked how he developed his lifelong interest and dedication to the environment, Nelson would say ''by osmosis'' while growing up in Clear Lake, WI.

He reflected the very best of our State from the beginning, building on Wisconsin's long tradition of environmental conservation. Our State passed landmark forest and waterpower conservation acts during the progressive era and lays claim not only to Gaylord Nelson but to other giants of the conservation movement such as Aldo Leopold, John Muir, and Sigurd Olson.

All of them were inspired, as Nelson was, by the beautiful Wisconsin wilderness. The natural beauty of our State charted the course of Nelson's life, from the shores of Clear Lake to the banks of the Potomac, where he changed the way we think about our planet and changed the law to protect the water we drink and the air we breathe.

There are few Members of this body, past or present, who have left such a valuable legacy. So I am proud to help celebrate that legacy with a resolution in the House and Senate celebrating the 40th anniversary of Earth Day and its founder. As we look ahead to the many challenges we face, we can draw strength from the example Gaylord set for us all. He drove tremendous change and, with Earth Day, created a new momentum that has been critical to so many efforts to protect the health of our environment.

Gaylord also understood the connection between the two great Wisconsin traditions of fiscal responsibility and conservation. Too often, a Federal program that is wasting taxpayer dollars is also laying waste to our air, our water or our public lands. The Nation's outdated mining laws are a perfect example. These laws allow the mining companies to mine on our public lands for next to nothing and leave behind an environmental mess for taxpayers to clean up.

Gaylord fought to change those laws, and when I was elected to the Senate, he asked me to take up this fight and I have. I have made it part of my Control Spending Now Act, legislation to cut the deficit by about $½ trillion over the next 10 years. If we scrap these outdated mining laws, we can save taxpayers hundreds of millions of dollars and protect the public lands that belong to the American people. They do not belong to the mining companies.

I am also working on another environmental issue that has a special connection to Gaylord Nelson; that is, clean water. The man from Clear Lake did so much for clear, clean water everywhere, including being a champion of the Clean Water Act.

Today, the Clean Water Act is under threat because two recent Supreme Court decisions have jeopardized its protections. Those decisions put nearly 20 million acres of wetlands habitat and more than 50 percent of our stream miles in the lower 48 States at risk. These waters could now become polluted or wiped out altogether unless Congress takes action.

I am working to see that Congress stands up to the special interests that want to roll back the Clean Water Act's protections and ensure that these bodies of water can continue to provide drinking water, wildlife habitat, recreation, and support for industry and agriculture for generations of Wisconsinites to come.

So I have joined with Minnesota Representative JIM OBERSTAR to introduce the Clean Water Restoration Act. This bill is designed to accomplish one basic and important goal: ensure that the Clean Water Act of 1972 stays in place. There are no new regulations in our legislation, only a return to the original intent of the Clean Water Act, which has protected our waters for more than 35 years.

Gaylord Nelson and others have done so much to protect the health of our waters, and we owe it to them and to ourselves to carry that legacy forward. That is what I seek to do in the Senate with the Clean Water Restoration Act.

We face many other challenges as well. Of course, climate change looms largest of all. We need to address the serious problem of climate change and do so without unfairly hurting Wisconsin, which relies on coal for much of its energy needs. If we do this right, we have an opportunity to pass legislation that will reduce greenhouse gas emissions and create energy jobs here in America. We can help American businesses gain a competitive advantage developing new renewable energy and energy efficient technologies.

The desire to protect our air, our water, and our planet will bring people together tomorrow, all around the world. They will talk about global issues we face and the local environmental issues in their communities that they want to address. They will organize, mobilize, and galvanize new momentum for change.

That is exactly what Gaylord Nelson intended. He knew the power of people coming together and what that could mean for the air we breathe, the water we drink, and the national parks and public lands we all cherish. He knew that these natural resources connect us all and that Earth Day would bring us together to protect them.

I am so grateful to have known Gaylord Nelson, and I am proud of the legacy he left behind. As we celebrate the 40th anniversary of Earth Day, we remember the man from Clear Lake who came to this body inspired by the beautiful Wisconsin landscape of his childhood and in the end made a better world for us all.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I would say to my distinguished friend from Wisconsin, I was delighted to hear those words about Gaylord Nelson. I had the privilege of serving for a term with Senator NELSON. He was down-to-earth, respected by all in this body, and he had a commitment to the environment rarely ever matched. The Senator from Wisconsin has said it far more eloquently than I could. But I think how fortunate we are that we have this Senator from Wisconsin who has carried out that commitment to the environment, that commitment to the best ideals of our government. I know our dear, departed friend Gaylord Nelson would be so proud to have the Senator here representing Wisconsin.

Mr. FEINGOLD. Mr. President, let me thank the Senator from Vermont for his kind words, for his remembering Gaylord Nelson, and, of course, for the incredible legacy of his own for the environment, coming from one of the most beautiful States in this country, Vermont. I thank him.

## 95TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

Mrs. BOXER. Mr. President, we teach our children that genocide, wherever it occurs, is a crime against humanity that must never be tolerated or ignored. That is why it is so important for the United States to always recognize genocide for what it is and acknowledge when it takes place.

Between 1915 and 1923, the Ottoman Empire carried out genocide against the Armenian people. However, the United States has yet to recognize this stain on history by its rightful name despite an irrefutable body of evidence documenting the atrocities.

Diplomats, members of the military, humanitarians, journalists and others from the United States and around the world saw with their own eyes the deportation, starvation, drowning and murder of an estimated 1.5 million Armenians. And there are countless testimonies from victims who lived to tell of their experiences.

The American Ambassador to the Ottoman Empire, Henry Morganthau, wrote:

> When the Turkish authorities gave the orders for these deportations, they were merely giving the death warrant to a whole race; they understood this well, and in their conversations with me, they made no particular attempt to conceal the fact.

There were great efforts made by Americans to relieve the suffering of the victims of what would become the first genocide of the 20th century. Powerful leaders of industry and government did speak out. Schoolchildren and poor families contributed mightily to try to save lives by donating whatever they could. American farmers sent food to reduce starvation.

Yet in the 95 years since the Armenian Genocide began, the word ''genocide'' has not been used by the United States to describe the atrocities carried out against the Armenians.

The United States has always been a beacon to the world—standing up for what is right and just. Now is the time for the United States to join countries such as Argentina, Belgium, Canada, Chile, Cyprus, France, Greece, Italy, Lebanon, Lithuania, the Netherlands, Poland, Russia, Slovakia, Sweden, Switzerland, Uruguay, Venezuela, and more than 40 U.S. States and unequivocally affirm the Armenian Genocide.

## TRIBUTE TO RITA McCAFFREY

Mr. LEAHY. Mr. President, a distinguished and giving Vermonter will be retiring after nearly 40 years of working on behalf of Vermont's prisoners and former prisoners. Rita Whalen McCaffrey is stepping down in May as the Executive Director of Dismas of Vermont, a residential program that helps former prisoners transition and reintegrate into society. Opened in Burlington in 1986, Dismas of Vermont has grown to provide supportive housing in three homes and three satellite apartments in the Burlington and Rutland communities, and has served more than a thousand men and women in the past 25 years.

Rita has engaged hundreds of Vermonters from all walks of life through the years to actively participate in the Mission of Dismas: to reconcile former prisoners with society and society with former prisoners through participation in a supportive family-like community. The Dismas model Rita founded in Vermont is powered by volunteers who cook and share the evening meal, choose to live in the community with the residents, and participate as active board members. The act of mutual reconciliation happens because community members come into the home and become a part of the Dismas family.

Rita's strong commitment to building and encouraging community support for former prisoners exemplifies the charitable spirit that has made Vermont one of the best places in the country to live. Her efforts have changed the direction of many lives and encouraged many to work towards reconciliation and respect. By steering former prisoners away from crime and toward a more constructive path, her work has also made the community a safer and better place to live. She leaves a legacy that is as inspiring as it is impressive, and her successor will have large shoes to fill.

As she moves on from a career path that began in 1974, I congratulate Rita for her invaluable service and leadership and I wish her a happy retirement.

## TRIBUTE TO DR. WILLIAM TORTOLANO

Mr. LEAHY. Mr. President, one of my fondest memories of my undergraduate days at St. Michael's college was getting to know both Dr. William Tortolano and his extremely accomplished wife Martha.

I could tell many stories about the Tortolanos and the times they were also part of the Leahy family. I would rather let a story in the Burlington Free Press about his retirement after a 50-year career at St. Michael's speak for me, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, April 20, 2010]

ST. MICHAEL'S COLLEGE PROFESSOR DEPARTS WITH CONCERT

(By Matt Sutkoski)

St. Michael's College emeritus professor William Tortolano has made big, varied contributions to the school in his 50-year career there.

He's taught humanities and music, directed the chorus, gave and organized countless performances, and even designed the organ in St. Michael's chapel.

So it stands to reason his going-away gift to the community is just as varied.

The free concert at 7:30 p.m. today in the chapel will feature his beloved organ, even more beloved family members, the Vermont Gregorian Chant Schola, the St. Michael's College Chorale and a wide range of musical selections.

Tortolano, 80, is founder and first chairman of the St. Michael's College fine arts department. He also founded the St. Michael's Chorale and was its director for 28 years.

Music extends deeply into his personal life. He married a musician, his three children are accomplished musicians and his grandchildren are headed in the same direction, he said. ''They were not forced into it, obviously. This was something they wanted to do,'' Tortolano said.

Tonight's concert will feature two of his children, and a grandson, a senior majoring in music at Boston College and a cellist.

Tortolano said he had some experience with organ design because he took a course on the subject while at the New England Conservatory of Music, and he has always been interested in the instrument.

He designed the organ for the Chapel of St. Michael the Archangel with the structure's acoustics in mind. ''It has to fit the acoustics, the reverberations. You don't buy it at Walmart or anything,'' he said.

He completed the organ's design in 1962; the chapel opened in 1964; and the organ was installed in 1966, he said. At the time, it cost $13,500, which in today's dollars would be more than $97,000, according to the Consumer Price Index inflation calculator. That's not particularly expensive for a custom-made organ, he said.

St. Michael's College's student body was strictly male when Tortolano joined the faculty. He was in charge of the chorus, but as more women became students, he created a new St. Michael's Chorale in 1970, when the college became co-ed and eventually disbanded the all-male group.

Tortolano said the Chorale is among his best memories of his career. True, he performed for the Pope, and at Notre Dame, and Cambridge University. But he said he takes great joy in remaining in touch with past Chorale members and attending reunions.

This semester, Tortolano is teaching humanities, but this will be his last year, and the concert is his official retirement.

He won't just sit back. ''I feel very good, and I keep very busy,'' he said. He'll continue in music; he'll do workshops and recitals. And, Tortolano says, he'll look back fondly at his five decades at St. Michael's.

''It's been a great experience,'' he said.

## ADDITIONAL STATEMENTS

### TRIBUTE TO JANET KURLAND

● Mr. CARDIN. Mr. President, I would like to ask my colleagues to join me in recognizing Janet Kurland, a great Baltimore social worker, who is being honored next Monday by the Edward A. Myerberg Senior Center.

For decades, Janet has been a trailblazer in policies and practices pertaining to the elderly and their families. Among her many accomplishments, she was instrumental in establishing the Northwest Senior Center in 1976, the predecessor to the Myerberg Center that honors her today.

Since first receiving her master of social work degree in the early 1960s, Janet has set the gold standard for practices in gerontology. Her current work as the senior care specialist at the Jewish Family Services of Baltimore, a place where she has worked in different capacities for over 40 years, is just one highlight of what has been an outstanding career.

Janet is a sought-after consultant who has developed manuals and training courses credited with advancing best practices that have benefited the elderly in housing, life care communities, and health care facilities. Her professional uniqueness lies in her ability to carefully and compassionately assess the dynamics and needs of individuals and families in order to improve the lives of all senior citizens.

In 2001, Janet was the first recipient of the Daniel Thursz Distinguished Service Award from Kehilla, a Baltimore Jewish communal professionals association. She is also recognized by her students as an excellent teacher for the post-masters course she teaches at the University of Maryland School of Social Work called ''The Aging Process.''

Not only has Janet made in impact in Baltimore, but she could easily be called a world ambassador for the elderly as well. She has traveled extensively in Poland, Russia, Israel, China, and Kenya to train social workers and to work with elderly populations. She is highly engaged in the world around her and has proven that compassion and care can easily transcend different cultures and language barriers. Her belief that elderly people often have an untapped internal capacity to live more fully than even they themselves can imagine continues to be an inspiration for many people around the globe.

I urge my colleagues to join me in congratulating Janet on this award and in thanking her for her many years of dedicated service to our older population. The Edward A. Myerberg Senior Center, the Jewish and greater Baltimore senior community, in fact seniors around the world are benefitting from Janet Kurland's expertise and dedication.●

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 1:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4360. An act to designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the ''Major Charles Robert Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center''.

## 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–5510. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–346, ''Fiscal Year 2010 Balanced Budget and Spending Pressure Control Plan Temporary Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5511. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–349, ''Newborn Safe Haven Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5512. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–350, ''Small Business Stabilization and Job Creation Strategy Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5513. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–351, ''Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5514. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–352, ''Prohibition Against Selling Tobacco Products to Minors Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5515. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–353, ''Third and H Streets, N.E. Economic Development Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5516. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–354, ''Foster Care Youth Identity Protection Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5517. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–355, ''Jubilee Housing Residential Rental Project Real Property Tax Exemption Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5518. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–356, ''Campbell Heights Residents Real Property Tax Exemption Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5519. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on 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 Homeland Security and Governmental Affairs.

EC–5520. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–358, ''Old Morgan School Place, N.W., Designation Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5521. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–359, ''Special Event Exemption Temporary Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5522. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–360, ''SOME, Inc., Technical Amendments Temporary Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5523. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–361, ''IHOP Restaurant #3221 Tax Exemption Clarification Temporary Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5524. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–362, ''Tregaron Conservancy Clarification Temporary Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5525. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–368, ''Msgr J. Mundell Way Designation Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5526. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–369, ''Ronald H. Brown Way Designation Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5527. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–370, ''Rev. Dr. Edward Thomas Way Designation Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5528. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–371, ''Council Cable Autonomy and Control Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5529. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–372, ''Tenth Street Community Park Designation Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5530. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–373, ''Abe Pollin City Title Championship and Title Trophy Designation Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5531. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–374, ''Tenant Opportunity to Purchase Preservation Clarification Temporary Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5532. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–375, ''H Street, N.E. Small Business Streetscape Construction Real Property Tax Deferral Temporary Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5533. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–376, ''Adams Morgan Main Street Group Temporary Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5534. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–377, ''Lis Pendens Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5535. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–378, ''Certified Capital Companies Improvement Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5536. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–379, ''Safe Release of Inmates Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5537. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–380, ''Uniform Unsworn Foreign Declarations Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5538. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–381, ''DC Circulator Bus Jurisdiction Expansion Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5539. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–382, ''Energy Efficiency Financing Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–5540. A communication from the Deputy Archivist, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''National Industrial Security Program Directive No. 1'' (RIN3095–AB63) received in the Office of the President of the Senate on April 15, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–5541. A communication from the Senior Procurement Analyst, Office of the Secretary, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Acquisition Regulation Rewrite'' (RIN1093–AA11) received in the Office of the President of the Senate on April 15, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–5542. 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 2005–41; Introduction'' (FAC 2005–41) received in the Office of the President of the Senate on April 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–5543. 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 2005–41; Small Entity Compliance Guide'' (FAC 2005–41) received in the Office of the President of the Senate on April 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–5544. 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; FAR Case 2009–005, Use of Project Labor Agreements for Federal Construction Projects'' ((RIN9000–AL31)(FAC 2005–41)) received in the Office of the President of the Senate on April 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–5545. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–5546. 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 ''Polyglyceryl Phthalate Ester of Coconut Oil Fatty Acids; Exemption from the Requirement of a Tolerance; Technical Correction'' (FRL No. 8436–3) received in the Office of the President of the Senate on April 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5547. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report entitled ''Cost and Impact on Recruiting and Retention of Providing Thrift Savings Plan Matching Contributions''; to the Committee on Armed Services.

EC–5548. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), Department of Defense, transmitting, pursuant to law, a report relative to Cooperative Threat Reduction Programs; to the Committee on Armed Services.

EC–5549. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Federal Home Loan Bank Directors' Eligibility, Elections, Compensation and Expenses'' (RIN2590–AA03; RIN2590–AA31; RIN2590–AA34) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5550. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Section 108 Community Development Loan Guarantee Program: Participation of States as Borrowers Pursuant to Section 222 of the Omnibus Appropriations Act, 2009'' ((RIN2506–AC28)(Docket No. 5326–F–02)) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5551. A communication from the Acting Director, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, a report relative to the details of the Office's compensation plan for fiscal year 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5552. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, an annual report on the actions taken by the Commission relative to the Fair Debt Collection Practices Act during 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–5553. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Tire Fuel Efficiency Consumer Information Program'' (RIN2127–AK45) 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–5554. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Theft Protection and Rollaway Prevention'' (RIN2127–AK38) 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–5555. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Air Brake Systems'' (RIN2127–AK62) 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–5556. A communication from the Deputy Assistant General Counsel, Office of Aviation Enforcement and Proceedings, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Enhancing Airline Passenger Protections: Extension of Compliance Date for Posting of Flight Delay Data on Web Sites'' (RIN2105–AE00) 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–5557. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 B2–1C, B2K–3C, B2–203, B4–2C, B4–103, and B4–203 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2009–1166)) received in the Office of the President of the Senate

on April 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5558. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Model 767–200, –300, and –300F Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–0978)) received in the Office of the President of the Senate on April 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5559. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Lampasas, TX'' ((RIN2120–AA66) (Docket No. FAA–2009–0925)) received in the Office of the President of the Senate on April 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–5560. A communication from the Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, a report relative to the disclosure of financial interest and recusal requirements for Regional Fishery Management Councils and Scientific and Statistical Committees; to the Committee on Commerce, Science, and Transportation.

EC–5561. A communication from the Acting Assistant Secretary of Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Oil and Gas Sulphur Operations in the Outer Continental Shelf—Oil and Gas Production Requirements'' (RIN1010–AD12) received in the Office of the President of the Senate on April 15, 2010; to the Committee on Energy and Natural Resources.

EC–5562. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Standards for Business Practices and Communication Protocols for Public Utilities'' (FERC Docket No. RM05–5–017) received in the Office of the President of the Senate on April 14, 2010; to the Committee on Energy and Natural Resources.

EC–5563. A communication from the Secretary of the Department of Energy, transmitting, pursuant to law, a report relative to a National Academy of Sciences study regarding the use of full-fuel-cycle measurements as part of the Department of Energy's appliance standards program; to the Committee on Energy and Natural Resources.

EC–5564. 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; Revisions to the Kentucky State Implementation Plan'' (FRL No. 9139–1) received in the Office of the President of the Senate on April 16, 2010; to the Committee on Environment and Public Works.

EC–5565. 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; Tennessee; Visibility Impairment Prevention for Federal Class I Areas; Removal of Federally Promulgated Provisions'' (FRL No. 9138–9) received in the Office of the President of the Senate on April 16, 2010; to the Committee on Environment and Public Works.

EC–5566. 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; New Mexico; Transportation Conformity Requirement for Bernalillo County'' (FRL No. 9140–2) received in the Office of the President of the Senate on April 16, 2010; to the Committee on Environment and Public Works.

EC–5567. A communication from the Chief, Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Salt Creek Tiger Beetle'' (RIN1018–AT79) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2010; to the Committee on Environment and Public Works.

EC–5568. A communication from the Director of the U.S. Geological Survey, Department of the Interior, transmitting, pursuant to law, a report entitled, ''Mineral Commodity Summaries 2010''; to the Committee on Environment and Public Works.

EC–5569. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''Fiscal Year 2008 Superfund Five-Year Review Report to Congress''; to the Committee on Environment and Public Works.

EC–5570. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the Annexes to the Fiscal Year 2009 Annual Report on U.S. Government Assistance to and Cooperative Activities with Eurasia; to the Committee on Foreign Relations.

EC–5571. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents'' (RIN0910–AG33) received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–5572. A communication from the Assistant General Counsel for Regulations, Office of Safe and Drug Free Schools, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Emergency Management for Higher Education Grant Program'', received in the Office of the President of the Senate on April 14, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–5573. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Family Violence Prevention and Services Program for fiscal years 2007–2008; to the Committee on Health, Education, Labor, and Pensions.

EC–5574. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report relative to Indian Health Service funding for contract support costs of self-determination awards; to the Committee on Indian Affairs.

EC–5575. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Nasal Decongestant Inhalers Manufactured by Classic Pharmaceuticals, LLC'' (Docket No. DEA–329F) 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–5576. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Cancellation of Rule of Practice 41.200(b) before the Board of Patent Appeals and Interference Proceedings'' (RIN0651–AC46) received in the Office of the President of the Senate on April 15, 2010; to the Committee on the Judiciary.

EC–5577. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the quarterly report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

## PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–97. A resolution adopted by the Senate of the General Assembly of the State of Tennessee urging Congress to adopt legislation that would postpone the Environmental Protection Agency's effort to regulate greenhouse gas emissions from stationary sources using existing Clean Air Act Authority; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 200

Whereas, the U.S. Environmental Protection Agency's (EPA's) plan to regulate greenhouse gas (GHG) emissions from new cars and light trucks will trigger the same regulation of GHG emissions from stationary sources like manufacturing facilities, power plants, hospitals, and commercial establishments; and

Whereas, regulating greenhouse gas emissions from stationary sources under the Clean Air Act might be a great anchor on manufacturing and the economy in general; and

Whereas, the pending EPA effort might burden progress on two of the nation's top priorities, environmental improvement and economic recovery, by imposing onerous permitting requirements that will significantly delay or even eliminate investments in new energy-efficient technologies; and

Whereas, over four million jobs were lost in 2009, and the EPA's proposed regulations have the potential to cause even further job losses; and

Whereas, the regulatory requirements of the Clean Air Act will overwhelm state agencies, which are not equipped to handle the estimated six million permitting requests anticipated; and

Whereas, only Congress can act to avoid the significant costs and burdens imposed by such regulations on stationary sources, which even the EPA admits will lead to ''absurd results'': Now, therefore, be it

*Resolved by the Senate of the One Hundred Sixth General Assembly of the State of Tennessee,* That we hereby encourage the United States Congress to adopt legislation that would postpone The Environmental Protection Agency's effort to regulate greenhouse gas emissions from stationary sources using existing Clean Air Act authority until Congress adopts a balanced approach to address climate and energy supply issues without crippling the economy. Be it further

*Resolved,* That an enrolled copy of this resolution be transmitted to the Speaker and the Clerk of the U.S. House of Representatives, the President and the Secretary of the U.S. Senate, and to each member of Tennessee's Congressional delegation.

## 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 (for himself and Mrs. GILLIBRAND):

S. 3236. A bill to expand the National Domestic Preparedness Consortium to include the SUNY National Center for Security and Preparedness; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HARKIN (for himself, Mr. INOUYE, and Mr. CRAPO):

S. 3237. A bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself, Mr. SPECTER, Mr. CASEY, Mr. LAUTENBERG, Mr. MENENDEZ, and Mrs. GILLIBRAND):

S. 3238. A bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001, and to the memorials established at the 3 sites that were attacked on that day; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FEINGOLD:

S. 3239. A bill to repeal unwarranted provisions from the Patient Protection and Affordable Care Act and to more efficiently use taxpayer dollars in health care spending; to the Committee on Finance.

By Mr. CORNYN (for himself and Mr. KYL):

S. 3240. A bill to increase transparency regarding debt instruments of the United States held by foreign governments, to assess the risks to the United States of such holdings, and for other purposes; to the Committee on Finance.

By Mr. BROWN of Ohio (for himself, Mr. KAUFMAN, Mr. CASEY, Mr. MERKLEY, Mr. WHITEHOUSE, and Mr. HARKIN):

S. 3241. A bill to provide for a safe, accountable, fair, and efficient banking system, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REED (for himself, Mr. LEMIEUX, and Mr. BROWN of Ohio):

S. 3242. A bill to improve teacher quality, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PRYOR:

S. 3243. A bill to require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to complete all periodic background reinvestigations of certain law enforcement personnel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. VITTER (for himself, Mr. INHOFE, Mr. KYL, and Mr. CRAPO):

S. Con. Res. 59. A concurrent resolution expressing the sense of Congress that the United States should neither become a signatory to the Rome Statute of the International Criminal Court nor attend the Review Conference of the Rome Statute in Kampala, Uganda in May 2010; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 182

At the request of Mr. DODD, the name of the Senator from California (Mrs. FEINSTEIN) 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. 308

At the request of Mr. BAUCUS, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 308, a bill to amend title 23, United States Code, to improve economic opportunity and development in rural States through highway investment, and for other purposes.

S. 309

At the request of Mr. BAUCUS, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 309, a bill to amend title 23, United States Code, to improve highway transportation in the United States, including rural and metropolitan areas.

S. 455

At the request of Mr. ROBERTS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 455, a bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry ''Hap'' Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd anniversary of the founding of the United States Army Command and General Staff College.

S. 493

At the request of Mr. CASEY, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 632

At the request of Mr. BAUCUS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 653

At the request of Mr. CARDIN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 718

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 718, a bill to amend the Legal Services Corporation Act to meet special needs of eligible clients, provide for technology grants, improve corporate practices of the Legal Services Corporation, and for other purposes.

S. 1060

At the request of Mr. BINGAMAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1060, a bill to comprehensively prevent, treat, and decrease overweight and obesity in our Nation's populations.

S. 1275

At the request of Mr. WARNER, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 2995

At the request of Mr. CARPER, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2995, a bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector.

S. 3078

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3078, a bill to provide for the establishment of a Health Insurance Rate Authority to establish limits on premium rating, and for other purposes.

S. 3098

At the request of Mr. MERKLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3098, a bill to prohibit proprietary trading and certain relationships with hedge funds and private equity funds, to address conflicts of interest with respect to certain securitizations, and for other purposes.

S. 3122

At the request of Mr. ENSIGN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 3122, a bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes.

S. 3164

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 3164, a bill to amend the Internal Revenue Code of 1986 to extend financing of the Superfund.

S. 3184

At the request of Mrs. BOXER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S.J. RES. 16

At the request of Mr. DEMINT, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S.J. Res. 16, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

S. CON. RES. 55

At the request of Mr. FEINGOLD, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. Con. Res. 55, a concurrent resolution commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of the State of Wisconsin.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FEINGOLD:

S. 3239. A bill to repeal unwarranted provisions from the Patient Protection and Affordable Care Act and to more efficiently use taxpayer dollars in health care spending; to the Committee on Finance.

Mr. FEINGOLD. Mr. President, today I am introducing legislation to repeal unwarranted and inappropriate ''sweeteners'' that were added to the Patient Protection and Affordable Care Act in the days before final passage of the bill.

These ''sweeteners'' are unjustifiable and only detract from our collective goal of putting America's health care system on a better and more sustainable path. They also undermine public confidence in the legislative process and in elected representatives in Congress.

In some cases, there are valid policy or fairness reasons why certain states or interests may receive seemingly different treatment. But several provisions were included in the health reform bill that create, rather than diminish, inequity.

This legislation would repeal four provisions in the Patient Protection and Affordable Care Act. These provisions are not supported by policy rationales and do not address any inequity in current policy. Simply put, they are intended to provide an undeserved windfall to specific states.

This legislation also amends one provision in the Patient Protection and Affordable Care Act providing increased Medicaid assistance to States recovering from natural disaster. Because there is some justification for Louisiana receiving additional help to cope with the continued aftermath of Hurricane Katrina, my legislation leaves this provision intact, but it decreases the amount of assistance available.

I was pleased to support the Patient Protection and Affordable Care Act. That law will strengthen America's health care system and reduce the national deficit and the five changes to the law that I am proposing would help us better meet those goals.

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By Mr. BROWN of Ohio (for himself, Mr. KAUFMAN, Mr. CASEY, Mr. MERKLEY, Mr. WHITEHOUSE, and Mr. HARKIN):

S. 3241. A bill to provide for a safe, accountable, fair, and efficient banking system, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. BROWN of Ohio. Mr. President, when you look at Wall Street and you look at the relationship between far too many Senators and Wall Street, that is what got us into this mess. For the last 10 years the deregulation of the Bush administration, the people they appointed to watch, such as the head of mine safety in the Bush years was a mining executive, we paid the price for that, the people in my State, people in West Virginia. Too often families pay the price for a government not aggressive enough to regulate mine safety. We paid the price in this country because we didn't have a government aggressive enough to make the banks and Wall Street behave. That is why they were able to overreach.

That is why the legislation Senator KAUFMAN and I are introducing, with Senators CASEY, WHITEHOUSE, MERKLEY, and others, will address the issue of too big to fail. Too big to fail is not what you do if these banks are in trouble, how you pull them apart when they are about to fail, and we want to make sure we don't spend taxpayer dollars to bail them out. We make sure they don't hurt the whole financial system. Too big to fail means don't let them get too big. Even Alan Greenspan, hardly an ally in regulating the banking system, says too big to fail means too big. That is what Senator KAUFMAN and I are addressing in our legislation.

Let me give some numbers. Fifteen years ago, the six largest U.S. banks had assets equal to 17 percent, one-seventh. Fifteen years ago, the six largest U.S. banks had assets equal to 17 percent of overall GDP. Today the six largest banks have assets equal to 63 percent of overall GDP. Three of these megabanks have close to $2 trillion of assets on their balance sheets.

When that happens, we are setting ourselves up for one more round of serious problems. That is why homeowners in Youngstown lost their homes. That is why retirees in Sidney, OH lost a lot of their wealth. That is why workers in Newark, OH lost jobs—because we had a banking system that was overreaching, excessive, that became too greedy, and we didn't do enough about it.

Here is what has happened. The Ohio manufacturers I talked to this morning want to grow. They want to hire people. They have orders. They have capacity. They just can't get loans. Three of the largest banks slashed their SBA lending by 86 percent over the last year. SBA loans went from 4,200 in 2007 in Ohio alone to 2,100. At the same time banks have increased their Wall Street trading by 23 percent. Something was wrong in the last 10 years. We paid the price in the last 2 years. But something is still wrong when these banks get bigger and bigger. They trade more and more, and they lend to Main Street less and less.

That is why the legislation Senator KAUFMAN and I introduced with several other Senators today speaks to this. We need banks to serve this country. Ultimately, it is which side one is on. Are you going to side with Wall Street or Main Street?

Today in the Agriculture Committee we had Republicans and Democrats together passing legislation, strong legislation to regulate derivatives. It is a first, good bipartisan step. Senator GRASSLEY, a Republican from Iowa, joined all of us on the committee to pass a strong bill, not a bill that Wall Street helped to write but a bill that works for American consumers, American small business, American homeowners and workers.

I yield to Senator KAUFMAN.

Mr. KAUFMAN. I agree with what Senator BROWN is saying. This is a very complex bill. It is a very complex area. But what we are talking about is a very simple proposition. We can either limit the size and leverage of too big to fail financial institutions, such as the bill which Senator BROWN and I are offering now will do or we will suffer the economic consequences of their potential failure later. I personally believe breaking apart too big to fail banks is a necessary first step in preventing another cycle of boom, bust, and bailout. Even if they do that, this bill is required if, in fact, we are going to limit too big to fail.

This debate is a test of whether the power of that idea can spread and gain support. Although it is clearly the safest way to avoid another financial crisis, this idea must overcome tremendous resistance from Wall Street banks and their politically powerful campaigns against any kind of structural financial reform. Moreover, the idea must overcome the inertia and caution in a Congress drawn to easier ideas that may work. But how much should we gamble that they will work? Limiting size and leverage are fail-safe

provisions to prevent a dangerous outcome. Senator BROWN and I are proposing a complementary idea to limit the size and leverage, not a substitute for breaking the banks apart.

