United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, WEDNESDAY, JUNE 30, 2010 No. 100

House of Representatives

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

PRAYER

Reverend Dr. Robert Henderson, First Baptist Church, Lincoln, Illinois, offered the following prayer:

Our Father, deliver us from shallow words and impure motivations as we pray to You this day. Forgive us for our arrogance, selfishness and greed.

This morning we ask for Your blessing upon our Nation. Restore our hope, strengthen our faith, and teach us Your love. Enable us to be a nation that cares as we pursue peace, practice mercy and offer compassion.

We pray, O Lord, that You would establish the cause of the faithful, give comfort to those that suffer, and set right the injustices within our Nation and the world.

Protect those that defend our cherished freedoms as they serve within our military branches.

Give wisdom to our community leaders, our courts, and our national representatives.

Renew our commitment of service to the people of our Nation and to the greater good of all humanity.

These things we pray in the name of our Lord Jesus Christ. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina 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.

□ 1010

WELCOMING THE REVEREND DR. ROBERT HENDERSON

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

There was no objection.

Mr. SCHOCK. It is my honor to welcome to the Chamber Pastor Henderson, who just gave us the opening prayer. Pastor Henderson contacted me when he was planning his family's trip to Washington, D.C. It had been a dream of his to be able to give the opening prayer, and I was pleased to be able to recommend him to the Speaker to have that privilege.

In addition to his pastoral duties at his home church, the First Baptist Church in Lincoln, Illinois, he is also a pastor for Memorial Medical Center, located in Springfield, Illinois. In addition to that, he's a public servant in his own right, being elected to his second term now for the West Lincoln-Broadwell School Board. He's in a whole host of organizations, constantly giving back to not only his family but his community, being a member of the Lincoln Area Musical Society orchestra and an officer of the Cub Scouts organization in his community.

He is joined here today with his wife and children, who are seated in the gallery: His wife, Melissa; his daughter, Burgundy; and his son, Joshua. We thank you and welcome you to the United States Capitol. We wish you and your family a good time as you learn more about our American history. Thank you for offering the prayer this morning.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 additional 1-minute speeches on each side of the aisle.

HONORING CORPORAL KEVIN CUETO

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

Ms. ZOE LOFGREN of California. Madam Speaker, I rise today to recognize and honor the life and service of Marine Corporal Kevin Cueto of San Jose, California, who was killed in action on June 24, 2010, in the Helmand Province of Afghanistan. He was 23 years old.

Kevin was born in Santa Clara County, and grew up in San Jose, moving to Campbell while in high school to live with his dad. At Westmont High School, Kevin was a member of the football, baseball, and wrestling teams, as well as the Reserve Officers Training Corps. Following high school, determined to serve his country and his family, Kevin enlisted in the Marines, and was assigned to the 3rd Battalion, 7th Marine Regiment, 1st Marine Division, Marine Expeditionary Force, based in Twentynine Palms, California. Corporal Cueto served a tour in Iraq in 2009 before being deployed to Afghanistan earlier this year. Last week, he was tragically killed when his patrol was struck by a roadside bomb while conducting combat operations. His awards and decorations include the Purple Heart, the Navy and Marine Corps Achievement Medal, the National Defense Service Medal, and the Global War on Terrorism Service Medal.

Corporal Cueto leaves behind his parents and a younger brother. I extend my sincerest gratitude to him and my condolences to his family. I ask every

Printed on recycled paper.

Member of the House to join me in honoring his service to our country.

MORE WAYS TO SAVE

(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, congratulations to Coach Ray Tanner and the talented players of the University of South Carolina Gamecocks for winning the College World Series of Baseball at Omaha, Nebraska.

When it comes to reducing Washington's out-of-control spending, Republicans continue to put forward ''more ways to save.'' One such proposal is this week's YouCut bill introduced by Congressman PHIL GINGREY to save taxpayers $1.2 billion in 10 years by prohibiting taxpayer funding for union activities. Federal employee unions are subsidized by hardworking taxpayers while they engage in lobbying and political activities. This costs the taxpayers over $100 million a year. Americans should be alarmed about a $13 trillion deficit. We should note the images of riots in Greece. What, I ask, will it take for real change to take place here?

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

WALL STREET REFORM

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

Mr. ETHERIDGE. Mr. Speaker, I rise today to call on Congress to rein in Wall Street's abuses. We need to put in place commonsense rules of the road. For too long, Wall Street fat cats gambled with our future and ran our economy into the ditch. North Carolina families I hear from every day paid the price. Why? Because Wall Street's protectors looked the other way while abuses ran rampant. We've seen what that means to Main Street and rural America—8 million jobs lost, $17 trillion in hard-earned family savings—savings for retirement, college, for home buying—all wiped out overnight.

Today, we have an opportunity to say ''enough.'' But the same folks who said ''no'' to helping out-of-work Americans yesterday are trying to say ''no'' to reining in Wall Street abuses today. I call on my colleagues to put aside their differences and put America before Wall Street, and join me in supporting the Wall Street Reform and Consumer Protection Act.

TOO MUCH RHETORIC—TOO LITTLE ACTION

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

Mr. POE of Texas. Mr. Speaker, over a month ago, the administration promised to send 1,200 National Guard troops to the border. But the troops still aren't there. Now the White House is saying it'll be another month before there's a ''steep ramp-up'' of the troops—and they'll be there only 4 months. And there'll be a complete ramp-down by June of 2011. And they'll be unarmed National Guardsmen.

You see, the troops aren't actually going to the border. There will be unarmed guards guarding computers 50 miles north of the border. And there'll be 1,200 troops but they all won't be there at the same time. That's like saying a store is open 24 hours but just not 24 hours in a row. What kind of border security plan is that? There is no sense of urgency to stop the violence and the killing along the border. Too much rhetoric and too little action coming out of the White House. Like my grandfather used to say, there's more thunder than rain.

And that's just the way it is.

HERE WE GO AGAIN

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

Ms. JACKSON LEE of Texas. Mr. Speaker, tell me it's not true. Republicans again are attacking Social Security. Yesterday, our minority leader indicated that he wanted sweeping cuts in Social Security. Sounds like déjà vu when the Republicans stood side-by-side saying ''privatize Social Security.'' Can you believe that the Republicans are now standing with raising the age for retirees to get Social Security to age 70? Can you believe there will be a means test that you won't be able to get Social Security if you earn a certain amount? Can you believe they want to take this money to pay for the Iraq and Afghan war? Can you believe they're fighting Democrats to not extend unemployment benefits? Can you believe that they are fighting us from creating jobs, as Democrats are doing, giving opportunities to small businesses.

I really can't believe it, Mr. Speaker. Here we go again—cutting our seniors again, raising the Social Security means test as a way of saving money. What are we going to do? Fight back as Democrats and stand with our seniors.

□ 1020

NO BUDGET? NO PROBLEM

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

Mr. SAM JOHNSON of Texas. You know, last week the House leader announced that Democrats will not craft a budget next year. Instead of going line by line to see what programs could be eliminated or reduced, they are ignoring the dire warnings of economists and continuing on their spending frenzy. No budget? No problem. Not enough money? No problem. They'll just raise taxes on the middle class, breaking their promise not to raise taxes on families earning less than $250,000.

They need to produce a budget and stop the out-of-control spending that has pushed our national debt past $13 trillion. I don't know what's worse, failing to produce a budget or how the Democrats already have resigned to the fact they will raise taxes on middle class families to pay for their wasteful ways. Americans want, need, and deserve better. Make a budget, cut spending for our freedom and for our future.

SAFE ROUTES TO SCHOOL

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

Mr. BLUMENAUER. Mr. Speaker, for as long as I have been in Congress, I have worked on being a proponent of ''bike partisanship,'' something that everybody ought to be able to agree on. That's why I have been appalled at the repeated attacks on cycling by the Republican leadership. The latest is for the second time, Republican Whip CANTOR has offered on the chopping block Safe Routes to School. You know, this is a program in 6800 schools across the country and has been requested by three times that number.

People know that children under 14, one-third of all their deaths occur when a car hits them when they're biking or walking. In my old grade school on a very busy street, these grants have reduced crashes by 25 percent and pedestrian injuries by 34 percent. This is a commonsense program supported by people regardless of their party. When children can bike or walk safely to school, we won't be worried about 300-pound morbidly obese 6th graders and a second rush hour as people take their kids to school. And then all our families will be safer, healthier and more economically secure.

PRESIDENT OBAMA'S HANDLING OF IMMIGRATION

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

Mr. SMITH of Texas. Mr. Speaker, a recent NBC News survey found that over half of all Americans disapprove of how President Obama is handling the immigration issue; an overwhelming 73 percent support imposing new fines on businesses that hire illegal immigrants; 71 percent support increasing border security by building a fence along the border and training more Border Patrol agents.

So it's no surprise that Republicans are viewed more favorably when it comes to enforcing the border. In fact, their survey found that only 26 percent of registered voters are likely to vote for a Democratic candidate who opposes the Arizona immigration enforcement law. The American people are not

going to forget about the Obama administration's failure to secure our borders and enforce our Nation's immigration laws.

THE NATION'S BROKEN IMMIGRATION SYSTEM

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

Mr. COSTA. Mr. Speaker, I rise today to encourage my colleagues to put aside partisan differences and begin in earnest to address our Nation's broken immigration system. Although we do not always agree on how to change the system, it is clear that we all agree that the current system is broken and in need of meaningful reform.

Yesterday I met with the President to discuss a way forward for immigration reform; and while comprehensive reform remains my priority, we cannot allow the perfect to become the enemy of the good. We must begin to address our immigration issues this year, improve our security at the borders. But piecemeal approaches at the State and local level only further complicates our Nation's immigration policy. We cannot and should not abandon our responsibility at the Federal level.

AgJobs and the DREAM Act provides a path forward that can be an example of how we can reform in a meaningful way that benefits our economy, provides a stable workforce on our local farms, and reduces the number of illegal workers in our country. We must act now, and I ask my colleagues to join me to pass immigration reform this year.

DEEMING A BUDGET ISN'T THE ANSWER

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

Mr. NEUGEBAUER. Mr. Speaker, the American people are tired of more spending, more borrowing, more bailouts and more debt. And here we go deeming things again. Deem something, not budgeting. The Democrats' version of a budget means picking a dollar amount for this year without even looking at what the impact for the future is. We need a budget plan that guides spending decisions, but the Democrats are too afraid to even make a real attempt. Deeming things as a budget isn't the answer.

Republicans want to offer a budget that reins in spending, addresses the trillion-dollar national debt, and provides economic certainty for small businesses. In fact, some of us have cosponsored the RSC budget that does that very thing. While others say that this plan is too extreme, it shows just how much Congress is spending beyond its means.

American families have to live within their means. Why should the government be any different? They want Congress to get serious and make the tough decisions that will get our spending problem under control. Our country can't afford for Congress to avoid hard decisions that we were elected to do. You can't deem things. You've got to do things.

RENEWABLE ENERGY FOR A CLEAN ENERGY ECONOMY

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

Mr. SIRES. Mr. Speaker, the disaster in the gulf has made it increasingly evident that we must reevaluate our Nation's energy policy to prioritize renewable energy sources and focus on a clean energy economy. It is unfortunate that it has taken a man-made tragedy of this scale to open our eyes to both the economic and environmental dangers of offshore drilling and our reliance on fossil fuels. In addition to ensuring that BP is held accountable for the damages done to the gulf coast community, we must take this time to refocus on clean energy policies to ensure that a catastrophe of this nature never occurs again.

Comprehensive energy reform will not only help protect our pristine coastlines, but it will insist on ensuring that America stays competitive in the global economy. According to a new poll released by the Pew Research Center, the American people are now on our side and strongly support alternative energy production. Now is the time to launch a cleaner, smarter, more cost-effective energy future to protect our environment and create millions of clean energy jobs.

PASS THE COLOMBIA FREE TRADE AGREEMENT

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

Mr. BRADY of Texas. Yesterday, China and Taiwan signed the free trade agreement to open up markets, create jobs and strengthen their economies. You have to ask yourself, if these two bitter political rivals can work together to boost their economies, why isn't this Congress taking up the free trade agreement with Colombia?

Colombia's one of America's strongest allies. With our help, they've instilled rule of law, defeated the FARC terrorist group. They've created labor rights and lowered their crime rate, violence rate by 90 percent. For 3 years, this Congress has done nothing. Other countries have now moved in line ahead of us, and our U.S. farmers are losing their sales to Colombia. Congress does nothing. Venezuela has imposed a trade agreement on our ally Colombia. This Congress does nothing. It's time for Congress to take up and pass the Colombia Free Trade Agreement this year.

CONGRATULATING CHEF RICK MOONEN

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

Ms. TITUS. Mr. Speaker, I rise today to congratulate Chef Rick Moonen on his impressive second-place finish on Bravo's Top Chef Masters competition earlier this month. Chef Moonen is donating his winnings to Three Square Food Bank in Las Vegas, where the $22,500 prize money will fund the equivalent of 67,500 meals for southern Nevadans who are struggling with hunger.

I was pleased to join Chef Moonen this past April when he further demonstrated his commitment to fighting hunger by supporting the Weekends Without Hunger Act, a bill I introduced that will prevent low-income children from going hungry when they are away from school during the weekends and on holidays. We're honored to have a chef of Rick Moonen's stature as such a strong advocate for fighting hunger in southern Nevada.

So, again, I extend my congratulations to the chef and thank him for the contributions he's made to our community. I am also proud to have his wonderful restaurant, RM Seafood, in District Three. And I urge all my colleagues to join us to support the Weekends Without Hunger Act.

AMERICA SPEAKING OUT

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

Mr. SESSIONS. Mr. Speaker, today we're here on the floor of the House of Representatives talking about taxing and spending, jobs, and the needs of this great Nation. Yet today we will begin debating a bill which will further tax and cause fees of $18 billion for consumers in the new banking bill, a banking bill that will collapse what is $1 trillion worth of equity and other arrangements that can be made that today fund American businesses and keep small businesses alive.

Mr. Speaker, I think it's time that we change the direction that we're heading. Taxing and spending is something that the American people do not want or need for their future. The unemployment rate still stays near 10 percent. And since taking office in 2007, our Democrat friends have set a record for deficits, spending, and unemployment. The American people know this, and they are speaking out.

I encourage Americans to visit the Web site www.AmericaSpeakingOut.com. ''America Speaking Out'' is an opportunity for Americans to have a say in their government.

□ 1030

LET'S MAKE A DIFFERENCE

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

minute and to revise and extend his remarks.)

Mr. CLEAVER. Mr. Speaker, last evening I received a phone call from a friend from my congressional district who now lives here in the District. We spoke extensively, but painfully, about the pitiful action taken in this body yesterday.

We denied unemployment benefits to American citizens who, through no fault of their own, became victims of the worst recession in U.S. history. They lost their jobs.

This, for me, was a very, very low point. The Senate has failed to approve summer jobs for youth, as well as emergency TANF relief, temporary assistance for families in need.

Mr. Speaker, when I came to the Congress, I didn't sign up to make a mess but to make a difference. We are damaging the lives of men and women and, painfully, it is for political reasons. I went home last night ashamed of being in this body.

FEDERAL SPENDING IS OUT OF CONTROL

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

Mr. PENCE. Mr. Speaker, Federal spending is out of control, and the American people know it. $13 trillion national debt, a $1.4 trillion deficit this year, an 84 percent increase in nondefense discretionary spending since this administration took office. The Democrat majority's answer so far this year, no budget.

To answer this extraordinary fiscal crisis by refusing to lead is unacceptable. After a year of avoiding hard choices, now we hear the latest Democrat plan is actually to bring a budget resolution to the floor in some procedural motion known as ''deeming.''

Well, Mr. Speaker, you can't deem a budget that you never passed. The American people long for leadership in Washington, D.C., that's willing to sit down across party lines and face the fiscal and economic crisis of this country head on with hard choices. We can't get this economy moving again until we get Washington, D.C., under control.

I urge my colleagues, reject this phony baloney deeming of the budget. Let's sit down. Let's face our fiscal crisis head on. Give the American people the kind of leadership they want and deserve.

LET'S PUT THE AMERICAN PEOPLE FIRST

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

Mr. DRIEHAUS. Mr. Speaker, in 2002 Representative Stephanie Tubbs Jones introduced legislation to crack down on predatory lending and subprime borrowers. Acting then to protect American homeowners could have helped prevent the foreclosure crisis, which led to the financial crisis, which led to the deepest recession in generations.

But instead of acting in 2002 or 2003 or every other year they controlled Congress and the White House, my Republican colleagues stood by and did nothing. We can now clearly see the result of that inaction.

This week we will take long overdue steps as we vote on the most sweeping reform of our financial system since the Great Depression. Instead of leaving decisions about our financial system in the hands of Wall Street bankers, this legislation will curb the risky practices and fix the systemic flaws that brought our economy to the brink. Instead of allowing predatory lending and dangerous speculation to go unchecked, these reforms will provide real protections for Americans looking to invest or to buy a home.

We cannot undo the failures of past leadership, but we can help prevent another economic crisis like this one. By passing the Wall Street reform conference report, we can chart a new course that puts America first.

CONDEMNING THE IRANIAN EDUCATIONAL SYSTEM

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

Mr. ROSKAM. Mr. Speaker, on display in Jerusalem at the Yad Vashem museum, the Holocaust museum, amidst all the pain and suffering and murder and turmoil, are German schoolbooks from the 1930s that display an attitude that was getting pumped into young Germans through their educational system. And as fearful and as loathsome as that is, there is the same thing that's happening in Iran today.

The Iranian educational system has excerpts that suggest that martyrdom is praiseworthy, and it urges children to welcome it. It is laced with anti-Semitism, anti-Israeli sentiment, and anti-Western sentiment.

I'm introducing a resolution today that condemns that, calls upon us to focus on it, and urges the administration to consider that as it interacts with Iran, particularly on these sanctions. I urge my colleagues to join me.

THE WALL STREET REFORM BILL

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

Mr. HIMES. Mr. Speaker, 8 million jobs gone; $17 trillion in savings gone; Americans' faith in their system gone. Why? Because mortgages that came in 31 flavors of insanity got bought by Americans who couldn't afford them. Banks tied them in a bow and put AAA ratings on them, and then the billion dollar betting really started. The Wall Street reform bill that we have crafted addresses every one of the links in that chain of madness.

Yesterday, the minority leader called the reform killing an ant with a nuclear weapon. Mr. Speaker, I'm a human being, so I know that 8 million jobs lost and $17 trillion in savings gone is not an ant.

Mr. Speaker, I worked years in the financial services industry, so I know that this reform is not a nuclear weapon. It is a critical and essential mechanism to restore the faith of the American people in their system and the prosperity that will follow.

WALL STREET REFORM

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

Mr. YARMUTH. Mr. Speaker, it's pretty clear that there's a difference between Democrats and Republicans and their attitude toward the economy. Democrats want an economy that works for everyone. Republicans want an economy that works for Wall Street banks, that works for insurance companies, and works for big oil companies.

The greatest evidence of that was just mentioned by my colleague from Connecticut; the minority leader's statement that the reform package that we're proposing to pass for Wall Street is like killing an ant with a nuclear weapon. Goldman Sachs is an ant? AIG is an ant? Bank of America is an ant? These are ants with an awfully big appetite, because they chewed up $17 trillion worth of American citizens' net worth.

No, we can't let ants this dangerous loose on our economy. We have to propose reasonable regulations, and that's what we're doing. We want to make sure that the American economy works for every American and not just for the people on Wall Street.

EXTEND UNEMPLOYMENT BENEFITS NOW

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

Mr. LEWIS of Georgia. Mr. Speaker, it is a shame and a disgrace that we did not extend unemployment insurance. Every single Member who voted ''no'' yesterday should be ashamed of themselves.

People are suffering. They are hurting. They are in pain. They cannot make ends meet. And too many, just too many on the other side of the aisle turned a deaf ear.

I ask my Republican colleagues: Can't you hear? Can't you feel? Can't you see? Where is your heart? Where is your compassion? Where is your concern?

Extend unemployment benefits, and extend it now.

□ 1040

WARS AND THE DEFICIT

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

Ms. LEE of California. Mr. Speaker, it's really no secret that the wars in Iraq and Afghanistan have created a massive deficit that, if left to Republicans, will burden our children and grandchildren with the debt that Republicans created. The wars have cost over $1 trillion. And it's mind-boggling to hear that the minority leader wants senior citizens to pay for these wars. He wants to increase the Social Security retirement age to 70 for people who have at least 20 years until retirement, and wants actually to tie the cost of retirement to the Consumer Price Index—what an idea, boy, I tell you—instead of the wage inflation index. And he wants it only for those who need them.

Several years ago, the Republicans, let me remind you, they wanted to privatize Social Security. Democrats said, ''no.'' Can you imagine what would have happened to seniors had their retirements been given to Wall Street given Wall Street's greed and given their irresponsibility? Their lives would be shattered.

So Democrats will say ''no'' to Republican ideas to slash Social Security to pay for the wars in Iraq and Afghanistan.

LEADERSHIP IS ABOUT ACTION

(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, I have always been told that leadership is about action, not position. But when you hear the position on the other side of the aisle that we need to stand up for big Wall Street banks, we need to stand up and apologize to BP and Big Oil for our involvement in trying to clean up the oil spills, and we need to stand up and allow foreign corporations to be involved in our political process, there is a clear difference between this aisle, and it's a bright line. The American people need to understand this.

When we took office a year ago as freshman Democrats, we were handed two undeclared, unfunded wars, an economy that was in free fall, we didn't know where we were going to land, and greed, unregulated greed on Wall Street. And now the answers and solutions that we hear from the other side is that we need to privatize Social Security to pay for our debt, we need to make sure that we apologize to BP, we need to make Americans work harder and work until they are 70.

Mr. Speaker, there is a clear difference. We need regulated reform to make sure that Wall Street banks are accountable. We need to make sure we move away from our dependence on foreign oil, so that we stand up to the big insurance companies and provide access to health care for all Americans. There has been a clear difference for the decisions that we made because we know on this side that leadership is about action, not position.

TRADE, COMPETITIVENESS, AND CLEAN ENERGY TECHNOLOGIES

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

Mr. QUIGLEY. Mr. Speaker, trade is critically important to our economic well-being. Trade provides a market for American goods, and sustains millions of jobs in vital American industries. In fact, exports support one of every five manufacturing jobs.

Trade can also make the U.S. a leader in clean energy technologies. In 2009, China edged the U.S. out of the top spot in spending on clean energy. But projects like the all-electric commercial truck built by Navistar in my district, and supported through a Federal stimulus investment, can restore the U.S. as the leader in this field while creating jobs here at home.

Now we need to pursue a better competition policy and help simplify the patchwork of global regulatory standards that cripple businesses trying to export goods internationally. We can make trade policy work for American businesses and for a cleaner environment.

PROVIDING FOR THE USE OF THE CAPITOL VISITOR CENTER CATAFALQUE

Mr. BOCCIERI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (S. Con. Res. 65) providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the United States Senate Chamber for the Honorable ROBERT C. BYRD, late a Senator from the State of West Virginia, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. PASTOR of Arizona). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 65

Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer the catafalque which is situated in the Exhibition Hall of the Capitol Visitor Center to the Senate Chamber so that such catafalque may be used in connection with services to be conducted there for the Honorable Robert C. Byrd, late a Senator from the State of West Virginia.