The current banking bill has many important provisions we support. But under its approach, we must hope the financial stability oversight council can identify systemic risks before it is too late. We must hope that regulators will be emboldened to act in a timely manner when before, in the recent past, they failed to act. We must hope better transparency in financial data will produce early warning signals of systemic dangers so clear that a council and panel of judges will unhesitatingly agree. We must hope that capital requirements will be set properly in relation to risks that all too often remain purposefully hidden from view. We must hope that resolution authority will work, when we know it has no cross-border authority to resolve global financial institutions.

Under the current bill, we must hope all future Presidents will appoint regulators as determined to carry out the same strict measures preached belatedly by today's regulators who have been converted by the traumatic experience of their own failures.

All rules to restrict excessive risk taking in banking have a half life. That is because the financial sector is full of very smart people with an incentive to find their way around the rules, particularly to load up on risk, as this is what provides them their excessive profits and gigantic bonuses. I would rather not pin the future of the American economy on so much hope. I would rather Congress act now, definitively and responsibly, to end too big to fail.

The changes in regulations envisioned today in the bill we are proposing would help initially, particularly until the next free market candidate who wins appoints regulators who only believe in self-regulation. This bill establishes hard lines. One of the greatest sayings is: Good fences make good neighbors. This builds the fences. Then we let the regulators do it, and we don't have to worry about the President picking the right regulators. Our bill would provide a legislative size and leverage restriction that would last far longer than the half life of who is appointed to be regulator. We want this to operate for a generation.

In 1933, our forebears, after the Great Depression, made hard rules. They passed Glass-Steagall. They set up the FDIC. They set rules against margins, and they set the uptick rule. We should do no less. Remember, when they passed those bills in 1933, they helped us avoid a financial crisis for almost 50 years.

Some argue we need massive banks, but recent studies show that with over $100 billion in assets—and by the way, these banks, as Senator BROWN said, have over $2 trillion worth of assets—financial institutions no longer achieve additional economies of scale. They simply become dangerous concentrations of financial power that benefit from an implicit government guarantee that they will be saved if they fail. With this implicit guarantee, these firms will continue to have every incentive to use massive amounts of short-term debt to finance the purchase of risky assets. This bill would deal with their ability to be able to do that and would stop it. They would go on and be able to do this without us. They have done it in the past, and there is no reason to think they won't do it in the future until they cause the next crisis and taxpayers must bail them out again. While $100 billion banks would be smaller, they are not small banks. Such banks would have no trouble competing around the world.

Under this bill, we would still have banks far bigger than even that size. People say: Look at other countries. Look what they are doing. Just because other countries subsidize megabanks banks that could send those countries spiraling into a financial crisis should not make us want to do the same.

Everyone agrees—as the Senator from Arizona said—the most important thing is too big to fail. How much can we risk that by doing what other countries are doing, when they are creating banks that are clearly too big to fail? Most people in the oil industry did well under the breakup of Standard Oil, including its shareholders, and the breakup of AT&T helped the telecom industry become more dynamic, competitive, and profitable.

The current Senate bill contains many important provisions that address the causes of the financial crisis, but why risk leaving oversized institutions in place when they potentially are too big to fail? Instead, we should meet the challenge of the moment and have the courage to act, as in this bill, to limit the size and practices of these literally colossal financial institutions, the stability of which are a threat to our economy. This bill is the best hope to ensure future decades of financial stability and the livelihoods of the American people. This bill will put the days of too big to fail forever behind us.

Mr. BROWN of Ohio. I thank Senator KAUFMAN.

Some people think about this as a pretty big step, to decide we want to limit the size of banks. It is not something we like to do. We don't want to do more regulation than we have to. We don't want to tell successful companies not to grow. But when we look at what has happened in the past, as Senator KAUFMAN said, we did this right in the 1930s, and it protected our financial system, with a few hiccups but no serious problems until the end of this last decade, when President Bush and the Congress, starting with President Clinton—President Bush accelerated it and weakened regulation—repealed regulation and appointed, you might use the term ''lapdogs''—that might not be a senatorial sounding word.

Mr. KAUFMAN. Lapdogs is another way of saying people who believe self-regulation will work.

Alan Greenspan also was quoted as saying we should breakup the banks; Standard Oil wasn't bad. At the time he said, after it was over, a year later he gave a speech and said: I really thought self-regulation would work. I am dismayed that it didn't.

The way I put it, it is as if there were a whole group of folks, not just in the financial regulatory area but all over the government, who basically believed the markets are great. I am a big believer in markets, but I also like football. The idea that someone would say: Football is great, but those referees keep blowing their damn whistles. Let's get the referees off the field so football players can be football players. We know what would happen if we pulled all the referees off the field in a game. I wouldn't want to be in the second pileup.

That is what we said with this. We said we are going to pull the referees off the field and see what happens. These were good people. They just didn't believe they had to regulate, and we are now seeing the results.

People say to us, when we propose these things—I have had several press people say to me—why don't we leave it up to the regulators? They can set these numbers. We shouldn't set these numbers.

Let me read from a couple things. The 1970 Bank Holding Company Act amendments gave the Fed the power to terminate a company's authority to engage in nonbanking activities, basically doing what we are talking about doing, if it finds such action is necessary to prevent undue concentration of resources—I wonder if that went on recently—decreased or unfair competition, conflicts of interest, or unsound banking practices. The Fed had the power to do this. They did not do it.

The Financial Institutions Reform Recovery Enforcement Act also gave regulators the power to restrict an institution's growth and limit its size.

What we are talking about now is giving the regulators essentially what they already have in the present bill. What Senator BROWN and I are saying—and the other cosponsors—is, the buck stops here. We should tell the regulators what these percentages are going to be. Because if we leave it up to the regulators, as Senator BROWN said, these are very powerful people and very powerful institutions.

They hire the very best people to come and make their arguments.

So if you are sitting there running a regulatory agency and you are saying: Oh my God, I don't want to do this, I don't want to shrink these things down—and remember one other thing too. As bad as things were in this latest crisis, think about what has happened during this crisis. They have all exploded. What did we have happen? JPMorgan Chase now includes Washington Mutual, a $400 billion bank.

Bank of America now includes Merrill Lynch. We can go on from there. Wells Fargo now has Wachovia. These things were big. We had this mess. We deregulated. We put the regulators in. We changed laws. Now they are bigger. As the Senator says, their assets are 63 percent of the gross domestic product of this country. Fifteen years ago, they were 17 percent of gross domestic product.

What do we have to do before someone sends the message that these things are too big and that this Congress not pass the buck to the regulators, who did not do the job in the past? Let me just say this. I think the world of our regulators now. I do not think there are people in regulating now who basically believe they should not be regulated.

In 1933, we made a decision that helped us through three generations. What are we doing as Senators on the floor passing legislation based on the fact: I trust my regulators now. Why are we not passing legislation that will work over the next two or three generations—something that will work whether we get a President who believes in the fact that we should have a market or not, whether we have a good regulator or a bad regulator? Why shouldn't the Senate of the United States do its job and basically lay out restrictions of the kind that are in this bill so the regulators have them? Then they can enforce it. They can do the enforcement, which is their job. We should send a clear message to people that this is what we have to do.

Mr. BROWN of Ohio. Exactly. I say to Senator KAUFMAN, you made a point maybe 5 minutes ago that some of the smartest people in the country are working on Wall Street. There is a huge incentive for smart people to go to Wall Street and be creative and invent new financial instruments to stay, in many ways, a step ahead of the regulators, in some sense, a step ahead of the ''sheriff,'' if you will. Those regulators, who are paid probably one-tenth or one-hundredth—regulators are paid decent middle-class salaries that most Americans would be very happy with. But some of these very smart people on Wall Street are paid 100 times, 1,000 times—millions, tens of millions of dollars, and there is a huge incentive for them to figure out how to stay ahead of the regulators.

That is why it is so important that we have strong regulators. We always work to do that, and we have good regulators. It is important that a President appoint people who have the public interest in mind, which Presidents have not always done in the last decade. It is important that we write different rules, and that is exactly what we want to do to keep these banks from being so big.

We had problems with rating agencies that gamed the system. We had problems with mortgage brokers. We had problems with Wall Street. We had problems with people creating these new CDOs and other financial instruments, particularly these so-called synthetic ones that had no real basis in any wealth creation for society, only wealth creation for each other. Ultimately, that does not work for Wall Street. It certainly does not work for our country.

So in summary, as to this legislation that five or six of us are introducing today, we will likely offer it as an amendment in the next week or two. We ask our colleagues to support it. If we are going to deal with too big to fail, we surely want to deal with it on the end if there are banks that are about to fail. But we need to, sort of, ahead of time, in anticipation, deal with it by not letting these banks—no matter how good the regulators are—not letting these banks get too big.

Mr. KAUFMAN. We just have to give the regulators the tools they need to do their job, and the guidelines because we know what these guidelines are. These are not really terribly strict guidelines; they are just to have the ability to stop what is going on now, to get banks back to the size where they can be managed.

As Senator BROWN said, these banks have a competitive advantage because when they are too big to fail, not only do we have to worry about bailing them out, but all their interest rate charges are lower. We know that. The interest rate charges on CDs with these major banks—they get higher interest rates than the other banks, and it is unfair competition for all the other small banks around this country.

As I said in the beginning, this is a very simple proposition: Is the Senate going to do its job to make sure we have in place the ability to keep these banks from being too big to fail and preparing so we never have to get to the resolution authority?

Mr. BROWN of Ohio. If we do what Senator KAUFMAN said, if we do this right, it will take care of this problem so it does not happen in the next two or three generations, the way people in the 1930s did, or if we do not do it right, we are back at this in 5 or 10 or 15 years.

Mr. KAUFMAN. By the way, let me say one thing about that. I am not for overregulation. But can you imagine, if we have another problem, what the regulation would be like then? Do you know what the proposals would be on this floor if, in fact, we have another problem? It would be draconian. It is important for all of us. We all care about our capital markets. One of the things that drive this country and make us great is the capital markets. We want them to be credible and we want them to be fair and we want them to work.

So we want to make sure we do not get faced with this. I think that is exactly what Senator BROWN and I are trying to do. We are trying to do a little bit of prevention here so we never get to that end of the road where we have to get involved in resolution authority.

Mr. BROWN of Ohio. These capital markets which worked so well for many years are not working for local manufacturers, for small businesses today.

Mr. KAUFMAN. Right.

Mr. BROWN of Ohio. I thank Senator KAUFMAN.

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Mr. REED (for himself, Mr. LEMIEUX, and Mr. BROWN of Ohio):

S. 3242. A bill to improve teacher quality, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce with Senator LEMIEUX and Senator BROWN of Ohio, the Teacher and Principal Improvement Act, to foster the development of highly skilled and effective educators.

We are slated to reauthorize the Elementary and Secondary Education Act—ESEA—this Congress for the first time since 2001. My top priority for reauthorization is to build the capacity of our Nation's schools to enhance the effectiveness of teachers, principals, school librarians, and school leaders.

Decades of research have demonstrated that improving teacher and principal quality as well as greater family involvement are the keys to raising student achievement and turning around struggling schools. Studies have found that more than 50 percentile points of the difference in student academic performance is attributed to teacher quality. The world's top performing education systems invest heavily in supporting and developing teachers. Teachers in top-ranking countries such as Finland and Singapore get 100 hours of fully paid professional development training each year. It is clear that the United States must also increase its investments in our educators to stay academically competitive in an ever-expanding global economy.

Unfortunately, every year across the country thousands of effective teachers leave the profession—many within their first years of teaching. A 2003 study by Richard Ingersoll found that one-third of all new teachers quit after three years. That turnover rate increases to nearly half—one out of every two new teachers hired—after 5 years. A report by the National Commission on Teaching and America's Future also estimated that the nationwide cost of replacing public school teachers who have dropped out of the profession is $7.3 billion annually.

However, research has shown that comprehensive mentoring and induction reduces teacher attrition by as much as half. New teachers need extra support and guidance. As such, our bill would help schools implement the key elements of effective multi-year mentoring and induction for beginning teachers, including rigorous mentor selection; ongoing mentoring with paid release time; training for mentors; and the use of research-based teaching

practices such as the National Board for Professional Teaching Standards.

The bill also significantly revises ESEA's current definition of ''professional development'' to foster an ongoing culture of teacher, principal, school librarian, and staff collaboration throughout schools. All too often current professional development still consists of isolated, check-the-box activities instead of helping educators engage in sustained professional learning that is regularly evaluated for its impact on classroom practice and student achievement. Effective professional development is collaborative, job-embedded, and data-driven. Research has shown that this type of professional development has a positive impact on student learning.

Research has also increasingly emphasized the important role that effective evaluation systems can play in teacher and principal development. Unfortunately, most evaluation systems nationwide have significant flaws, including a lack of: clear standards of expected performance; meaningful differentiation of teacher performance; ongoing evaluations and classroom observations; and rigorous training of evaluators. As such, our Teacher and Principal Improvement Act would for the first time in federal law require school districts to establish rigorous, fair, and transparent evaluation systems to assess whether teachers and principals are having positive impacts on student learning. If evaluation is done right, it provides teachers and principals with individualized ongoing feedback and support on their strengths, weaknesses, and areas in need of improvement.

Principals and school leaders also have a critical role to play in leading school improvement efforts and managing a collaborative culture of ongoing professional learning and development. Research has shown that leadership is second only to classroom instruction among school-related factors that influence student outcomes. As such, this bill would provide ongoing high-quality professional development to principals and school leaders, including multi-year induction and mentoring for new administrators. In this way, we will ensure that principals and school leaders possess the knowledge and skills to use student data to inform decisionmaking, communicate with families and local communities, and design and implement strategies for addressing student needs, including for students with disabilities and English Language Learners.

Additionally, our bill recognizes the importance of creating compensated leadership opportunities for teachers to take on additional roles and responsibilities outside the classroom, which will increase collaboration and the sharing of expertise among teachers and staff and improve instructional practices throughout the school. It also seeks to include for the first time in law a requirement that districts conduct surveys of the working and learning conditions educators face so this data could be used to better target investments and support.

Another precedent set as part of this legislation is that it requires an independent, formal review of professional development, mentoring, and evaluation programs. This review would look at whether these programs are effectively implemented and raise student achievement; retain effective teachers; improve classroom and leadership practice; and increase family and community involvement. We must ensure that our teachers and school leaders not only have access to high-quality professional development opportunities, but also know whether or not those programs are actually working to improve classroom practice and student learning.

Lastly, throughout the bill, school district collaboration with teachers and staff is viewed as a key element, particularly in the development and implementation of the teacher evaluation system. Research has shown that true ''teacher buy-in'' is an important factor in ensuring the sustained success of school reform efforts. In Rhode Island, we have seen in recent months an example of this as the Providence School District, educators, and the local teacher's union partnered together to embark on critical school improvement efforts. I am pleased that the Administration also has recently recognized the importance of teacher buy-in when it awarded the first Race to the Top grants to Delaware and Tennessee—both states that had applications with nearly 100 percent local teacher union support.

I worked with a range of education organizations in developing this bill, including the Alliance for Excellent Education; American Federation of School Administrators; American Federation of Teachers; American Association of Colleges for Teacher Education; Association for Supervision and Curriculum Development; Center for American Progress; Educational Testing Service; National Association of Elementary School Principals; National Association of Secondary School Principals; National Board for Professional Teaching Standards; National Commission on Teaching and America's Future; National Middle School Association; National Staff Development Council; National Writing Project; New Teacher Center; New Teacher Project; Pi Lambda Theta; and Teacher Advancement Program. I thank them for their input and support for the bill.

I urge my colleagues to cosponsor this bipartisan bill and work for its inclusion in the upcoming reauthorization of the Elementary and Secondary Education Act.

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. 3242

*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 ''Teacher and Principal Improvement Act''.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds the following:

(1) Teacher quality is the single most important in-school factor influencing student learning and achievement.

(2) A report by William L. Sanders and June C. Rivers showed that if 2 average 8-year-old students were given different teachers, 1 of them a high performer, the other a low performer, the students' performance diverged by more than 50 percentile points within 3 years.

(3) A similar study by Heather Jordan, Robert Mendro, and Dash Weerasinghe showed that the performance gap between students assigned 3 effective teachers in a row, and those assigned 3 ineffective teachers in a row, was 49 percentile points.

(4) In Boston, research has shown that students placed with high-performing mathematics teachers made substantial gains, while students placed with the least effective teachers regressed and their mathematics scores decreased.

(5) McKinsey & Company found that studies that take into account all of the available evidence on teacher effectiveness suggest that students placed with high-performing teachers will progress 3 times as fast as those placed with low-performing teachers.

(6) A 2003 study by Richard Ingersoll found that new teachers, not just those in hard-to-staff schools, face such challenging working conditions that nearly one-half leave the profession within their first 5 years, one-third leave within their first 3 years, and 14 percent leave by the end of their first year.

(7) A report by the National Commission on Teaching and America's Future estimated that the nationwide cost of replacing public school teachers who have dropped out of the profession is $7,300,000,000 annually.

(8) Research by Thomas Smith, Richard Ingersoll, and Anthony Villar has shown that comprehensive mentoring and induction reduces teacher attrition by as much as one-half and strengthens new teacher effectiveness.

(9) A recent School Redesign Network at Stanford University and National Staff Development Council report by Linda Darling-Hammond, Ruth Chung Wei, Alethea Andree, Nikole Richardson, and Stelios Orphanos found that—

(A) a set of programs that offered substantial contact hours of professional development (ranging from 30 to 100 hours in total) spread over 6 to 12 months showed a positive and significant effect on student achievement gains; and

(B) intensive professional development, especially when it includes applications of knowledge to teachers' planning and instruction, has a greater chance of influencing teacher practices, and in turn, leading to gains in student learning. Such intensive professional development has shown a positive and significant effect on student achievement gains, in some cases by approximately 21 percentile points.

(10) Recent reports from the Center for American Progress, Education Sector, Hope Street Group, and the New Teacher Project have collectively demonstrated the significant flaws in current teacher evaluation and

implementation, and the necessity for redesigning these systems and linking such evaluation to individualized feedback and substantive targeted support in order to ensure effective teaching.

(11) Research by Kenneth Liethwood, Karen Seashore Louis, Stephen Anderson, and Kyla Wahlstrom found that—

(A) leadership is second only to classroom instruction among school-related factors that influence student outcomes; and

(B) direct and indirect leadership effects account for about one-quarter of total school effects on student learning.

(12) Research by Charles Clotfelter, Helen Ladd, Kenneth Leithwood, and Anthony Milanowski has shown that the quality of working conditions, particularly supportive school leadership, impacts student academic achievement and teacher recruitment, retention, and effectiveness.

(b) PURPOSES.—The purposes of this Act are to build capacity for developing effective teachers and principals in our Nation's schools through—

(1) the redesign of teacher and principal evaluation and assessment systems;

(2) comprehensive, high-quality, rigorous multi-year induction and mentoring programs for beginning teachers, principals, and other school leaders;

(3) systematic, sustained, and coherent professional development for all teachers that is team-based and job-embedded;

(4) systematic, sustained, and coherent professional development for school principals, other school leaders, school librarians, paraprofessionals, and other staff; and

(5) increased teacher leadership opportunities, including compensation for teacher leaders who take on new roles in providing school-based professional development, mentoring, rigorous evaluation, and instructional coaching.

**SEC. 3. DEFINITIONS.**

Section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) is amended—

(1) by striking paragraph (34) and inserting the following:

''(34) PROFESSIONAL DEVELOPMENT.—The term 'professional development' means comprehensive, sustained, and intensive support, provided for teachers, principals, school librarians, other school leaders, and other instructional staff, that—

''(A) fosters collective responsibility for improved student learning;

''(B) is designed and implemented in a manner that increases teacher, principal, school librarian, other school leader, paraprofessional, and other instructional staff effectiveness in improving student learning and strengthening classroom practice;

''(C) analyzes and uses real-time data and information collected from—

''(i) evidence of student learning;

''(ii) evidence of classroom practice; and

''(iii) the State's longitudinal data system;

''(D) is aligned with—

''(i) rigorous State student academic achievement standards developed under section 1111(b)(1);

''(ii) related academic and school improvement goals of the school, local educational agency, and statewide curriculum;

''(iii) statewide and local curricula; and

''(iv) rigorous standards of professional practice and development;

''(E) primarily occurs multiple times per week during the regular school day among established collaborative teams of teachers, principals, school librarians, other school leaders, and other instructional staff, by grade level and content area (to the extent applicable and practicable), which teams engage in a continuous cycle of professional learning and improvement that—

''(i) identifies, reviews, and analyzes—

''(I) evidence of student learning; and

''(II) evidence of classroom practice;

''(ii) defines a clear set of educator learning goals to improve student learning and strengthen classroom practice based on the rigorous analysis of evidence of student learning and evidence of classroom practice;

''(iii) develops and implements coherent, sustained, and evidenced-based professional development strategies to meet such goals (including through instructional coaching, lesson study, and study groups organized at the school, team, or individual levels);

''(iv) provides learning opportunities for teachers to collectively develop and refine student learning goals and the teachers' instructional practices and the use of formative assessment;

''(v) provides an effective mechanism to support the transfer of new knowledge and skills to the classroom (including utilizing teacher leaders, instructional coaches, and content experts to support such transfer); and

''(vi) provides opportunities for follow-up, observation, and formative feedback and assessment of the teacher's classroom practice, on a regular basis and in a manner that allows each such teacher to identify areas of classroom practice that need to be strengthened, refined, and improved;

''(F) regularly assesses the effectiveness of the professional development, and uses such assessments to inform ongoing improvements, in—

''(i) improving student learning; and

''(ii) strengthening classroom practice; and

''(G) supports the recruiting, hiring, and training of highly qualified teachers, including teachers who become highly qualified through State and local alternative routes to certification or licensure.'';

(2) by adding at the end the following:

''(44) EVIDENCE OF CLASSROOM PRACTICE.—The term 'evidence of classroom practice' means evidence of classroom practice gathered through multiple formats and sources, including some or all of the following:

''(A) Demonstration of effective teaching skills.

''(B) Classroom observations based on rigorous teacher performance standards or rubrics.

''(C) Student work.

''(D) Teacher portfolios.

''(E) Videos of teacher practice.

''(F) Lesson plans.

''(G) Information on the extent to which the teacher collaborates and shares best practices with other teachers and instructional staff.

''(H) Information on the teacher's successful use of research and data.

''(I) Parent, student, and peer feedback.

''(45) EVIDENCE OF STUDENT LEARNING.—The term 'evidence of student learning' means—

''(A) data, which shall include value-added data based on student learning gains and teacher impact where available, on State student academic assessments under section 1111(c); and

''(B) other evidence of student learning, including some or all of the following:

''(i) Data, which shall include value-added data based on student learning gains and teacher impact where available, on other student academic achievement assessments.

''(ii) Student work, including measures of performance criteria and evidence of student growth.

''(iii) Teacher-generated information about student goals and growth.

''(iv) Formative and summative assessments.

''(v) Objective performance-based assessments.

''(vi) Assessments of affective engagement and self-efficacy.

''(46) LOWEST ACHIEVING SCHOOL.—The term 'lowest achieving school' means a school served by a local educational agency that—

''(A) is failing to make adequate yearly progress as described in section 1111(b)(2), for the greatest number of subgroups described in section 1111(b)(2)(C)(v) and by the greatest margins, as compared to the other schools served by the local educational agency; and

''(B) in the case of a secondary school, has a graduation rate of less than 65 percent.

''(47) SCHOOL LEADER.—The term 'school leader' means an individual who—

''(A) is an employee or officer of a school; and

''(B) is responsible for—

''(i) the school's performance; and

''(ii) the daily instructional and managerial operations of the school.

''(48) TEACHING SKILLS.—The term 'teaching skills' means skills that are consistent with section 200 of the Higher Education Act of 1965 and that enable a teacher to—

''(A) increase student learning, achievement, and the ability to apply knowledge;

''(B) effectively convey and explain academic subject matter;

''(C) effectively teach higher-order analytical, evaluation, problem-solving, and communication skills;

''(D) develop and effectively apply new knowledge, skills, and practices;

''(E) employ strategies grounded in the disciplines of teaching and learning that—

''(i) are based on empirically based practice and scientifically valid research, where applicable, related to teaching and learning;

''(ii) are specific to academic subject matter;

''(iii) focus on the identification of students' specific learning needs, (including children with disabilities, students who are limited English proficient, students who are gifted and talented, and students with low literacy levels), and the tailoring of academic instruction to such needs; and

''(iv) enable effective inclusion of children with disabilities and English language learners, including the utilization of—

''(I) response to intervention;

''(II) positive behavioral supports;

''(III) differentiated instruction;

''(IV) universal design of learning;

''(V) appropriate accommodations for instruction and assessments;

''(VI) collaboration skills; and

''(VII) skill in effectively participating in individualized education program meetings required under section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414);

''(F) conduct an ongoing assessment of student learning, which may include the use of formative assessments, performance-based assessments, project-based assessments, or portfolio assessments, that measures higher-order thinking skills (including application, analysis, synthesis, and evaluation);

''(G) effectively manage a classroom, including the ability to implement positive behavioral support strategies;

''(H) communicate and work with parents, and involve parents in their children's education; and

''(I) use age-appropriate and developmentally appropriate strategies and practices.''; and

(3) by redesignating paragraphs (1) through (39), the undesignated paragraph following paragraph (39), and paragraphs (41) through (48) (as amended by this section) as paragraphs (1) through (18), (21) through (28), (30) through (40), (42) through (46), (48), (19), (20), (29), (41), and (47), respectively.

**SEC. 4. SCHOOL IMPROVEMENT.**

Section 1003(g)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6303(g)(5)) is amended—

(1) in subparagraph (B), by striking ''and'' after the semicolon;

(2) in subparagraph (C), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(D) permitted to be used to supplement the activities required under section 2502.''.

**SEC. 5. TEACHER AND PRINCIPAL PROFESSIONAL DEVELOPMENT AND SUPPORT.**

Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended by adding at the end the following:

**''PART E—BUILDING SCHOOL CAPACITY FOR EFFECTIVE TEACHING AND LEADERSHIP**

**''SEC. 2501. LOCAL SCHOOL IMPROVEMENT ACTIVITIES.**

''(a) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) GRANTS.—From amounts made available under section 2504, the Secretary shall award grants, through allotments under paragraph (3)(A), to States to enable the States to award subgrants to local educational agencies under this part.

''(2) RESERVATIONS.—A State that receives a grant under this part for a fiscal year shall—

''(A) reserve 95 percent of the funds made available through the grant to make subgrants, through allocations under paragraph (3)(B), to local educational agencies; and

''(B) use the remainder of the funds for—

''(i) administrative activities and technical assistance in helping local educational agencies carry out this part;

''(ii) statewide capacity building strategies to support local educational agencies in the implementation of the required activities under section 2502; and

''(iii) conducting the evaluation required under section 2503.

''(3) FORMULAS.—

''(A) ALLOTMENTS.—The allotment provided to a State under this section for a fiscal year shall bear the same relation to the total amount available for such allotments for the fiscal year, as the allotment provided to the State under section 2111(b) for such year bears to the total amount available for such allotments for such year.

''(B) ALLOCATIONS.—The allocation provided to a local educational agency under this section for a fiscal year shall bear the same relation to the total amount available for such allocations for the fiscal year, as the allocation provided the State under section 2121(a) for such year bears to the total amount available for such allocations for such year.

''(4) SCHOOLS FIRST SUPPORTED.—A local educational agency receiving a subgrant under this part shall first use such funds to carry out the activities described in section 2502(a) in each lowest achieving school served by the local educational agency—

''(A) that demonstrates the greatest need for subgrant funds based on the data analysis described in subsection (b)(3); and

''(B) in which not less than 40 percent of the students enrolled in the school are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq).

''(b) LOCAL EDUCATIONAL AGENCY APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive a subgrant under this part, a local educational agency shall submit to the State educational agency an application described in paragraph (2), and a summary of the data analysis conducted under paragraph (3), at such time, in such manner, and containing such information as the State educational agency may reasonably require.

''(2) CONTENTS OF APPLICATION.—Each application submitted pursuant to paragraph (1) shall include—

''(A) a description of how the local educational agency will assist the lowest achieving schools served by the local educational agency in carrying out the requirements of section 2502, including—

''(i) developing and implementing the teacher and principal evaluation system pursuant to section 2502(a)(3);

''(ii) implementing teacher induction programs pursuant to section 2502(a)(1);

''(iii) providing effective professional development in accordance with section 2502(a)(2);

''(iv) implementing mentoring, coaching, and sustained professional development for school principals and other school leaders pursuant to section 2502(a)(4); and

''(v) providing significant and sustainable teacher stipends, pursuant to section 2502(a)(6);

''(B) a description of how the local educational agency will—

''(i) conduct and utilize valid and reliable surveys pursuant to section 2502(b); and

''(ii) ensure that such programs are integrated and aligned pursuant to section 2502(c);

''(C)(i) a description of how the local educational agency will use subgrant funds to target and support the lowest achieving schools described in section 2501(a)(4) before using funds for other lowest achieving schools; and

''(ii) a list that identifies all of the lowest achieving schools that will be assisted under the subgrant;

''(D) a description of how the local educational agency will enable effective inclusion of children with disabilities and English language learners, including through utilization by the teachers, principals, and other school leaders of the local educational agency of—

''(i) response to intervention;

''(ii) positive behavioral supports;

''(iii) differentiated instruction;

''(iv) universal design of learning;

''(v) appropriate accommodations for instruction and assessments;

''(vi) collaboration skills; and

''(vii) skill in effectively participating in individualized education program meetings required under section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414);

''(E) a description of how the local educational agency will assist the lowest achieving schools in utilizing real-time student learning data, based on evidence of student learning and evidence of classroom practice, to—

''(i) drive instruction; and

''(ii) inform professional development for teachers, mentors, principals, and other school leaders; and

''(F) a description of how the programs and assistance provided under section 2502 will be managed and designed, including a description of the division of labor and different roles and responsibilities of local educational agency central office staff members, school leaders, teacher leaders, coaches, mentors, and evaluators.

''(3) DATA ANALYSIS.—A local educational agency desiring a subgrant under this part shall, prior to applying for the subgrant, conduct a data analysis of each school served by the local educational agency, based on data and information collected from evidence of student learning, evidence of classroom practice, and the State's longitudinal data system, in order to—

''(A) determine which schools have the most critical teacher, principal, and other school leader quality, effectiveness, and professional development needs; and

''(B) allow the local educational agency to identify the specific needs regarding the quality, effectiveness, and professional development needs of the school's teachers, principals, and other school leaders, including with respect to instruction provided for individual student subgroups (including children with disabilities and English language learners) and specific grade levels and content areas.

''(4) JOINT DEVELOPMENT AND SUBMISSION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a local educational agency shall—

''(i) jointly develop the application and data analysis framework under this subsection with local organizations representing the teachers, principals, and other school leaders in the local educational agency; and

''(ii) submit the application and data analysis in partnership with such local teacher, principal, and school leader organizations.

''(B) EXCEPTION.—A State may, after consultation with the Secretary, consider an application from a local educational agency that is not jointly developed and submitted in accordance with subparagraph (A) if the application includes documentation of the local educational agency's extensive attempt to work jointly with local teacher, principal, and school leader organizations.