The concurrent 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:

H. Con. Res. 284; H.R. 5395; H. Res. 1446; and H.R. 4307, each 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.

RECOGNIZING SPECIAL EDUCATION TEACHERS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 284) recognizing the work and importance of special education teachers, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the concurrent resolution, as amended.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 17, as follows:

[Roll No. 402]

YEAS—415

Aderholt	Boyd	Cohen
Adler (NJ)	Brady (PA)	Cole
Akin	Braley (IA)	Conaway
Alexander	Bright	Connolly (VA)
Altmire	Broun (GA)	Conyers
Andrews	Brown (SC)	Cooper
Arcuri	Brown, Corrine	Costa
Austria	Brown-Waite, Ginny	Costello
Baca	Buchanan	Courtney
Bachmann	Burgess	Crenshaw
Bachus	Burton (IN)	Critz
Baird	Butterfield	Crowley
Baldwin	Buyer	Cuellar
Barrett (SC)	Calvert	Cummings
Barrow	Camp	Dahlkemper
Bartlett	Campbell	Davis (AL)
Barton (TX)	Cantor	Davis (CA)
Bean	Cao	Davis (IL)
Berkley	Capito	Davis (KY)
Berman	Capps	Davis (TN)
Berry	Capuano	DeFazio
Biggert	Cardoza	DeGette
Bilbray	Carnahan	Delahunt
Bilirakis	Carney	DeLauro
Bishop (GA)	Carson (IN)	Dent
Bishop (NY)	Carter	Deutch
Bishop (UT)	Cassidy	Diaz-Balart, L.
Blackburn	Castle	Diaz-Balart, M.
Blumenauer	Castor (FL)	Dicks
Blunt	Chaffetz	Dingell
Boccieri	Chandler	Djou
Boehner	Childers	Doggett
Bonner	Chu	Donnelly (IN)
Bono Mack	Clarke	Doyle
Boozman	Cleaver	Dreier
Boren	Clyburn	Driehaus
Boswell	Coble	Duncan
Boucher	Coffman (CO)	Edwards (MD)
Boustany		Edwards (TX)

Ehlers
Ellison
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
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)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
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)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Tanner
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (FL)

NOT VOTING—17

Ackerman
Becerra
Brady (TX)
Clay
Culberson
Ellsworth
Hoekstra
Johnson, E. B.
Luetkemeyer
Moore (WI)
Platts
Stark
Sutton
Taylor
Wamp
Woolsey
Young (AK)

□ 1111

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PAULA HAWKINS POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5395) to designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the ''Paula Hawkins Post Office Building,'' 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 gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 403]

YEAS—409

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
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)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Ehlers
Ellison
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
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
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (FL)

NOT VOTING—23

Ackerman
Brady (TX)
Braley (IA)
Clay
Edwards (TX)
Ellsworth
Fudge
Gutierrez
Hastings (FL)
Hoekstra
Johnson, E. B.
LaTourette
Moran (KS)
Ortiz
Platts
Rangel
Shuster
Stark
Taylor
Wamp
Wasserman Schultz
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1118

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING RESIDENTS OF TRACY, CALIFORNIA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1446) recognizing the residents of the City of Tracy, California, on the occasion of the 100th anniversary of the city's incorporation, for their century of dedicated service to the United States, 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 California (Mr. FILNER) that the House suspend the rules and agree to the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 13, as follows:

[Roll No. 404]

YEAS—419

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
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)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
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
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
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)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (FL)

NOT VOTING—13

Brady (TX)
Burton (IN)
Clay
Ellsworth
Fudge
Hoekstra
Johnson, E. B.
Moran (KS)
Platts
Taylor
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1127

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.

ALEJANDRO RENTERIA RUIZ DEPARTMENT OF VETERANS AFFAIRS CLINIC

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4307) to name the Department of Veterans Affairs community-based outpatient clinic in Artesia, New Mexico, as the ''Alejandro Renteria Ruiz Department of Veterans Affairs Clinic'', 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.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 15, as follows:

[Roll No. 405]

YEAS—417

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
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)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)

Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
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)
Lewis (GA)
Linder
Lipinski
LoBiondo
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 (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
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
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (FL)

NOT VOTING—15

Brady (TX)
Clay
Ellsworth
Fudge
Hoekstra
Johnson, E. B.
Loebsack
Moran (KS)
Oberstar
Platts
Rooney
Taylor
Wamp
Woolsey
Young (AK)

□ 1134

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROONEY. Mr. Speaker, on rollcall No. 405, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on rollcall Nos. 402, 403, 404, and 405, had I been present, I would have voted "yea" on each.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4173, DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 111–518) on the resolution (H. Res. 1490) providing for consideration of the conference report to accompany the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1487 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1487

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of July 3, 2010, providing for consideration or disposition of any of the following:

(1) A conference report to accompany the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes.

(2) A measure that includes a subject matter addressed by H.R. 4213 or any amendment pertaining thereto.

SEC. 2. It shall be in order at any time through the legislative day of July 3, 2010, for the Speaker to entertain motions that the House suspend the rules. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section.

SEC. 3. It shall be in order without intervention of any point of order to consider concurrent resolutions providing for adjournment during the month of July.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. MCGOVERN. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1487.

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

There was no objection.

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

Mr. Speaker, H. Res. 1487 provides for consideration of a rule that allows for the same-day consideration of a conference report to accompany H.R. 4173 and a measure that includes the subject matter addressed by H.R. 4213. Additionally, this rule allows for legislation to be considered under suspension of the rules through July 3, 2010, and allows for the consideration of concurrent resolutions providing for adjournment during the month of July.

Mr. Speaker, this is a simple and straightforward rule. It allows the rules for the Wall Street reform conference report in either the tax extenders jobs bill or subject matters related to the jobs bill, such as unemployment insurance, to be considered on the same legislative day that they report it out of the Rules Committee. This is an important step that must be taken if we are to pass these bills before the Senate adjourns for the funeral of Senator BYRD.

This bill allows for clear actions, up-or-down votes on the conference report to prevent Wall Street from melting down like it did 2 years ago and a bill to provide unemployment compensation to people who have lost their jobs who cannot find work in this economy.

□ 1140

Mr. Speaker, these are clear-cut choices. Either you support fixing Wall Street or you don't. Do you believe unemployed Americans looking for work should receive unemployment benefits to help them pay for their mortgages,

utilities, and food for their families or do you not?

So far my Republican friends have been on the wrong side of these issues. I can only hope that they change their minds and decide to put everyday Americans first instead of continuing to play politics with these issues.

I urge my colleagues to vote ''yes'' on the rule, and I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I want to thank the gentleman from Massachusetts (Mr. MCGOVERN) for yielding me time, and I yield myself such time as I may consume.

Mr. Speaker, the rule we are discussing today allows for martial law authority for any bill pertaining to the extenders package as well as what is called the Dodd-Frank bill, which is a 2,300-page government takeover of the financial sector.

Mr. Speaker, this is as much about saving the financial industry as the health care bill was about health care, and it's as much about jobs as the jobs bill supposedly was. It was about the diminishment of jobs, and this is about the diminishment of the financial sector of this country.

Additionally, this rule gives suspension authority through the end of the week for the fifth straight legislative week. Mr. Speaker, it seems like every time I come to the House floor that I point out that my Democratic colleagues are using an unprecedented restrictive and closed process. I think the American people want and need transparency, accountability, and solutions.

I remember just a few short years ago when our Speaker said that she would run a House that was the most honest, open, and ethical Congress. I have yet to see evidence of that these last few years. As a matter of fact, week after week after week I see closed rules, unprecedented shenanigans related to bringing legislation to the floor, and a closed process. I know where it is. Democrats left it out on the campaign trail. It was an empty promise when they made it, and the emptiness of this promise has been fulfilled the past few years by an unprecedented amount of restrictive rules.

Since this Congress has managed to rack up a record $1.4 trillion deficit since 2009, more than three times the size of the deficit in 2008, and are on target to once again hit a $1.3 trillion deficit again this year, my Republican colleagues and I are going to use this time to talk about excessive borrowing, excessive spending, and excessive taxation that seems to be the Democrat majority's agenda.

Mr. Speaker, in an effort to address some of this wasteful government spending that's happening here in Washington, Republicans created something called YouCut. This is an online voting tool for Americans to vote on what wasteful government spending programs they would review, and they can make the decision on what to eliminate.

Today, I have the opportunity to call for a vote on the previous question for this week's YouCut winner, which, of course, I am proud to cosponsor. Hundreds of thousands of Americans have voted this week alone.

Mr. Speaker, I believe the American people are looking for people who can come to Washington, D.C., to make tough choices, and this Democrat majority is not even bringing a budget to the floor of the House of Representatives for the 2011 budget.

Mr. Speaker, I've worked in business, small business, been around lots of people who, every single organization I've ever been a part of, started their year with a budget. I'm shocked and dismayed that this Democrat majority will not bring a budget to the floor, so Republicans will spend their time talking about how we believe we can better the circumstance we're in, talking about YouCut and the American people being engaged in helping to move this country forward.

Mr. Speaker, I encourage all my colleagues to eliminate this wasteful spending by voting against the rule and previous question.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, my Republican friends have consistently been against reining in the excesses of Wall Street. I'm not shocked that they have that view because they've always had that view. I am dismayed.

But the American people want us to pass a regulatory reform bill. They also want us to extend unemployment benefits to those who are out of work. Unfortunately, my Republican colleagues have been blocking that. So that's what this rule does, allows us to actually do something, and do many things, quite frankly, that the American people want us to do.

I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. As one who has repeatedly and vigorously opposed all bank bailouts, whichever President proposed them, I view this bill as modest but very important progress. I'm voting ''yes'' because I stand with working families against big banks, for transparency in the financial markets, with small businesses and family farmers and ranchers for tougher Wall Street oversight, and for progress toward preventing future bank bailouts.

The AARP said, this bill offers ''new tools to combat investment scams targeted at older adults'' and will hold ''scam artists accountable.'' The Consumer Federation of America says these reforms will ''improve the marketplace for consumers and investors.''

If you're mugged on the street, you could lose your wallet. But if you're mugged by Wall Street, as too many Americans have been, you can lose a lifetime of savings.

This bill arms families with more ways to protect themselves with the information that they need for informed financial decisions. It addresses protections for questionable, often outrageous, financial industry practices, preventing onerous hidden fees that have plagued credit card holders and borrowers, and it creates a new hotline to report misconduct.

The Consumer Financial Protection Bureau will offer help against unscrupulous mortgage promoters, foreclosure scam operators, and payday and student lenders.

This bill should have done more, much more about those Wall Street interests that are paid too much, taxed too little, and whose immense power continues to threaten our economic stability. But with stubborn opposition from Republicans, both here and especially over in the Senate, as well as rejection of some reform by the Treasury Department, we lack the more complete reforms, but we are making significant strides forward in offering consumer protection that Americans really deserve.

Restoring discipline, supervision, accountability, and transparency will only be opposed by those who unfairly profit at the expense of working and retired Americans. Whether it's savings for a soon-to-be college student, or an investment in a home or a retirement nest egg, this bill will provide greater security and peace of mind. Let us adopt it promptly.

□ 1150

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the Republican whip, the gentleman from Virginia, the favorite son (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman for yielding.

Mr. Speaker, today I rise in opposition to this question of the previous question because today we should be voting and will be voting on the sixth YouCut proposal. And well over 1 million Americans have sent a clear message to Washington: Stop the wasteful spending.

I say, Mr. Speaker, to the American people, Republicans hear you. And today I hope that our colleagues on the other side of the aisle will listen as well and join us. This week's YouCut proposal addresses one of the most egregious yet underreported sources of government waste. Taxpayers are on the hook for the salaries and benefits of Federal workers who simultaneously work for their public employee unions to the tune of $120 million per year. By the way, these are the same unions that spend millions on political activities and lobbying, often for causes that hamper economic growth and private-sector job creation.

Specifically, Mr. Speaker, the National Labor Relations Board union billed the taxpayers for an average of 12.18 hours for each of its 1,104 employees. Since each hour costs $42, taxpayers are paying each worker $700 per year on official union duties.

America is at a crossroads. We are not under any illusions. This cut alone may not erase the deficit overnight. But this cut is a reflection of the symptom of the virus that has put our country's economy on life support. Only by

finally drawing a firm line on wasteful spending can we begin to kill the virus and preserve American prosperity for generations to come.

Mr. MCGOVERN. Mr. Speaker, I find it interesting that the previous speaker didn't talk about the Wall Street regulatory reform bill that my friends on the Republican side of the aisle have been trying to block.

The minority leader in a recent interview said that the bill that we are bringing forth in Congress, this is killing an ant with a nuclear weapon. I find it disturbing that anyone would characterize this financial crisis that was brought on by Wall Street as an ant. I mean it impacted millions and millions of our citizens.

I will ask to put this interview that appeared in the Pittsburgh Tribune-Review in the RECORD.

In that same interview, and I think it's important for my colleagues to know, the minority leader talked about his belief that we should raise the retirement age for Social Security to 70. Clearly, we need to talk about how we keep Social Security solvent. But he then went further to say that we should take that money and not put it into Social Security but pay for the war. So our senior citizens should pay for this war, the rest of us don't, but the burden once again falls on our senior citizens.

We know what they're about. We know what their beliefs are. And given an opportunity to take back control of the House, we know that they will try to undo Wall Street regulatory reform and try to undercut Social Security.

Mr. Speaker, I would appreciate it if I were not interrupted while I am speaking. And we know what they believe. And it is in this interview which we will put in the RECORD.

[From the Pittsburgh Tribune-Review, June 29, 2010]

OBAMA'S GOOD FOR GOP, BOEHNER SAYS

(By Mike Wereschagin and Salena Zito)

House Republican Leader John Boehner, the Ohio Republican with his eye on Speaker Nancy Pelosi's gavel, said the tide is turning the GOP's way.

''The American people have written off the Democrats,'' Boehner said Monday in an interview with Tribune-Review editors and reporters. ''They're willing to look at us again.''

Boehner stopped short of predicting Republicans would gain the 39 seats they need to retake control of Congress, but he said a backlash against President Obama's policies has energized Republican voters more than Democrats. Boehner said voters are angry at a government they believe is overreaching and indifferent.

University of Virginia political scientist Isaac Wood said excitement among tea party protesters might not carry over to the electorate as a whole.

''While the enthusiasm of tea party types may drive them to the polls and boost Republicans, it does not yet seem that huge waves of new voters will be flocking to the polls,'' Wood said.

Boehner said the protests are emblematic of deep voter anger against Washington's leaders.

''They're snuffing out the America that I grew up in,'' Boehner said. ''Right now, we've got more Americans engaged in their government than at any time in our history. There's a political rebellion brewing, and I don't think we've seen anything like it since 1776.''

The health care law passed in March ''pushed most Americans over the edge,'' Boehner said.

If Republicans retake control of the House, Boehner promised a vote on a bill repealing the health care law and replacing it with a scaled-down package of tax breaks and court reforms. Democrats likely would maintain control of the Senate, and Obama could veto the proposal, all but eliminating its chances of succeeding.

''We are going to do everything we can to make sure that this law and this program never really takes effect,'' Boehner said. One option would be to repeal the $534 billion in Medicare cuts, which pay for more than half of the law's provisions. ''They're going to need money from the Congress to hire these 20,000-plus bureaucrats they need to hire to make this program work. They're not going to get one dime from us.''

Boehner criticized the financial regulatory overhaul compromise reached last week between House and Senate negotiators as an overreaction to the financial crisis that triggered the recession. The bill would tighten restrictions on lending, create a consumer protection agency with broad oversight power and give the government an orderly way to dissolve the largest financial institutions if they run out of money.

''This is killing an ant with a nuclear weapon,'' Boehner said. What's most needed is more transparency and better enforcement by regulators, he said.

Allan H. Meltzer, a political economy professor at Carnegie Mellon University, said the financial bill ''does nothing to restore integrity to the mortgage market by correcting Fannie Mae and Freddie Mac, and the bill does not eliminate 'too big to fail.' ''

Boehner said Obama overreacted to the BP oil spill in the Gulf of Mexico. The spill might warrant a ''pause'' in deepwater drilling, but Obama's blanket ban on drilling in the gulf—which a judge overturned last week—could devastate the region's economy, he said. Louisiana State University scientists estimate the ban could have affected more than 10,000 jobs.

Boehner had praise, however, for Obama's troop surge in Afghanistan and stepped-up drone attacks in Pakistan. He declined to list any benchmarks he has for measuring progress in the nine-year war, at a time of increasing violence and Obama's replacement of Gen. Stanley McChrystal with Gen. David Petraeus.

Ensuring there's enough money to pay for the war will require reforming the country's entitlement system, Boehner said. He said he'd favor increasing the Social Security retirement age to 70 for people who have at least 20 years until retirement, tying cost-of-living increases to the consumer price index rather than wage inflation and limiting payments to those who need them.

''We need to look at the American people and explain to them that we're broke,'' Boehner said. ''If you have substantial non-Social Security income while you're retired, why are we paying you at a time when we're broke? We just need to be honest with people.''

At this point I yield 3 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank Congressman MCGOVERN from the Rules Committee for yielding time.

Mr. Speaker, I rise in strong support of reforming Wall Street and this rule. Under this new Wall Street reform, consumers and middle class families win, and the big banks on Wall Street lose. The Wall Street reform bill is the toughest regulation of Wall Street in generations. And it comes after years of recklessness that led to the financial meltdown and the worst recession in our life times. That economy was built on a house of cards.

Wall Street reform will provide a new foundation for our economy to go, one that inspires confidence and will spur new jobs. Under the new law, consumers and middle class families will benefit from a new consumer financial protection agency, a new independent watchdog that will be on the side of American families and consumers, because there always seems to be hidden charges and fees when you are applying for a credit card or a mortgage or some transaction. The new consumer agency will root out the deceptive practices. Its mission will be to protect homeowners and small businesses rather than the big banks on Wall Street.

We will have new cops on the beat on Wall Street, new enforcement, transparency, and oversight. The reform measure rightfully outlaws future bank bailouts by taxpayers. I voted against the Wall Street bailout, known as TARP, because it focused entirely on Wall Street rather than middle class families, and it did not include safeguards on executive pay, bonuses, and transparency.

The Wall Street reform bill that we will pass today now levels the playing field despite the opposition from the big banks and my colleagues on the other side of the aisle. The reform bill is also designed to protect consumers from predatory lending.

I strongly agree with the new requirements for mortgage lenders that they must ensure that a person has an ability to repay a loan rather than what happened in the subprime market, where they peddled the loans, flipped them, and then pocketed the cash and left us all with the mess.

So thank you, Chairman FRANK, and all of my colleagues on the Financial Services Committee. This is a great day in Washington and all across America because consumers and middle class families win.

Mr. SESSIONS. Mr. Speaker, to balance out this argument just a little bit, I know we have those that want to characterize what Republicans stand for, but I would like to also address the statements that have been made here on the floor and balance out the attacks against Republicans.

The gentleman Mr. HOYER on June 22 said this in regards to what our leader Mr. BOEHNER said, and I quote: ''On the spending side, we could and should consider a higher retirement age, or one pegged to lifespan; more progressive Social Security and Medicare benefits . . . ''

Mr. Speaker, you know, just the unrelenting liberal attacks on this country that have diminished this country's

ability to have a free enterprise system have brought us higher taxes, incredible debt, and a future that diminishes our ability for our children and grandchildren.

I yield 2 minutes to the gentleman from California (Mr. DREIER).

Mr. DREIER. I thank my friend for yielding.

And, Mr. Speaker, I do so because unfortunately the manager on the other side of the aisle wouldn't yield to me. And I am happy within my 2-minute time frame to yield to him at any time when he would like to ask me to yield.

Let me just say that the notion of saying that because Mr. BOEHNER argued that this bill is itself killing an ant with a nuclear weapon is designed to say this bill puts into place permanent bailout authority. Now, the American people are virulently opposed to going down this path that we already seem to be on of establishing bailout after bailout. And they know that it's a mistake. And so Mr. BOEHNER simply was arguing that while we all want to deal with the issue of regulatory reform to ensure that what we went through in the last 2 years will not confront us again, the idea of putting your hand up and saying, we know what they're all about—there is no one who wants to maintain the status quo. We all want to take steps to ensure that we don't have to suffer as we have for the past 2 years. But this bill establishing permanent bailout authority will in fact undermine our ability to get this economy back on track, and, as Mr. BACHUS pointed out in his testimony upstairs in the Rules Committee a few minutes ago, will cost jobs. That's the reason we have great concerns about it.

And on the issue of Social Security, the notion that somehow we are saying to someone who is on Social Security today that you are going to end up seeing the age increase to 70 is preposterous. We know full well that what's going to happen is we are talking about young workers today in their twenties and thirties who want to make sure that there is something there for Social Security. If we don't tackle the issue of entitlements, we won't be able to do what the American people have said this Congress should be doing, and that is reining in the kind of spending the likes of which—we have seen an 84 percent increase in nondefense spending in the last 17 months. We need to make sure we rein that in. And these kinds of proposals will do just that.

□ 1200

Mr. SESSIONS. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, my objection about Mr. BOEHNER's statements with regard to Social Security was that he wanted to take the money from Social Security and pay for the war. Not put it into a Social Security trust fund, not to shore-up Social Security. That's what bothers me, is their continued determination to undermine the Social Security system.

Mr. BOEHNER said in his interview that we should raise the retirement age to 70, take their money, and put it towards the war. For 8 years, they abdicated their responsibility to pay for the war. Now they want to pay for it on the backs of senior citizens. That's what I object to. That's what I object to.

And the other thing, Mr. Speaker, is that we hear time and time again, Well, we all want to deal with the excesses in Wall Street. We all want to do this; we all want to do that. But when it comes time to do anything meaningful, they are missing in action.

So this is an opportunity for us to get something done, and I urge my colleague to support the bill.

At this time I yield 2 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ).

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today on behalf of taxpayers in California who will no longer be on the hook when Wall Street fails. This body has spent the last 3 years dealing with the fallout from the financial crisis. In my district in southern California, we've seen lost jobs, homes, businesses, and shattered dreams of financial security.

These challenges were in large part the result of an ineffective, and in some places, nonexistent regulatory system. This encouraged risk and allowed financial institutions to operate in a lawless environment where there were no consequences for their actions.

The legislation that we put forth today seeks to fix those failures and provide families nationwide with the security of knowing that future financial challenges will be the result of honest markets, not crooked traders. Honesty is what this bill is about. We all support a free market and the ability of each business to succeed or fail on its own merits. This landmark legislation allows that competition to take place on a level playing field. It will help prevent another crisis like the one we're still recovering from.

I'm surprised that there's opposition to this legislation. After what our country has been through, how can anyone oppose bringing credit default swaps out into the sunshine? How can anyone oppose allowing shareholders a say on executive compensation? Or a framework that prevents future bailouts by allowing companies that deserve to fail because they're engaging in risky practices to fail?

Families in the 39th District of California will be more secure because of the action that we are taking today.

I thank our leadership, Chairman FRANK, and the conferees for their hard work and urge my colleagues to pass this legislation.

Mr. SESSIONS. Madam Speaker, at this time I yield 3 minutes to the gentleman from Marietta, Georgia, Dr. PHIL GINGREY.

Mr. GINGREY of Georgia. Madam Speaker, all across the country, Americans are asking Congress to get our fiscal house in order. This desire for change and fiscal responsibility can be seen in the 1.1 million votes for House Republican Whip CANTOR'S YouCut initiatives. Each vote is a vote to cut spending and to cut that spending now. I can think of no clearer message to the Democratic leadership who, unfortunately to date, have kept their earplugs in and they have refused to listen.

Their solution instead has been more borrowing, more spending, and more bailouts. Indeed, that's what they recommended at the recent G–8/G–20 conference in Toronto which was totally rejected by the other participating nations.

Madam Speaker, this week, week six of the YouCut program, Americans chose my proposal to address the waste associated with Federal employee unions. In 2008, the Office of Personnel Management, OPM, reported in a sample of 61 Federal agencies that approximately three million official time hours, taxpayer time hours, were used in union activities by Federal employees for a cost to the taxpayer of $120 million.

Currently, some Federal employees spend up to a hundred percent—that's right, a hundred percent—of their work day paid by taxpayers doing work for their unions. My proposal prevents Federal employees from using taxpayer-funded time to participate in union activities and would save $1.2 billion over the next 10 years and 30 million hours of taxpayer time—$1.2 billion and 30 million hours.

So Madam Speaker, every American knows that Congress has a spending problem. Our national debt is simply unsustainable, and tough choices need to be made now to get our debt and our budget deficits under control. I urge you to listen to Americans across the country, to Republicans on this side of the aisle, and to act now. And this proposal is a first step.