**''SEC. 2502. USE OF FUNDS.**

''(a) INDUCTION, PROFESSIONAL DEVELOPMENT, AND EVALUATION SYSTEM.—A local educational agency that receives a subgrant under this part shall use the subgrant funds to improve teacher and principal quality through a system of teacher and principal induction, professional development, and evaluation. Such system shall be developed, implemented, and evaluated in collaboration with local teacher, principal, and school leader organizations and local teacher, principal, and school leader preparation programs and shall provide assistance to each school that the local educational agency has identified under section 2501(b)(2)(C)(ii), to—

''(1) implement a comprehensive, coherent, high quality formalized induction program for beginning teachers during not less than the teachers' first 2 years of full-time employment as teachers with the local educational agency, that shall include—

''(A) rigorous mentor selection by school or local educational agency leaders with mentoring and instructional expertise, including requirements that the mentor demonstrate—

''(i) a proven track record of improving student learning;

''(ii) strong interpersonal and oral and written communication skills;

''(iii) exemplary teaching skills, particularly with diverse learners, including children with disabilities and English language learners;

''(iv) skill in enabling the effective inclusion of diverse learners, including children with disabilities and English language learners;

''(v) commitment to personal and professional growth and learning, such as National Board for Professional Teaching Standards certification;

''(vi) willingness and experience in using real-time data, as well as school and classroom level practices that have demonstrated the capacity to—

''(I) improve student learning and classroom practice; and

''(II) inform instruction and professional growth;

''(vii) skill in engaging in successful collaboration with other teachers, other school leaders, and staff;

''(viii) extensive knowledge of planning effective assessments and analysis of student data;

''(ix) ability to address needs of adult learners in professional development;

''(x) a commitment to participate in professional development throughout the year to develop the knowledge and skills related to effective mentoring;

''(xi) skill in promoting teacher reflection through formative assessment processes, including conversations with beginning teachers using evidence of student learning and evidence of classroom practice; and

''(xii) ability to improve the effectiveness of the mentor's mentees, as assessed by the evaluation system described in paragraph (3);

''(B) a program of high quality, intensive, and ongoing mentoring and mentor-teacher interactions that—

''(i) matches mentors with beginning teachers by grade level and content area, to the extent practicable;

''(ii) assists each beginning teacher in—

''(I) analyzing data based on the beginning teacher's evidence of student learning and evidence of classroom practice, and utilizing research-based instructional strategies, including differentiated instruction, to inform and strengthen such practice;

''(II) developing and enhancing effective teaching skills;

''(III) enabling effective inclusion of children with disabilities and English language learners, including through the utilization of—

''(aa) response to intervention;

''(bb) positive behavioral supports;

''(cc) differentiated instruction;

''(dd) universal design of learning;

''(ee) appropriate accommodations for instruction and assessments;

''(ff) collaboration skills; and

''(gg) skill in effectively participating in individualized education program meetings required under section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414);

''(IV) using formative assessments to—

''(aa) collect and analyze classroom-level data;

''(bb) foster evidence-based discussions;

''(cc) provide opportunities for self assessment;

''(dd) examine classroom practice; and

''(ee) establish goals for professional growth; and

''(V) achieving the goals of the school, district, and statewide curricula;

''(iii) provides regular and ongoing opportunities for beginning teachers and mentors to observe each other's teaching methods in classroom settings during the school day;

''(iv) models innovative teaching methodologies through techniques such as team teaching, demonstrations, simulations, and consultations;

''(v) aligns with the mission and goals of the local educational agency and school;

''(vi)(I) acts as a vehicle for a beginning teacher to establish short- and long-term planning and professional goals and to improve student learning and classroom practice; and

''(II) guides, monitors, and assesses the beginning teacher's progress toward such goals;

''(vii) assigns not more than 12 beginning teacher mentees to a mentor who works full-time, and reduces such maximum number of mentees proportionately for a mentor who works on a part-time basis;

''(viii) provides joint professional development opportunities for mentors and beginning teachers;

''(ix) may include the use of master teachers to support mentors or other teachers;

''(x) improves student learning and classroom practice, as measured by the evaluation system described in paragraph (3); and

''(xi) assists each beginning teacher in—

''(I) connecting students' prior knowledge, life experience, and interests with learning goals; and

''(II) engaging students in problem-solving and critical thinking;

''(C) paid school release time of not less than 90 minutes per week for high quality mentoring and mentor-teacher interactions;

''(D) foundational training and ongoing professional development for mentors that support the high quality mentoring and mentor-teacher interactions described in subparagraph (B); and

''(E) use of research-based teaching standards, formative assessments, teacher portfolio processes (such as the National Board for Professional Teaching Standards certification process), and teacher development protocols that supports the high quality mentoring and mentor-teacher interactions described in subparagraph (B);

''(2) implement high-quality effective professional development for teachers, principals, school librarians, and other school leaders serving the schools targeted for assistance under the subgrant;

''(3) develop and implement a rigorous, transparent, and equitable teacher and principal evaluation system for all schools served by the local educational agency that—

''(A)(i) provides formative individualized feedback to teachers and principals on areas for improvement;

''(ii) provides for substantive support and interventions targeted specifically on such areas of improvement; and

''(iii) results in summative evaluations;

''(B) differentiates the effectiveness of teachers and principals using multiple rating categories that take into account evidence of student learning;

''(C) shall be developed, implemented, and evaluated in partnership with local teacher and principal organizations; and

''(D) includes—

''(i) valid, clearly defined, and reliable performance standards and rubrics for teacher evaluation based on multiple performance measures, which shall include a combination of—

''(I) evidence of classroom practice; and

''(II) evidence of student learning as a significant factor;

''(ii) valid, clearly defined, and reliable performance standards and rubrics for principal evaluation based on multiple performance measures of student learning and leadership skills, which standards shall include—

''(I) planning and articulating a shared and coherent schoolwide direction and policy for achieving high standards of student performance;

''(II) identifying and implementing the activities and rigorous curriculum necessary for achieving such standards of student performance;

''(III) supporting a culture of learning and professional behavior and ensuring quality measures of classroom practice;

''(IV) communicating and engaging parents, families, and other external communities; and

''(V) collecting, analyzing, and utilizing data and other tangible evidence of student learning and evidence of classroom practice to guide decisions and actions for continuous improvement and to ensure performance accountability;

''(iii) multiple and distinct rating options that allow evaluators to—

''(I) conduct multiple classroom observations throughout the school year;

''(II) examine the impact of the teacher or principal on evidence of student learning and evidence of classroom practice;

''(III) specifically describe and compare differences in performance, growth, and development; and

''(IV) provide teachers or principals with detailed individualized feedback and evaluation in a manner that allows each teacher or principal to identify the areas of classroom practice that need to be strengthened, refined, and improved;

''(iv) implementing a formative assessment and summative evaluation process based on the performance standards established under clauses (i) and (ii);

''(v) rigorous training for evaluators on the performance standards established under clauses (i) and (ii) and the process of conducting effective evaluations, including how to provide specific feedback and improve teaching and principal practice based on evaluation results;

''(vi) regular monitoring and assessment of the quality and fairness of the evaluation system and the evaluators' judgements, including with respect to—

''(I) inter-rater reliability, including independent or third-party reviews;

''(II) student assessments used in the evaluation system;

''(III) the performance standards established under clauses (i) and (ii);

''(IV) training and qualifications of evaluators; and

''(V) timeliness of teacher and principal evaluations and feedback;

''(vii) a plan and substantive targeted support for teachers and principals who fail to meet the performance standards established under clauses (i) and (ii);

''(viii) a streamlined, transparent, fair, and objective decisionmaking process for documentation and removal of teacher and principals who fail to meet such performance standards, as governed by any applicable collective bargaining agreement or State law and after substantive targeted and reasonable support has been provided to such teachers and principals; and

''(ix) in the case of a local educational agency in a State that has a State evaluation framework, the alignment of the local educational agency's evaluation system with, at a minimum, such framework and the requirements of this paragraph;

''(4) implement ongoing high-quality support, coaching, and professional development for principals and other school leaders serving the schools targeted for assistance under such subgrant, which shall—

''(A) include a comprehensive, coherent, high-quality formalized induction program outside the supervisory structure for beginning principals and other school leaders, during not less than the principals' and other school leaders' first 2 years of full-time employment as a principal or other school leader in the local educational agency, to develop and improve the knowledge and skills described in subparagraph (B), including—

''(i) a rigorous mentor or coach selection process based on exemplary administrative expertise and experience;

''(ii) a program of ongoing opportunities throughout the school year for the mentoring or coaching of beginning principals and other school leaders, including opportunities for regular observation and feedback;

''(iii) foundational training and ongoing professional development for mentors or coaches; and

''(iv) the use of research-based leadership standards, formative and summative assessments, or principal and other school leader protocols (such as the National Board for

Professional Teaching Standards Certification for Educational Leaders program or the 2008 Interstate School Leaders Licensure Consortium Standards); and

''(B) improve the knowledge and skills of school principals and other school leaders in—

''(i) planning and articulating a shared and clear schoolwide direction, vision, and strategy for achieving high standards of student performance;

''(ii) identifying and implementing the activities and rigorous student curriculum and assessments necessary for achieving such standards of performance;

''(iii) managing and supporting a collaborative culture of ongoing learning and professional development and ensuring quality evidence of classroom practice (including shared or distributive leadership and providing timely and constructive feedback to teachers to improve student learning and strengthen classroom practice);

''(iv) communicating and engaging parents, families, and local communities and organizations (including engaging in partnerships among elementary schools, secondary schools, and institutions of higher education to ensure the vertical alignment of student learning outcomes);

''(v) collecting, analyzing, and utilizing data and other tangible evidence of student learning and classroom practice (including the use of formative and summative assessments) to—

''(I) guide decisions and actions for continuous instructional improvement; and

''(II) ensure performance accountability;

''(vi) managing resources and school time to ensure a safe and effective student learning environment; and

''(vii) designing and implementing strategies for differentiated instruction and effectively identifying and educating diverse learners, including children with disabilities and English language learners;

''(5)(A) create or enhance opportunities for teachers to assume new school leadership roles and responsibilities, including—

''(i) serving as mentors, instructional coaches, or master teachers; or

''(ii) assuming increased responsibility for professional development activities, curriculum development, or school improvement and leadership activities; and

''(B) provide training for teachers who assume such school leadership roles and responsibilities; and

''(6) provide significant and sustainable stipends above a teacher's base salary for teachers that serve as mentors, instructional coaches, teacher leaders, or evaluators under the programs described in this subsection.

''(b) SURVEY.—A local educational agency receiving a subgrant under this part shall conduct a valid and reliable full population survey of teaching and learning, at the school and local educational agency level, and include, as topics in the survey, not less than the following elements essential to improving student learning and retaining effective teachers:

''(1) Instructional planning time.

''(2) School leadership.

''(3) Decision-making processes.

''(4) Teacher professional development.

''(5) Facilities and resources, including the school library.

''(6) Beginning teacher induction.

''(7) School safety and environment.

''(c) INTEGRATION AND ALIGNMENT.—The system described in subsection (a) shall—

''(1) integrate and align all of the activities described in such subsection;

''(2) be informed by, and integrated with, the results of the survey described in subsection (b);

''(3) be aligned with the State's school improvement efforts under sections 1116 and 1117; and

''(4) be aligned with the programs funded under title II of the Higher Education Act of 1965 and other professional development programs authorized under this Act.

''(d) ELIGIBLE ENTITIES.—The assistance required to be provided under this section may be provided—

''(1) by the local educational agency; or

''(2) by the local educational agency, in collaboration with—

''(A) the State educational agency;

''(B) an institution of higher education;

''(C) a nonprofit organization;

''(D) a teacher organization;

''(E) a principal or school leader organization;

''(F) an educational service agency;

''(G) a teaching residency program; or

''(H) another nonprofit entity with experience in helping schools improve student achievement.

**''SEC. 2503. PROGRAM EVALUATION.**

''(a) IN GENERAL.—Each program required under section 2502(a) shall include a formal evaluation system to determine, at a minimum, the effectiveness of each such program on—

''(1) student learning;

''(2) retaining teachers and principals, including differentiating the retainment data by profession and by the level of performance of the teachers and principals, based on the evaluation system described in section 2502(a)(3);

''(3) teacher, principal, and other school leader practice, which shall include, for teachers and principals, practice measured by the teacher and principal evaluation system described in section 2502(a)(3);

''(4) student graduation rates, as applicable;

''(5) teaching, learning, and working conditions;

''(6) parent, family, and community involvement and satisfaction;

''(7) student attendance rates;

''(8) teacher and principal satisfaction; and

''(9) student behavior.

''(b) LOCAL EDUCATIONAL AGENCY AND SCHOOL EFFECTIVENESS.—The formal evaluation system described in subsection (a) shall also measure the effectiveness of the local educational agency and school in—

''(1) implementing the comprehensive induction program described in section 2502(a)(1);

''(2) implementing high-quality professional development described in section 2502(a)(2);

''(3) developing and implementing a rigorous, transparent, and equitable teacher and principal evaluation system described in section 2502(a)(3);

''(4) implementing mentoring, coaching, and professional development for school principals and other school leaders described in section 2502(a)(4);

''(5) ensuring that mentors, teachers, and schools are using data to inform instructional practices; and

''(6) ensuring that the comprehensive induction and high-quality mentoring required under section 2502(a)(1) and the high impact professional development required under section 2502(a)(2) are integrated and aligned with the State's school improvement efforts under sections 1116 and 1117.

''(c) CONDUCT OF EVALUATION.—The evaluation described in subsection (a) shall be—

''(1) conducted by the State, an institution of higher education, or an external agency that is experienced in conducting such evaluations; and

''(2) developed in collaboration with groups such as—

''(A) experienced educators with track records of success in the classroom;

''(B) institutions of higher education involved with teacher induction and professional development located within the State; and

''(C) local teacher, principal, and school leader organizations.

''(d) DISSEMINATION.—

''(1) IN GENERAL.—The results of the evaluation described in subsection (a) shall be submitted to the Secretary.

''(2) DISSEMINATION.—The Secretary shall make the results of each evaluation described in subsection (a) available to States, local educational agencies, and the public.

**''SEC. 2504. AUTHORIZATION OF APPROPRIATIONS.**

''There are authorized to be appropriated to carry out this part $1,000,000,000 for fiscal year 2011 and such sums as may be necessary for each succeeding fiscal year.''.

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By Mr. PRYOR:

S. 3243. A bill to require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to complete all periodic background reinvestigations of certain law enforcement personnel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. PRYOR. Mr. President, I rise today to discuss the related problems of corruption at the U.S. border with Mexico, turf wars between Federal investigators of corruption, and inadequate screening for corruption of law enforcement personnel. Solving these problems is crucial to ensuring we have a system that keeps drugs out, guns in, and maintains an effective defense against efforts by drug cartels to infiltrate parts of the Department of Homeland Security tasked with border security.

The Mexican cartels that dominate drug trafficking into the U.S. are sophisticated, ruthless, and well-funded. They operate widely in Mexico through bribery and corruption and smuggle up to $25 billion of illegal drugs as well as people into the U.S. They also smuggle illegal guns and drug money back into Mexico. In 2009, drug violence in Mexico resulted in over 9,600 murders. Already this year there have been over 3,300 murders. Some of the illegal drugs and money goes to and through my State of Arkansas.

The cartels used to operate differently in the U.S. relying mostly on stealth and a U.S. distribution network that reportedly includes operations in an estimated 230 American cities. In my State, the network includes the cities of Little Rock, Fort Smith and Fayetteville. The heightened U.S. border defenses have put a squeeze on cartels. They have tried to regain an advantage by exporting to the U.S. their experience and success in bribing and corrupting government officials who can facilitate their business.

Today, I am introducing legislation and sending a letter with three other

senators to the Secretary of the Department of Homeland Security to reverse what has become a successful campaign by drug cartels to infiltrate U.S. law enforcement. At risk here is more than drug trafficking. National security is also threatened because border weaknesses can be exploited by terrorists to transport operatives and weapons into the U.S.

At a recent hearing I chaired in a subcommittee of the Homeland Security Committee, witnesses revealed that while an array of U.S. Government agencies have been targeted for infiltration by the cartels, the U.S. Customs and Border Protection, known as CBP, has been shockingly susceptible to the threat. Federal investigators testified that 129 CBP officials have been arrested on corruption charges since 2003. In addition, the DHS Inspector General opened 576 allegations of corruption within CBP in 2009. Now, the vast majority of CBP officers are good, decent, hard-working people. That is why we need to help them root out those that are corrupting the system.

Some of CBP's susceptibility to infiltrate is the result of the high-threat environment in which CBP works. But it is also because the dramatic increases in staff levels since 2003—which is a good thing—means that the agency doesn't always meet its own guidelines for screening of job applicants and existing employees. That is not as good, and we need to take action to make sure that the processes in place to uncover infiltration and corruption are effective.

Established personnel integrity policies call for polygraph examinations and background investigations of all job applicants for CBP law enforcement positions as part of the screening process prior to being offered employment, however less than 15 percent received the full screening in 2009. CBP also has a 10,000 person backlog on these reinvestigations of existing personnel.

There are also indications that there may be coordination and information sharing problems between the DHS components responsible for investigating corruption. Evidence of these problems include a December 16, 2009, memo from the DHS Inspector General's office and a March 30, 2010, Washington Post article detailing a lack of coordination between Federal investigators regarding corruption cases.

As we seem to learn over and over again, cooperation and coordination by Federal, state, and local law enforcement is essential to identifying and defeating threats to our national security. The threat of infiltration by drug cartels is no different.

I am deeply concerned that the department responsible for the security of our homeland is falling short in these important areas.

To address these problems, I am sending a letter along with Senators FEINGOLD, WYDEN, and BURRIS to DHS Secretary Napolitano requesting that she resolve turf issues between investigators and integrity screening shortcomings at CBP. I ask unanimous consent that this letter be inserted in the RECORD after my statement.

I am also introducing the Anti-Border Corruption Act of 2010. My bill requires DHS to address the integrity screening problems at CBP and make progress reports to Congress. Specifically, it requires that DHS take such actions as necessary to ensure that the backlog of periodic background investigations is cleared up within 60 days. It also requires job applicants to receive the polygraph test as required by DHS policy within 2 years.

Finally, I close with a message about and to the men and women at Customs and Border Protection. Despite the unfortunate actions of a few that dishonor a proud tradition at CBP, we know the vast majority of CBP employees are patriotic, honest, and hard-working. We know and value the contribution they make to the safety of America and the risks that they take on our behalf. They deserve and have our thanks, support, and commitment to help them weed out bad elements in their organization.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the additional material was ordered to be printed in the RECORD, as follows:

S. 3243

*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 ''Anti-Border Corruption Act of 2010''.

**SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) According to the Office of the Inspector General of the Department of Homeland Security, since 2003, 129 U.S. Customs and Border Protection officials have been arrested on corruption charges and, during 2009, 576 investigations were opened on allegations of improper conduct by U.S. Customs and Border Protection officials.

(2) To foster integrity in the workplace, established policy of U.S. Customs and Border Protection calls for—

(A) all job applicants for law enforcement positions at U.S. Customs and Border Protection to receive a polygraph examination and a background investigation before being offered employment; and

(B) relevant employees to receive a periodic background reinvestigation every 5 years.

(3) According to the Office of Internal Affairs of U.S. Customs and Border Protection—

(A) in 2009, less than 15 percent of applicants for jobs with U.S. Customs and Border Protection received polygraph examinations;

(B) as of March 2010, U.S. Customs and Border Protection had a backlog of approximately 10,000 periodic background reinvestigations of existing employees; and

(C) without additional resources, by the end of fiscal year 2010, the backlog of periodic background reinvestigations will increase to approximately 19,000.

**SEC. 3. REQUIREMENTS WITH RESPECT TO ADMINISTERING POLYGRAPH EXAMINATIONS TO LAW ENFORCEMENT PERSONNEL OF U.S. CUSTOMS AND BORDER PROTECTION.**

The Secretary of Homeland Security shall ensure that—

(1) by not later than 2 years after the date of the enactment of this Act, all applicants for law enforcement positions with U.S. Customs and Border Protection receive polygraph examinations before being hired for such a position; and

(2) by not later than 180 days after the date of the enactment of this Act, U.S. Customs and Border Protection initiates or completes all periodic background reinvestigations for all law enforcement personnel of U.S. Customs and Border Protection that should receive periodic background reinvestigations pursuant to relevant policies of U.S. Customs and Border Protection in effect on the day before the date of the enactment of this Act.

**SEC. 4. PROGRESS REPORT.**

Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter through the date that is 2 years after such date of enactment, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the progress made by U.S. Customs and Border Protection toward complying with section 3.

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APRIL 21, 2010.

Hon. JANET NAPOLITANO,
*Secretary, Department of Homeland Security, Washington, DC.*

DEAR SECRETARY NAPOLITANO: In a recent hearing in the Homeland Security and Governmental Affairs Subcommittee on State, Local, and Private Sector Preparedness and Integration on the corruption of U.S. officials by Mexican drug cartels, senior officials of the Department of Homeland Security (DHS) testified that drug cartels are specifically targeting and infiltrating federal law enforcement agencies along the southwest border. These corruption activities encompass almost every layer of the DHS border security strategy.

Of concern are indications that there may be coordination and information sharing problems that result in duplication of investigative efforts between the DHS components responsible for investigating corruption. Evidence of these problems include the attached December 16, 2009, memo from the DHS Inspector General's office asserting jurisdiction over corruption investigations currently being carried out by the Customs and Border Protection Internal Affairs and a March 30, 2010, Washington Post article detailing a lack of coordination between Federal investigators regarding corruption cases. We ask that you assist these DHS components in developing clearly defined roles and responsibilities regarding corruption investigations to ensure proper sharing of information and prevention of duplicative investigations. It is our belief that cooperation and participation by Federal, state, and local law enforcement is essential to eliminating this growing threat to our national security.

Also of concern was testimony regarding significant, growing corruption within U.S. Customs and Border Protection (CBP) where 129 officials have been arrested on corruption charges since 2003. The DHS Inspector General reported that it had opened 576 allegations of corruption within CBP in 2009. It appears that CBP has been susceptible to infiltration and corruption because it occupies the front line in the prevention of smuggling

and illegal border crossings into the U.S., its dramatic increases in staff levels since 2003, and DHS not meeting its own guidelines for integrity screening of job applicants and existing employees.

Hearing testimony established that although DHS integrity policies call for polygraph examinations and background investigations of all new job applicants for CBP law enforcement positions as part of the screening process prior to being offered employment, less than 15% received the full screening in 2009. Testimony also established that periodic reinvestigations are required of current law enforcement personnel to uncover signs of corruption. CBP currently has a 10,000 person backlog of periodic reinvestigations, with the number expected to rise to 19,000 by the end of this year.

These shortcomings pose a clear national security risk. We believe this issue requires your immediate attention and would like you to examine and specify what DHS is currently doing to properly address these problems. We look forward to working with you to solve this problem.

Sincerely,

RUSSELL D. FEINGOLD.
MARK L. PRYOR.
RON WYDEN.
ROLAND W. BURRIS.

## SUBMITTED RESOLUTIONS

### SENATE CONCURRENT RESOLUTION 59—EXPRESSING THE SENSE OF CONGRESS THAT THE UNITED STATES SHOULD NEITHER BECOME A SIGNATORY TO THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT NOR ATTEND THE REVIEW CONFERENCE OF THE ROME STATUTE IN KAMPALA, UGANDA IN MAY 2010

Mr. VITTER (for himself, Mr. INHOFE, Mr. KYL, and Mr. CRAPO) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 59

Whereas President William Clinton signed the Rome Statute on the International Criminal Court (''Rome Statute'') through a designee on December 31, 2000, but acknowledged ''significant flaws'' in the treaty, and recommended that President-elect George W. Bush not submit the treaty to the Senate for advice and consent;

Whereas the ''significant flaws'' identified by President Clinton—including the fact that the International Criminal Court (''ICC'') claims the power to exercise authority and jurisdiction over the citizens of nations that have not ratified the treaty—persist and have not been remedied;

Whereas President Bush, through Undersecretary of State for Arms Control John Bolton, notified United Nations Secretary-General Kofi Annan on May 6, 2002, that the United States does not intend to become a party to the Rome Statute and therefore has no legal obligations arising from its signature on December 31, 2000;

Whereas the United States Government, acting through its elected representatives, is the sole arbiter regarding decisions on the use of military force in its defense or in the defense of its allies;

Whereas the Rome Statute undermines national sovereignty and established principles of customary international law by claiming the authority in certain circumstances to investigate and prosecute citizens and military personnel of a country that is not a party to the treaty and has not accepted the jurisdiction of the court;

Whereas the United Nations Security Council—upon which the United States holds a permanent, veto-wielding seat—is conferred under the United Nations Charter with ''primary responsibility for the maintenance of international peace and security'';

Whereas the authority of the ICC inappropriately intrudes upon the United Nations Security Council's primary responsibility under the United Nations Charter for the maintenance of international peace and security;

Whereas, in September 2009, the ICC Office of the Prosecutor announced that ICC personnel were investigating accusations of war crimes and crimes against humanity allegedly committed by United States and NATO forces fighting in Afghanistan;

Whereas the parties to the Rome Statute have failed to establish a definition of the ''crime of aggression'';

Whereas the United States Government has at various times been accused of ''aggression'', including the congressionally authorized use of military force against Iraq in 2003;

Whereas the Rome Statute would subject United States citizens and military personnel charged with crimes before the ICC to trial and punishment without the basic rights and protections provided to criminal defendants and guaranteed by the United States Constitution, including a right to a jury trial by one's peers, protection from double jeopardy, the right to confront one's accusers, and the right to a speedy trial;

Whereas the first Review Conference on the Rome Statute will be held in Kampala, Uganda from May 31 to June 11, 2010, to consider amendments to the Rome Statute and to take stock of its implementation and impact; and

Whereas the draft provisional agenda of the Review Conference indicates that the Assembly of States Parties of the ICC has no intention of addressing the grave and persistent concerns of the United States regarding the Rome Statute: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That it is the sense of Congress that—

(1) the national interests of the United States are neither preserved nor advanced by becoming a State Party to the Rome Statute on the International Criminal Court;

(2) the Rome Statute undermines the sovereignty of the United States, hinders its ability to defend itself and its allies with military force, and conflicts with the principles of the United States Constitution;

(3) President Barack Obama should declare that the United States does not intend to ratify the Rome Statute and that the United States does not presently consider itself to be a signatory of the treaty; and

(4) given that the Assembly of States Parties has no discernable intention of addressing United States concerns regarding the treaty, President Obama should neither attend nor send a delegation to the Review Conference of the Rome Statute in Kampala, Uganda commencing May 31, 2010.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BURRIS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on April 21, 2010, at 9:30 a.m. in room G50 of the Dirksen Senate Office Building.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BURRIS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 21, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BURRIS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 21, 2010, at 10 a.m. in room 406 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BURRIS. 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 21, 2010, at 10 a.m. to conduct a hearing entitled ''The Lessons and Implications of the Christmas Day Attack: Securing the Visa Process.''

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BURRIS. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on April 21, 2010, at 2:30 p.m. to conduct a hearing entitled ''The FY2011 budget Request for the Small Business Administration.''

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. BURRIS. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on April 21, 2010. The Committee will meet in room 418 of the Russell Senate Office building beginning at 9:30 a.m.

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. BURRIS. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on April 21, 2010, at 10 a.m.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. BURRIS. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 21, 2010, at 2:30 p.m.

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

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. BURRIS. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands and Forests be authorized to meet during the session of the Senate to conduct a hearing on April 21, 2010, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

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

## PRIVILEGES OF THE FLOOR

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that Randy Fasnacht, a detailee with Senator REED (RI) to the Subcommittee on Securities, Insurance, and Investments, be granted the privileges of the floor for the remainder of the 111th Congress.

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

## RECOGNIZING THE LEADERSHIP AND HISTORICAL CONTRIBUTIONS OF DR. HECTOR GARCIA

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H. Con. Res. 222 and the Senate proceed to its immediate consideration.

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

The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 222) recognizing the leadership and historical contributions of Dr. Hector Garcia to the Hispanic community and his remarkable efforts to combat racial and ethnic discrimination in the United States of America.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the measure be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 222) was agreed to.

The preamble was agreed to.

## CONGRATULATING THE REPUBLIC OF SERBIA

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration and the Senate now proceed to S. Res. 483.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 483) congratulating the Republic of Serbia's application for European Union membership and recognizing Serbia's active efforts to integrate into Europe and the global community.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The resolution (S. Res. 483) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 483

Whereas the United States has been a strong supporter of the European Union (EU);

Whereas the year 2010 marks a full decade of efforts of the Government of Serbia to reintegrate into Europe and the global community;

Whereas, on November 30, 2009, the EU decided that the citizens of ''Serbia will be able to travel without visa to the Schengen area'' permitting the greater integration of Serbia into Europe;

Whereas a democratically elected Government of Serbia has committed to resolving regional disagreements through diplomacy and the tenets of international law;

Whereas, on April 29, 2008, the EU and Serbia signed a Stabilization and Association Agreement, which considered ''the EU's readiness to integrate Serbia to the fullest extent into the political and economic mainstream of Europe and its status as a potential candidate for EU membership'';

Whereas, on June 21, 2003, the EU stated in the Summit Declaration of the EU-Western Balkans summit at Thessaloniki that ''the future of the Balkans is within the EU'' and that the countries of the Western Balkans' ''rapprochement with the EU will go hand in hand with the development of regional co-operation'';

Whereas the United States Government has supported the diplomatic efforts of the Government of Serbia to reintegrate into the global community, including a visit by Vice President Joseph Biden in May 2009; and

Whereas the United States Government has long viewed the EU as a source of stabilization, security, and prosperity for all of Europe and the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) applauds the people of Serbia for furthering their commitment to democracy, free markets, tolerance, nondiscrimination, and the rule of law;

(2) urges the European Council to adopt in a timely manner a clear position on Serbia's qualifications as a candidate country;

(3) welcomes the decision of the democratically elected Government of Serbia to join the NATO Partnership for Peace Program in 2006;

(4) recognizes the cooperation of the Government of Serbia with the United States Government on issues such as democratization, anti-drug trafficking, anti-terrorism, human rights, regional cooperation, and trade;

(5) strongly urges the Government of Serbia to intensify efforts to capture and transfer at-large indictees Goran Hadzic and Ratko Mladic to the International Criminal Tribunal for the former Yugoslavia and otherwise to fully cooperate with the Tribunal; and

(6) encourages the European Union to also remain actively engaged with all countries in the Western Balkans regarding their aspirations for European integration.

## APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 94–201, as amended by Public Law 105–275, appoints the following individuals as members of the Board of Trustees of the American Folklife Center of the Library of Congress: Patricia Atkinson of Nevada vice Dennis Holub of South Dakota and Joanna Hess of New Mexico vice Mickey Hart of California.

## ARTICLES OF IMPEACHMENT AGAINST JUDGE PORTEOUS

The PRESIDING OFFICER. The Chair submits to the Senate for printing in the Senate Journal and in the CONGRESSIONAL RECORD the replication-errata of the House of Representatives to the Answer of Judge G. Thomas Porteous, Jr., to the Articles of Impeachment against Judge Porteous, pursuant to S. Res. 457, 111th Congress, Second Session, which replication was received by the Secretary of the Senate on April 21, 2010.

The replication-errata of the House of Representatives is as follows:

CONGRESS OF THE UNITED STATES,
*Washington, DC, April 21, 2010.*

Re Impeachment of G. Thomas Porteous, Jr., United States District Judge for the Eastern District of Louisiana, Replication—Errata

Hon. NANCY ERICKSON,
*Secretary of the Senate, U.S. Senate, Washington, DC.*

DEAR MS. ERICKSON: On behalf of the House Managers, I am writing to inform the Senate of the following errata in the Replication that the House filed April 15, 2010.

Page 5, first sentence in the Section entitled ''Fourth Affirmative Defense,'' the word ''voluntary'' should be deleted, so that the sentence now reads: ''The House of Representatives denies each and every allegation of this purported affirmative defense, which, in effect, seeks to suppress the statements of a highly educated and experienced Federal judge, made under oath, before other Federal judges.''

Page 6, last sentence in the Section entitled ''Fourth Affirmative Defense,'' the words ''voluntary and'' should be deleted, so that the sentence now reads: ''Accordingly, there is simply no credible basis to argue that the Senate should not consider Judge Porteous's immunized Fifth Circuit testimony.''

Page 9, first sentence in the Section entitled ''Fourth Affirmative Defense,'' the word ''voluntary'' should be deleted, so that the sentence now reads: ''The House of Representatives denies each and every allegation of this purported affirmative defense, which, in effect, seeks to suppress the statements of a highly educated and experienced Federal judge, made under oath, before other Federal judges.''

Page 9, last sentence in the Section entitled ''Fourth Affirmative Defense,'' the

words ''voluntary and'' should be deleted, so that the sentence now reads: ''There is simply no credible basis to argue that the Senate should not consider Judge Porteous's immunized Fifth Circuit testimony.''