A worthy second step would be actually passing a budget this year, because as every American family knows, you can't begin to cut spending until you actually come up with a budget.

Madam Speaker, the American people are tired of this reckless spending addiction that has resulted in a record national debt and record budget deficits. Like every addict knows, the first step to recovery is admitting that you have a problem.

I urge my Democratic colleagues to take that step and start addressing the problems by saving taxpayers over $1 billion to date. Vote to defeat the previous question so we can amend the rule to include this YouCut provision of fiscal responsibility submitted by the American people.

Mr. MCGOVERN. Madam Speaker, my friend from Georgia's proposal represents less than one-tenth of 1 percent of what was borrowed to pay for the Iraq and Afghanistan war. Let's get serious here. And when I see that poster that says ''YouCut,'' what they don't

show you is what they're cutting and what they want to cut is Social Security, and the minority leader made that very clear in his interview, that they're going to basically take money out of Social Security to pay for the wars. Our senior citizens who have fought in wars, who have worked in our factories, who have raised our families are being told to pay for the wars.

I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE.)

Ms. JACKSON LEE of Texas. Madam Speaker, this is a very emotional time for many Americans as they look at pending unemployment, long months of addressing the question of how they pay their mortgage, and reflecting on how we got to this place.

That is why I stand today to support the underlying rule and this financial accountability complex legislation that has taken many, many hours and days and weeks for us to come up with a way to say to America, We heard you.

And so the first point of this bill is that there will be no taxpayer-paid bailouts. And then for the first time the consumers of America will have their own personal advocacy. They will have the Consumer Protection Board that will look at credit card increases and outlandish interest rates. They will have an oversight board that will look at how they address the question of banking loans. Small businesses will be able to access credit. There will be transparency and accountability. What is there to be opposed to?

Those who happen to be included in minority- and women-owned businesses will for the first time not be stopped at the door to access credit.

Then of course we'll be able to have an oversight board that will forever eliminate the words ''too big to fail.'' Experts who will continuously look at the infrastructure of this financial system.

We know that capitalism is strong, but it must be a strong system that has a heart, that can withstand the scrutiny of those who are seeking to find the weaknesses. We have to stand with the consumer so that the consumer does not fall victim to the too big to fail who were willing to take risks because they were padding their pockets.

This is the right decision that is now being made, and this bill will provide you with the oversight and the protective coverage for the banking consumer. Support the underlying rule and this bill. Stand with the American people and make a difference.

□ 1210

Mr. SESSIONS. Madam Speaker, I yield 1 minute to the gentlewoman from Topeka, Kansas, Congresswoman JENKINS.

Ms. JENKINS. Madam Speaker, over the past 6 weeks, more than 1 million Americans have demanded action, and House Republicans have listened. Unfortunately, the majority in the House has not. While there are many issues that these people in this body disagree on, there are some issues that we should all agree on.

We should agree that skyrocketing debt is a priority. We should agree that we cannot continue spending money that we don't have. We should agree that it is wrong for taxpayers to pay for the salaries of employees who answer to unions instead of to the American people, and we should agree on this very simple bill that says union activities should be funded by unions.

I urge my colleagues to stand with the American people, to vote to save $1.2 billion and to end the abuse of taxpayer money.

Mr. MCGOVERN. Madam Speaker, I hope we all can agree that we shouldn't be cutting Social Security. I hope the minority leader will get on the floor and will retract his statement that we should be cutting Social Security to pay for this war. They have abdicated their responsibility for 8 years, and now they want the senior citizens of this country to pay for this war. I think that's wrong.

I yield 2 minutes to the gentleman from Indiana (Mr. CARSON).

Mr. CARSON of Indiana. Madam Speaker, I would like to ask the gentleman from Massachusetts to engage in a short colloquy.

Mr. Chairman, I would like to confirm that all insurance companies, specifically mutual insurance holding companies, are included in the definition of ''insurance company'' that appears in the Resolution Authority title of the conference report.

Further, I would like to confirm my understanding that, under title II of the conference report, all insurance companies, specifically including mutual insurance holding companies, remain subject to resolution under the existing State insurance insolvency and liquidation regimes.

Will the chairman confirm my understanding on this point?

I yield to Chairman FRANK.

Mr. FRANK of Massachusetts. I thank the gentleman, and I commend him for paying attention to a very specific but very important point.

He is absolutely right. We have no intention here of disturbing the well-run State insurance regime. We respect and honor that form of the mutual insurance holding company. The gentleman's interpretation is entirely correct. They will remain subject to resolution under their existing State insurance liquidity and insolvency regimes.

Mr. SESSIONS. Madam Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Madam Speaker, I definitely agree, in part, with some of this bill in that we need transparency and some accountability, especially in the exotic instruments, but this bill also grants some carte blanche power over the financial markets, not just on Wall Street but on Main Street, too. This bill is going to raise the costs for small business operators and consumers who will use financial institutions.

I also find it interesting that part of the discussion here is to criticize or is to try to suggest that the Republicans want to cut Social Security. I'm curious as to how the Members who are raising that issue on the floor today voted on a health care bill that actually took $500 billion out of Medicare, which our seniors rely on. They voted to cut $500 billion out of it.

Mr. MCGOVERN. If the gentleman wants to know why I think you want to cut Social Security, I am referring to the article in which the minority leader is quoted quite extensively on that issue.

I yield 2 minutes to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE of Kansas. Madam Speaker, I rise in support of the rule to consider the Dodd-Frank Wall Street Reform Conference Report.

For too many years, Wall Street was not properly regulated. Who paid for these mistakes? Unfortunately, it was our constituents on Main Street who paid the price, not Wall Street financial firms.

According to a recent Pew survey, this result directly impacted more than half of working Americans, pushing far too many into unemployment, pushing far too many to take pay cuts, reduced hours, part-time jobs, or delayed retirement plans. So it is not surprising that many Americans have lost their faith and trust in our financial system.

The Dodd-Frank Act will restore Americans' trust in a well-functioning financial system. While the bill ends ''too big to fail'' and taxpayer bailouts, it also shields community banks, credit unions, and small businesses from the necessary regulatory burdens that will be focused on Wall Street and on others who created the financial crisis. Most importantly, this new law is fully paid for. Taxpayers will not have to pick up the tab.

I urge my colleagues to protect consumers, investors and taxpayers by supporting this conference report.

I will now turn to Chairman FRANK for a brief colloquy.

Mr. Chairman, thank you for your extraordinary leadership on this historic bill.

First, do you agree the conferees did not intend to impose the regulatory authority of the bureau over the activities of broker-dealers and investment advisers otherwise subject to regulation by the SEC and CFTC?

Mr. FRANK of Massachusetts. If the gentleman would yield to me, I agree.

As the gentleman knows, our bill does give the SEC the power we expect them to use to impose greater fiduciary responsibilities on these people. The consumer protection bureau will be a very powerful one. It will be dealing with financial products in the lending area and elsewhere. It was not intended to duplicate existing regulation. So, in fact, as the gentleman knows, we enhance the regulatory authority of those entities he mentioned,

and there is no intention whatsoever, nor is there language, I believe, that would lead to duplicate supervision by the consumer protection bureau.

Mr. MOORE of Kansas. I thank the gentleman.

CLARIFICATION FOR THE RECORD: CONSUMER BUREAU VS. SEC/CFTC POWERS, PROVIDED BY REP. DENNIS MOORE (KS–03), JUNE 30, 2010, H.R. 4173, DODD-FRANK CONFERENCE REPORT

It was the conference committee's intent to avoid gaps in oversight, but also to avoid creating duplicative or competing rulemaking and supervisory authorities, one vested in the Consumer Bureau and the other in the SEC or CFTC.

As such, the final report provides exclusive authority to the SEC and the CFTC over persons they regulate to the extent those persons act in a ''regulated capacity.'' If such persons are not acting in a regulated capacity, their activities relating to the offering and provision of consumer financial products or services may be subject to the authority of the Bureau instead of the SEC or CFTC.

But to the extent they are acting in a 'regulated capacity', only their functional regulator—the SEC or the CFTC—has rulemaking, supervisory, examination or enforcement authority over the regulated person or such activities. To that end, the conference report specifically states that 'the Bureau shall have no authority to exercise any power to enforce this title with respect to any person regulated by the Commission' or the CFTC.

It was not the intent of the conference committee to impose the regulatory authority of the Bureau over the activities of broker-dealers and investment advisers otherwise subject to regulation by the SEC and CFTC.

Mr. SESSIONS. Madam Speaker, at this time, I yield 2 minutes to one of the newest Members of this body, the gentleman from Hawaii, CHARLES DJOU.

Mr. DJOU. I thank the gentleman from Texas for yielding.

Madam Speaker, today, I rise and count myself among the 1.1 million Americans who have already voted to cut spending via YouCut, a dynamic idea courtesy of the Republican whip, ERIC CANTOR.

These Americans are saying to this Congress that enough is enough. This government is spending far too much money on programs that do not work. Worst of all, we have no plan to pay this money back. Since the majority in Congress is refusing to cut spending, to exercise discipline or to even pass a budget, the American people are rising up and are standing in this gaffe.

Today's YouCut winner, which we are going to be looking at, is a straightforward proposal. It would simply prohibit taxpayer funding for union activities. This would save taxpayers $120 million this year alone and $1.2 billion over the next 10 years. This is a simple, commonsense idea, and it is one step in the right direction to restoring fiscal order in our House.

I urge my colleagues to listen to the American people, to cut this wasteful spending and to make tough choices that will provide us with a better tomorrow for ourselves and for our families.

Mr. MCGOVERN. Madam Speaker, again, the proposal that the Republicans are talking about today represents less than one-tenth of 1 percent of the Bush tax cuts that weren't paid for. I mean, where was the fiscal responsibility then?

At this point, I yield 2 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentleman for yielding.

Madam Speaker, for the purpose of a colloquy, I would like to engage with the chairman of the committee and the drafter of this legislation. I congratulate him on the great work he has done on this reform bill.

Mr. Chairman, I want to call your attention to sections 726 and 765 of the bill. These two provisions require the CFTC and the SEC to conduct rulemakings to eliminate the conflicts of interest arising from the control of clearing and trading facilities by entities such as swap dealers and major swap participants.

This problem arises because, right now, 95 percent of all of the clearinghouses in this country are owned by just five banks. So, while we are relying on the clearinghouses to reduce systemic risk, we have the banks now owning the clearinghouses.

The question I have is regarding the intent of the conferees in retaining subsection B of these provisions. It could be loosely construed to leave it up to the agencies whether or not to adopt rules.

Mr. Chairman, do you agree that my reading of sections 726 and 765 affirmatively require these agencies to adopt strong conflict of interest rules on control and governance of clearing and trading facilities?

Mr. FRANK of Massachusetts. If the gentleman would yield to me, he has been a leader in this important area, and he is a careful lawyer and understands that just saving a principle isn't enough. You've got to make sure it is carried out. Dealing with a conflict of interest that he has been a leader in identifying is essential if this is going to work. So I completely agree with him. Yes, we mean both of those subsections, and it is a mandatory rulemaking.

I will say to my neighbor from Massachusetts that we will be monitoring this carefully. They can expect oversight hearings because, yes, this is definitely a mandate to them to adopt rules to deal with what would be a blatant conflict of interest in the efficacy rules, and we intend to follow that closely.

Mr. SESSIONS. Madam Speaker, at this time, I yield 4 minutes to the distinguished gentleman from California (Mr. ROYCE).

□ 1220

Mr. ROYCE. I thank the gentleman for yielding.

I rise in opposition to this rule and to the underlying legislation. I rise because reform is desperately needed, but the reforms needed most are not in this bill.

For example, this legislation fails to reform the government-sponsored enterprises, and when you think about it, the housing crisis and the meltdown that we saw in that sector, and most of the losses, were in the government-sponsored enterprises.

That was not caused by a lack of government intervention. Each of those failed institutions had a regulator overseeing it, but it was Congress, especially with the GSE Act, actively tying the hands of those regulators in what amounted to a failed attempt, maybe for a good social end, the idea was to get everybody into a home. But to do that by putting these mandates on the GSEs that 50 percent of the portfolios that they held, 50 percent of that $1.7 trillion in portfolios that they held be in subprime and Alt-A, obviously, obviously created very real problems.

The political intervention to get the 20 percent down payment down to 3 percent and then down to zero obviously had an effect. These institutions, Fannie Mae and Freddie Mac, were at the center of the housing market, and they were largely responsible for some 70 percent of subprime and Alt-A mortgages throughout our financial system.

In order to reach the affordable housing mandates that Congress enacted in 1992, Fannie and Freddie became the largest purchasers of these junk loans, ending up with $1.8 trillion. In essence, they made the junk loan market.

Knowing of the systemic threat posed by these institutions, the Federal Reserve actually came to Congress, came to us a number of times, over a dozen times, and asked us to rein in their excessive risk taking. And when you hear the arguments back and forth about, well, at one point or another we tried to have legislation to address this, ask yourself this. I will remind you of this. What the Fed wanted was the ability to deleverage these portfolios. What the Fed wanted was the ability to control Fannie and Freddie for systemic risk, and that is a responsibility that Congress would not give them.

In 2005, that debate came to a head, and under the leadership of Chuck Hagel and RICHARD SHELBY, Senate Republicans moved a bill, supported by the Fed, through the Banking Committee that attacked the heart of the problem, the excessive buildup of leverage and risk within the mortgage portfolios. And, as the Wall Street Journal said, the White House, Treasury Department and Federal Reserve lined up behind Mr. SHELBY. But he was never able to bring his bill to the floor because of opposition from Democrats. Both in the House and Senate, Democrats were aggressively trying to defeat our efforts under the guise of protecting affordable housing. Mr. DODD and Mr. Sarbanes blocked those reforms in the Senate.

Luckily, some Members from the other side have noted this failure. In

2008, President Clinton said, ''I think the responsibility that the Democrats have may rest more in resisting any efforts by Republicans in the Congress, or by me when I was President, to put some standards and tighten up a little on Fannie Mae and Freddie Mac.''

It is unfortunate that we lost that battle. Our housing market, our financial sector and the broader economy are dealing with the consequences of that very systemic shock that the Fed had anticipated and warned us about.

Today, despite what some may claim, we are not advocating for the elimination of the GSEs tomorrow, but we want them addressed in this legislation.

Mr. MCGOVERN. Madam Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. I just want to correct the wholly-inaccurate-because-of-being-incomplete history of the gentleman from California. He blames the Senate Democrats for not passing a bill. I didn't hear him infer, maybe I missed it, that the House was then in control of the Republicans, and the House didn't pass that bill either.

The gentleman from California had an amendment that he liked. He was repudiated by his own party, overwhelmingly. Now, I am sorry he wasn't more persuasive with the Republicans. I am sorry that the chairman of the committee and the current leadership of the House and the then leadership of the House voted against him, but you can't blame that on the Democrats. And, in fact, what the Senate Republicans offered was the House Republican bill.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. I thank Mr. MCGOVERN for yielding.

Madam Speaker, I would like to ask the gentleman from Massachusetts, the chairman, to engage in a short colloquy.

Chairman FRANK, with regard to assessments on financial institutions under the resolution authority title of the bill, title II, I want to clarify that the risk matrix criteria regarding the FDIC to take the scope and nature of an institution's activity into consideration when setting assessments means that such assessments should be made in light of the impact of potential assessments on the ability of an institution that is a tax-exempt, not-for-profit organization to carry out their legally required charitable and educational activities.

Can the chairman confirm my understanding on this point?

Mr. FRANK of Massachusetts. If the gentleman will yield to me, yes, I absolutely can. Let me say this is consistent with the leadership the gentleman from Illinois has shown in dealing with risk factors. Up until now, and until this bill passes, we have been automatically assessing institutions solely on the basis of their assets or their amounts. We want to discourage excessive risk and make those who take the risk bear a fair share.

Here the gentleman is clearly correct that to the extent you have got a tax exemption because you engage in charitable activity, in effect you shouldn't get assessed on that basis.

The gentleman has gone further. Smaller banks in this country will be the beneficiaries of an important piece of this legislation, thanks to his leadership. The riskier the bank's activity, the higher their FDI assessment will be in general. That is an important piece of it, and this particular application of it for these charitable institutions is essential.

Mr. SESSIONS. Madam Speaker, in order to allow the gentleman from California (Mr. ROYCE) time to rebut, I yield the gentleman 1 minute.

Mr. ROYCE. I thank the gentleman for yielding.

I am ready to recognize, Chairman FRANK, that you were successful in defeating that amendment. You were successful, and certainly a majority of this body, including many Republicans, joined you, and I think in 2003 you stated it well in terms of this perspective. You said, ''I do think I do not want the same kind of focus on safety and soundness that we have in OCC and OTS. I want to roll the dice a little bit more in this situation towards subsidized housing.''

This was an argument that gained ground on both of sides of the aisle, there is no doubt about it, but at the same time, it was the Fed that supported my amendment that I brought before this body in order to try to give the Federal Reserve the ability to deleverage these portfolios in the interest of safety and soundness.

This is a debate we have had many times. We had a different perspective. But today going forward, we are expanding systemic risk in many ways in this legislation.

Mr. MCGOVERN. I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Madam Speaker, the gentleman from California still won't be forthright about this.

The Republican-controlled House, chaired by Mr. Oxley in the committee, passed the bill that he objected to. He said I was successful in defeating it. No, I played a fairly minor role under Mr. DeLay and the Republican leadership. Mr. DeLay did not take advice from me. If Mr. DeLay took advice from me, he wouldn't have gone on the dance show. I would have advised him against it.

The fact is that it was a Republican House that passed the bill the gentleman is denouncing, and I don't know why he keeps mentioning history and leaving that out until he has to be reminded.

He did offer an amendment. He was overwhelmingly defeated. More than two-thirds of the Republicans voted against him.

By the way, as to my own view, yes, in 2003 I said there was no problem. In 2004, after President Bush, while the Republicans controlled Congress and didn't hinder him, ordered Fannie Mae and Freddie Mac to increase their purchase of loans from people below the median, I changed my position. So I joined the Republican leadership of the House as a fairly minor player in supporting legislation.

He was against it, and I would just make that point again.

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

Mr. MCGOVERN. I yield the gentleman an additional 15 seconds.

Mr. FRANK of Massachusetts. I don't understand the purpose of giving such a partial history. He neglects to mention in 2007 when the Democrats took the majority and I became chairman, we passed the bill that he couldn't get passed in 2005, because we worked with Secretary Paulson, who acknowledges this in his book.

So, yes, in 2003 I was not concerned, but by 2005 I was.

□ 1230

Mr. SESSIONS. Madam, Speaker, we're sitting here arguing on the floor about who gets credit for what. I think we ought to give credit. We ought to give credit to the Democrats for taxing, spending, record unemployment, higher debt. And what we're talking about today, this bill, the financial services sector of this country will not be healthy if we do not turn around our economy. And that too, Madam Speaker, is pin-the-tail-on-the-donkey.

At this time I would like to yield 2 minutes to the gentleman from Roanoke, Virginia (Mr. GOODLATTE).

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

Mr. GOODLATTE. Madam Speaker, I urge my colleagues to oppose the rule on this legislation that's coming forward. But before we get to the vote on the rule, we're going to have a vote on ordering the previous question, and I urge my colleagues to vote ''no'' on ordering the previous question because that is the way to show your support for today's spending cut reduction under the YouCut program that millions of Americans have participated in.

This week's spending cut, developed by Congressman PHIL GINGREY of Georgia, addresses one of the perpetual roadblocks to American private-sector job creation and economic recovery—Federal employee unions. The proposal would prohibit taxpayer funding for union activities, saving taxpayers $120 million a year, or $1.2 billion over the next 10 years. Federal employees' unions collect millions in revenue each year and spend significant amounts on political activities and lobbying. I do not believe that they should also be subsidized by the taxpayers for their official functions. Instead of subsidizing union activities, the Federal

Government must work to both eliminate every cent of waste and squeeze every cent of value out of each dollar our citizens entrust to it.

When we're facing gigantic deficits each year, the President's budget that he submitted earlier this year projects a 70 percent expenditure over top of what we're going to take in in revenues—$3.8 trillion in spending and $2.2 trillion in tax revenues coming in. That is completely unsustainable, and yet as far as the eye can see for the next 10 years, as far out as the Congressional Budget Office projects, we face deficits that are two and three times as large as they had ever been previously in our history, including the last time the Republicans were in the majority in this Congress.

We spent too much money in 2004 when we had a $400 billion deficit. That looks like peanuts today compared to what we're facing. Support the effort to cut our government spending. Oppose the ordering of the previous question.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Before the Chair recognizes the gentleman from Massachusetts, the Chair would remind Members to be more cognizant of the gavel.

The gentleman from Massachusetts is recognized.

Mr. MCGOVERN. Madam Speaker, just in response to the last speaker, this gimmick that the Republicans have brought to the floor is really just that—a gimmick. $120 million a year they're going to save. Let me just put that in perspective. Just two policies dating from the Bush administration—tax cuts and the wars in Iraq and Afghanistan—accounted for over $500 billion of the deficit in 2009, and will account for almost $7 trillion of deficits in 2009 through 2019, including the associated debt services cost.

We need to get serious about dealing with the debt and dealing with our deficit. But let's make one thing clear: When Mr. Bush came to power, President Clinton left him a budget surplus. No deficit. We're paying down the debt. When Mr. Bush left office, he left Barack Obama with a record deficit that he is now trying to dig us out of in the midst of one of the worst economies since the Great Depression. So when they get on the floor with these gimmicks, let's understand what they are—they are gimmicks. If you want to get serious about reducing the debt, then let's get serious about it.

I will tell you one thing I do disagree with him on very strongly. Again, I'll go back to the article I referred to before when Minority Leader BOEHNER talked about raising the retirement age of Social Security to 70 and taking that money and not putting it in Social Security to keep that program solvent, but then moving it to pay for the wars. I think that is wrong. I think our seniors deserve better than that.

I yield 1 minute to the gentlewoman from Illinois (Ms. BEAN).

Ms. BEAN. Since the 2008 financial crisis that reduced the values of their homes and savings, our constituents have demanded action and answers. What went wrong and what will Congress do to make sure it doesn't happen again? This bill answers with strong protections for American families.

The problems started in our neighborhoods where too many home buyers took out loans they couldn't afford and too many lenders approved those loans. This bill ends the period of no-doc loans and drive-by appraisals with new lending standards, with risk retention to ensure lenders want to keep those good loans on their books, and rating agency liability and reform.

Next, derivatives were at the heart of the AIG failure. This bill creates regulation where it did not exist in this multitrillion market with required transparency, ensuring that these trades are exchange-traded cleared and-or reported. Capital reserves will be required to back up the risks they take and protect the entire system. And, most important, it ends taxpayer bailouts. Those companies who take risk, if you fail, you're fired. Your shareholders will lose money and the financial industry is responsible for liquidation.

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

Mr. MCGOVERN. I yield the gentlewoman 30 additional seconds.

Ms. BEAN. Everyone, from home buyers in our neighborhoods to wizards on Wall Street to regulators in Washington, recognizes that the era of no regulation is over. Status quo doesn't work. It's time to act and protect the American people.

Mr. SESSIONS. Madam Speaker, I yield 4 minutes to the ranking member of the Financial Services Committee, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. This bill has good in it. It really does. It has enhanced consumer protection similar to what the Federal Reserve has enacted. It has greater transparency and disclosure. In the field of derivatives, it has provisions to prevent companies like British Petroleum from manipulating the market, as they did last year. But there's a lot of bad in this bill, and there's a lot of ugly. I'm going to talk about the bad when I address the bill. And the bad is some capital requirements on companies that could cost a trillion dollars. And that's a greater amount than the two stimuluses put together. That could cost hundreds of thousands of jobs.