I would request that any future published versions of this Replication incorporate and reflect the above changes. Further, in that the Replication has been published in the Congressional Record, to the extent consistent with the Senate rules, we respectfully request that this letter likewise be published.

A copy of this letter will be served upon counsel for Judge Porteous today through electronic mail.

Sincerely,

ALAN I. BARON,
*Special Impeachment Counsel.*

## ORDERS FOR THURSDAY, APRIL 22, 2010

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, April 22; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have 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 Republicans controlling the first 30 minutes and the majority controlling the final 30 minutes; that following morning business, the Senate proceed to executive session to consider the nomination of Denny Chin to be U.S. circuit judge for the Second Circuit, as provided for under the previous order.

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

## PROGRAM

Mr. WHITEHOUSE. Mr. President, there will be up to 1 hour for debate prior to a vote on the confirmation of the Chin nomination. Senators will be notified when the vote is scheduled.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:40 p.m., adjourned until Thursday, April 22, 2010, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### FARM CREDIT ADMINISTRATION

JILL LONG THOMPSON, OF INDIANA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION, VICE NANCY C. PELLETT, TERM EXPIRED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

### DEPARTMENT OF COMMERCE

FRANCISCO J. SANCHEZ, OF FLORIDA, TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE, VICE CHRISTOPHER A. PADILLA, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

ERIC L. HIRSCHHORN, OF MARYLAND, TO BE UNDER SECRETARY OF COMMERCE FOR EXPORT ADMINISTRATION, VICE MARIO MANCUSO, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

### EXECUTIVE OFFICE OF THE PRESIDENT

MICHAEL W. PUNKE, OF MONTANA, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR, VICE PETER F. ALLGEIER, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

### DEPARTMENT OF THE TREASURY

MICHAEL F. MUNDACA, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE ERIC SOLOMON, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

### EXECUTIVE OFFICE OF THE PRESIDENT

ISLAM A. SIDDIQUI, OF VIRGINIA, TO BE CHIEF AGRICULTURAL NEGOTIATOR, OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR, VICE RICHARD T. CROWDER, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

### DEPARTMENT OF THE TREASURY

JEFFREY ALAN GOLDSTEIN, OF NEW YORK, TO BE AN UNDER SECRETARY OF THE TREASURY, VICE ROBERT K. STEEL, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CHAI RACHEL FELDBLUM, OF MARYLAND, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2013, VICE LESLIE SILVERMAN, TERM EXPIRED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

JACQUELINE A. BERRIEN, OF NEW YORK, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2014, VICE CHRISTINE M. GRIFFIN, TERM EXPIRED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

### NATIONAL LABOR RELATIONS BOARD

CRAIG BECKER, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2014, VICE DENNIS P. WALSH, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

VICTORIA A. LIPNIC, OF VIRGINIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JULY 1, 2010, VICE NAOMI CHURCHILL EARP, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

P. DAVID LOPEZ, OF ARIZONA, TO BE GENERAL COUNSEL OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM OF FOUR YEARS, VICE RONALD S. COOPER, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

### NATIONAL LABOR RELATIONS BOARD

MARK GASTON PEARCE, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2013, VICE PETER N. KIRSANOW, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

### DEPARTMENT OF HOMELAND SECURITY

ALAN D. BERSIN, OF CALIFORNIA, TO BE COMMISSIONER OF CUSTOMS, DEPARTMENT OF HOMELAND SECURITY, VICE W. RALPH BASHAM, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

RAFAEL BORRAS, OF MARYLAND, TO BE UNDER SECRETARY FOR MANAGEMENT, DEPARTMENT OF HOMELAND SECURITY, VICE ELAINE C. DUKE, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

### THE JUDICIARY

JAMES KELLEHER BREDAR, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND, VICE J. FREDERICK MOTZ, RETIRING.

EDMOND E-MIN CHANG, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE ELAINE F. BUCKLO, RETIRED.

ELLEN LIPTON HOLLANDER, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND, VICE ANDRE M. DAVIS, ELEVATED.

LESLIE E. KOBAYASHI, OF HAWAII, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII, VICE HELEN W. GILLMOR, RETIRED.

SUSAN RICHARD NELSON, OF MINNESOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MINNESOTA, VICE JAMES M. ROSENBAUM, RETIRED.

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. ERIC E. FIEL

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF THE DENTAL CORPS, AND ASSISTANT SURGEON GENERAL FOR DENTAL SERVICES, UNITED STATES ARMY AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 3036 AND 3039(B):

*To be major general*

COL. MING T. WONG

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF CHAPLAINS, UNITED STATES NAVY, AND APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 5142:

*To be rear admiral*

REAR ADM. (LH) MARK L. TIDD

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

MARK J. AGUIAR
AIMEE L. ALVIAR
STEPHANIE E. AMADOR
ARTHUR D. ANDERSON
ROBERT W. BAILEY, JR.
VICTOR BARANOWSKI
JOHNNIE I. BARRETT
LAURA A. BELT
JEANNIE M. BERRY
CYNTHIA L. BOND
PATRICK C. BOYLE
RALPH L. BURROUGHS III
BRANDY R. CASTEEL
JACQUELINE M. COLE
ERSKINE G. COOK, JR.
ELIANA J. CORAL
KRISTA R. COTTERILL
BRANDY L. COX
CINDY L. CRADDOCK
DARREN J. DAMIANI
KAREN M. DANIELS
SUANN DAVISON
DALE H. DESALIS
PAUL A. DEVAUGHN
ROBIN L. DUCKER
DANA LEA DUERR
TAMMY MICHELLE DUNHAM
JERRY M. EARL, JR.
SUSAN E. EATON
MICHAEL H. EDGING
YOGI D. EDLIN, JR.
MIRIAM EDOUARD
TRACY S. EDWARDS
WANDA L. EDWARDS
STEPHANIE M. ELLENBURG
ERNI L. EULENSTEIN
SARAH M. EVANS
ANTONIO L. FISHER
VINCENT M. GACILOS
ELOISE K. GOMEZ
KIMBERLI A. GOODNER
TRACEY A. GOSSER
WANDA R. GREENE
CONSTANCE M. GRIFFIN
JASON W. GRIMM
ORANETTA L. HALL
SHERRY A. HAMMOCK
ANASTASIA ANGELA HANSEN
GARY W. HARDY
GORDON ANTHONY HAZLETTE
SADIE M. HENRY
WAYNE P. HODSON
WANDA M. HOGGARD
MATTHEW J. HOWARD
RICHARD F. HUFF
SARAH L. HUFFMAN
GREGORY W. JOHNSON
CHRISTOPHER W. KELLY
JULIA KISS
JAMES E. KRAMER
THELMA H. LAJONDIMALANTA
JESSICA L. LAMONTAGNE
BENJAMIN P. LANDRY
RICK A. LANG
MEGAN M. LAUGHLIN
ROBIN R. LECH
KAREN C. LUGG
DEBRA S. LUNDEEN
LISA S. MADISON
ERIKA J. MCCARTHY
TROY D. MEFFERD
JOSEPH C. MELDER
BOBBY D. MITCHELL
NICOLE F. MOLETT
WILLIAM C. MOORE
MICHAEL J. MORROW
VANESSA L. MOSES
TAMMY M. MOSLEY
HASMIN E. NALES
FRANCES M. NICHOLS
CHRISTOPHER W. NIDELL
HOLLY ANN OCONNOR
CATHERINE G. ORTEGA
ANGELIQUE V. PATTERSON
MARTHA E. PAUL
REBEKAH P. PEERY
SYLVIA PENA
ANN M. PETCAVAGE
MICHELLE I. PLASTERER

MARQUITA N. PRICE
TIFFANIE L. RAMPLEY
KRIS D. RICHARDSON
STEPHEN W. RIGGS
KATHERINE S. ROBBEL
TRACY LYNN RUE
DANNY C. SANDEFUR
DARRELL W. SAYLOR
ANGELA K. SCHLOER
DANIEL J. SCHWARTZ
JIMMY D. SCOTT
DALE M. SEIGLER
DEBRA L. SIMS
JULIE A. SKINNER
DON L. SMITH
INEZ VONCEIL SMITH
KIRK A. SMITH
KRISTIN L. SMITH
MYRNA L. SPENCER
ANNE S. STALEY
DAPHNE SMALL STEPANEK
DOUGLAS W. STILES
NICOLE THOMPSON STONEBURG
DAVID R. STRICKLAND
CHAD A. STUCKEY
CHI SUH
JACQUILLA SULLIVAN MCGOWAN
KIMBERLY NOVACK TRNKA
SALVADOR V. VARGAS
MELISSA K. VESSAR
LEILA R. VON KREITOR
LISA A. WARE
DALLAS T. WEILLS III
DAVID A. WHITEHORN
CAROL DAWN WILHITE
MELINDA A. WILLIAMSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

SANDRA S. AGUILLON
JEFFREY L. ALCORN
CALVIN J. ANDERSON
BRUCE D. AUVILLE
JAMES F. BEST, JR.
RAMA BHYRAVABHOTLA
ALEXSA BILLUPS
JEFFREY S. BOSLEY
PAUL W. BOTT
JOEL E. BRADY
MEGAN S. BRANDT
KITO D. BROOKS
ROBERT S. BROWN
BRUCE W. CALLAHAN
JEFFREY W. CATHEY
COREY J. CHRISTOPHERSON
CAMERON D. CLEMENT
WARREN G. CONROW
SCOTT A. COREY
JAMIE D. CORNETT
ROBERT J. CURTIS
LAURIE R. DAVIE
JAMES W. DAVIS
HEATHER D. DESHONE
KIERAN K. DHILLON DAVIS
LUTHER E. DHILLON DAVIS
MICHAEL J. DOIRON
MELISSA M. DURHAM
JAMISON L. EARLEY
JAMES C. ENDERBY
JERRY M. FAUSCH
HEATHER WINFREE FENZL
MATTHEW R. FERRERI
BRIGITTE C. FRENCH
MOHAMMED FUAD
JENNIFER M. GIOVANNETTI
MATTHEW D. GLYNN
GABRIEL GONZALEZ
BELTECEZAR C. GOROSPE
MALAYSIA H. GRESHAM
MARTHA G. HAINEY
EYDIN D. HANSEN
TIMOTHY G. HARRELSON, JR.
TRACY L. HARRELSON
ERIC M. HENDRICKSON
CRYSTAL A. HILAIRE
SUNNY M. HOLDEN
PATRICIA E. HOOGEVEEN
KARI L. HUNTER
VINCENT X. HUONG
JARRETT R. JACK
EMBER J. JOHNSTON
BRIAN L. JONES
STEVEN A. KELHAM
JEREMY RICHARD KERSEY
ADAM B. KLEMENS
JEREMY A. KOVACS
JENNIFER JONES LAACK
DANIEL R. LANE
ROBERT A. LARKOWSKI
JUNG B. LEE
ROGER A. LEE
NANCY S. LESTER
ERIC N. LITTLEFIELD
GERARDO LOPEZ
TRAVIS K. LUNASCO
MONIKA LUNN
JOHN T. MACGREGOR
MICHAEL R. MCCARTER II
RENE M. MCQUEEN
MIKEL M. MERRITT
PAUL R. NELSON
MIA Y. NEURELL
JEFFREY A. NEWSOM
DARREN ELOF NORDIN
RANDALL A. PAPE
CHRISTOPHER S. PECHACEK
ANDREW G. PUCKETT
JOSEPH N. PUGLIESE
CHRISTOPHER M. PUTNAM
MICHAEL A. RAETHKA
CARY C. REGISTER
DENNIS J. ROBINSON
TOMAO L. ROSE
ROSALIND R. ROSS PERRY
AMANDA L. SAGER
SCOTT W. SCHAFER
ROBERT D. SCHMIDTGOESSLING
ROBERT R. SCHROPE IV
CHRISTA L. SECHRIST
JASON B. SHIRAH
JENNIFER L. SHIRLEY
STEPHEN M. STOUDER
JOHN E. STUBBS
DARRELL R. STUTTS
TISHA D. SUTTON
DARRELL K. TEGTMEYER
MATTHEW A. THOMAS
CHRISTINE L. TOLBERT
JOSHUA L. TOMCHESSON
CHARLES B. TOTH
TU T. TRAN
AARON D. TRITCH
DAN T. VINCECRUZ
DAVID E. WAGNER
ERICH W. WANAGAT
SCOTT M. WHIPPLE
SUNDONIA J. WONNUM
DAVID C. WRIGHT
SHAWNA A. ZIERKE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

LORI A. ADAMS
REGINA D. AGEE
NICOLE H. ARMITAGE
CONSTANCE C. BANKS
KIMBERLY A. BRIDGE
DAWN B. BROOKS
JANET D. BRUMLEY
MARYJO BURLEIGH
KRISTIN L. CARLSON
JONI M. CLEMENS
CYNTHIA A. CONNER
ZINA M. CRUMP
SUSAN F. DUKES
KATHLEEN T. FOULK
MICHELLE L. GONZALES
KIMBERLY A. GRAHAM
GERALD W. HALL, JR.
ROCHELLE L. HAYNES
KAREE M. JENSEN
PATRICIA I. JOHN
KELLIE A. JOHNSON
MICHAEL J. JOHNSON
MARINA L. JOHNSTON
PHYLLIS F. JONES
MICHELIN Y. JOPLIN CONERLY
DEEANN M. LEES
LESTER P. LORETO
KIMBERLY L. MANNINGWRIGHT
ELIZABETH A. MCDOWELL
KIMBERLY B. MERRITT
BRADLEY D. NIELSEN
NICOLE R. OGBURN
JULIE R. OSTRAND
JOEY P. PASKEVICIUS
DONNA L. RAU
RHONDA L. RICHTER
JERRY D. RUMBACH
MICHELE Y. SHELTON
DEBRA A. SMITH
PENNY E. SPAID
JAMES S. SPEIGHT
KATHERINE S. SPENCE
BONNIE J. STIFFLER
JAMES A. STRYD
BARBARA A. SUSEN
LANE C. TAYLOR
LINDA J. THOMAS
KARIN P. VANDOREN
CANDY S. WILSON
KEITH A. WILSON
PAULA M. WINTERS
SHANNON G. WOMBLE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

VERONA BOUCHER
DANE V. CAMPBELL
BRETT R. CARNER
JAMES R. COKER
BRIAN L. COSTELLO
ERIC M. COX
AMIE W. DARYANANI
JAMES A. DAUBER
MICHAEL P. DEMPSEY
DAVID R. ENGLERT
MAUREEN A. FARRELL
BENJAMIN J. FRANKLIN
STEPHEN GABORIAULTWHITCOMB
CLARENCE D.A. GAGNI
REVONDA L. GRAYSON
NADINE Y. GRIFFIN
DERYCK K. HILL
NEIL A. HOLDER
NEIL MICHAEL HORNER
TIMOTHY D. HOWERTON
DEREK J. LARBIE
DAVID A. LINCOLN
WINNIE LOKPARK
PAULINE M. LUCAS
CHRISTIAN L. LYONS
CRAIG A. MCCLUER
TIFFANY J. MORGAN
BRIAN T. MUSSELMAN
ERIC V. OLSEN
DENNIS OSULLIVAN
SHANNON L. PHARES
NICOLE H. RANEY
JUDY A. RATTAN
JESSE W. RICHARDSON
MICHAEL D. ROSS
STEPHANIE P. SCHULTZ
THOMAS L. SHAAK
JAMES E. SHIELDS
JOSEPH W. SILVERS
JULIA N. SUNDSTROM
JAMES C. TANNER
DAVID C. WALMSLEY
ROSS K. WHITMORE
DREW E. WIDING
RICHARD L. WOODRUFF, JR.
BRIAN A. YOUNG
JAMES A. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

WILLARD B. AKINS II
VINCENT J. ALCAZAR
ALEJANDRO J. ALEMAN
JOHN J. ALLEN
MARK S. ALLEN
NEIL T. ALLEN
RICHARD C. AMBURN
KATHLEEN F. AMPONIN
BYRON B. ANDERSON
WILLIAM D. ANDERSON, JR.
JOSEPH F. ANGEL
RUSSELL K. ARMSTRONG
DAVID C. ARNOLD
DAVID R. ARRIETA
BRUCE A. ARRINGTON
MARK R. AUGUST
DOYLE R. BABE
DAVID D. BANHOLZER
DAVID W. BARNES
DAVID J. BAYLOR
CHARLES E. BEAM
BRIAN R. BEERS
PAUL R. BEINEKE
THOMAS A. BELL
DAVID B. BELZ
ROBERT E. BENNING
SCOTT I. BENZA
ALEXANDER BERGER
KURT A. BERGO
BRUCE A. BEYERLY
TIMOTHY J. BILTZ
DAVID R. BIRCH
KEVIN E. BLANCHARD
JULIE C. BOIT
ROBERT T. BOQUIST
MICHAEL F. BORGERT
JAMES R. BORTREE
ANDREW R. BRABSON
JAMES A. BRANDENBURG II
HELEN L. BRASHER
JAMES E. BRECK, JR.
DAVID P. BRIAR
MICHAEL F. BRIDGES
LORING G. BRIDGEWATER
GREGORY S. BRINSFIELD
RYAN L. BRITTON
TODD M. BROST
KENNETH J. BROWNELL
BRIAN R. BRUCKBAUER
ROBERT J. BRUCKNER
DALE S. BRUNER
CHRISTOPHER J. BRUNNER
ROBERT A. BUENTE
STEVEN C. BUETOW
PAUL A. BUGENSKE
KURT W. BULLER
JOHN G. BUNNELL
JEFFREY B. BURCHFIELD
PATRICK C. BURKE
SCOTT D. BURNSIDE
DEANNA M. BURT
BRADLEY J. BUXTON
SEANN J. CAHILL
DANIEL B. CAIN
MICHAEL O. CANNON
DANN S. CARLSON
KURT J. CARRAWAY
MATTHEW D. CARROLL
ERIC D. CASLER
MARC E. CAUDILL
TYRELL A. CHAMBERLAIN
DAVID E. CHELEN
MIKE G. CHRISTIAN
MARK K. CIERO
ANDRA B. CLAPSADDLE
JAMES A. CLARK
CHAD M. CLIFTON
THOMAS C. COGLITORE
JOHN COLLEY
MIGUEL J. COLON
STEPHEN R. CONKLING
MICHAEL R. CONTRATTO

ANTHONY G. COOK
DAVID L. COOL
EDWARD R. CORCORAN
TOBY L. COREY
MATTHEW J. CORNELL
SEAN C. CORNFORTH
DAVID A. CORRELL
JAMES A. COSTEY
JODY D. COX
MATTHEW D. COX
KEVIN M. COYNE
KENNETH S. CRANE
DAVID M. CREAN
THOMAS D. CRIMMINS
BRYAN L. CRUTCHFIELD
JARED P. CURTIS
DANIEL D. CZUPKA
THOMAS D. DAACK
DENNIS P. DABNEY
MATTHEW R. DANA
CHRISTOPHER O. DARLING
JUSTIN C. DAVEY
MATTHEW W. DAVIDSON
JONATHAN P. DAVIS
THEODORE L. DAVIS, JR.
JERI L. DAY
MICHAEL E. DEBRECZENI
JEFFREY W. DECKER
JOHN M. DELAPP, JR.
JAMES E. DENBOW, JR.
EVAN C. DERTIEN
TED A. DETWILER
JOHN M. DEVILLIER
JEFFREY W. DEVORE
TIMOTHY C. DODGE
PAUL B. DONOVAN
DWIGHT K. DORAU
DAVID R. DORNBURG
DENIS P. DOTY
MICHAEL L. DOWNS
JAMES H. DRAPE
GARY T. DROUBAY
DAVID T. DUHADWAY
CARL R. DUMKE
LOUIS F. DUPUIS, JR.
LOURDES M. DUVALL
ANTHONY T. DYESS
ALTON D. DYKES
BILLIE S. EARLY
CASEY D. EATON
DANIEL C. EDWARDS
RICHARD J. EDWARDS
PETER K. EIDE
KENNETH P. EKMAN
NEVIN K. ELDEN
TODD C. ELLISON
THOMAS E. ENGLE
CHRISTINE M. ERLEWINE
MARK W. EVANS
ANNE MARIE FENTON
DONALD J. FIELDEN
JOHN N. FISCH
JEFFREY H. FISCHER
SCOTT C. FISHER
TYRON FISHER
MICHAEL P. FLAHERTY
TODD J. FLESCH
PATRICK M. FLOOD
RICHARD L. FOLKS II
DAVID E. FOOTE
TERESA L. FOREST
ANDREAS J. FORSTNER
JAMES R. FOURNIER
DEREK C. FRANCE
SCOTT G. FRICKENSTEIN
ERIC H. FROEHLICH
DON C. FULLER III
DAVID M. GAEDECKE
ANDREW J. GALE
PHILIP A. GARRANT
KURT H. GAUDETTE
ANDREW J. GEBARA
ANTHONY W. GENATEMPO
WILLIAM W. GIDEON
SCOTT L. GIERAT
CAMERON L. GILBERT
RANDALL S. GILHART
PAUL G. GILLESPIE
WILLIAM U. GILLESPIE IV
DIANE CHOY GILLINGS
ERIK W. GOEPNER
REGINA T. GOFF
PATRICK J. GOOLEY
CLAYTON M. GOYA
SCOTT D. GRAHAM
GARY L. GRAPE
CHRISTOPHER P. GRAZZINI
GABRIEL V. GREEN
PAULA D. GREGORY
MICHAEL A. GREINER
KYLE D. GRESHAM
JOHN M. GRIFFIN
JANET W. GRONDIN
CLARK M. GROVES
WILLIAM C. GRUND
ALEXUS G. GRYNKEWICH
BRYAN K. HADERLIE
CURTIS R. HAFER
EILEEN R. HAMBY
CHARLES T. HAMILTON
SHANE P. HAMILTON
JOHN T. HANNA
JASON L. HANOVER
DAVID E. HANSEN
LISA K. HANSEN
KRAIG M. HANSON
DOUGLAS D. HARDMAN
JEANNE I. HARDRATH
MICHAEL R. HARGIS
DAVID A. HARRIS, JR.
VALERIE L. HASBERRY
BRETT R. HAUENSTEIN
TIMOTHY D. HAUGH
TRACEY L. HAYES
JERRY W. HAYNES II
MICHELLE L. HAYWORTH
GREGORY L. HEBERT
CARLIN R. HEIMANN
MICHAEL W. HELVEY
ANTHONY A. HIGDON
ERIC T. HILL
MARK A. HIRYAK
DAVID J. HLUSKA
MICHAEL T. HOEPFNER
TIMOTHY J. HOGAN
STEPHANIE A. HOLCOMBE
MICHAEL R. HOLMES
WILLIAM G. HOLT II
WILLIE O. HOLT, JR.
MICHAEL S. HOPKINS
DAVID J. HORNYAK
JED L. HUDSON
STEPHEN A. HUGHES
GINA C. HUMBLE
THERESA B. HUMPHREY
KIRK W. HUNSAKER
CLINT H. HUNT
STEVEN R. HUSS
ROBERT E. INTRONE
MATTHEW C. ISLER
DAVID R. IVERSON
BRICK IZZI
ROBERT S. JACKSON, JR.
JOSEPH S. JEZAIRIAN
DAVID A. JOHNSON
DAVID D. JOHNSON
JOHN H. JOHNSON
KENNETH F. JOHNSON
MALCOLM T. JOHNSON
ROGER F. JOHNSON
KIMBERLEE P. JOOS
RUSSELL T. KASKEL
ADAM B. KAVLICK
DAVID A. KAWECK
DAWN D. KEASLEY
TIMOTHY L. KEEPORTS
ROBERT W. KEIRSTEAD, JR.
D. EDWARD KELLER, JR.
MICHAEL B. KELLY
ANDRE L. KENNEDY
FRED G. W. KENNEDY III
KEVIN B. KENNEDY
COREY J. KEPPLER
ROBERT E. KIEBLER
THOMAS J. KILLEEN
KIRK A. KIMMETT
DEAN D. KING
RICHARD L. KING, JR.
TIMOTHY R. KIRK
KONRAD J. KLAUSNER
JEFFREY T. KLIGMAN
WILLIAM J. KLUG
DAVID W. KNIGHT
CHARLES W. KNOFCZYNSKI
TRACEY D. KOP
LEONARD J. KOSINSKI
ROBERT C. KRAUSE
JOHN P. KRIEGER
TODD C. KRUEGER
DAVID P. KUENZLI
DAVID J. KUMASHIRO
KURT W. KUNTZELMAN
ANDREW A. LAMBERT
SEAN P. LARKIN
ROBERT H. LASS
LORI S. LAVEZZI
HYON K. LEE
RUSSELL E. LEE
SCOTT T. LEFORCE
STEVE A. LEFTWICH
AARON D. LEHMAN
LAURA L. LENDERMAN
BROOK J. LEONARD
NORMAN J. LEONARD
GARY N. LEONG
TIMOTHY J. LINCOLN
FRANK J. LINK
KENNETH A. LINSENMAYER
THOMAS K. LIVINGSTON
MATTHEW J. LLOYD
STACY LOCKLEAR, JR.
JOHN H. LONG
SCOTT N. LONG
LESTER R. LORENZ
ROBERT K. LYMAN
DAVID F. LYNCH
DAVID BRADLEY LYONS
JEFFREY D. MACLOUD
JACK W. MAIXNER
DAVID J. MALONEY
LORALEE R. MANAS
CHRISTOPHER R. MANN
CHRISTOPHER M. MARCELL
JOEL L. MARTIN
KELLY M. MARTIN
MAX R. MASSEY, JR.
CHARLES C. MAYER
KYNA R. MCCALL
CHASE P. MCCOWN
JAMES J. MCELHENNEY
MARK A. MCGEORGE
ANDREW MCINTYRE
PAUL R. MCLAUGHLIN
SAMUEL L. MCNIEL
MARC C. MCWILLIAMS
DANIEL F. MERRY
CONSTANCE M. MESKILL
CHARLES E. METROLIS, JR.
PATRICK D. MILLER
SUSAN M. MILLER
JOSEPH A. MILNER
JIMMIE L. MITCHELL, JR.
MATTHEW C. MOLINEUX
MITCHELL A. MONROE
KENNETH S. S. MONTGOMERY
NATHAN C. MOONEY II
JENNIFER L. MOORE
DAVID J. MORGAN
DONALD MORGAN
WILLIAM F. MORRISON II
GERARD A. MOSLEY
KARI A. MOSTERT
DANIEL R. MOY
KEVIN M. MUCKERHEIDE
DOUGLAS E. MULLINS
ROBERT B. MUNDIE
BRIAN C. MURPHY
JOHN E. MURPHY
MARK C. MURPHY
MIMI MURPHY
MYLES M. NAKAMURA
JEFFREY D. NEISCHEL
BRETT J. NELSON
JOHN J. NICHOLS
KENT A. NICKLE
DANA S. NIELSEN
DOUGLAS J. NIKOLAI
TREVOR W. NITZ
ROBERT G. NOVOTNY
MICHAEL T. OBERBROECKLING
KRISTINA M. OBRIEN
BRIAN M. OCONNELL
KEVIN A. OLIVER
DEAN R. OSTOVICH
SHIRLENE D. OSTROV
WILLIAM J. OTT
DANIEL A. PACHECO
HANS F. PALAORO
GLENN E. PALMER
GLENN A. PANARO
ZANNIS M. PAPPAS
TODD J. PARKS
TODD M. PAVICH
JAMES L. PEASE
JOHN C. PEPIN
RICK T. PETITO
KEITH L. PHILLIPS
BRADLEY R. PICKENS
DAVID C. PIECH
JOHN D. PLATING
MICHAEL H. PLATT
FREDRICK G. PLAUMANN
DAVID S. POAGE
MATTHEW S. POISSOT
LAWRENCE E. PRAVECEK
HEATHER L. PRINGLE
HOWARD K. PSMITHE
GARY PUHEK
BRIAN D. PUKALL
SHAHNAZ M. PUNJANI
YVETTE S. QUITNO
CARL W. RAHN
STEVEN T. RAMSAY
MARK J. RAMSEY
ERIC D. RAY
EDWIN H. REDMAN
MICHAEL D. REINER
ADAM S. REMALY
PATRICK J. RHATIGAN
RONDALL R. RICE
CYNTHIA A. RICHARDS
JOHN J. RIEHL
THOMAS J. RINEY
RANDY L. RIVERA
MICAH SHANE RIZA
SCOTT W. RIZER
BOBBY L. ROBINSON II
KELLY G. ROBINSON
BARRY D. ROEPER
MICHAEL A. ROMERO
RENE F. ROMERO
ELIZABETH A. ROPER
STEPHEN A. ROSE
PATRICIA MAULDIN ROSS
MARTIN L. ROTHROCK
DONOVAN L. ROUTSIS
JOSEPH J. RUSHLAU
LAURA M. RYAN
IAN R. SABLAD
WILLIAM S. SALINGER
ORLANDO SANCHEZ, JR.
RALPH A. SANDFRY
MICHAEL E. SAUNDERS
GLEN A. SAVORY
GEORGE W. SCHANTZ, JR.
PAUL A. SCHANTZ
MICHAEL P. SCHAUB, JR.
SCOTT J. SCHEPPERS
KEVIN J. SCHIELDS
GARY J. SCHNEIDER
BARTON B. SCHUCK
RODGER G. SCHULD
DAREN A. SEARS
MICHAEL B. SENSENEY
MAYAN SHAH
SAMUEL J. SHANEYFELT
CHARLES B. SHEA
RICHARD A. SHEETZ
NAM N. M. SHELTON
JEREMIAH L. SHETLER
DONNA D. SHIPTON

PATRICK SHORTSLEEVE
SHAWN G. SILVERMAN
DANIEL L. SIMPSON
DALE P. SINNOTT
MATTHEW E. SKEEN
KEITH A. SKINNER
MARK H. SLOCUM
ANDREW J. SMITH
BRUCE M. SMITH
DOUGLAS S. SMITH
DUSTIN P. SMITH
MAUREEN J. SMITH
REGINALD R. SMITH
MATTHEW C. SMITHAM
KATHERINE O. SNYDER
WILLIAM H. SNYDER
RHONDA M. SOTO
ROBERT S. SPALDING III
MERRICE SPENCER
DARREN D. SPRUNK
MARCUS S. STEFANOU
STEPHEN R. STEINER
MICHAEL J. STEPHENS
PETER B. STERNS
MICHAEL R. STRACHAN
WAYNE W. STRAW
ROBERT M. STRICKLAND, JR.
DOUGLAS E. STROPES
RONALD F. STUEWE, JR.
JOSEPH L. STUPIC
JAMES G. STURGEON
JAMES A. STURIM
ROBERT C. SWARINGEN II
DAWN MARIE SWEET
TRACY R. SZCZEPANIAK
MICHAEL B. TANNEHILL
FREDERICK D. THADEN
DWAYNE E. THOMAS
WILLIAM B. THOMAS
RANDALL L. THOMSEN
ROSEMARY L. THORNE
THOMAS J. TIMMERMAN
ANDREW TORELLI
WILLIAM R. TRACY
JEROME T. TRAUGHBER
PETER J. TREMBLAY
JOHN M. TRUMPFHELLER
DANIEL H. TULLEY
WILLIAM M. UHLMEYER
WILLIAM K. UPTMOR
GREGORY N. URTSO
RICHARD B. VAN HOOK
GREGG D. VANDERLEY
SAMUEL B. VANDIVER
DALE J. VANDUSEN
MATTHEW L. VENZKE
KURT A. VOGEL
JEANETTE M. VOIGT
JOHN W. WAGNER
RAYMOND J. WAGNER
ALLAN P. WAITE, JR.
CRAIG J. WALKER
CURTIS D. WALKER
WILLIAM N. WALKER
STEPHEN B. WALLER
PAUL B. WALSKI
DEAN A. WARD
CHRISTINE M. WASDIN
TRACEY L. WATKINS
KATHLEEN E. WEATHERSPOON
ROBERT F. WEAVER II
JONATHAN D. WEBB
GREGORY A. WEBER
LESTER A. WEILACHER
STUART N. WEINBERGER
JASON S. WERCHAN
STEVEN W. WESSBERG
DANE P. WEST
SEABORN J. WHATLEY III
KENT B. WHITE
STEVEN W. WIGGINS
JOHN T. WILCOX II
BRIAN A. WILKEY
BRUCE W. WILLETT
FREDERICK D. WILLIAMS
RICHARD E. WILLIAMSON, JR.
MATTHEW B. WILLIS
MARTY E. WILSON
STEPHANIE P. WILSON
MICHAEL P. WINKLER
THOMAS E. WOLCOTT
JOSEPH L. WOLFER
JOHN C. WOMACK
DEANNA C. WON
STEPHEN D. WOOD
TODD K. WOODRICK
THOMAS L. WOODS
TODD A. WORMS
CYNTHIA A. WRIGHT
JASON R. XIQUES
BRIAN A. YATES
JON E. YOST
ANTHONY C. YOUNG
GREGORY J. YUEN
CATHERINE M. ZEITLER
MICHAEL J. ZIGAN
MARK A. ZIMMERHANZEL
MICHAEL J. ZUBER

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

RAMSEY B. SALEM

## CONFIRMATIONS

Executive nominations confirmed by the Senate, Wednesday, April 21, 2010:

THE JUDICIARY

THOMAS I. VANASKIE, OF PENNSYLVANIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT.