But right now I want to talk about the ugly. And the ugly is the bailout of creditors and counterparties. This is a Wall Street bailout bill, make no mistake about it. This bill says that the FDIC can lend to a failing company. Now this is a company that is failing. They can't meet their obligations. You loan a failing company money. You can purchase the assets. This is the government purchasing the assets of the largest financial companies in America. They can take a security interest in the assets. They can guarantee the obligations of the firm. We did that with Fannie and Freddie. We told the Chinese bondholders, We'll pay you a hundred cents on the dollar. And with AIG we did the same thing. We told the European banks, we told Goldman and Morgan, We'll pay these credit swaps off at a hundred percent. They can do that under this bill. They can bail out creditors and counterparties. And they can even sell and transfer to the FDIC the assets of a failing firm.

Now how do they do that? Well, they have to borrow money. You can't buy something for free. You can't guarantee things without money. Under the House bill, you can borrow 90 percent of the fair value of the failed firm's total consolidated assets. You're going to borrow. In other words, the government, the taxpayers, are going to borrow 90 percent of that amount. What are we talking about? Potentially, with just the largest six companies in America—Bank of America, Morgan Chase, Citi, Wells Fargo, Goldman Sachs, Morgan Stanley, the so-called Wall Street banks, most of which, including Goldman Sachs, have said, We like this provision. It's a great provision. The Federal Government can borrow for those six firms $8.5 trillion. Yet we've not asked, Where are you going to borrow this money from? Are you going to go back to the Chinese?

□ 1240

What will it cost? How will it affect the FDIC when the taxpayers borrow this kind of money? How will it affect our ability to pay the depositors that we have guaranteed those obligations? How will it affect our ability to meet our commitments today, Medicare, Medicaid, Social Security? How will it impact the deficit? What will it do to interest rates? Is there an exit strategy?

The largest bailout which is not addressed in this bill, the largest bailout in the history of this country was of Fannie and Freddie. We still haven't gotten out of that. In August of 2008, every Republican in this body said, Reform them before you bail them out. We've bailed them out. We guaranteed $400 billion of their assets over our protest. And then last December 31, the President guaranteed all their obligations; and just this week, we hear that that could amount to $1 trillion.

A trillions dollars there, $2 trillion here, $2 trillion here, $2 trillion here, $1 trillion here, almost $1 trillion there. How do we do it? How do the taxpayers get paid back?

Mr. MCGOVERN. I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I yield myself the balance of my time.

I think it's pretty obvious that Republicans today have come down and debated the substance of this rule and the bill. The rule, as it relates to the conference report, is straightforward.

It puts in order on the floor of the House of Representatives today a bill which will be a monstrous spending bill for financial institutions, $18 billion that will be passed on to consumers. It's all done for bigger government. This bill empowers the Federal Government not only to get larger, but it gives them raw power. It gives them the opportunity to be the decision-maker in literally all parts of financial services. I think that's a mistake. I think that the balances and the opportunities that we had had as we have spoken in the last few years, we should aim for safety and soundness, not for overbearing government rules and regulations.

This bill, once again, is as much about the financial services industry as the health care bill was about health care. It's about diminishing the free enterprise system. It's about diminishing people who really should take the role and the responsibility for that which they do. And it's about creating a larger government that will encroach upon every single one of us and ultimately crush us. The Republican Party disagrees with this bill because we think that the time should be spent on this floor to encourage job creation, not to diminish job creation. And that's what this bill does today also: it diminishes job creation. Taxing, spending, bigger government. Of course, I guess it depends whether you are working for the government; you want the government to win or the free enterprise system.

We've looked at the numbers over the last 4 years since Speaker PELOSI's come into office, and we know what that agenda is—taxing, spending, more debt, bigger government, rules, regulations and using every single excuse they can to say, Well, you guys could have done this when you were in. Well, we don't want to do that. We don't want to do this. We don't want the taxing. We don't want the spending. To say that we could have done this, that now we're opposed to it, that's crazy. We don't like this.

We want to be about the free enterprise system, job creation, and the opportunity for people back home to have confidence in this body. We're at the lowest level ever that people have confidence in this body. And no wonder. Taxing, spending, rules, regulations, blaming things on former Presidents. My gosh, grow up. Madam Speaker, no wonder the American people are worried about our country, because the Mickey Mouse still goes on and is going on even today.

Madam Speaker, I ask unanimous consent to insert the text of the amendment and extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

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

Mr. MCGOVERN. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 4½ minutes.

Mr. MCGOVERN. Madam Speaker, the American people are frustrated. They're frustrated that we haven't passed a Wall Street regulatory reform bill sooner. I think my friends on the other side of the aisle just don't get it. I don't think they understand that an unregulated Wall Street with no checks and balances will produce another economic crisis like the one we are trying to dig ourselves out of right now. The Republican minority leader, Mr. BOEHNER, said, This is killing an ant with a nuclear weapon. An ant? It was the worst financial crisis since the Great Depression.

America has lost 8 million jobs and $17 trillion of retirement savings and net worth. The irresponsible fiscal policies of the previous administration—and a lot of my friends on the other side—were much more than an ant to the American workers and their families and small businesses. They have suffered greatly because of Wall Street's excesses. And this notion that somehow we should just let Wall Street continue unregulated I think demonstrates that my friends on the other side of the aisle just don't get it.

Madam Speaker, this rule would also allow for the same-day consideration of an extension of unemployment benefits to millions of Americans who have lost their jobs. Americans are frustrated because they can't understand why Congress can't just approve this. What is the big deal? My friends on the other side of the aisle say, Well, we can't afford it. Yet when it comes to war or when it comes to tax cuts for wealthy people, we are a bottomless pit. But the fact of the matter is, we have an obligation to help those who are suffering because of this bad economy, and hopefully we will do that.

Madam Speaker, let me finally say that when we enact this bill today, this will be tough legislation that will end an era without accountability for Wall Street and big banks that cost us 8 million jobs. It will rein in big banks and their big bonuses. It will put an end to taxpayer bailouts and the idea of too big to fail and protect and empower consumers to make the best decisions on homes, credit cards, and our own financial future. The American people want us to pass this bill. They want us to pass an extension of unemployment benefits, and hopefully by the end of today, we will do both.

So, Madam Speaker, I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1487

OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution add the following new section:

SEC. 4. Immediately upon the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3251) to repeal certain provisions of title 5, United States Code, relating to Federal employees' official time and labor organization activities. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3251.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said:—''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate

vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. MCGOVERN. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clauses 8 and 9 of rule XX, this 15-minute vote on the previous question will be followed by 5-minute votes on adoption of House Resolution 1487, if ordered; and the motion to suspend the rules on H.R. 4505.

The vote was taken by electronic device, and there were—yeas 243, nays 182, not voting 7, as follows:

[Roll No. 406]

YEAS—243

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Wu
Yarmuth

NAYS—182

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Cuellar
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kaptur
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—7

Davis (AL)
Gohmert
Marchant
Taylor
Wamp
Woolsey
Young (AK)

□ 1315

Mrs. BLACKBURN, Messrs. ROYCE, REICHERT, BOREN, Ms. GRANGER, and Mr. CUELLAR changed their vote from ''yea'' to ''nay.''

Ms. WASSERMAN SCHULTZ and Mr. FATTAH changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SESSIONS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 237, noes 189, not voting 6, as follows:

[Roll No. 407]

AYES—237

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer

Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Wu
Yarmuth

NOES—189

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kaptur
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lipinski
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—6

Davis (AL)
Gohmert
Taylor
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are 2 minutes remaining in the vote.

□ 1323

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

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

H. Con. Res. 285. Concurrent resolution recognizing the important role that fathers play in the lives of their children and families and supporting the goals and ideals of designating 2010 as the Year of the Father.

The message also announced that the Senate has agreed to the following resolution:

S. Res. 574, relative to the memorial observances of the Honorable ROBERT C. BYRD, late a Senator from the State of West Virginia.

The message also announced that pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, the Chair, on behalf of the President pro tempore, upon the recommendation of the Republican Leader, appoints the following individual to the United Commission on International Religious Freedom:

Richard D. Land of Tennessee.

ROLL CALL CONGRESSIONAL BASEBALL GAME

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

Mr. DOYLE. Madam Speaker, as you know, last night was the 49th annual Roll Call baseball game.

I am happy to announce to the House today that that score has been settled this year, and the Democrats were victorious, 13–6. Of course, the biggest winners last night were our two charities—the Washington Literacy Council and the Boys and Girls Club of Washington, DC. The final numbers aren't in, as donations are still coming in, but we went over the $150,000 mark for our charities last night.

I want to commend our Republican team for a hard-fought game. They gave us a tough game right up to the last inning, and we kept all the fans in their seats to the very end.

We had a couple of outstanding plays on the Democratic side. All of us woke up with great chagrin this morning to watch ESPN's top 10 and see ANTHONY WEINER as No. 9 of the top 10. Also, there was some outstanding hitting from STEVE DRIEHAUS, but the MVPs on the Democratic side were killer bees JOE BACA, JOHN BOCCIERI, and BRIAN BAIRD. They all had outstanding plays.

So, Madam Speaker, once again, the coveted Roll Call trophy stays blue.

I yield to my good friend, the Republican manager, JOE BARTON.

Mr. BARTON of Texas. Madam Speaker, there have been those on the other side of the aisle who, from time to time, have spoken of the lack of generosity, of the stinginess, and of the coldheartedness of the Republicans, but the seventh inning last night should put that to rest forever. We were very generous. Every man of the Republican nine made some effort in generosity of spirit to drop balls, to misplace throws, or to go out of their way to make sure that, at least on the diamond, the Democrats would feel good.

Now, we don't want this to go to your head, though, Mr. DOYLE. That trophy is on loan. If you would look wherever the records are kept, if you win the next 20 in a row, there would still be more ''R'' wins than ''D'' wins.

Mr. DOYLE. I'll just say my friend is living in the past.

Mr. BARTON of Texas. So in the spirit of the moment, we cannot say that Chairwoman SLAUGHTER ran a closed rule out on us. It was an open rule. It was a fair competition. Luckily, for both sides, the real winners were, as you said it, the Boys and Girls Club of Washington, DC, and the Washington Literacy Council.

I do want to commend my Republican team. I am very proud of them. JOHN SHIMKUS pitched his heart out. BILL SHUSTER made an almost unassisted double play when he caught the ball and picked somebody off at first base. Every member of our team got to play. They all were in good spirits and good fellowship.

We will show up next year with warmth in our hearts, and we will continue this tradition, hopefully, with a more pleasurable outcome for our side.

Congratulations to you, Mr. DOYLE. You ultimately deserved the win. You played better. We congratulate you.

Mr. DOYLE. Thank you.

EXPANDING ACCESS TO STATE VETERANS HOMES FOR GOLD STAR PARENTS

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 pass the

bill (H.R. 4505) to enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces, 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.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 12, as follows:

[Roll No. 408]

YEAS—420

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
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
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
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
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
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, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (FL)

NOT VOTING—12

Barrett (SC)
Becerra
Cantor
Davis (AL)
Gohmert
Linder
Murphy (NY)
Radanovich
Taylor
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1336

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BECERRA. Madam Speaker, earlier today I was unavoidably detained and missed rollcall votes 402 and 408. If present, I would have voted "yea" on rollcall votes 402 and 408.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4173, DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

Mr. PERLMUTTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1490 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1490

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) two hours of debate; and (2) one motion to recommit if applicable.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

Mr. PERLMUTTER. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend from Texas (Mr. SESSIONS), and I yield myself such time as I may consume.

GENERAL LEAVE

Mr. PERLMUTTER. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1490.

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

There was no objection.

Mr. PERLMUTTER. Madam Speaker, House Resolution 1490 provides for consideration of the conference report to H.R. 4173, the Dodd-Frank Wall Street Reform and Consumer Protection Act. This rule provides for 2 hours of debate on the conference report, it waives all points of order, and, further, the rule provides for one motion to recommit, with or without instructions.

Madam Speaker, today we will take an historic vote on the most significant reform to our financial industry since the New Deal. These comprehensive reforms will reduce threats to our financial system, increase oversight and prevent future bailouts. The bill strikes a responsible balance, ending the "wild west" era on Wall Street, while laying a new regulatory foundation for long-term growth which is stable and secure.