DEPARTMENT OF JUSTICE

CHRISTOPHER H. SCHROEDER, OF NORTH CAROLINA, TO BE AN ASSISTANT ATTORNEY GENERAL.

# EXTENSIONS OF REMARKS

## CELEBRATING CLECO RINGING THE CLOSING BELL AT NEW YORK STOCK EXCHANGE

### HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. ALEXANDER. Madam Speaker, I am proud to honor Cleco Corporation for ringing The Closing Bell at the New York Stock Exchange (NYSE) on Friday, April 16. Cleco used this event to officially kick off its 75th anniversary celebration with more revelry scheduled to follow.

Based in Pineville, La., Cleco is a regional energy company which began operations on January 2, 1935. Today, it serves about 277,000 retail customers across Louisiana. Moreover, Cleco is the only publicly traded company on the NYSE headquartered in Central Louisiana, and the seventh largest NYSE-traded company based in the state.

Cleco has a remarkable track record of success, and I am confident it will continue to provide great opportunities for the residents of this area.

It is with deep appreciation for this company's many contributions to the 5th Congressional District that I commend Cleco and its dedicated employees.

Madam Speaker, I ask my colleagues to join me in celebrating the 75th anniversary of Cleco. I offer my deepest congratulations to the devoted individuals who helped Cleco reach this significant milestone.

## MEMORIALIZING DOROTHY HEIGHT

SPEECH OF

### HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 20, 2010*

Mr. RUSH. Madam Speaker, I rise this evening with a heavy heart. Yesterday morning, our Nation learned that yet another transcendent leader of our Nation's civil and human rights movement, Dr. Dorothy Irene Height, has gone home to be with God.

I honestly don't know what it will be like to work in our Nation's capital without the esteemed 'godmother' of the Civil Rights Movement in our midst.

Time does not permit me to give a soaring tribute to this 98-year-old woman whose place in our Nation's history was launched when she was denied entry to the college of her choice, in 1929. You see, at that time, despite her academic acceptance, Barnard had set an artificial quota of allowing only two African Americans admittance each year.

Well, well, well, look what "Number 3" did with her life!

Whenever I reflect upon the impact Dr. Dorothy Height had upon our Nation, I will always think of a woman of steely determination and grit. But I will also remember someone who reveled in the grace of being a pioneering woman, as her many colorful hats will attest!

This Presidential Medal of Freedom honoree leaves our Nation with a literal monument to her accomplishments in the form of the National Council of Negro Women Headquarters Building, at 633 Pennsylvania Avenue, N.W., a building that they own. And you know what? It's a building that's in the same neighborhood of 1600 Pennsylvania Avenue, N.W.—a home that, right now, is occupied by a President and a First Lady who, like Dr. Height, dared to dream big dreams.

May God bless and keep Dr. Dorothy Height and the men and women of this Nation who loved her.

## HONORING ARMY SPECIALIST RANDALL RAY CHARLES LANDSTEDT

### HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. McCLINTOCK. Madam Speaker, I rise today to honor Army Specialist Randall Ray Charles Landstedt from Pollock Pines, California, who was killed April 6, 2010 while on leave in Crestview, Florida. Spc. Landstedt grew up in El Dorado County, attending local schools, including Pinewood, Sierra Ridge, El Dorado High and Independence High. From an early age, Spc. Landstedt was determined to serve his country and after graduation enlisted in the U.S. Army. He was known by his friends and family as kind, generous, considerate and loyal. He is survived by his parents, Joanne and Daniel Landstedt, brother, James Copeland of Pollock Pines; and sister, Rickie Bronstein of San Diego.

I cannot begin to comprehend the pain of losing such a kind and courageous young man and I cannot ease that pain with my words. All I can do is say thank you for Randall's service. He exemplified the highest values of our country, embodying courage, valor and dedication in his service with the Army's 1st Battalion, 32nd Infantry Regiment, 3rd Brigade Combat Team, 10th Mountain Division. Spc. Landstedt was twice awarded the Army Commendation Medal and also received the Afghanistan Campaign Medal, the National Defense Service Medal, the Global War on Terrorism Medal, an Army Service Ribbon, an Overseas Service Ribbon and the NATO Medal with an International Security Assistance Force bar. We will remember Specialist Randall Landstedt for his honor and dedication, and we must never forget the service and sacrifices of the sons and daughters of our great country.

## ALEXANDER FRAZIER

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Alexander Frazier. Alex is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Royal Rangers and earning the most prestigious award of the Gold Medal of Achievement.

Alex has grown through participation with the Royal Rangers through his church, Northland Cathedral in Kansas City, Missouri. The Royal Rangers provide young men the character development and leadership formation needed to thrive in today's world. Attaining the Gold Medal of Achievement demonstrates Alex's dedication and commitment to the Royal Rangers. I am sure that Alex will continue to hold such high standards in the future.

Madam Speaker, I proudly ask you to join me in commending Alexander Frazier for his accomplishments with the Royal Rangers and for his efforts put forth in achieving the highest distinction of the Gold Medal of Achievement.

## CHARLES A. HELTON

### HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mrs. CAPITO. Madam Speaker, I rise today to recognize Senior Chief Hospital Corpsman, Charles A. Helton, as he retires from the Navy.

On November 28, 1983, at the age of 18, Charles enlisted in the Navy. He became among the first in the country to enlist in the Sea-Air Mariner (SAM) Program, which is geared towards high-school, vocational-tech, and college students and allows young men and women to join the Navy without serving extended periods of active duty. Based out of Great Lakes, IL, Charles reported for basic training and on February 24, 1984, graduated. He would report directly to Hospital Corpsman "A" school, where he was taught principles and techniques of patient care and first aid procedures. Upon graduating from "A" school on June 4, 1984, Charles returned to Naval Reserve Center Huntington (NRCHUNT) where he served along side his step father, Norris Troney, and long time friend throughout his Navy career, John Clay.

It was October of 1998 when Charles was called to active duty for Operation Desert Shield/Storm. He would serve at Naval Hospital Portsmouth, VA, working at Manpower Management Personnel Office assisting members with Reserve issues during deployment until June 4, 1999. He returned to Naval Reserve Center Huntington where he would serve until it was decommissioned on February 12, 2006. Charles has spent the last four

years at the Navy Operational Support Center in Eleanor, WV.

Charles A. Helton, son of John R. Helton and Pamela Troney, plans on retiring to Hurricane, WV, with his wife, Carla S. Helton, and their two daughters, Kelly and Christy. He is currently employed with the Federal Highway Administration in Charleston, WV as an Information Technology Specialist. I would like to thank Charles for his dedication and service to our country from such an early age. Although a native of Chicago, IL, Charles has spent the majority of his career in West Virginia and has represented our state so well. I wish you the best of luck.

## HONORING DR. JAMES PARKS HITCH

### HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. DUNCAN. Madam Speaker, I have the utmost respect for people in the field of medicine. Those who choose this demanding path must fully devote their lives to it, from the many years of education and training to a commitment to their patients.

I wish to honor today, on the occasion of his retirement, a physician from my district in Knoxville, Tennessee, who stands out even among his distinguished colleagues.

I call to the attention of my colleagues and other readers of the RECORD the tribute to Dr. James Parks Hitch below, written by his coworkers to show their affection for a great man.

As a physician, Dr. Hitch has worked tirelessly for over three decades. He has found his greatest pleasure through service to others and his greatest reward in the restoration of their health.

Dr. Hitch views his patients, staff, and friends through the eyes of equality; one is no greater or lesser than the other. He is a luminary among his peers, yet he exhibits a life of sincere humility.

''If one advances confidently in the direction of his dreams, and endeavors to live the life which he had imagined, he will meet with a success unexpected in common hours (Henry David Thoreau).''

As Dr. Hitch retires, he leaves behind the legacy of one man's dream fulfilled, one beloved profession shared, and one successful life to be remembered.

## IN HONOR OF REVEREND DR. KENNETH L. SAUNDERS, SR.

### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PALLONE. Madam Speaker, I rise today to honor Reverend Dr. Kenneth L. Saunders, Sr., and to thank him for his 21 years of service with the North Stelton A.M.E. Church in Piscataway, New Jersey. His enthusiasm has doubled the size of his congregation and strengthened the larger community.

Before accepting the call to the ministry, Reverend Saunders served in the U.S. Army, where he earned an honorable discharge for service above and beyond expectations. He later went on to receive his master in theology from the Trinity Theological Seminary in New Burgh, Indiana. In addition, Dr. Saunders holds doctorate degrees in divinity, philosophy in communications, sacred letters, and humanities.

Reverend Saunders's journey towards becoming a man of God started when he began singing in the Youth Jubilee Choir of the Mt. Pisgah A.M.E. Church in Jersey City. The combination of his love for music and spreading God's word inspired him as a young man to organize a quartet called The Sunset Harmonizers. His love of song continues today, as a member of the Singing Pastors of Piscataway.

Among the many awards and honors he has received, Reverend Saunders was presented with the Excellence in Ministry Award by the New Brunswick Chapter of the Association of Black Seminarians. He was also designated the Humanitarian of the Year in 1998 by the University of Medicine and Dentistry of Rutgers University.

Even with all these awards and accolades, Reverend Saunders considers his loving relationship with his wife Shirley and his son Kenneth Jr. to be his greatest achievement.

Madam Speaker, I would once more like to thank the Reverend Dr. Kenneth L. Saunders for his leadership in the community and service to New Jersey, as well as congratulate him on his 21st anniversary with the North Stelton A.M.E. Church in Piscataway, New Jersey.

## ZACHARY LEMUNYON

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Zachary LeMunyon. Zach is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Royal Rangers and earning the most prestigious award of the Gold Medal of Achievement.

Zach has grown through participation with the Royal Rangers through his church, Northland Cathedral in Kansas City, Missouri. The Royal Rangers provide young men the character development and leadership formation needed to thrive in today's world. Attaining the Gold Medal of Achievement demonstrates Zach's dedication and commitment to the Royal Rangers. I am sure that Zach will continue to hold such high standards in the future.

Madam Speaker, I proudly ask you to join me in commending Zachary LeMunyon for his accomplishments with the Royal Rangers and for his efforts put forth in achieving the highest distinction of the Gold Medal of Achievement.

## IN HONOR OF GLENN A. ADAMS

### HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. SESSIONS. Madam Speaker, I rise today to recognize Glenn A. Adams, the current President of the National Eagle Scout Association (NESA).

Since taking over as NESA President in 2008, Glenn's dedication and leadership has strengthened the organization through innovative outreach efforts and a variety of events, expanding the community of Eagle Scouts. On April 29, 2010, his hard work will be recognized when he receives the Distinguished Eagle Scout Award (DESA).

Since it was first introduced in 1969, the DESA is given to an Eagle Scout that has shown distinguished service in his profession and community for a period of at least twenty-five years. Glenn is most deserving of this great honor and prestigious award for all he has done for NESA and Scouting. His active involvement is notable; he serves on the Longhorn Council Boy Scouts of America (BSA) Foundation Board and as a Committee Member of the National Scouting Museum. He was also the former Scoutmaster for Troop 326 and has made generous financial contributions dedicated to providing scholarships for deserving Eagle Scouts. Glenn has always led by example and his active involvement in his local community speaks loudly of the impact he has had.

Madam Speaker, I ask my esteemed colleagues to join me in recognizing Glenn for all he has done for the Boy Scouts of America and join me in congratulating him as he receives this prestigious award.

## HONORING THE SEATTLE TIMES AND THE PUGET SOUND BUSINESS JOURNAL

### HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. REICHERT. Madam Speaker, I rise today in recognition of the wonderful accomplishments and tireless efforts of two of my local newspapers—the Seattle Times and the Puget Sound Business Journal. Both papers captured the attention of their readership by searching for all the details, double checking all the facts and meticulously painting the full pictures of the two most noteworthy stories of 2009. For its efforts in reporting on the financial troubles of Washington Mutual, the PSBJ was recognized by the Pulitzer Committee for explanatory reporting. The Seattle Times took the lead in reporting every aspect of the heinous murders of four police officers in Lakewood, Washington and for their outstanding efforts have been awarded a Pulitzer Prize for breaking news.

When the fall of Washington Mutual first emerged, thousands of people throughout the Puget Sound area searched for the facts; the Puget Sound Business Journal supplied them. The incisive and thorough nature of their reporting allowed interested readers to understand the full scope of the issues at hand and the challenges facing their families, their pocketbooks and their neighborhoods. Although the coverage brought devastating news, it was fair, accurate and held a redeeming value. The Newspaper's journalists provided an invaluable public service and never looked for accolades—they simply did their jobs to the best of their abilities.

Washington residents were greeted with extremely grim news the morning of November 29: four police officers had been shot and

killed and the gunman was on the loose. The story—heartbreaking, complex, and infuriating—dragged on for more than 40 hours, with Times reporters, photographers, editors and producers working tirelessly to provide their readers with a comprehensive picture of the story as it unfolded. When the shooter was shot and killed early in the morning on a Seattle street, The Times was there to sift through the information and report the facts. The Times did a wonderful job reporting on an absolutely horrible and tragic string of events. I applaud them for their service to the community and congratulate them for the well deserved honor from the Pulitzer Committee.

The stories told by the Puget Sound Business Journal and the Seattle Times, although depressing and brutal in nature, prove that even in the midst of a sluggish economy and a fractured marketplace for quality journalism, our nation's newspapers play an absolutely vital role in society. It is especially gratifying, as a native of the Puget Sound region, to recognize the remarkable accomplishments of some "hometown" journalists. To name just a few individuals at the Times, I'd like to recognize Publisher Frank Blethen, Executive Editor David Boardman, Managing Editor Suki Dardarian and Assistant Managing Editor Jim Simon. In addition, Madam Speaker, it is nearly impossible to record the names of every person at The Times who contributed to the voluminous and detailed coverage of those difficult incidents, so I want to recognize the work of the entire newsroom staff and their giving and patient families. Additionally, I'd like to recognize Puget Sound Business Journal publisher Emory Thomas, Jr., Editor George Erb, reporter Kirsten Grind, and the rest of the wonderfully talented people at the PSBJ. At this time, it is almost impossible to determine how all of us will receive our news in the future. Whatever the answer, we all hope it comes from the dedicated and talented professionals highlighted here. professionals highlighted here.

## HONORING WILLIAM CHANDLER

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate William Chandler upon being awarded with the "Lifetime Achievement Award" by the Veterans of Foreign Wars, Post 9896. Mr. Chandler was honored on Saturday, January 30, 2010, in Chowchilla, California.

Mr. William "Bill" Chandler was born in Waurika, Oklahoma. During his youth he moved to a small town near Bakersfield, California where he graduated from Arvin High School in 1962. Mr. Chandler attended Bakersfield College for two years, majoring in agriculture. In 1965 he enlisted in the United States Air Force. He completed basic training at Lackland Air Force Base in San Antonio, Texas, and was selected for specialized training as a photographic repairman.

After additional training, Mr. Chandler was selected for specialized duties and received top secret security clearance. He was sent to the Far East where he was assigned to the Tan Son Nhut Air Base near Saigon to work on classified photographic equipment used by reconnaissance aircraft to gather intelligence on Viet Cong and North Vietnamese forces. His tour in the Far East continued with an assignment to Japan at the Yokota Air Base, where he was assigned to the 67th Reconnaissance Technical Squadron in support of the SR–71 "Blackbird." He and his unit worked day and night to keep the equipment in good condition as the SR–71 flew missions over North Vietnam, Laos, and mainland China.

Upon completing his tour in Southeast Asia, Mr. Chandler was assigned to Beale Air Force Base in Marysville, California. He continued to work on the photographic equipment for the SR–71. In June, 1969, Sergeant Chandler received an honorable discharge from the United States Air Force and was transferred to the Air Force Reserve.

For his service, Sergeant Chandler was awarded the National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Medal with device, the Good Conduct Medal, and the Republic of Vietnam Unit Cross of Gallantry with palm and frame.

Upon leaving active duty, Mr. Chandler was employed by the Extek Microsystems Microfilm Corporation from 1969 until 1973. In 1972, he married his wife, Nancy. Later he was employed by the First National Bank of Arizona for microfiche banking records. In 1975, Mr. Chandler began working for the Jet Propulsion Laboratory on the MARS/Viking Project. Mr. Chandler and his family moved to the Chowchilla area in 1977 where he continues to live and remains active in farming operations. From 2004 until 2009, Mr. Chandler worked for the Chowchilla Water District. He is a Life Member of the Chowchilla Veterans of Foreign Wars Post 9896, a member of the Chowchilla Masonic Lodge and the American Legion Post 148.

Madam Speaker, I rise today to commend and congratulate William Chandler 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. Chandler many years of continued success.

## IN HONOR OF MAJOR JON M. LAUDER, USMC

### HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. SESSIONS. Madam Speaker, I rise today to recognize Major Jon. M. Lauder and his dedicated service to this great Nation.

After graduating from the Virginia Military Institute with a degree in Civil Engineering in 1994, he has served on active duty with the United States Marine Corps. He proudly served two combat tours in Iraq, including the initial assault into Iraq in 2003 as part of Operation Iraqi Freedom. After a combat tour in Eastern Afghanistan as a part of Operation Enduring Freedom, Major Lauder served as a U.S. military observer in Israel during the summer of 2006 during the Israeli-Hezbollah war. He is currently the Commanding Officer for the Marcie Corps Recruiting Station in Dallas, Texas.

On May 14, 2010, Major Lauder will be turning over his command and will move to Washington, DC for his new assignment at the Pentagon. It has been my distinct honor and pleasure to work with him. I proudly call him my friend and know that Major Lauder's dedicated service has made our Nation a safer and better place.

Madam Speaker, I ask my esteemed colleagues to join me in expressing our heartfelt gratitude to Major Lauder. I wish him and his family all the best.

## HONORING KENNETH SULLIVAN

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. COURTNEY. Madam Speaker, I rise today to honor Kenneth Sullivan for his heroic response to a potentially disastrous situation during the severe flooding of eastern Connecticut last month. Kenneth is the director of the Jewett City Department of Public Utilities, which controls the Jewett City Sewage Treatment Plant. With the Quinebaug River rising rapidly at the peak of the storm, Kenneth immediately recognized that the $19.6 million plant and local residents were in danger and, with the help of his colleagues, moved quickly to avert disaster. I had the opportunity to visit the plant with Griswold First Selectman Philip Anthony during this emergency and saw firsthand Kenneth's great work and leadership as he rallied people from around the region to help protect the plant.

A soon as he realized the severity of the situation, Kenneth contacted state emergency preparedness and environmental organizations as well as summoned the help of the National Guard. He worked around the clock with colleagues, town employees, and local firefighters to surround the plant's pump station with sandbags and prevent the floodwaters from overrunning it. At one point during the storm, the water was said to have risen three feet in one hour. If it were to rise any higher than it did, close to 2,000 homes and the Quinebaug River itself would have been contaminated with backed-up, raw sewage.

By the end of the 36-hour ordeal, the integrity of the plant's structures remained and no sewage was lost. Kenneth was faced with a worst case scenario and achieved the best possible outcome through diligent planning and coordination. Not only was he wise to take advantage of the resources available to him, but he saw this job through and did so without hesitation. I ask all Members of the House to join me in honoring Kenneth Sullivan for his undying sense of service and commitment to the people of eastern Connecticut.

## CONGRATULATING DR. AND MRS. JAMES BURNE WHO ARE BEING HONORED BY THE SCRANTON KIWANIS CLUB FOR COMMUNITY SERVICE

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues

in the House of Representatives to pay tribute to Dr. and Mrs. James Burne for their outstanding community service for which they are being honored by the Scranton Kiwanis Club.

Dr. Burne maintains a general Dentistry Practice in South Scranton. He is a member of the American Dental Association and the Pennsylvania Dental Association and has been an active member of the Scranton District Dental Society since 1969. He has served as its president, a member of the board of directors and chairman of its dental health programs.

A graduate of the University of Scranton, Dr. Burne received his doctorate of Dental Surgery from Georgetown University School of Dentistry. He is also a graduate of the L.D. Pankey Institute for Advanced Dental Education and the Las Vegas Institute for Advanced Cosmetic Dentistry.

Dr. Burne is a Fellow of the Academy of General Dentistry and the American College of Dentists along with additional fellowships and honors.

He served as a Captain in the United States Army Dental Corps and he is the recipient of the Frank J. O'Hara Award, University of Scranton.

He is a past member of the YMCA Board of Directors and is currently a member of the Scranton Chapter UNICO National, the Friendly Sons of St. Patrick and the Kiwanis Club. He also serves on the Advisory Board of Directors of Penn Security Bank.

Mrs. Mary Lou Burne is a graduate of Scranton Central High School, Keystone College, Millersville University and she pursued graduate studies at Marywood University. She is a former Special Education teacher with NEIU 19 and was the founder and director of its summer program for special needs children. She was also founder and director of the local Special Olympics and she received the Joseph P. Kennedy Jr. Foundation Award.

She has served as local and state president of the Youth Association for Retarded Citizens. She has served as trustee at Keystone College and she received its Distinguished Alumni Award. She was a member of the White House Conference on Children and is a past President of the Scranton District Dental Alliance. She received the Boy's and Girl's Club Champion of Youth Award and the Thelma Neff Award of the Alliance to the American Dental Association.

Dr. and Mrs. Burne are co-founders of the Family-to-Family Thanksgiving Food Basket Program that since 1986 has served over 175,000 people. For that service, they have received the following awards: Justice Michael J. Eagen Humanitarian Award; J.C. Penney Golden Rule Award, James Crowley Humanitarian Award; UNICO National Civics Illustris Humanitarian Award, National Association of Social Workers Public Citizens of the Year and letters of commendation from Presidents George H.W. Bush and George W. Bush.

Dr. and Mrs. Burne are the parents of four children: James 3d, Dr. Mark, Mary and Matthew Burne.

Madam Speaker, please join me in congratulating Dr. and Mrs. Burne on this auspicious occasion. Their outstanding service to community is inspirational and has earned them respect and admiration throughout the Commonwealth of Pennsylvania.

## HONORING 100TH ANNIVERSARY OF THE CITY OF BLUE LAKE, CALIFORNIA

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. THOMPSON of California. Madam Speaker, I rise today in recognition of the 100th anniversary of the incorporation of the City of Blue Lake, Humboldt County, California.

Founded in 1877 by French pioneer Clement Chartin as a resort area popular for its sunny climate along the majestic Mad River, it was named for its once notable lake created by a record flood, now a small freshwater marsh of about 3.5 acres. Known today as the city "Where the Sunshine and the Sea Air Meet," Blue Lake remains a popular destination for its excellent river fishing and swimming.

The City of Blue Lake borders the historic ancestral Native American lands of the Wiyot Tribe, today represented by the Blue Lake Rancheria. Blue Lake once played a pivotal role in the robust logging industry and is the site of the historic Macintosh Lumber Mill. Since its closure in the 1970s, the city has adapted and evolved in its entrepreneurial spirit to attract a number of thriving, locally-owned businesses serving the North Coast and beyond.

Today, the city is home to important businesses and organizations such as the Dell'Arte International School of Physical Theater founded in 1974, Mad River Brewery founded in 1989, Mad River Grange, Blue Lake Family Resource Center, Wah-nika Women's Club, and Blue Lake Chamber of Commerce, among others.

Blue Lake will celebrate this centennial anniversary with two days of festivities in the spirit of the era including theater, an historic homes tour, and the filling of a time capsule. The vibrant people, culture, and surrounding landscape make Blue Lake a wonderful place to live and visit.

Madam Speaker, it is appropriate at this time that we recognize the City of Blue Lake, California on the occasion of its 100th anniversary of incorporation.

## IN RECOGNITION OF T.C. MARSH'S JUNIOR RESERVE OFFICERS TRAINING CORPS AND CORPORAL DAVID BATES

### HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. SESSIONS. Madam Speaker, I rise today to recognize T.C. Marsh Middle School's Army Junior Reserve Officer Training Corps (JROTC) and Corporal David Bates on their winning the National Middle School Drill Championship for the third time.

Corporal David Bates has led the JROTC program for the past eleven years. He has taught them the importance of personal responsibility, discipline, commitment, and hard work. Under his leadership, T.C. Marsh's JROTC has taken the prestigious title of National Champion three times in the past four years.

After spending countless hours practicing their drills, the cadets were ready to compete and capture the national title once again. In addition to practicing daily, cadets also garnered the support of teachers, families, friends, and the local community to raise $12,000 to help cover the cost of equipment and travel expenses. They are the essence of discipline, dedication, and hard work. By working together, the cadets have developed a mutual respect for each other and honed their leadership skills.

Madam Speaker, I ask my esteemed colleagues to join me in congratulating the members of the JROTC and Corporal David Bates on their well-deserved victory. I commend them for their dedication and hard work and I wish them all my very best.

## ANTHONY GARRALDA

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Anthony Garralda who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Anthony Garralda is an 8th grader at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Anthony Garralda is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Anthony Garralda for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

## HONORING RONALD MOORE

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Dr. Ronald Moore upon being awarded the "Lifetime Achievement Award" by the Veterans of Foreign Wars, Post 9896. Dr. Moore was honored on Saturday, January 30, 2010 in Chowchilla, California.

Dr. Ronald Moore was born in Madera, California and raised in a rural part of the county where his parents were farm workers. At the age of ten, the family moved to Chowchilla. He worked in the fields during the summer months and after school while he was growing up. He played sports at Chowchilla High School and was a member of the 1955 Valley Championship football team. He received a football scholarship to the University of Nevada; due to a minor injury he did not play for

the school. He did play football at Fresno Junior College. Upon graduating, Dr. Moore enlisted in the United States Marine Corps Reserve.

Dr. Moore attended Marine summer training, where he was awarded the Leatherneck Magazine Award for firing expert with the M–1 rifle. He attained the rank of sergeant in the reserves while attending California State University, Fresno. He also worked part-time at the Boys' Club of Fresno, the Clovis Library, the Catholic Youth Organization and taught and coached in Fresno Catholic elementary schools. He married his childhood sweetheart, Shirley, in June 1961. In the same year, Dr. Moore began teaching and coaching, full-time, at San Joaquin Memorial High School. Two years later, he became the head football coach and athletic director at Memorial.

In 1966 the war in Vietnam was escalating and Dr. Moore entered active duty. He was selected for Officer Candidate School and upon completion, he was commissioned as a second lieutenant. Dr. Moore attended specialized infantry officer training at Quantico, Virginia. In late 1966 he commanded a replacement company at Camp Pendleton, California before shipping out to Vietnam.

Dr. Moore served with the First Marine Division, initially as an infantry platoon commander defending Da Nang Air Base. He was temporarily assigned additional duty with reconnaissance units and participated in patrols in the northwest sector of Vietnam and Laos. Dr. Moore served in one insertion by parachute with a South Vietnamese Ranger. He was responsible for directing artillery fire against heavy Viet Cong forces in the Que Sanh Valley. Dr. Moore was promoted to first lieutenant and later served with a rifle company as executive officer and commanding officer.

After fourteen months of serving in Vietnam, Dr. Moore received orders to return to the United States. In March 1968, Dr. Moore joined the Fifth Marine Division at Camp Pendleton as executive officer of Company L, 3rd Battalion, 28th Marine Regiment. Two months later he became the company commander. Dr. Moore was later promoted to captain and served as commanding officer of the 550-man Headquarters and Service Company of the battalion. He completed courses and training in Military Justice, Corrections, Investigations, Narcotics Investigations, Landing Force Planning and Fort Benning's Advanced Infantry Battalion Course.

During an amphibious landing operation, Dr. Moore suffered a debilitating injury, requiring him to undergo spinal surgery. During his hospitalization and rehabilitation, Dr. Moore took graduate level courses at San Diego area colleges. He returned to limited duty as an Assistant Operations Officer with the 3rd Marine Regiment. Shortly after, Dr. Moore was placed on the disabled retired list and he returned to Chowchilla. For his military service, Dr. Moore was awarded the Navy Commendation Medal with "V", the Republic of Vietnam Cross of Gallantry with bronze star, Combat Action Ribbon, Presidential Unit Citation, Navy Unit Commendation, Republic of Vietnam Unit Cross of Gallantry with palm and frame, RVN Honor Medal First Class, National Defense Service Medal, Vietnam Service Medal with three bronze stars, Vietnam Campaign Medal with device, Armed Forces Reserve Medal, RVN Civic Action Medal, a commendation from the Department of the Army, the RVN parachutist badge and four awards of the Expert Rifleman and Expert Pistol Badge.

After his career as a Marine, Dr. Moore returned to teaching. After six years of serving in various positions within the continuation school in Chowchilla, he was appointed as superintendent of the Chowchilla Union High School District. Dr. Moore completed graduate work at the University of California, Irvine, San Diego State, the University of South Carolina, the University of Arizona, University of San Francisco, California State University, Fresno and California Western University. He earned a master's and doctorate degree, as well as California teaching, counseling and administrative credentials. Dr. Moore served as superintendent for twenty-three years before retiring in 1999. Upon his retirement, Dr. Moore was honored by the State administrators' association, the California State Senate and the City of Chowchilla.

Dr. Moore is a Life Member of the Chowchilla Veterans of Foreign Wars Post 9896, American Legion Post 148, the Disabled American Veterans, and the First Marine and Third Marine Division Associations. He is a past President of Chowchilla Rotary and has served as chairman of numerous education-related committees. He is a member of local civic and regional committees and commissions including the Central California Criminal Justice Planning Committee, Chowchilla Parks and Recreation, Heritage Preservation Commission and the Utilities Committee. Dr. Moore is a member of St. Columba Church. Dr. and Mrs. Moore continue to live in Chowchilla. They have two children and six grandchildren.

Madam Speaker, I rise today to commend and congratulate Dr. Ronald Moore upon being named a "Distinguished Life Member" by the Veterans of Foreign Wars, Post 9896. I invite my colleagues to join me in wishing Dr. Moore many years of continued success.

## HONORING HONORS GOVERNMENT CLASS OF MARION CENTER HIGH SCHOOL

### HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. SHUSTER. Madam Speaker, I rise today to recognize the accomplishments of the Honors Government class of Marion Center High School, which took first place at the "We the People" Pennsylvania State competition at Valley Forge.

The "We the People" competition measures students' knowledge and understanding of the Constitution, and Marion Center's Honors Government class proved well-acquainted with our principles of government. The following students: Emilie Borst, Tori Buzzelli, Toni Corosu, Alycia Frampton, Jed Gallo, Cody Miller, Brandon Snickles, Nick Stanisha, Jozzie Stuchell and Sarah Wolfe have all demonstrated their thorough understanding of the supreme law of our land. These young men and women, as well as their teacher Chris Peters, should be commended on this impressive accomplishment.

Preserving our Nation's unique character requires an understanding of our Constitution that these students have so ably displayed. Their dedication to this important responsibility of citizenship is outstanding. I congratulate Marion Center High School's Honors Government class on its feat of civic knowledge and academic excellence, and I trust that these promising young citizens will continue to excel in their endeavors.

## EXPRESSING SYMPATHY TO THE PEOPLE OF POLAND

SPEECH OF

### HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 14, 2010*

Mr. LARSON of Connecticut. Madam Speaker, it is with profound sorrow that I rise today in support of House Resolution 1246, which expresses sympathy to the people of Poland in the aftermath of the tragic events of April 10th.

On behalf of the people of Connecticut, I join the citizens of Poland and the millions of individuals of Polish descent residing around the world in mourning the death of President Lech Kaczynski, First Lady Maria Kacynski and the other 94 passengers involved in the tragic plane crash on April 10, 2010.

The death of Lech Kaczynski is a loss not only for the people of Poland but for the international community as a whole. President Kaczynski was a public servant in the highest sense. From his days as an anti-communist activist in the 1970's to his stint as the mayor of Warsaw, he brought with him a desire for change and improvement. During his time as president, Lech Kaczynski worked closely with the Russians to mend wounds from the Katyn tragedy, and on December 21, 2008 he took a historic step toward restoring relations between the government of Poland and its Jewish community when he became the first Polish head of state to attend religious services at a synagogue in Poland.

Under President Kaczynski, the bond between Poland and the United States grew. President Kaczynski was a strong supporter of American stability measures, such as missile defense systems, in the region. In losing President Kaczynski, America loses a great ally.

Once again, I would like to extend my sincerest condolences to the people of Poland and the millions of citizens of Polish descent residing around the world for this terrible loss.

## ASHLEY ARRIAGA

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Ashley Arriaga who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Ashley Arriaga is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Ashley Arriaga is exemplary of the type of achievement that can be attained with hard work and

perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Ashley Arriaga for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

## HONORING THE LIFE AND ACHIEVEMENTS OF REV. BENJAMIN LAWSON HOOKS

SPEECH OF

### HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 20, 2010*

Ms. WATSON. Mr. Speaker, today we acknowledge the loss of one of the nation's legendary civil rights icon, Benjamin L. Hooks. Mr. Hooks led the National Association for the Advancement of Colored People from 1977 to 1992.

Mr. Hooks grew up in the segregated South and was a vocal campaigner for civil rights in the United States.

Hooks was a lawyer and an ordained Baptist minister who joined the Southern Christian Leadership Conference and led the NAACP for 15 years.

When Benjamin Hooks took over the helm of the NAACP, the organization was suffering from declining membership and prestige. During his tenure, the NAACP added several hundred thousand new members to its roster.

Under his leadership, the NAACP worked with Major League Baseball on a program that expanded employment opportunities for African-Americans in baseball, including in positions as managers, coaches and in franchise executive offices.

Hooks also worked with colleagues to set up a program in which more than 200 corporations agreed to participate in economic development projects in black communities.

President George W. Bush awarded Hooks the Presidential Medal of Freedom, the nation's highest civilian honor, in November 2007.

We join the nation, his family, friends, and colleagues in mourning the loss of this legendary leader.

## HONORING THE UNIVERSITY OF MICHIGAN MEN'S GLEE CLUB ON THEIR 150TH ANNIVERSARY

### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. DINGELL. Madam Speaker, I rise today in recognition of one of the most respected and honored musical groups in the nation, the University of Michigan Men's Glee Club.

Alumni of this august group, which has received international acclaim for its outstanding singing over the years, will be hosting a reunion in Ann Arbor to help mark the 150th anniversary of the University of Michigan Men's Glee Club on April 8th through the 11th.

Since the class of 1859–1860, the University of Michigan Men's Glee Club has been entertaining audiences well beyond the boundaries of their namesake. Formed from many different glee clubs, the singular Men's Glee Club has become one of the signature facets of one of the world's foremost universities, which I have the pleasure of representing in Congress.

The group has toured around the world over the past 50 years on behalf of the university. It has been recognized for its excellence from New York City to Europe, South America, and Asia, as well as all across the nation and has won numerous competitions and awards.

The University of Michigan Men's Glee Club ensemble has been so successful and talented that it has spawned many subgroups, including the Friars, who patterned themselves on Yale's Whiffenpoofs. The group's sesquicentennial is being held this April and their camaraderie and tradition is so strong that over 400 alumni have registered to return to campus for the celebration.

Whether it is singing familiar U of M songs like ''Laudes atque Carmina'' and the alma mater ''The Yellow and Blue,'' or performing classical or humorous songs of the day, the University of Michigan Men's Glee Club has always carried itself with both class and enthusiasm.

There are many things for which I am proud of the University and having such a wonderful asset as the Men's Glee Club is one of my favorite reasons for that pride. As the second oldest of such musical groups in the nation, The University of Michigan Men's Glee Club will continue to bring excellence in musical performances for many more years to come, I am sure.

Madam Speaker, I hope the House will join me in saluting this outstanding musical ensemble on the eve of their 150th anniversary.

## ANTONIO VITALE

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Antonio Vitale who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Antonio Vitale is a 12th grader at Arvada School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Antonio Vitale is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Antonio Vitale for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character to all his future accomplishments.

## HONORING PATRICK GAMBLE

### HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. YOUNG of Alaska. Madam Speaker, today I would like to recognize Patrick Gamble for his service to Alaska and our Nation.

A decorated Vietnam fighter pilot and now retired Four-Star General, Pat served in the United States Air Force for 34 years and distinguished himself as a decisive and capable leader. His military service first brought him to live in Alaska in 1996 as the commander of Alaska's joint military command. Like so many of us who have moved into the State, he was enchanted by the Last Frontier and has remained under its spell.

After retiring from the Air Force, he returned to Alaska as President and CEO of the Alaska Railroad, the Nation's only full service, year round scheduled passenger and freight railroad, and in my opinion, the most scenic railroad in the country. It stands as a pillar in Alaska's economy and will play a key role in the future of our great State. Through Pat's vision, the railroad has grown dramatically and promoted economic development throughout communities along the railbelt.

Pat was recently selected to replace Mark Hamilton as the President of the University of Alaska, the State's 15-campus university system which provides for the educational needs of 32,000 students every year. This new position is a continuation of many years of educational leadership, including having served as the commandant of the U.S. Air Force Academy and on the boards of five schools. In addition to ensuring a quality education, he plans to focus his efforts as university president on gaining more public support for the University of Alaska, continuing the university's strong presence in research important to Alaskans, and engaging the university in broader State economic development opportunities.

General Gamble has earned himself a reputation as a strong leader and a man of outstanding personal character. He is an excellent asset to our State, and I am proud to have this opportunity to commend his continued service to Alaska.

## HONORING HUGH CODDING

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Ms. WOOLSEY. Madam Speaker, I rise today along with my colleague, Representative MIKE THOMPSON, to honor the life and memory of Hugh Codding, who helped shape and define Sonoma County over the course of the 92 years he was with us. He was a legend in his lifetime; a home builder, commercial developer, banker, city councilman, civic leader and philanthropist, who during the construction boom years of the 1950s and '60s, changed the face of the county forever.

He built his first home in the 1930s and honed construction skills in the Seabees in World War II and brought those skills home with him. He leveraged his $400 discharge pay into a construction project and with profits

earned from that endeavor and a small bank loan, he built one of the first shopping centers in the state, the first of several he would eventually build in the county.

As much as he was a builder and developer, he was also a showman. He earned Time magazine designation as the wunderkind of the post-war boom by building an entire house in three hours and 18 minutes and a church in five hours and 16 minutes.

He gave back generously to his community, helping fund and sustain both the Luther Burbank (now Wells Fargo) Center for the Arts in Santa Rosa and the Spreckels Performing Arts Center in Rohnert Park. There was scarcely a non profit organization in the county that didn't experience his generosity, whether it was the 4–H Club, the Earl Baum Center for the Blind, the Santa Rosa Junior College Foundation, the Sonoma County Community Foundation, the Children's Health Network, Artstart, the Southwest Community Health Clinic, Planned Parenthood, the Blood Bank of the Redwoods, the Green Music Center, Santa Rosa Memorial Hospital, the Jewish Community Free Clinic, the Council on Aging, the Sonoma County Museum or the Boys and Girls Club of Santa Rosa and many more.

He is survived by his wife Connie; former wife Elizabeth Mulkey; son George David Codding; granddaughters Alexis Codding, Lois Codding, Lisa Codding Chodrick, Terra Saxton and his stepchildren Brian Baker, Pamela Reed, Lisa Malapit, Melinda Bailey, and Bradley Baker.

Madam Speaker, Hugh Codding was an influential and respected resident of Sonoma County who will be greatly missed. It is therefore appropriate that we acknowledge him today and honor his memory.

## BAYLEE LAMARINE

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Baylee LaMarine who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Baylee LaMarine is a 7th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Baylee LaMarine is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Baylee LaMarine for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

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

SPEECH OF

### HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 20, 2010*

Mrs. McCARTHY of New York. Mr. Speaker, recently President Obama proclaimed April 2010 as Financial Literacy Month. I applaud the President for doing this because the country's future prosperity depends on the financial security of all Americans. I am proud to be an original cosponsor of H. Res. 1257, which supports the goals and ideals of National Financial Literacy month.

As a nation, we have all been impacted by the effects of our struggling economy. While there are many factors that have contributed to the current economic climate, and there is no one cause, we do know that consumers need to be more aware and informed of how their finances work and how to avoid some common financial pitfalls.

It is never too early or too late to learn about consumer, economic, and personal finance concepts, which is why I introduced the Financial and Economic Literacy Improvement Act. This bill will provide grants to improve financial literacy education for K–12 and college students. Additionally, I worked with my Financial Services Committee colleagues to draft an amendment included in the House financial regulatory reform bill that will create a Financial Literacy Program which will run through the Department of Treasury's Office of Financial Literacy.

The Government has an important role in protecting consumers and promoting sound financial literacy programs. It is up to each individual to utilize services that provide the knowledge and understanding of basic concepts such as avoiding excessive debt, saving for an education and steering clear of deceptive products and practices.

Now is the time, regardless of age, that we learn, as consumers, about financial products so we may protect ourselves and our families in the future. I urge all my colleagues to support H. Res. 1257.

## TRIBUTE TO JOHN WALTER CANTY

### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. CALVERT. Madam Speaker, I rise today to recognize and honor the life of John Walter Canty, a close personal friend and valued community member of Riverside, California. On Thursday, April 1, 2010, John passed away. He will be deeply missed.

Born in Yuba City on June 30, 1940, John grew up in San Francisco and attended city schools and community colleges before enlisting in the U.S. Marine Corps in the early 1960s. After serving in the U.S. Marine Corps, he worked with the California State Department of Transportation, Division of Highways. He received his bachelor's degree in business management from the University of San Francisco. John passed his civil engineering licensing exam on the first try and became a registered Civil Engineer in California and Nevada.

In 1968, John accepted an engineering position with J.F. Davidson in Riverside. He worked his way to the top, becoming a partner with Davidson, and ultimately opening his own company in 1997, Canty Engineering Group. John eventually sold this company after years of success in order to travel with his wife, Jan.

Though he was known for having a sharp mind and many professional talents, John will be remembered most for his generosity and integrity. He was an active member of the Calvary Presbyterian Church and the Kiwanis Club of Uptown Riverside, which awarded him the Legion of Honor plaque in 2008 to recognize his more than 40 years of service.

On behalf of all those who knew him, it is my honor to offer these remarks as a tribute to the life and legacy of my friend John Canty. His life and presence will be sorely missed and I extend my condolences to his dear family and friends.

## HONORING JUDGE JOHN DE GROOT

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Judge John De Groot upon being awarded with the ''Lifetime Achievement Award'' by the Veterans of Foreign Wars, Post 9896. Judge De Groot was honored on Saturday, January 30, 2010 in Chowchilla, California.

Judge John De Groot was born and raised in Monterey, California. He graduated from Monterey High School in 1965 and enlisted in the United States Naval Reserve. He graduated from Navy boot camp at the San Diego Recruit Training Center. Judge De Groot was designated a Military Occupational Specialty as a Personnelman. While in the Reserve, he attended Monterey Peninsula College, earning an Associate in Arts degree in 1967 and a Bachelor of Arts degree from San Francisco State in 1969.

Upon graduating from San Francisco State, Judge De Groot was called to active duty and assigned to the Naval Air Station in Adak, Alaska. The Navy had taken over the former World War II Army Airfield at Adak and was using the facility as a deployment base for P–3 Orion maritime patrol aircraft. The mission of NAS Adak and its aircraft was the conduct of antisubmarine warfare operations against submarines and surveillance of naval vessels of the Soviet Union. After serving twelve months in Adak, his next duty station was aboard the USS *Hancock*, positioned in the waters off of Vietnam.

The USS *Hancock* was the first carrier in the fleet with steam catapults capable of launching high performance jets. The carrier was deployed in 1965 to join the Seventh Fleet as hostilities increased in Vietnam. While aboard the USS *Hancock*, Judge De Groot worked in the administrative center of the carrier; he prepared official documents for transmission to higher echelons, kept records, interviewed and counseled sailors, and maintained official officer and enlisted records. One of his most important abilities was his skill with

working and dealing with a wide range of personalities of men involved in combat and the ongoing operations of an aircraft carrier in a war zone.

In 1971, Judge De Groot was released from active duty. For his service he was awarded the National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Medal with device and the Naval Reserve Meritorious Service Medal.

In May 1974, Judge De Groot graduated from Hastings College of Law in San Francisco with a Juris Doctor degree. Later that year, he was admitted to the California Bar and to the U.S. District Court, Northern District of California. He was employed as a police officer in San Mateo, California from 1975 until 1977 when he left the Bay Area to accept a position as Deputy District Attorney in Madera County. In July 1982, he became Judge, Justice Court, of the Chowchilla Judicial District. Eight years later, Judge De Groot was elected to Judge of the Superior Court, Madera County and served in that position until his retirement in December, 2008.

Judge De Groot is a Life Member of the Veterans of Foreign Wars Post 9896 and is currently serving as the Treasurer of the Chowchilla District Historical Society. He and his wife, Jeannie, live in Madera. They have three children and nine grandchildren.

Madam Speaker, I rise today to commend and congratulate Judge John De Groot 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 Judge De Groot many years of continued success.

## AUSTIN MOHNHAUPT

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Austin Mohnhaupt who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Austin Mohnhaupt is a 10th grader at Arvada West High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Austin Mohnhaupt is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Austin Mohnhaupt for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character to all his future accomplishments.

## FBI USING DIGITAL BILLBOARDS AS CRIME-FIGHTING TOOL

### HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. DUNCAN. Madam Speaker, before coming to the Congress, I served seven and one-half years as a Criminal Court Judge in Knoxville, TN. During this time I tried numerous felony cases, therefore, I have taken a special interest in law enforcement activities.

Some people make the claim that ''there aren't any new ideas,'' but rather recycled, repackaged old ideas.

I would like to call your attention to the fact that the Federal Bureau of Investigation, FBI, has taken an old idea and made it better.

In the 1950s and 1960s when most us were growing up, the FBI would put up little photographs inside the Post Office of its ''Most Wanted'' list. The idea was that someone buying stamps or mailing a package would recognize a wanted fugitive, and contact the authorities.

Nowadays, the FBI is using donated high-tech billboards to publicize fugitives and to ask for help from the public. The results have been dramatic, especially in my State of Tennessee.

In 2009, a fellow was robbing banks in Tennessee and other states. He was so brazen that he did not bother to wear a mask or to conceal his weapon. For four months, the authorities worked to identify this serial robber.

However, within 24 hours of the suspect's image appearing on digital billboards in multiple States, law enforcement got plenty of tips, identified the fugitive, and later apprehended him in Missouri.

The FBI special agent in charge in Knoxville said this case highlights the importance of cooperation between law enforcement and citizens on behalf of public safety.

Encouraged by the success of catching a serial bank robber suspect last year, the FBI is using digital billboards again to identify the ''Granddad Bandit,'' suspected in 18 bank robberies in Tennessee and other States.

On February 17, the FBI announced that digital billboards helped capture an FBI fugitive in northern New Jersey.

Besides the FBI, other law enforcement agencies are also using this tactic. The U.S. Marshal based in the Northern District of Ohio said he was impressed with the speed, the reach, and the effectiveness of digital billboards. A sex offender who escaped from a halfway house in Mansfield, OH, was arrested within 24 hours after his picture was posted on digital billboards in multiple States.

I applaud these federal law enforcement agencies for innovative use of technology to empower the public to help protect our safety. I'll always remember those thumbnail pictures of the ''most wanted'' at the Post Office. But now I'll also be looking for fugitives' photos on 14- by 48-foot digital billboards.

## BETSABE MITCHELL

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Betsabe Mitchell who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Betsabe Mitchell is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Betsabe Mitchell is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Betsabe Mitchell for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

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

SPEECH OF

### HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 20, 2010*

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to express my strong support for 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. I would also like to commend Congressman JIM COSTA, the sponsor of this resolution, for his commitment to increasing awareness of protecting the rights, needs, and concerns of victims and survivors of crime in the United States.

This resolution draws critical attention to the impact that crime has on the people of the United States. There are over 25 million individuals in the United States that are victims of crime each year, including over 6 million individuals who are victims of violent crime. Crime is a major part of everyday society. The effects of crime touch just about everyone to some degree; the primary group affected are innocent citizens.

According to a United Nations report, the United States is the leading country in financial loss due to violent crimes; the cost is estimated around $45 billion. During a time of recession, this information sheds more light on the impact crime has on our society.

In Georgia alone there are over 422,589 crimes that are reported each year. The Georgia Bureau of Investigation, GBI, is working hard to provide the highest quality investigative, scientific, and information services and resources to the criminal justice community and others as authorized by law. At this time, the Investigative Division of the Georgia Bureau of Investigation is prioritizing its resources to combat violent crime in Georgia.

Death investigation, investigations of violent crime, and investigations of drug activity which directly contribute to violent crime, currently consume the majority of Investigative Division resources. GBI agents are constantly exploring and developing more effective investigative techniques to address violent crime.

The Dekalb County Police Department understands and strongly embraces the philosophy and strategy of Community Oriented Policing in their daily operations and functions. Proactive strategies that promote lasting crime reduction and problem-solving will be developed and implemented. This will be accomplished through a working partnership based on mutual trust, understanding and a shared responsibility in all branches of government, the police department, the private sector, each citizen and within all of our communities. I would have to agree with President Obama when he said, "We are going to do everything in our power as long as I'm in the White House and as long as I'm the father of two girls to make sure that we're providing the states the support that they need"; these words were Obama's commitment to continue to fight crime, and provide law enforcement with the necessary tools. During my time as a Dekalb County commissioner I worked in conjunction with local police departments to combat crime and keep my community safe. As a former commissioner, judge, and a father of two children myself, I understand the detrimental impact that crime can have on a community and the importance of increasing awareness of protecting the rights of victims and survivors of crime.

Please join me and support this resolution to bring awareness to the rights, needs, and concerns of victims and survivors of crime in the United States.

## BRANDON APPLEHANS

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Brandon Applehans who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Brandon Applehans is a 10th grader at Standley Lake High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Brandon Applehans is exemplary of the type of achievement that can be obtained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Brandon Applehans for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

## HONORING CHRISTIAN BROTHERS ACADEMY

### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PALLONE. Madam Speaker, I rise today to recognize Christian Brothers Academy of Lincroft, New Jersey which is celebrating 50 years of service and Catholic education in the Lasallian tradition.

Founded September 14, 1959, Christian Brothers Academy began with a freshman class of 150 boys and a faculty of six Christian Brothers, led by Brother Bernard McKenna serving as principal. Today, the academy remains an all-boys private high school with a rigorous college preparatory curriculum, with offerings in honors and advanced placement studies. The Academy has achieved numerous honors in education and extracurricular activities, making them one of the premier institutes of Catholic education in the area.

The Academy has grown in size, now serving over 900 students, 77 teachers, 54 executive and support staff, as well as over 9,000 committed alumni. It occupies a one hundred and fifty acre campus in Lincroft, NJ and is accredited by the Middle States Association of Colleges and Schools.

The Christian Brothers Academy is comprised of a community of scholars, volunteers and employees dedicated to developing a thriving educational environment, focusing on the holistic development of their students. The Academy is active in community service and outreach, stressing fraternity and camaraderie amongst all students, as well as the development of a community-centered work ethic and the ideals of Christian charity.

Madam Speaker, I sincerely hope my colleagues will join me in honoring the Christian Brothers Academy and their 50 years of service to New Jersey students and the community at large.

## CONGRATULATING SUSAN PATTE FOR HER SELECTION AS "WOMAN OF THE YEAR" BY THE LACKAWANNA COUNTY FEDERATION OF DEMOCRATIC WOMEN

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Susan Patte of Scranton, Pennsylvania, on the occasion of her selection to be honored as "Woman of the Year" for 2010 by the Lackawanna County Federation of Democratic Women.

Mrs. Patte is a daughter of the late Aldone and Bernie Melesky.

She graduated from West Scranton High School in the class of 1963.

She went on to marry Anthony J. Patte and the couple has four children: Deborah Ann Riccardo, Susan A. Kahlau, Lisa Tulaney and Tony B. Patte.

Mr. and Mrs. Patte also have five grandchildren: Michael Riccardo, Tanner Kahlau, Alex Tulaney, Jack Tulaney and Annie Kahlau.

Mrs. Patte is employed as a bookkeeper and accountant in the Lackawanna County Treasurer's Office.

She served eight years on the Scranton School Board which included two years as President of the Board and one year as Vice President of the Board.

During her tenure on the school board, Memorial Stadium was refurbished and West Scranton High School was renovated. She participated in labor contract negotiations as part of her responsibilities. She also oversaw implementation of the federal No Child Left Behind Program and also helped develop the SAVES program that provides continued education for children who are expelled. She was also chair of the Special Education Committee during implementation of the federal IDEA program.

She is a past President of the Lackawanna County Federation of Democratic Women, having served in that office during 2007 and 2008.

Currently, she is serving as Fourth Vice President of the Pennsylvania Federation of Democratic Women.

She is an active community volunteer for organizations that include the Scranton Tomorrow Winter in the City Project and also the American Cancer Society's Ball of Hope Committee.

Madam Speaker, please join me in congratulating Susan Patte on this auspicious occasion.

Throughout her many years of outstanding service to her community, she has been an inspirational force in demonstrating to those who will follow her the importance of contributing to the betterment of her neighbors through political action and charitable volunteerism.

Clearly, Mrs. Patte has contributed to the improvement of the quality of life throughout the region and, for that, she has earned the respect and admiration of a grateful community in Northeastern Pennsylvania.

## BURUK KIDANE

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Buruk Kidane who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Buruk Kidane is a 12th grader at Arvada School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Buruk Kidane is exemplary of the type of achievement that can be obtained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Buruk Kidane for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

## HONORING CHARLES KEY

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Charles Key upon being awarded with the ''Lifetime Achievement Award'' by the Veterans of Foreign Wars, Post 9896. Mr. Key was honored on Saturday, January 30, 2010, in Chowchilla, California.

Mr. Charles Key was raised in Henryetta, Oklahoma. At seventeen years old he enlisted in the United States Navy. Mr. Key completed Navy Boot Camp at the Navy Recruit Training Center at San Diego, California. After boot camp he was designated and trained as a Machinist Mate and was assigned to the USS *Boxer* CV–21, a twenty-seven thousand ton Essex class aircraft carrier. While on the *Boxer*, Mr. Key completed two deployments to the Western Pacific from 1950 to 1951.

The USS *Boxer* was returning from the Far East in 1950 when North Korea invaded South Korea. The carrier made a rapid turn-around as it was carrying needed Air Force and Navy planes, as well as personnel, and headed to the war zone in the Pacific. During the following months, Mr. Key and his shipmates worked diligently to keep aircraft in the air by providing air support for the United Nations' fighting forces ashore. Between 1951 and 1952, while aboard the USS *Boxer*, Mr. Key made three additional Korean War cruises. The planes from the USS *Boxer* hit transportation and infrastructure targets in North Korea and gave close air support to troops on the front lines. On August 5, 1952, while engaged in combat operations, a fire broke out on the hanger deck. The fire resulted in nine deaths, several aircraft were lost and there was significant damage to the hanger deck. Mr. Key and his shipmates worked non-stop, and within two weeks the USS *Boxer* returned to combat duties off the Korean coast.

Upon returning to the United States, Machinist Mate 3rd Class Key was honorably discharged from the Navy at the Naval District in San Francisco. For his service, Mr. Key was awarded the China Service Medal, the Navy Occupation Award, the Korean Service Medal, the United Nations Service Medal and the Good Conduct Medal. During his civilian career, Mr. Key was a California licensed electrical and air conditioning contractor.

Mr. Key is a Life Member of the Chowchilla Veterans of Foreign Wars Post 9896 and a member of the First Christian Church of Madera. Mr. Key and his wife, Christine, had two sons, three grandchildren and two great-grandchildren.

Madam Speaker, I rise today to commend and congratulate Charles Key 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. Key many years of continued success.

## IN RECOGNITION OF THE ARMENIAN RELIEF SOCIETY'S 100TH ANIVERSARY

### HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. SCHIFF. Madam Speaker, I rise today to honor the Armenian Relief Society as it celebrates its 100th anniversary.

The Armenian Relief Society, ARS, established in 1910, is a non-profit organization devoted to community and cultural service. Initially a mostly women's organization, it empowered women to take leadership roles and act for the betterment of society, and encompass the importance of serving the needs of Armenian genocide victims.

As time elapsed, the goals of the ARS branched out to reach all communities in distress—Armenian and non-Armenian alike. In addition to disaster relief and assistance during wars and epidemics, the ARS has broadened its activities and developed a mission and a common purpose. Today, they address social, educational, developmental, and cultural roles within communities.

Over the course of a century, the organization has launched chapters in more than 26 countries. The ARS situated its western roots in Fresno in 1915 and has expanded to include 26 chapters in California, Nevada, Arizona, Texas, and Utah. Hence, the ARS of Western USA was established in 1984 in response to the growing needs of expanding communities. Geographical location has never steered members off their precise course of making a difference in local communities and around the world simultaneously.

The ARS's passion to help people has blossomed into various constructive projects. Since its establishment in 1980, Armenian Relief Society Social Services Centers have aided approximately 60,000 people annually regarding issues such as immigration, counseling, and services for the elderly. In the year 2000, the ARS Child, Youth & Family Guidance Center was created to provide a gateway to individuals and families suffering from problems such as marital and family conflicts and substance abuse. Supportive professional therapists offer individual and group psychotherapy, family psychotherapy, and crisis intervention. With the support of generous donors, the ARS continues to support such centers as well as schools, scholarship programs, cultural centers, health-care clinics, and orphanages to name a few examples. Today, ARS chapters also work hand-in-hand with other charities such as the American Red Cross, Catholic Charities, Salvation Army, and YWCA.

I am proud to recognize the past and present members and supporters of the ARS for their unique contributions to the global community, and I ask all Members to join me in congratulating the Armenian Relief Society for 100 years of dedicated service.

## BRIANNA McKNIGHT

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Brianna McKnight who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Brianna McKnight is a 7th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Brianna McKnight is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Brianna McKnight for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

## INTRODUCTION OF H.R. 5088, AMERICA'S COMMITMENT TO CLEAN WATER ACT

### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. OBERSTAR. Madam Speaker, today I am introducing ''America's Commitment to Clean Water Act,'' legislation to reaffirm the ability of the Clean Water Act to protect the Nation's waters, including wetlands. These waters support our nation's economic well-being, enable our quality of life, and sustain our environment for generations to come. Over its thirty-seven-year history, the Clean Water Act has restored countless rivers, lakes, and streams, protected drinking water supplies, and preserved water quality and water-related habitat essential to waterfowl, wildlife, and fisheries.

In 1972, Congress set a goal that the Nation's waters would be fishable and swimmable by July 1, 1983. Great progress toward that goal has been made, but 40 percent of our waters still do not meet the goals and standards of the Act.

In 2001 and 2006, two decisions of the U.S. Supreme Court threw the Nation's clean water programs into turmoil, creating confusion and uncertainty for communities, developers, and agricultural interests, and placing at risk the Nation's ability to restore, protect, and maintain water quality and the water-related environment.

Turmoil, confusion, and uncertainty are no way to run a program. The result has been increased processing times and backlogs as the agencies struggle to interpret the court decisions. That is why I developed legislation to restore the common understanding of the scope of the Clean Water Act based on decades-old interpretations of the U.S. Army Corps of Engineers and the Environmental Protection Agency.

The bill will ensure that the Clean Water Act can cover the same waters as it did under the regulatory decisions in place in 2001. These decisions were based on a common understanding developed over the 29 years of the Act as to defining its appropriate scope.

By restoring the common understanding and practice of protecting the Nation's waters and wetlands as existed prior to 2001, we can provide much-needed certainty to the regulated

community, and avoid costly litigation over responsibility for protecting clean water. We can also restore bedrock protections for our citizens and our neighborhoods from polluters who place families and communities at risk.

Clean, safe water is a basic right for all Americans. Yet, unless we act, the Clean Water Act cannot ensure that right.

The New York Times reports that as a result of the Supreme Court decisions companies have spilled oil, carcinogens and dangerous bacteria into lakes, rivers and other waters without being prosecuted. EPA regulators working on those cases, estimate that more than 1,500 major pollution investigations have been discontinued or shelved in the last four years.

Data from 2008, the most recent year available, show there were over 20,000 beach closings and advisories that year due to pollution, and studies in the Great Lakes show that as many as 10 percent of beachgoers report getting sick after swimming in beach waters open for swimming.

Drinking water protection areas that contain one or more small or intermittent streams that would be vulnerable to pollution under the Supreme Court decisions provide drinking water to more than 117,000,000 people in the United States.

These examples demonstrate why we must act.

Two years ago I conducted a thorough hearing where I heard from two dozen witnesses on five panels of everything that was good and bad about my prior legislative proposal. I invited suggestions from any and all interested parties.

The bill I introduce today is a new bill that responds to those comments. It more clearly and specifically targets its one objective—addressing the SWANCC and Rapanos decisions, decisions I believe were wrongly decided.

Among the significant changes from my earlier bill:

To avoid the possible need for new regulations, the bill uses the current regulatory definition of ''waters of the United States'' to establish the scope of the Act.

The bill codifies an exemption for prior converted croplands.

The bill codifies an exemption for waste treatment systems.

The bill explicitly states that ground water is considered separately from ''waters of the United States.''

The bill explicitly states that it does not affect the authority of EPA or the Corps as that authority existed prior to SWANCC in 2001.

The bill places limits on Federal jurisdiction by specifying the Constitutional authority for the Clean Water Act, and preserving the Federal/State cooperation that is the hallmark of the Act.

The bill removes all language related to ''activities''. That term created unnecessary confusion on what would require a Clean Water Act permit. Since enactment in 1972, permits are required only for discharges.

The bill preserves the exemptions, limitations, and practices under the Act.

The bill includes multiple clarifying changes to emphasize that the bill will reaffirm and restore the original scope of the Clean Water Act, and not expand its geographic scope.

Opponents of legislation to restore the Clean Water Act characterize the restoration as a mammoth expansion of Federal power. Restoring the Clean Water Act is only an expansion to the extent the Supreme Court ignored the intent of Congress and 30 years of precedent by narrowing the Act.

Opponents argue that the Federal government should not require a permit for everything you do that might affect a wet area. I agree. The Clean Water Act never required such permits and I do not offer legislation that would do so.

Simply put, if it was not regulated before 2001, it will not be regulated with the enactment of the legislation.

Some people have opposed the Clean Water Act for decades, and it should not come as a surprise that these same groups are using recent Supreme Court decisions as justification to roll back protections under the Clean Water Act. For the sake of future generations, progress must not be rolled back. We must advance the cause of clean water by sustaining the original purpose of the Act.

In 1972, Congress voted overwhelmingly to overturn President Nixon's veto of the Clean Water Act and to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. Since that time, Americans have overwhelmingly expressed their support for protecting our Nation's waters and keeping them safe from polluters. The bill will restore America's commitment to clean water.

## CARLOS REYES

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Carlos Reyes who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Carlos Reyes is a 12th grader at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Carlos Reyes is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Carlos Reyes for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character to all his future accomplishments.

## RECOGNIZING VOLUNTEER FAIRFAX AND THE WINNERS OF THE 2010 SERVICE AWARDS

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize Volunteer Fairfax, and more particularly the contributions that its volunteers make to our community. Volunteer Fairfax mobilizes people and resources to meet regional community needs. Areas in which Volunteer Fairfax acts as a clearinghouse and matches volunteers to community needs include literacy programs, homeless and poverty assistance, emergency response and recovery functions, senior citizen assistance, education, and many more.

I am honored to pay tribute to the following winners of the 2010 Volunteer Fairfax Awards:

Community Champion Award Recipients are: Braddock District: Jeff Root; Dranesville District: Maya Huber; Hunter Mill District: Jim Larson; Lee District: Jane Hilder; Mason District: Frank Vajda; Mount Vernon District: Linwood Gorham; Providence District: Tysons Corner Center Employees Springfield District: Mike Thompson, Jr.; Sully District: Verdia Haywood; Fairfax County At-Large: Chris and Lisa Bright.

Competitive Award Recipients are: Adult Volunteer Over 250 Hours: Kevin Takeguchi; Adult Volunteer Under 250 Hours: Campbell ''Cam'' Gibson; Adult Volunteer Group: Digital TV Volunteer Team Family Volunteer: Renee and Sean McGinnis; Senior Volunteer: Ibrahim Barsoum; Volunteer Program: Homestretch Volunteer Program Youth Volunteer: Simrun Soni; Youth Volunteer Program: McLean Local Heroes; Corporate Volunteer Group: Excella Consulting; Rising Star: Zack Sanders.

Lifetime Achievement Award Recipient: Betty Powell.

Benchmark Award Recipients: A number of other individuals are being honored for significant contributions of time and energy to dozens of volunteer organizations in Northern Virginia. I congratulate and thank each of the Benchmark Award Honorees for their commitment to the community.

Madam Speaker, I ask my colleagues to join me in expressing our gratitude for the efforts of these volunteers and their colleagues at Volunteer Fairfax. The selfless commitment of these individuals provides enumerable benefits to Northern Virginia as a community as well as life-changing services to the individuals in need.

## CONGRATULATING THE 2010 ARAPAHOE COUNTY ICE WARRIORS PEE WEE HOCKEY TEAM

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. COFFMAN of Colorado. Madam Speaker, it is with great pride that I acknowledge the accomplishments of the 2010 Arapahoe County Ice Warrior Pee Wee Hockey Team. The Warriors fought to win the AA Colorado State championship and gallantly represented Colorado in the U–12 National Championships in Reston, Virginia. The high standards which the team met are, undoubtedly, representative of the passion and excellence found throughout my district.

The warriors withheld a Colorado Springs Jr. Tiger hockey team to win the State championship 3–2 thanks in large part to the offensive prowess of Josh Pusar, Zackary Dym, Jake Dosen, Brandon Yi, Patrick Wicker, Andrej Lysak, Jack Jordan, Josh Fiegl, Andrew McCulley, and Ian Aylmer.

Despite continually facing older, larger and more experienced teams, the boys outhustled

and outplayed opponents, demonstrating their tenacity and enthusiasm for the game. The defensive work of Charlie Kiefer, Jared Duncan, Jake Swenson, Pieter Gesink, Joel Walker, and Tanner Broschat cannot be understated and proved instrumental to the success of the team.

I must also acknowledge the indispensable role that goaltenders Jackson Schoech and Cameron Bukes played in netminding for the warriors: turning away a barrage of pucks and routinely securing victory for the Warriors.

I want to extend my congratulations to head Coach Ken Schoech and his assistants Patrick Sullivan, Matt McCarthy, and Charlie Kiefer, who helped mold these young athletes into the champions they are today. The elite status of the team could not have existed without the leadership of these mentors. They not only taught the skills of hockey, but more importantly, instilled a spirit of sportsmanship and camaraderie in the boys that will last long after this season.

## INTRODUCTION OF THE USE IT ACT

### HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. MARKEY of Massachusetts. Madam Speaker, recently, President Obama announced a 5-year offshore drilling plan that would allow oil and gas exploration in new areas off the East Coast and in the Eastern Gulf of Mexico. However, before oil companies drill off thousands of miles of pristine coastline, they should first use the thousands of drilling leases they already own.

Right now, oil companies hold the offshore drilling rights to an area the size of Pennsylvania on which they are not actually drilling. In fact, of 7,316 total offshore leases held by oil companies right now, only 1,844 are producing, according to the Interior Department. Production is occurring on only 8,894,428 acres on the Outer Continental Shelf out of 39,331,641 total acres leased to oil companies. That means that oil companies are producing on only about one-quarter of the leases and roughly 22 percent of the acreage that they hold offshore.

As a result, today I am introducing legislation that would provide an incentive to oil companies to move quickly to get oil to the market or relinquish the leases so that they could be developed by other companies. My legislation, the United States Exploration on Idle Tracts Act or the USE IT Act, would establish an escalating fee over time on nonproducing leases to encourage companies to expedite production. Similar legislation repeatedly passed the House in the last Congress with large, bipartisan majorities.

President Obama has also included this concept in his budget request for fiscal year 2011. The Department of Interior estimates that the proposed fee would raise $760 million over the next ten years—allowing us to drill for oil while also drilling for deficit dollars on behalf of U.S. taxpayers.

As gas prices once again move towards $3 per gallon, it is time to finally get oil companies to "use it or lose it" on their nonproducing leases.

## RECOGNIZING THE VOLUNTEERS SERVING WITH THE FAIRFAX COUNTY SHERIFF'S OFFICE

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize the volunteers who assist the Fairfax County Sheriff's Office. These volunteers work with deputies and civilian staff to help inmates to improve their lives during incarceration and to prepare them for a successful transition back into the community.

With more than 500 deputies, the Fairfax County Sheriff's Office is the largest Sheriff's office in Virginia and among the largest in the country. These deputies perform invaluable services for Fairfax County residents to include providing court security, managing the detention center, and serving the civil law process. Volunteers with the Sheriff's Office help provide inmate programs and services at the Adult Detention Center (ADC) and Pre-Release Center, including mental health counseling, religious services, alcohol and drug support groups, health education, library services and job training.

Volunteers complete a Sheriff's Office training program and also work closely with staff to ensure that best practices are followed. The efforts of these volunteers improve the lives of those incarcerated, reduce recidivism, and make our communities safer.

Each year, the Sheriff's Office hosts a luncheon to thank all of the dedicated individuals who help make the volunteer program a success. The office also recognizes one individual in each service area and it is my honor to recognize these extraordinary citizens:

OPPORTUNITIES, ALTERNATIVES, AND RESOURCES—DON EHRETH

Don Ehreth became an active OAR volunteer in March of 2009. At the Family Outreach desk, Don lends a compassionate ear to the concerns of the families and friends affected by incarceration. While others are relaxing on a weekend, Don educates and provides information about the incarceration process and OAR services.

CHAPLAIN'S OFFICE—GLORIA RODRIGUEZ

Gloria has been a volunteer since January of 2009, teaching Bible studies, mentoring inmates, distributing Bibles and helping with administrative work. She is very committed, friendly and dedicated both to God and to the work of the Fairfax County Adult Detention Center.

EDUCATION—BILL RICHEY

Bill is the Education Program's Spanish GED instructor. His classes consist of Hispanic inmates who are ready to take the GED test. Because of Bill's efforts these individuals have the the opportunity to complete the education that they were unable to complete before.

ALCOHOL AND DRUG SERVICES—JOHN DAVIS

For over two years now, John has brought weekly AA meetings to more than 40 inmates participate in the Integrated Addiction Program (IAP), a therapeutic community treatment model for substance users. John is very passionate about helping these inmates, and thanks to his service we can help to address the scourge of substance abuse.

The outstanding efforts of the above-mentioned individuals are particularly noteworthy but one must acknowledge the nearly 300 volunteers who have contributed their time and support to the Sheriff's Office during the past year. These volunteers provide services that help to place inmates on a path to success. They offer their time that could be spent elsewhere to provide encouragement and support that will improve lives during incarceration and provide for a successful transition to help get inmates back on their feet. The efforts of each and every one of these volunteers is worthy of our praise.

The staff of Fairfax County Sheriff Stan Barry should be commended for their critical role in administering the volunteer program. The efforts of these staffers maximize the contributions of volunteers in the most effective way and provide the support that makes this program a success.

Madam Speaker, I ask my colleagues to join me in honoring the contributions of these individuals and all of the volunteers who support the Fairfax County Sheriff's Office. The selfless commitment of these individuals helps to provide enumerable benefits to Northern Virginia and life-changing services to the inmates being served.

## MEMORIALIZING DOROTHY HEIGHT

SPEECH OF

### HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 20, 2010*

Ms. WASSERMAN SCHULTZ. Madam Speaker, first, let me thank Congresswoman WATSON for reserving this Special Order today to honor the life, legacy and service of Dorothy Height.

Our Nation has lost an inspirational civil rights leader and unwavering advocate for women's rights. As the president of the National Council of Negro Women for four decades, Ms. Height fought tirelessly for the rights of African-American women. She was a shining example for those devoted to achieving equality for all Americans, and she served as a hero and role model for those working toward social justice.

As leader of the NCNW, she confronted the problems facing women and families in areas ranging from child care, to health care and nutrition, to housing. Along with other women's leaders including Gloria Steinem, Shirley Chisholm, and Betty Friedan, she helped establish the National Women's Political Caucus in 1971. Dorothy's career in civil rights and women's advocacy spanned nearly 80 years of social movements, from the New Deal era to today. She was there for the anti-lynching protests in the early 1930s; she was there with Dr. Martin Luther King, Jr., our colleague JOHN LEWIS and other civil rights leaders in the watershed 1960s; she was there for the election of our first African-American President, Barack Obama.

For her achievements and dedication, Dorothy Height was awarded the Presidential Medal of Freedom by President Bill Clinton, a Congressional Gold Medal in 2004, and 36 honorary doctorates from colleges and universities. Her passion and soul have fundamentally improved the American social landscape,

and we are truly grateful for her commitment to racial and gender equality. Our thoughts and prayers are with her sister, Anthanette Aldridge, and all Americans whose lives she has touched.

## HONORING THE WORK OF THE REBUILDING TOGETHER SOUTH SOUND ORGANIZATION IN WASHINGTON STATE

### HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. SMITH of Washington. Madam Speaker, I rise today to honor the Rebuilding Together organization in their efforts to improve the lives of American homeowners with the greatest need, and help to ensure they have a safe and healthy place to call home.

Established in 1988, Rebuilding Together currently maintains over 200 active affiliates nationwide and works with more than 200,000 volunteers to rehabilitate 10,000 homes and community centers each year. The homeowners that Rebuilding Together serves include the elderly, disabled, veterans, and families displaced by natural disasters.

Rebuilding Together is the Nation's largest domestic housing organization that works to preserve homeownership and revitalize communities in a cost-effective manner by providing critical home repairs, accessibility modifications, and energy saving upgrades all at no charge to America's low-income homeowners. With the support of large volunteer teams, major corporations, and other contributors, Rebuilding Together leverages each dollar donated into an average of four dollars in added market value invested into the low-income homes they serve.

In a time of widespread housing challenges and economic turmoil, Rebuilding Together's work allows the residents it serves to remain and live safely in their own homes. Rebuilding Together's efforts help prevent homeowners from losing their homes and help homeowners maintain their independence and retain what is in many cases their most significant asset of personal savings and intergenerational wealth. These efforts also help to support neighborhoods and keep communities from losing residents and experiencing declines in real estate value.

This weekend, I will have the pleasure of joining volunteers and Rebuilding Together South Sound in Washington State as they hold their annual Rebuilding Day. I look forward to supporting their work and helping to achieve their important goals.

With the help of community partners, corporate sponsors, and political leadership, Rebuilding Together makes it possible for thousands of Americans to thrive in their own homes and live in healthy communities. I ask my colleagues to join me in thanking Rebuilding Together for their efforts to ensure proper housing for veterans, senior citizens, the disabled, and displaced families in Washington and throughout the United States.

## IN RECOGNITION OF THE GROUNDBREAKING OF A NEW HABITAT FOR HUMANITY DEVELOPMENT

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today, joined by my colleague, The Hon. JAMES MORAN, to celebrate the groundbreaking of a new Habitat for Humanity development in Northern Virginia. This new development, Perry Hall, will provide homes to 12 families in Arlington County, Virginia.

Habitat for Humanity of Northern Virginia, an affiliate of Habitat for Humanity International, was founded in 1990 and is entering its 20th year serving Arlington and Fairfax Counties as well as the cities of Alexandria, Falls Church and Fairfax. Since 1990, Habitat for Humanity has built homes for 73 Northern Virginia families.

Habitat for Humanity is dedicated to the belief that all people deserve a safe and decent place to live. To qualify for a Habitat for Humanity home, the applicant must have lived in Northern Virginia for at least 1 year prior to application, currently live in either substandard or inadequate housing which may include overcrowded or unsafe living conditions, be willing to complete 300–500 hours of "sweat equity" to building of their home, earn only 25–50% of the area median income, and have adequate income to pay a 20–30 year zero interest mortgage with a 1% down payment.

The successes of Habitat for Humanity of Northern Virginia would not be possible without the support of their partnerships with individuals, corporations, civic organizations, associations and faith based groups from throughout the community. Equally important are the committed employees and volunteers who dedicate countless hours to achieve the goal of providing homes for those in need.

Madam Speaker, I ask my colleagues to join me in celebrating the groundbreaking of Perry Hall and in recognizing the invaluable contributions that Habitat for Humanity of Northern Virginia has made to the entire region. I would also ask that my colleagues join me in thanking the supporters, employees and volunteers of this wonderful organization for their ongoing dedication.

## CELEBRATING THE CENTENARY OF THE TOLEDO CATHOLIC DIOCESE

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Ms. KAPTUR. Madam Speaker, I rise today to recognize the Centenary celebration of the Catholic Diocese of Toledo, Ohio. The year long celebration began in October of 2009 with a Season of Preparation and now moves into its Season of Celebration. The Centenary concludes with a Season of Recommitment beginning October 8, 2010 through April 15, 2011.

The Toledo Roman Catholic Diocese was established by order of Pope Pius X on April 15, 1910. Its first bishop, the Most Reverend Joseph Schrembs was installed on October 4, 1911. The Diocese covers nineteen counties in Northwest Ohio including Allen, Crawford, Defiance, Erie, Fulton, Hancock, Henry, Huron, Lucas, Ottawa, Paulding, Putnam, Richland, Sandusky, Seneca, Van Wert, Williams, Wood and Wyandot. The region is urban, rural, suburban and every variety of ethnicity.

A century after its founding, the diocese serves 321,516 Catholics in 128 Parishes. Its services have grown to meet the needs of 21st Century Catholic life while adhering to traditional Catholic teaching. Today's faithful can look to a spirit of ecumenism, both lay and religious pastoral care, and ministries focused on youth, families, those who are aging and those who are alone.

Pope Paul VI said, "Liturgy is like a strong tree whose beauty is derived from the continuous renewal of its leaves, but whose strength comes from the old trunk, with solid roots in the ground." As the Toledo Catholic Diocese has travelled through a century of steadfast faith, challenge and opportunity, it has always been the bedrock for the faithful of our region. Even as we celebrate the milestone marker of 100 years in Christ's service, we look forward to the coming 100 years with renewed hope and faith.

## PAYING TRIBUTE TO VIVIAN JONES ON HER 40TH ANNIVERSARY IN PUBLIC SERVICE AS A MEMBER OF MY CONGRESSIONAL STAFF

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. RANGEL. Madam Speaker, it is with great honor and enthusiasm that I rise today to commend my dear friend and colleague, Vivian Jones, on an illustrious public service career spanning 40 years in the United States House of Representatives.

But, my dear Vivian is more than just a coworker to me. We have maintained a personal and working relationship for the larger part of my political life that has proved abundantly edifying and rewarding. I consider her a true friend with not only great skills—one of the last people on earth who can take shorthand—but a great understanding of the nuances of dealing with politicians and the riggers of constituent casework. I am pleased to say that there are people that call up and want to speak to Vivian instead of me.

The many who have met and been touched by Vivian and her life's work can attest that she is equal parts strong mind and ample heart, a humble soul who cares deeply about the issues of the day and their impact on everyday people. And yet, she has been able to influence public decision making, develop activities of enormous impact and provide motivation, inspiration, and consolation to the younger members of my staff.

Vivian Jones goes back to my days at Weaver, Evans, Wingate & Wright. She was my Administrative Assistant when I first practiced law. She became a part of my campaign staff in March of 1970, when I, then a young New York State Assemblyman, challenged the legendary Adam Clayton Powell, Jr. for the Congressional Seat.

Upon election to the Congress, she joined the Congressional Staff as my Executive Secretary. As a freshman Congressman, I was the beneficiary of Vivian's previous experience with secretarial and paralegal work. She immediately became responsible for my schedule and constituent services in the district office, which was all done without computers in those early days of our careers in the House.

In 1975, Vivian succeeded Virginia Bell as my District Administrator. As my District Administrator, her responsibilities expanded to the role of a Chief of Staff in the District. Viv managed the district offices, directed work activities, supervised staff, and oversaw and coordinated activities in the different communities of my Congressional District. As a woman in this role in the 1970s and proceeding decades, she was quite an effective leader and powerful force in pushing my agenda forward in the district. She continued this role until January 1999, when Vivian reduced her work load and went part-time.

Although at part-time, my loyal colleague, Vivian Jones, still coordinates my schedule in conjunction with the scheduler in Washington, handles all personnel matters pertaining to the district staff, and prepares correspondences of varying complexity for my signature. Vivian continues to arrive at the office in the wee hours of the morning on her assigned days. As always, she remains committed to offering a sympathetic ear or to jump start a slow or reluctant bureaucracy for a constituent.

Vivian's dynamic spirit and sense of purpose serves me and her fellow colleagues as the motivation and driving force of the office. I thank her for her incredible service over the years, her devoted friendship, and wish her many blessings.

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

SPEECH OF

### HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 20, 2010*

Mr. REICHERT. Mr. Speaker, I ask that we take time to recognize National Crime Victims' Rights Week. As a law enforcement officer for 33 years, protecting victims of crime and their rights is a mission close to my heart.

In the King County Sheriff's office, I saw unspeakable tragedies firsthand. I saw the consequences of crime and how it affects victims—sometimes for the rest of their lives. There are few things more painful than looking into the eyes of a victim, knowing that a criminal's selfish, terrible deed has done irreparable damage to an innocent life.

As a cop, you live with the hard truth that you can't prevent every crime. But what we can all do is provide as much support and aid to victims as possible. We can help them receive justice and return some normalcy to their lives.

I urge my colleagues to keep victims of crimes in their hearts and minds, especially when voting for measures that will support their ability to move beyond the tragedies they've suffered and are working to overcome.

## LUKE BRYAN, CMA ''TOP NEW ARTIST'' 2010

### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. BISHOP of Georgia. Madam Speaker, I rise today to honor Luke Bryan, of Leesburg, Georgia, who won the 45th Annual Academy of Country Music Award for Top New Artist on Sunday, April 18th in Las Vegas, Nevada.

All of us in Southwest Georgia are proud of his accomplishment and I would like to recognize and applaud Mr. Bryan's dedication and determination to his art. He has worked diligently, and his album, ''Doin' My Thing,'' peaked at the Number Two spot on the Country Album Billboard. On behalf of my constituents in Georgia's Second Congressional District, I offer my congratulations on a job well done!

I cannot put into words the amount of pride that everyone in Leesburg, and indeed in the Second Congressional District, has in being able to claim this outstanding musician as one of us. He has accomplished a special goal, one that could not have been possible without the unrelenting support and encouragement from his family and community.

The ''Top New Artist'' winner was elected through fan votes by voting online in February and March. Residents of the City of Leesburg and the State of Georgia should be commended for the outstanding loyalty and support they displayed in voting for Mr. Bryan.

Madam Speaker, Luke Bryan has worked hard, persevered, made sacrifices, and developed the character that will help him to succeed. Once again, I congratulate Mr. Bryan on his achievement.

## THE DIVERSE TEACHERS RECRUITMENT ACT OF 2010

### HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mrs. DAVIS of California. Madam Speaker, I rise today to support the effort to bring more diversity to our national teaching force.

Striking statistics compiled by the Department of Education show a lack of diversity among teachers. During the 2007–2008 school year, an estimated 7 percent of teachers were African-American, 7 percent Latino, and 1.2 percent were Asian. More than 83 percent of teachers were white. A total of 75.9 percent of teachers were female and only 24.1 percent male.

Some educators believe this lack of diversity leaves some students without an inspiring role model to whom they can relate. The result may be lower test scores and higher dropout rates within some student demographics.

I am introducing the Diverse Teachers Recruitment Act of 2010 to address this lack of diversity. The legislation provides grants to school districts to create and implement recruitment programs to bring teachers from underrepresented groups into the classroom.

The grantee will track and compile data showing results of the program, including minority teacher recruitment rates. Data will also include the impact on student learning, growth, and attendance rates.

The Department of Education will analyze the programs and disseminate which were effective in recruiting teachers from underrepresented groups. Successful results could be replicated in other school districts.

It is a worthwhile effort to bring teachers from underrepresented groups into our classrooms. This legislation begins a national effort to build a teaching force that reflects the diverse population of the United States to enhance the learning experience of our students.

## OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $12,871,255,665,556.84.

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 $2,232,829,919,263.00 so far this Congress. The debt has increased $8,206,250,340.50 since just yesterday.

This debt and its interest payments we are passing to our children and all future Americans.

## CELEBRATING THE 100TH BIRTHDAY OF THE TOLEDO BOARD OF REALTORS

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Ms. KAPTUR. Madam Speaker, I rise today to recognize the Toledo Board of Realtors on the milestone occasion of the 100th anniversary of its founding. The Toledo Board of Realtors was founded in February of 1910 by a handful of Toledo real estate brokers. The association's first president was Irving B. Hiett, who eventually assumed the presidency of the National Association of Realtors.

Formed as the Toledo Real Estate Board, its first membership consisted of about 28 brokers. The Board was formed to ''Collect and circulate valuable and useful information pertaining to the real estate, manufacturing, industrial and mercantile interests of the city of Toledo and it's citizens; To oppose the enactment of laws detrimental to said interest; to encourage legislation for needed public improvements; to foster an equitable system of taxation and assessment and to secure the enactment and enforcement of laws and ordinances for the further protection, convenience and welfare of the real estate owners, leaseholders and brokers.''

In 1910 the Board developed a map of every manufacturing site in the city indicating whether the site was on the water, rail or inland. In 1912 Multiple Listing Service was established and it was mandatory that all members include their listings. The brokers gathered in the Board office each week and exchanged information about their listings.

The Toledo Realtor magazine was first published, semi-monthly in 1928.

Since its inception, the Toledo Board of Realtors continues its efforts to protect consumers in real estate transactions, to promote affordable housing and to expand ownership and protection of private property rights. Its members maintain the highest degree of professionalism while fostering an expertise in the field in order to ensure able representation of clients.

Today the Toledo Board represents approximately 1400 Realtor members. They continue a tradition of excellence over the course of a century. We celebrate their achievements and honor the efforts of those on whose shoulders they stand.

## A TRIBUTE TO BROADCASTING LEGEND ROY ISOM

### HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. NUNES. Madam Speaker, the San Joaquin Valley has lost a broadcasting giant. Roy Isom, the ''voice of agriculture'' in the valley, passed away on April 15, 2010. Because agriculture is so vital to the survival of our communities, Roy could also be called the ''voice of the valley.''

Roy was in television and radio for more than four decades. San Joaquin Valley radio listeners were truly fortunate when he joined KMJ Radio Fresno in 1981 as news director and farm news editor. Roy produced an hour-long morning agricultural news show each day in tune with the needs and concerns of farmers and businesses in the valley. His program was influential in educating Californians about the important role agriculture plays in their lives.

Because of his outstanding reporting, Roy won two coveted awards. In 1994, he was the California Farm Bureau Federation Agricultural Reporter of the Year. In 2005, he was a recipient of the Fresno County Farm Bureau Heavy Puller Award. Roy won these awards because he was one of the best and most knowledgeable reporters on agricultural issues in California. It is a fitting memorial to Roy that a scholarship in his name has been established with the Ag One Foundation at California State University, Fresno.

Roy was also member of the prestigious National Association of Farm Broadcasters and an active member of the Sanger Masonic Lodge.

Like all residents of the valley, I extend my condolences to Roy's family and friends during their time of grief. I can only hope that it is of comfort to those closest to Roy to know that the ''voice of agriculture'' may be silent now, but his legendary reporting on agriculture issues will be remembered for generations to come.

## COMMENDING DR. SHUKLA AND DR. GRADY FOR THEIR WORK IN INDIA

### HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. McDERMOTT. Madam Speaker, I rise today to commend the critical medical work that was recently performed in Gujarat, India by Dr. Aseem Shukla and Dr. Richard Grady. Dr. Shukla is a pediatric urologist, Director of Pediatric Urology at the University of Minnesota Amplatz Children's Hospital and is the co-founder of the Hindu American Foundation (HAF). Dr. Grady is a pediatric urologist and a world-renowned expert in pediatric bladder reconstruction at Seattle Children's Hospital. Joining Dr. Shukla and Dr. Grady in India were Dr. Anjana Kundu, a Pediatric Anesthesiologist from Seattle Children's Hospital and Dr. Kenneth Smith, a Chief Resident in Urology at the University of Minnesota. I am especially proud of the fact that both Dr. Grady and Dr. Kundu are my constituents and that the Seattle Children's Hospital is in my district.

Dr. Shukla and Dr. Grady assembled their team of physicians and medical staff in the city of Ahmedabad and conducted 20 major reconstructive surgeries on children over an eight-day period, with each surgery lasting over twelve hours in duration. These children had serious urinary tract and genital abnormalities, which are the third most common congenital abnormality in the developing world. These abnormalities leave these children and young adults shunned and at the risk of further severe medical conditions. By performing these surgeries, these physicians have not only saved lives, they have transformed them.

While Dr. Shukla has been traveling to India twice a year for several years, with a commitment to build the much needed specialty of pediatric urology there with the support of the Hindu American Foundation. This latest medical mission could not have happened without the generous support of International Volunteers in Urology, a non-profit education and membership organization founded in 1995 by Dr. Catherine R. deVries. IVUmed's primary mission is to make quality urological care available to people around the world. The organization does so by organizing workshops where both physicians and nurses are trained and teams perform clinical evaluations, lectures, patient consultations and dozens of hands-on surgeries within a one to two-week period. In this way, IVUmed has provided treatment to thousands of men, women and children in nearly 30 countries in the areas of women's health, urology and tropical diseases.

IVUmed is unique because it is the only global nonprofit organization dedicated to teaching urology in developing countries. Their motto is ''Teach One—Reach Many.'' Many physicians in developing nations do not have the resources to travel and acquire the necessary training to improve their skills. By training local medical professionals who then train residents and other doctors, IVUmed transforms urologic care for entire regions in the developing world on a permanent basis. The organization has an over 6,000 volunteers and supporters around the world. In addition to treating thousands of patients, providing medical and surgical education to hundreds of physicians and nurses, IVUmed has also donated over half a million dollars worth of supplies and equipment to doctors around the world.

I would also like to recognize the numerous Indian physicians who contributed to the success of this medical mission: Dr. Balagopal Nair and Dr. Mohan Abraham with the Amrita Institute of Medical Sciences and Research Center; Dr. P.K. Dave, Dr. Rakesh Joshi and Dr. Sudhir Chandna of the B.J. Medical College in Ahmedabad; Dr. Mahesh Desai with the Muljibhai Patel Urological Hospital; and Dr. D.K. Gupta and Minu Bajpai with the All India Institute of Medical Sciences.

Hindu philosophy teaches that Seva, or Service, if carried out selflessly, is the highest devotion. The compassion shown by this team of American and Indian physicians exemplifies this spirit. Their dedication in bettering the lives of so many children should serve as an insipration to us all. As a physician and the co-chair of the Congressional Caucus on India and Indian Americans, I would like to commend the joint efforts of the talented physicians and individuals who made this medical mission such a success.

## REFORM OF WALL STREET BANKS

### HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2010*

Mr. HOLT. Madam Speaker, I rise today to join my colleagues and the President in calling for comprehensive reform of Wall Street banks, to increase disclosure and transparency for the protection of the public and the stability of the economy.

As the President's statement yesterday indicated, at its peak, the ''Shadow Banking System'' financed approximately $8 trillion in assets, which in many instances were mismanaged largely without oversight, contributing to the economic collapse at the end of 2008. We are just recovering from the economic collapse—but without meaningful reform of Wall Street the public will continue to be at risk.

That is why I supported, and strengthened with several amendments, the Wall Street Reform and Consumer Protection Act when it was considered in the House in December. The legislation would implement important reforms that would limit the ability of financial institutions to ''game the system,'' and provide regulators with the information they need to identify and manage systemic risk. I urge my colleagues to continue to fight for enactment of these necessary reforms.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 22, 2010 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### APRIL 23

9:30 a.m.

Homeland Security and Governmental Affairs

Investigations Subcommittee

To resume hearings to examine Wall Street and the financial crisis, focusing on the role of credit rating agencies.

SD–G50

### APRIL 27

10 a.m.

Commerce, Science, and Transportation

Competitiveness, Innovation, and Export Promotion Subcommittee

To hold hearings to examine promoting our national parks as travel destinations.

SR–253

Energy and Natural Resources

To hold hearings to examine the nominations of Philip D. Moeller, of Washington, and Cheryl A. LaFleur, of Massachusetts, both to be a Member of the Federal Energy Regulatory Commission.

SD–366

Judiciary

To hold an oversight hearing to examine the Department of Homeland Security.

SD–226

Small Business and Entrepreneurship

To hold hearings to examine Federal efforts to expand small business internet access.

SR–428A

Environment and Public Works

Water and Wildlife Subcommittee

To hold hearings to examine collaborative solutions to wildlife and habitat management.

SD–406

11 a.m.

Homeland Security and Governmental Affairs

Investigations Subcommittee

To resume hearings to examine Wall Street and the financial crisis, focusing on the role of investment banks.

SD–106

2 p.m.

Health, Education, Labor, and Pensions

To hold hearings to examine putting safety first, focusing on strengthening enforcement and creating a culture of compliance at mines and other dangerous workplaces.

SD–430

2:15 p.m.

Foreign Relations

Business meeting to consider S. 2971, to authorize certain authorities by the Department of State, S. 3087, to support revitalization and reform of the Organization of American States, and the nominations of Mari Carmen Aponte, of the District of Columbia, to be Ambassador to the Republic of El Salvador, Department of State, and Michael P. Meehan, of Virginia, and Dana M. Perino, of the District of Columbia, both to be a Member of the Broadcasting Board of Governors.

S–116, Capitol

2:30 p.m.

Intelligence

To receive a closed briefing on certain intelligence matters from officials of the intelligence community.

SH–219

3 p.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings to examine S. 745 and H.R. 2265, bills to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Magna Water District water reuse and groundwater recharge project, S. 1138 and H.R. 2442, bills to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, S. 1573 and H.R. 2741, bills to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, S. 3099, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir, S. 3100, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Little Wood River Ranch, H.R. 325, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra Black Wash Reclamation and Riparian Restoration Project, H.R. 637, to authorize the Secretary, in cooperation with the City of San Juan Capistrano, California, to participate in the design, planning, and construction of an advanced water treatment plant facility and recycled water system, H.R. 1120, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Central Texas Water Recycling and Reuse Project, H.R. 1219, to make amendments to the Reclamation Projects Authorization and Adjustment Act of 1992, H.R. 1393, to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects and activities under that Act, and H.R. 2522, to raise the ceiling on the Federal share of the cost of the Calleguas Municipal Water District Recycling Project.

SD–366

### APRIL 28

10 a.m.

Appropriations

Energy and Water Development Subcommittee

To hold hearings to examine a national assessment of energy policies, focusing on significant achievements since the 1970s and an examination of U.S. energy policies and goals in the coming decades.

SD–124

Health, Education, Labor, and Pensions

Business meeting to consider the nominations of Joshua Gotbaum, of the District of Columbia, to be Director of the Pension Benefit Guaranty Corporation, and Eduardo M. Ochoa, of California, to be Assistant Secretary of Education for Postsecondary Education.

SD–430

Armed Services

Personnel Subcommittee

To hold hearings to examine military compensation and benefits, including special and incentive pays, in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program.

SR–222

Commerce, Science, and Transportation

Surface Transportation and Merchant Marine Subcommittee

To hold an oversight hearing to examine motor carrier safety efforts.

SR–253

2 p.m.

Health, Education, Labor, and Pensions

To resume hearings to examine Elementary and Secondary Education Act (ESEA) reauthorization, focusing on standards and assessments.

SD–430

2:30 p.m.

Homeland Security and Governmental Affairs

Contracting Oversight Subcommittee

To hold an oversight hearing to examine contract management at the Centers for Medicare and Medicaid Services.

SD–342

Appropriations

Financial Services and General Government Subcommittee

To hold hearings to examine the President's proposed budget estimates for fiscal year 2011 for the Commodity Futures Trading Commission and for the Securities and Exchange Commission.

SD–138

Judiciary

To hold hearings to examine certain nominations.

SD–226

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 1241, to amend Public Law 106–206 to direct the Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer, S. 1571 and H.R. 1043, bills to provide for a land exchange involving certain National Forest System lands in the Mendocino National Forest in the State of California, S. 2762, to designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, S. 3075, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws, S. 3185, to require the Secretary of the Interior to convey

certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and H.R. 86, to eliminate an unused lighthouse reservation, provide management consistency by incorporating the rocks and small islands along the coast of Orange County, California, into the California Coastal National Monument managed by the Bureau of Land Management, and meet the original Congressional intent of preserving Orange County's rocks and small islands.

SD–366

APRIL 29

10 a.m.

Health, Education, Labor, and Pensions

To resume hearings to examine Elementary and Secondary Education Act (ESEA) reauthorization, focusing on meeting the needs of special populations.

SD–430

2:30 p.m.

Appropriations

Legislative Branch Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2011 for the Library of Congress and the Open World Leadership Center.

SD–138

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine developing Federal employees and supervisors, focusing on mentoring, internships, and training in the Federal government.

SD–342

Intelligence

To hold closed hearings to consider certain intelligence matters.

SH–219

MAY 5

9:30 a.m.

Veterans' Affairs

To hold an oversight hearing to examine traumatic brain injury (TBI), focusing on progress in treating the signature wound of the current conflicts.

SR–418

10 a.m.

United States Senate Caucus on International Narcotics Control

To hold hearings to examine violence in Mexico and Ciudad Juarez and its implications for the United States.

SD–124

2:30 p.m.

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine the National Park Service's implementations of the American Recovery and Reinvestment Act.

SD–366

MAY 6

2:30 p.m.

Armed Services

SeaPower Subcommittee

To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program.

SR–222

MAY 19

9:30 a.m.

Veterans' Affairs

To hold hearings to examine pending legislation.

SR–418

# *Daily Digest*

# Senate

## *Chamber Action*

***Routine Proceedings, pages S2483–S2533***

**Measures Introduced:** Eight bills and one resolution were introduced, as follows: S. 3236–3243, and S. Con. Res. 59. **Page S2518**

**Measures Passed:**

***Recognizing the Leadership and Historical Contributions of Dr. Hector Garcia:*** Committee on the Judiciary was discharged from further consideration of H. Con. Res. 222, recognizing the leadership and historical contributions of Dr. Hector Garcia to the Hispanic community and his remarkable efforts to combat racial and ethnic discrimination in the United States of America, and the resolution was then agreed to. **Page S2529**

***Congratulating the Republic of Serbia's Application for European Union Membership:*** Committee on Foreign Relations was discharged from further consideration of S. Res. 483, congratulating the Republic of Serbia's application for European Union membership and recognizing Serbia's active efforts to integrate into Europe and the global community, and the resolution was then agreed to. **Page S2529**

**Appointments:**

***American Folklife Center of the Library of Congress:*** The Chair, on behalf of the President pro tempore, pursuant to Public Law 94–201, as amended by Public Law 105–275, appointed the following individuals as members of the Board of Trustees of the American Folklife Center of the Library of Congress: Patricia Atkinson of Nevada vice Dennis Holub of South Dakota and Joanna Hess of New Mexico vice Mickey Hart of California. **Page S2529**

**Impeachment of Judge G. Thomas Porteous, Jr.:** The Chair submitted to the Senate for printing in the Senate Journal and in the Congressional Record the replication-errata of the House of Representatives to the Answer of Judge G. Thomas Porteous, Jr., to the articles of impeachment against Judge Porteous, pursuant to S. Res. 457, 111th Congress, Second Session, which replication was received by the Secretary of the Senate on April 21, 2010. **Pages S2529–30**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 72 yeas 24 nays (Vote No. EX. 121), Christopher H. Schroeder, of North Carolina, to be an Assistant Attorney General. **Pages S2491–98, S2533**

By 77 yeas 20 nays (Vote No. EX. 122), Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit. **Pages S2498–S2510, S2533**

**Nominations Received:** Senate received the following nominations:

Jill Long Thompson, of Indiana, to be a Member of the Farm Credit Administration Board, Farm Credit Administration (Recess Appointment).

Francisco J. Sanchez, of Florida, to be Under Secretary of Commerce for International Trade (Recess Appointment).

Eric L. Hirschhorn, of Maryland, to be Under Secretary of Commerce for Export Administration (Recess Appointment).

Michael W. Punke, of Montana, to be a Deputy United States Trade Representative, with the rank of Ambassador (Recess Appointment).

Michael F. Mundaca, of New York, to be an Assistant Secretary of the Treasury (Recess Appointment).

Islam A. Siddiqui, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador (Recess Appointment).

Jeffrey Alan Goldstein, of New York, to be an Under Secretary of the Treasury (Recess Appointment).

Chai Rachel Feldblum, of Maryland, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2013 (Recess Appointment).

Jacqueline A. Berrien, of New York, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2014 (Recess Appointment).

Craig Becker, of Illinois, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2014 (Recess Appointment).

Victoria A. Lipnic, of Virginia, to be a Member of the Equal Employment Opportunity Commission for the remainder of the term expiring July 1, 2010 (Recess Appointment).

P. David Lopez, of Arizona, to be General Counsel of the Equal Employment Opportunity Commission for a term of four years (Recess Appointment).

Mark Gaston Pearce, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2013 (Recess Appointment).

Alan D. Bersin, of California, to be Commissioner of Customs, Department of Homeland Security (Recess Appointment).

Rafael Borras, of Maryland, to be Under Secretary for Management, Department of Homeland Security (Recess Appointment).

James Kelleher Bredar, of Maryland, to be United States District Judge for the District of Maryland.

Edmond E-Min Chang, of Illinois, to be United States District Judge for the Northern District of Illinois.

Ellen Lipton Hollander, of Maryland, to be United States District Judge for the District of Maryland.

Leslie E. Kobayashi, of Hawaii, to be United States District Judge for the District of Hawaii.

Susan Richard Nelson, of Minnesota, to be United States District Judge for the District of Minnesota.

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force and Army.

**Pages S2530–33**

**Messages from the House:** **Page S2515**

**Executive Communications:** **Pages S2515–17**

**Petitions and Memorials:** **Page S2517**

**Additional Cosponsors:** **Page S2518**

**Statements on Introduced Bills/Resolutions:** **Pages S2519–28**

**Additional Statements:** **Page S2515**

**Authorities for Committees to Meet:** **Pages S2528–29**

**Privileges of the Floor:** **Page S2529**

**Record Votes:** Two record votes were taken today. (Total—122) **Pages S2497–98, S2510**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 6:40 p.m., until 9:30 a.m. on Thursday, April 22, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2530.)

# *Committee Meetings*

*(Committees not listed did not meet)*

## BUSINESS MEETING

*Committee on Agriculture, Nutrition, and Forestry:* Committee ordered favorably reported an original bill entitled, "The Wall Street Transparency and Accountability Act of 2010".

## APPROPRIATIONS: MISSILE DEFENSE AGENCY

*Committee on Appropriations:* Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2011 for Missile Defense Agency programs, after receiving testimony from Lieutenant General Patrick J. O'Reilly, Director, Missile Defense Agency, Department of Defense.

## NONPROLIFERATION PROGRAMS

*Committee on Armed Services:* Subcommittee on Emerging Threats and Capabilities concluded a hearing 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, after receiving testimony from Michael Nacht, Assistant Secretary of Defense for Global Strategic Affairs; and Kenneth E. Baker, Principal Assistant Deputy Administrator, Office of Defense Nuclear Nonproliferation, National Nuclear Security Administration, Department of Energy.

## ENVIRONMENTAL MANAGEMENT FUNDING

*Committee on Armed Services:* Subcommittee on Strategic Forces concluded a hearing 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, after receiving testimony from Ines R. Triay, Assistant Secretary of Energy for Environmental Management.

## BUSINESS MEETING

*Committee on the Budget:* Committee began consideration of the concurrent resolution on the budget for fiscal year 2011, but did not complete action thereon, and recessed subject to the call and will meet again on Thursday, April 22, 2010.

## SECURING THE NATION'S RAIL AND OTHER SURFACE TRANSPORTATION NETWORKS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine securing the nation's rail and other surface transportation networks, focusing on the actions the Transportation Security Administration (TSA) has taken to manage risk, improve coordination, and measure performance, and any additional actions needed to enhance efforts, after receiving testimony from David Heyman, Assistant Secretary for Policy, and Carlton I. Mann, Assistant Inspector General, both of the Department of Homeland Security; Stephen M. Lord, Director, Homeland Security and Justice Issues, Government Accountability Office; John O'Connor, Amtrak, Washington, DC.; Joseph Kelly, NJ TRANSIT, Newark, New Jersey; and Howard R. Elliott, CSX Transportation, Inc. (CSXT), Jacksonville, Florida, on behalf of the Association of American Railroads (AAR).

## LANDS BILLS

*Committee on Energy and Natural Resources:* Subcommittee on Public Lands and Forests concluded a hearing 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, after receiving testimony from Harris Sherman, Under Secretary of Agriculture for Natural Resources and Environment; Glenda H. Owens, Deputy Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior; Colorado State Senator Dan Gibbs, Breckenridge; Forrest Reinhardt, Venture Beyond, Coto de Caza, California; Gregory E. Conrad, Interstate Mining Compact Commission, Herndon, Virginia; and Dominik Kulakowski, Clark University, Worcester, Massachusetts.

## BUSINESS MEETING

*Committee on Environment and Public Works:* Committee ordered favorably reported the following business items:

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, with an amendment in the nature of a substitute;

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, with amendments;

A proposed resolution relating to the Army Corps Study; and

A proposed resolution relating to the General Services Administration.

## CHRISTMAS DAY ATTACK

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the lessons and implications of the Christmas Day attack, focusing on securing the visa process, after receiving testimony from Janice L. Jacobs, Assistant Secretary of State for Consular Affairs; and David Heyman, Assistant Secretary for Policy, and John Morton, Assistant Secretary for U.S. Immigration and Customs Enforcement, both of the Department of Homeland Security.

## SMALL BUSINESS ADMINISTRATION BUDGET

*Committee on Small Business and Entrepreneurship:* Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2011 for the Small Business Administration, after receiving testimony from Karen G. Mills, Administrator, Small Business Administration.

## G.I. BILL

*Committee on Veterans' Affairs:* Committee concluded an oversight hearing to examine implementation of the new post-9/11 Government Issue (GI) Bill, after receiving testimony from Keith M. Wilson, Director, Education Service, Veterans Benefits Administration, Stephen Warren, Principal Deputy Assistant Secretary for Information and Technology, and Dan Osendorf, Director, Debt Management Center, all of the Department of Veterans Affairs; Robert E. Clark, Assistant Director for Accession Policy, Office of the Under Secretary of Defense for Personnel and Readiness; Faith DesLauriers, National Association of Veterans' Program Administrators, Daytona Beach, Florida; William D. Stephens, National Association of State Approving Agencies, Harrisburg, Pennsylvania; Robert Madden, American Legion, Washington, DC.; Marco Reininger, Iraq and Afghanistan Veterans of America, New York, New York.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 19 public bills, H.R. 5088–5106; and 10 resolutions, H. Con. Res. 263–266; and H. Res. 1281–1286, were introduced. **Pages H2798–99**

**Additional Cosponsors:** **Pages H2799–H2801**

**Report Filed:** A report was filed today as follows: In the Matter of Randy Vogel (H. Rept. 111–464). **Page H2798**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Pastor to act as Speaker pro tempore for today. **Page H2699**

**Chaplain:** The prayer was offered by the Guest Chaplain, Archbishop Oshagan Choloyan, Armenian Apostolic Church of America. **Page H2699**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Caregivers and Veterans Omnibus Health Services Act:*** S. 1963, amended, to amend title 38, United States Code, to provide assistance to caregivers of veterans and to improve the provision of health care to veterans, by a ⅔ yea-and-nay vote of 419 yeas with none voting "nay", Roll No. 214; **Pages H2703–33, H2765**

***Congratulating Reverend Daniel P. Coughlin on his tenth year of service as Chaplain of the House of Representatives:*** H. Res. 1216, to congratulate Reverend Daniel P. Coughlin on his tenth year of service as Chaplain of the House of Representatives, by a ⅔ yea-and-nay vote of 412 yeas with none voting "nay", Roll No. 216; **Pages H2733–37, H2766–67**

***Supporting the goals and ideals of Multiple Sclerosis Awareness Week:*** H. Res. 1116, to support the goals and ideals of Multiple Sclerosis Awareness Week; **Pages H2737–40**

***Celebrating the life and achievements of Dr. Dorothy Irene Height:*** H. Res. 1281, to celebrate the life and achievements of Dr. Dorothy Irene Height and to recognize her life-long dedication and leadership in the struggle for human rights and equality for all people until her death at age 98 on April 20, 2010; **Pages H2740–49**

***Commemorating the 40th anniversary of Earth Day:*** H. Con. Res. 255, amended, to commemorate the 40th anniversary of Earth Day and to honor the founder of Earth Day, the late Senator Gaylord Nelson of Wisconsin; **Pages H2749–52**

***Expressing support for designation of May 1 as "Silver Star Service Banner Day":*** H. Res. 855, to express support for designation of May 1 as "Silver Star Service Banner Day"; **Pages H2752–53**

***Expressing condolences to the families, friends, and loved ones of the victims of the fire at the Tesoro refinery in Anacortes, Washington:*** H. Res. 1262, to express condolences to the families, friends, and loved ones of the victims of the fire at the Tesoro refinery in Anacortes, Washington; **Pages H2753–55**

***Congratulating Radford University on the 100th anniversary of the university:*** H. Res. 1182, to congratulate Radford University on the 100th anniversary of the university; **Pages H2755–56**

***Commending the University of Connecticut Huskies for their historic win:*** H. Res. 1239, amended, to commend the University of Connecticut Huskies for their historic win in the 2010 NCAA Division I Women's Basketball Tournament; **Pages H2756–58**

***Fitness Integrated with Teaching Kids Act:*** H.R. 1585, amended, to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education; and **Pages H2758–62**

Agreed to amend the title so as to read: "To increase awareness of physical activity opportunities at school, and for other purposes.". **Page H2762**

***Recognizing the continued importance of volunteerism and national service:*** H. Res. 1276, to recognize 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. **Pages H2763–65**

**Suspension—Proceedings Postponed:** The House debated the following measure under suspension of the rules. Further proceedings were postponed:

***Expressing support for Mathematics Awareness Month:*** H. Res. 1270, to express support for Mathematics Awareness Month. **Pages H2762–63**

**Suspension—Proceedings Resumed:** The House agreed to suspend the rules and agree to the following measure which was debated on Tuesday, April 20th:

***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.", by a ⅔ yea-and-nay vote of 417 yeas with none voting "nay", Roll No. 215.

**Pages H2765–66**

**Quorum Calls Votes:** Three yea-and-nay votes developed during the proceedings of today and appear on pages H2765, H2765–66, and H2767. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 7:34 p.m.

# *Committee Meetings*

## U.S. AGRICULTURE POLICY 2012 FARM BILL

*Committee on Agriculture:* Held a hearing to review U.S. agriculture policy in advance of the 2012 Farm Bill. Testimony was heard from Tom Vilsack, Secretary of Agriculture.

## DEFENSE APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Defense held a hearing on the National Capitol Region. Testimony was heard from the following officials of the Department of Defense: Mike McCord, Principal Deputy Under Secretary, (Comptroller); Charles L. Rice, M.D., President, Uniformed Services University of Health Sciences, Performing the Duties of the Assistant Secretary, Health Affairs; Dorothy Robyn, Deputy Under Secretary, Installations and Environment; and VADM John Matczum, USN, Commander, Joint Task Force, National Capital Region Medical.

## FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Financial Services and General Government held a hearing on FY 2011 Budget Request for the District of Columbia. Testimony was heard from the following officials of the District of Columbia: Adrian M. Fenty, Mayor; Vincent C. Gray, Chairman, Council; and Natwar Gandhi, Chief Financial Officer.

## HOMELAND SECURITY APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Homeland Security continued appropriation hearings. Testimony was heard from Members of Congress and public witnesses.

## LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on FY 2011 Budget Overview: Department of Health and Human Services. Testimony was heard from Kathleen Sebelius, Secretary of Health and Human Services.

## LEGISLATIVE BRANCH APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Legislative Branch held a hearing on the FY 2011 Budgets for the Library of Congress, GPO, and the Open World Leadership Center. Testimony was heard from James Billington, Librarian of Congress, JoAnn Jenkins, Chief Financial Officer, Library of Congress, Robert C. Tapella, Public Printer of the United States; and Ambassador John O'Keefe. Executive Director, Open World Leadership Center.

## TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Transportation, Housing and Urban Development, and Related Agencies held a hearing on the Status of the Federal Housing Administration including the FY 2011 Budget Request. Testimony was heard from David Stevens, Commissioner, Federal Housing Administration, Department of Housing and Urban Development.

## DEFENSE ACQUISITION REFORM

*Committee on Armed Services:* Ordered reported, as amended, H.R. 5013, Implementing Management for Performance and Related Reforms to Obtain Value in Every Acquisition Act of 2010.

## DEFENSE HEALTH PROGRAM

*Committee on Armed Services:* Subcommittee on Military Personnel held a hearing on the Defense Health Program. 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; LTG Eric Schoomaker, USA, Surgeon General, U.S. Army; VADM Adam Robinson, USN, Surgeon General, U.S. Navy; and LTG Charles Bruce Green, USAF, Surgeon General, U.S. Air Force.

## DEFENSE SPACE POSTURE SPACE ACTIVITIES BUDGET

*Committee on Armed Services:* Subcommittee on Strategic Forces held a hearing on the space posture review and the Fiscal Year 2011 National Defense Authorization Budget Request for national security space activities. Testimony was heard from the following officials of the Department of Defense: GEN C. Robert Kehler, USAF, Commander, Air Force Space Command, U.S. Air Force; Robert J. Butler,

Deputy Assistant Secretary, Cyber and Space Policy; Office of the Secretary; Betty Sapp, Principal Deputy Director, National Reconnaissance Office; and Gary E. Payton, Deputy Under Secretary of the Air Force, Space Programs, U.S. Air Force.

## JUVENILE JUSTICE SYSTEM REFORM

*Committee on Education and Labor:* Held a hearing on Reforming the Juvenile Justice System to Improve Children's Lives and Public Safety. Testimony was heard from A. Hasan Davis, Deputy Commissioner, Operations, Department of Juvenile Justice, State of Kentucky; and public witnesses.

## NATIONAL BROADBAND PLAN

*Committee on Energy and Commerce:* Subcommittee on Communications, Technology and the Internet held a hearing entitled ''The National Broadband Plan: Deploying Quality Broadband Services to the Last Mile.'' Testimony was heard from Sharon Gillett, Chief, Wireline Competition Bureau, FCC; David Villano, Assistant Administrator, Telecommunications Program, Rural Development, USDA; and public witnesses.

## CORPORATE GOVERNANCE AND SHAREHOLDER EMPOWERMENT

*Committee on Financial Services:* Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled ''Corporate Governance and Shareholder Empowerment.'' Testimony was heard from Steven D. Irwin, Commissioner, Securities Commission, State of Pennsylvania; and public witnesses.

## NATIONAL FLOOD INSURANCE PROGRAM REFORM

*Committee on Financial Services:* Subcommittee on Housing and Community Opportunity held a hearing entitled ''Legislative Proposals to Reform the National Flood Insurance Program.'' Testimony was heard from Representatives Costello, Matsui, Scalise and Taylor; W. Craig Fugate, Administrator, FEMA, Department of Homeland Security; Orice Williams Brown, Director, Financial Markets and Community Investment, GAO; and public witnesses.

## COUNTERING NUCLEAR PROLIFERATION/ TERRORISM

*Committee on Foreign Affairs:* Held a hearing on Stopping the Spread of Nuclear Weapons, Countering Nuclear Terrorism: The NPT Review Conference and the Nuclear Security Summit. Testimony was heard from the following officials of the Department of State: Susan F. Burk, Special Representative of the President for Nuclear Nonproliferation; and Bonnie D. Jenkins, Coordinator, Threat Reduction Programs; and public witnesses.

## U.S. ENGAGEMENT WITH SYRIA

*Committee on Foreign Affairs:* Subcommittee on Middle East and South Asia held a hearing on Neither Appeasement nor Improvement? Prospects for U.S. Engagement with Syria. Testimony was heard from Jeffrey D. Feltman, Assistant Secretary, Bureau of Near Eastern Affairs, Department of State, and former U.S. Ambassador to Lebanon.

## HOMELAND SECURITY AND WEAPONS OF MASS DESTRUCTION

*Committee on Homeland Security:* Held a hearing entitled ''Viewpoints on Homeland Security: A Discussion with the WMD Commissioners.'' Testimony was heard from the following former members of the Commission for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism: former Senator Bob Graham of Florida, Chairman, and former Senator Jim Talent of Missouri, Vice-Chairman.

## INDIAN LAND TRANSFER MEASURES

*Committee on Natural Resources:* Held a 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. Testimony was heard from George T. Skibine, Deputy Assistant Secretary, Policy and Economic Development for Indian Affairs, Department of the Interior; Alvin H. Warren, Cabinet Secretary, Department of Indian Affairs, State of New Mexico; and public witnesses.

## D.C. METRO OVERSIGHT

*Committee on Oversight and Government Reform:* Held a hearing entitled ''The Washington Metro System: Safety, Service and Stability.'' Testimony was heard from Peter Rogoff, Administrator, Federal Transit Administration, Department of Transportation; the following officials of the Washington Metropolitan Area Transit Authority (WMATA): Richard Sarles, Interim General Manager; and Peter Benjamin, Chairman, Board of Directors; and public witnesses.

## NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY PROGRAMS

*Committee on Science and Technology:* Subcommittee on Technology and Innovation approved for full Committee action, as amended, a Committee Print—National Institute of Standards and Technology Authorization Act of 2010.

## SBA PROGRAMS OVERSIGHT

*Committee on Small Business:* Held an oversight hearing on the Small Business Administration and its

Programs. Testimony was heard from the following officials of the SBA: Karen Mills, Administrator; and Peggy Gustafson, Inspector General.

### NEXT GENERATION AVIATION

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing on NextGen: Long-Term Planning and Interagency Cooperation. Testimony was heard from the following officials of the Department of Transportation: Karlin Toner, Director, Joint Planning and Development Office, FAA, and Senior Staff Advisor to the Secretary, on NextGen; and Calvin L. Scovel III, Inspector General; Gerald Dillingham, Director, Physical Infrastructure Issues, GAO; Jaiwon Shin, Associate Administrator, Aeronautics Research Mission Directorate, NASA; Steven Pennington, Headquarters Air Force, Director, Bases, Ranges and Airspace and Executive Director, Policy Board on Federal Aviation, Department of Defense; and a public witness.

### YEMEN BRIEFING

*Permanent Select Committee on Intelligence:* Met in executive session to receive a briefing on Yemen. The Committee was briefed by departmental witnesses.

## *Joint Meetings*

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR THURSDAY, APRIL 22, 2010

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Appropriations:* Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the National Aeronautics and Space Administration, 10 a.m., SD–192.

Subcommittee on Military Construction and Veterans' Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Department of Army and the Department of Air Force, 10 a.m., SD–124.

*Committee on Armed Services:* to hold hearings to examine the Nuclear Posture Review, 9:30 a.m., SD–G50.

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Economic Policy, to hold hearings to examine China's exchange rate policy and trade imbalances, 10 a.m., SD–538.

*Committee on the Budget:* business meeting to continue consideration of the concurrent resolution on the budget for fiscal year 2011, 10 a.m., SD–608.

*Committee on Commerce, Science, and Transportation:* Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine the environmental and economic impacts of ocean acidification, 10 a.m., SR–253.

Full Committee, to hold hearings to examine the debt settlement industry, focusing on the consumer's experience, 2:30 p.m., SR–253.

*Committee on Foreign Relations:* to hold hearings to examine promoting global food security, focusing on the next steps for Congress and the Administration, 10:30 a.m., SD–419.

*Committee on Health, Education, Labor, and Pensions:* to resume hearings to examine Elementary and Secondary Education Act (ESEA) reauthorization, focusing on meeting the needs of the whole student, 10 a.m., SD–106.

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine challenges and lessons learned in transitioning the Federal government, 10 a.m., SD–342.

Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine the future of the United States Postal Service, 3:30 p.m., SD–342.

*Committee on Indian Affairs:* to hold hearings to examine the discussion draft of the "Indian Energy Promotion and Parity Act of 2010", 2:15 p.m., SD–628.

*Committee on the Judiciary:* business meeting to consider S. 1346, to penalize crimes against humanity and for other purposes, S. 657, to provide for media coverage of Federal court proceedings, S. 446, to permit the televising of Supreme Court proceedings, S. Res. 339, to express the sense of the Senate in support of permitting the televising of Supreme Court proceedings, S. 1684, to establish guidelines and incentives for States to establish criminal arsonist and criminal bomber registries and to require the Attorney General to establish a national criminal arsonist and criminal bomber registry program, and the nominations of Kerry B. Harvey, to be United States Attorney for the Eastern District of Kentucky, David J. Hale, to be United States Attorney for the Western District of Kentucky, Kenneth J. Gonzales, to be United States Attorney for the District of New Mexico, and Alicia Anne Garrido Limtiaco, to be United States Attorney for the District of Guam and concurrently United States Attorney for the District of the Northern Mariana Islands, all of the Department of Justice, 10 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Raymond Joseph Lohier, Jr., of New York, to be United States Circuit Judge for the Second Circuit, and Leonard Philip Stark, to be United States District Judge for the District of Delaware, 3 p.m., SD–226.

*Committee on Rules and Administration:* to hold hearings to examine the filibuster, focusing on the history of the filibuster 1789–2008, 10 a.m., SR–301.

*Select Committee on Intelligence:* to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

*Special Committee on Aging:* to hold hearings to examine the National Broadband Plan and health care technology, 2 p.m., SD–562.

## House

*Committee on Agriculture,* Subcommittee on General Farm Commodities and Risk Management, hearing to review proposals to establish exchanges trading ''movie futures,'' 10:30 a.m., 1300 Longworth.

*Committee on Appropriations,* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on USDA, Office of Inspector General Oversight, 10 a.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies, on Office Justice Programs (OJP) FY 2011 Budget, 10 a.m., B–309 Capitol.

Subcommittee on Defense, on Defense Health Program/Wounded Warrior, 10 a.m., H–140 Capitol.

Subcommittee on Financial Services, and General Government, on Financial Crisis and TARP, 10 a.m., 2359 Rayburn.

*Committee on Armed Services,* Subcommittee on Air and Land Forces, hearing on Army and Air Force National Guard and Reserve component equipment posture, 1:30 p.m., 2118 Rayburn.

*Committee on Education and Labor,* Subcommittee on Workforce Protections, hearing on H.R. 4855, Work-Life Balance Award Act, 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Health, hearing entitled ''The Environment and Human Health: the Role of HHS,'' 9:30 a.m., 2123 Rayburn.

*Committee on Financial Services,* to mark up the following: H.R. 2336, GREEN Act of 2009; H.R. 5017, Rural Housing Preservation and Stabilization Act of 2010; H.R. 2555, Homeowners' Defense Act of 2009; the FHA Reform Act of 2010; H.R. 1264, Multiple Peril Insurance Act of 2009; and the Flood Insurance Reform Priorities Act of 2010, 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs,* Subcommittee on Asia, the Pacific and the Global Environment, hearing on the Legacies of War: Unexploded Ordnances in Laos, 2 p.m., 2172 Rayburn.

*Committee on the Judiciary,* Subcommittee on Commercial and Administrative Law, hearing on H.R. 5043, Private Student Loan Bankruptcy Fairness Act of 2010, 9:30 a.m., 2141 Rayburn.

Subcommittee on the Constitution, Civil Rights, and Civil Liberties, oversight hearing on Achieving the Promise of the Americans with Disabilities Act in the Digital Age-Current Issues, Challenges, and Opportunities, 1 p.m., 2141 Rayburn.

*Committee on Natural Resources,* Subcommittee on Insular Affairs, Oceans and Wildlife, oversight hearing on A Community Perspective on Catch Shares, 10 a.m., 1324 Longworth.

Subcommittee on National Parks, Forests, and Public Lands, hearing on H.R. 4888, Cabin Fee Act of 2010, 10 a.m., 1334 Longworth.

*Committee on Oversight and Government Reform,* Subcommittee on National Security and Foreign Affairs, hearing entitled ''Crisis in Kyrgyzstan: Fuel, Contractors, and Revolution along the Afghan Supply Chain,'' 10 a.m., 2154 Rayburn.

*Committee on Science and Technology,* Subcommittee on Investigations and Oversight, hearing on Caught by Surprise: Causes and Consequences of the Helium-3 Supply Crisis, 10 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure,* hearing on the Department of Transportation's Oversight and Management of Hazardous Materials Special Permits and Approvals, 10:30 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs,* Subcommittee on Disability Assistance and Memorial Affairs, hearing on Examining VA's Fiduciary Program: How Can VA Better Protect Vulnerable Veterans and Their Families? 2 p.m., 334 Cannon.

*Committee on Ways and Means,* Subcommittee on Income Security and Family Support, hearing to examine the role of education and training in the Temporary Assistance for Needy Families (TANF) program, 10 a.m., B–318 Rayburn.

*Permanent Select Committee on Intelligence,* executive, briefing on Guantanamo Detainee Task Force, 9 a.m., 304 HVC.

## Joint Meetings

*Commission on Security and Cooperation in Europe:* to hold hearings to examine the link between revenue transparency and human rights, focusing on programs such as the Extractive Industries Transparency Initiative (EITI) and their ability to improve human rights in resource-rich countries, 2:30 p.m., SD–430.

*Next Meeting of the* SENATE

9:30 a.m., Thursday, April 22

Senate Chamber

**Program for Thursday:** After the transaction of any morning business (not to extend beyond one hour), Senate will resume consideration of the nomination of Denny Chin, of New York, to be United States Circuit Judge for the Second Circuit, and after a period of debate, vote on confirmation of the nomination.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

10 a.m., Thursday, April 22

House Chamber

**Program for Thursday:** Motion to go to conference on H.R. 2194—Comprehensive Iran Sanctions, Accountability, and Divestment Act.

## Extensions of Remarks, as inserted in this issue

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