□ 1340

In the fall of 2008, this country was brought to its knees by a financial crisis, the likes of which I hope we never experience again. A crisis of this magnitude calls for reforms of similar proportion. Many elements on and off Wall Street contributed to the meltdown, and this bill carefully crafts responsible solutions in each area. The bill

protects consumers through the creation of a Consumer Financial Protection Bureau that will oversee the loan writing for banks and nonbanks and serve as the primary watchdog for consumers. For the very first time, nonbank entities will have Federal oversight, a critical element to reining in abusive practices and products. An oversight council is established under this bill to make certain financial institutions do not become a systemic threat to our economic stability.

We establish a process to close and liquidate significant financial institutions so if a failing firm begins to fail, it is closed, and it will no longer be too big to fail. This dissolution mechanism ensures Main Street comes first—not Wall Street. We deal with hedge funds, credit rating agencies, mortgage reform, executive compensation, and investor protection in this bill. We bring these issues out of the shadows and into the light so there is transparency to protect the system.

I worked to ensure a study on high frequency trading was included in this bill. As we saw from the ''flash crash'' in May, when the Dow Jones lost nearly a thousand points in a matter of minutes because of computer error, we need to know the effects of technologically advanced practices such as high frequency trading on the long-term investor. Also, transparency will be brought to the derivatives markets. Businesses and manufacturers will be able to reduce their own risk while protections are put in place for the overall system, providing regulators with a clear picture of the derivatives market.

Another important provision in the House was strengthened in conference. It calls for strong limits on proprietary trading, or what most are calling ''the Volcker rule.'' This provision strikes a good balance in banning proprietary trading without disrupting client services and asset management. In other words, banks can no longer gamble with their customers' money. The bill we are considering here today ensures there is no place to hide by closing loopholes, improving consolidated supervision, and establishing robust regulatory oversight.

I'm proud to stand here with my colleagues today providing for consideration of a bill making the necessary reforms and establishing robust regulatory oversight. In this bill we protect consumers, taxpayers, and depositors. I urge my colleagues to vote in favor of the rule and the underlying bill.

I reserve the balance of my time.

Mr. SESSIONS. I thank the gentleman from Colorado, my friend, for yielding me time, and I yield myself such time as I may consume.

Madam Speaker, I rise in opposition to this closed rule and the underlying bill.

Today, we are considering a 2,300-page Federal takeover of the financial services industry. This happened in health care. It's now happening in financial services. The bill before us today is just one more piece of the Democrat majority's agenda to Federalize more of the private sector of this country. I hear that as I travel in my district. Madam Speaker, while it's important to provide consumer safety and security in the marketplace and to minimize the chance of another financial crisis, I oppose this bill.

I oppose this bill, and the underlying legislation holds many far-reaching consequences for the American economy and prohibits the ability of business, small and large, to create jobs and spur economic growth. Obviously, this bill, because it's done by the Democrat majority, will be 2,300 pages; obviously, because this bill is done by the Democrat majority, it will involve new Big Government plans, programs; and, obviously, because it's the Democrat majority, it will involve more taxes, fees, and in fact it's $18 billion worth of new spending through these fees and taxes. In addition to making bailouts permanent, which this bill does do, failing to address the root cause of the crisis and rewarding failed regulators, this Democratic solution makes it even more difficult for consumers to access credit and for businesses to comply with overburdensome regulations.

Just a few minutes ago, we heard the story about how Republicans want to do nothing. Republicans would do nothing because they're opposed to rules and regulations in the marketplace. That's not true. We already have enough rules and regulations in the marketplace. And I do agree there's some things in here which do add to the safety and soundness features. But in the overall total, it's a bad deal. It's a bad deal for consumers, it's a bad deal for this country, and it's certainly a bad deal for anyone that wants to turn the corner on growing jobs in America.

In a letter from the Independent Bankers Association of Texas, my home State, while referencing the new Consumer Financial Protection Bureau created in the bill, it states, ''this agency will have broad powers to write rules on all bank products and services, which we believe will stifle innovation and entrepreneurship on longstanding products that have been responsibly offered by community financial institutions. This will result in more cost and confusion to bank customers and stifle lending and funding in community banks.''

Community banks represent the lifeblood of Texas. I know this because I know a number of the banks and the people not only who lend with them but the people who rely on them day by day. I'm one of those persons. They're worried about what is happening here in Washington. Once again, they were given a reason to have fear of what has happened over the weekend in this bill becoming even closer to law.

The Consumer Financial Protection Bureau and the Office of Financial Research, two brand new Federal agencies created in this bill—once again, two brand new Federal agencies created in this bill—will give unelected bureaucrats unprecedented power to track financial activities without citizens' approval. And these are not the only new regulatory components of the bill. This legislation allows for 355 new rulemakings, 47 studies, and 74 reports, and potentially dozens more as implementation begins. But what should we expect from this Democratic Congress?

The goal of regulatory reform should be to help, not hinder. It should be there to help our economy to sustain and gain back economic growth. And, of course, gain back private-sector job creation—not government jobs. This legislation, of course, does the opposite. It takes a one-size-fits-all approach to governing, undermining U.S. economic competitiveness and private-sector growth. This Democrat solution will only increase government intervention in the financial markets. It will ration credit. It will limit consumer choice. And, perhaps worst of all, it will continue to kill jobs. I'm sorry; private-sector jobs. I need to get that right. We're all for government jobs when it's a Democratic bill, but when it comes to free-enterprise system jobs, we want to kill those things. This is the hallmark of the Democratic Party, whose party—and I know this, this is just part of it—but the three largest political items of the Democrat majority, Speaker NANCY PELOSI: To net lose 10 million American jobs through cap-and-trade, through card check, and through health care. Once again, we should have included that in that list—jobs that are killed in the free enterprise system by this Democrat majority.

□ 1350

Madam Speaker, the motives are clear. My Democrat colleagues are using policy and regulation to force a further government takeover of the free enterprise system while paving the road to diminish the private sector. This is their way of making sure that they use a crisis or a perception of a crisis to get what they want. I get it, and so do people back home. Madam Speaker, the Republican Party and my colleagues in the Republican Party are opposed to this bill. I encourage my colleagues to vote against this rule and the underlying legislation.

I reserve the balance of my time.

Mr. PERLMUTTER. I will just take one moment, Madam Speaker, to remind my friend from Texas that by cutting taxes for the wealthiest Americans, prosecuting two wars without paying for them, and letting Wall Street run amok, in the last month of George Bush's term in office, we lost 780,000 jobs that month. This country lost a lot of jobs. By not enforcing reasonable regulation, we lost all sorts of jobs. But since January, February of 2009 until last month, we reversed that to the point where there were 400,000 jobs created, a swing of over 1.2 million jobs per month in this country. My

friends on the Republican side of the aisle oppose reining in Wall Street. We know, and Americans across this country know that something has to be done.

With that, I yield 3 minutes to my friend from California, Congresswoman MATSUI.

Ms. MATSUI. I thank the gentleman from Colorado for yielding me time.

Madam Speaker, I rise today in strong support of H.R. 4173, the Restoring American Financial Stability Act of 2010. Many families in my home district of Sacramento continue struggling to make ends meet. I have heard countless stories of those struggling to keep their homes, their jobs, and their way of life. Many of my constituents were and continue to be victims of predatory home loan lending, unfair credit card practices, payday loans, and other forms of deceptive financial practices. The mortgage crisis, in particular, continues to impact many in Sacramento. Sadly, after more than 2 years, millions of homeowners continue to face foreclosure, and those who have not have seen the value of their homes plummet.

I have been to foreclosure workshops. I have seen the hardships and looks of desperation. I have heard from a constituent who held a traditional 30-year mortgage; but after repeated attempts from her lender, she was convinced to refinance her mortgage to a lower adjustable rate. And now that the mortgage has reset, she is facing foreclosure. I have heard from many constituents who applied for a loan modification but never even got a call back. I have heard from many others who say they were denied a loan modification under the Making Home Affordable program, but their lender never even gave them a reason why. These are just a few of the many stories that I, and I'm sure many of you, have heard.

Madam Speaker, no one is looking for a bailout. The families need real assistance and real reform. But it's clear that the mortgage industry, after repeated public pledges, has yet to demonstrate a real commitment to help responsible homeowners. Madam Speaker, I am pleased that this bill includes an amendment that I offered along with Representatives KATHY CASTOR and BETTY SUTTON which calls on the mortgage industry to help place more responsible homeowners into more affordable terms. The amendment will require mortgage industry participants in the Making Home Affordable program to report basic information on a monthly basis, such as the number of loan modification requests received, the number being processed, the number that have been approved, and the number that have been denied. It will also make that information available to the public through the Treasury Department's Web site.

It is clear that greater transparency is needed to ensure that all parties are actually helping homeowners. Such transparency will lead to greater accountability. I strongly urge my colleagues to support this historic legislation to ensure that our consumers and our financial system are protected from irresponsible financial practices.

Mr. SESSIONS. Madam Speaker, our next speaker is a young gentleman from Texas who has a clear voice and a sound footing not only of economic principles but he also speaks for our party.

I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

I was very interested, Madam Speaker, to hear the gentleman from Colorado defend the job statistics under the Democratic rule of Congress. I don't know too many Democrats coming to the floor who want to defend 9.7 percent unemployment. Frankly, it's one of the major reasons that the legislation on the floor ought to be opposed today. Madam Speaker, it's a job killer. Once again, we have legislation that will make credit less available and more expensive.

Let me point out four different aspects of this bill. No. 1, it creates a permanent Wall Street bailout authority. If you build it, they will come. You build a bailout authority because you expect to bail people out. There's a choice to be had here. Republicans believe in the Bankruptcy Code. There are improvements that need to be made; and under the leadership of our ranking member, SPENCER BACHUS, we introduced that legislation. But our Democratic friends prefer bailouts, bailouts over bankruptcy.

Now they continue to say that the taxpayer won't be called upon to pay for these bailouts. Well, isn't it kind of funny how throughout this conference process, every time they've had an opportunity to choose either the taxpayers or the Wall Street banks, they somehow choose the Wall Street banks? And, in fact, when it came down to the government-sponsored enterprises, they set up a choice—I didn't set up the choice—but they set up a choice of who going forward is going to fund the bailout of government-sponsored enterprises. Should it be Wall Street banks or should it be the taxpayers? And they decided that it ought to be the taxpayers.

Just yesterday at the 11th hour—actually it was way past the 11th hour—they came up with a new funding mechanism, taking money away from TARP that was supposed to be used for deficit reduction; and, instead, they're going to use it to help fund the bill, most of which the Congressional Budget Office says goes to the Wall Street bailout authority. This is No. 2. The No. 2 incident where they had a choice between choosing the taxpayers or Wall Street banks, they chose Wall Street banks.

A permanent bailout authority costs jobs. They create this new bureau to ban and ration consumer credit—literally to decide whether or not you can have a credit card, small business line of credit, what kind of mortgage you can get on your home. There is functionally a new banks tax that makes derivatives more expensive, less available. All of this is going to harm job creation.

You know, I talk to small businesses in my district, like a gentleman from Jacksonville, Texas: ''I am a one-man operation. With all the legislation coming down the line, I will stay a one-man operation. If lines of credit dry up, I will no longer be able to maintain safe operating equipment and be forced to cease operations.''

Reject the job-killing bill and the permanent bailout authority.

Mr. PERLMUTTER. Madam Speaker, I would respond to my friend from Texas that, first of all, losing 780,000 jobs a month, as we were when George Bush left office, that's job killing. That's terrible. One of the things we're trying to do is right that ship. Second, he says that they set up a bankruptcy process for these banks. Well, as Democrats, we said, These failing banks, if they're failing, we're not going to let them linger along like they might in a chapter 11 bankruptcy. We close them. We liquidate them. That's the purpose of this. No more bailouts.

With that, I yield 2 minutes to my friend from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Madam Speaker, I rise for the purpose of engaging in a colloquy with Chairman FRANK to clarify the intent behind section 1076 in this bill. The section amends the Electronic Fund Transfer Act to create a new section 920 regarding interchange fees. Interchange revenues are a major source of funding for the administrative costs of prepaid cards used in connection with health care and employee benefits programs like FSAs, HSAs, HRAs and qualified transportation accounts.

□ 1400

These programs are lightly used by both the public and private sector employers and employees and are more expensive to operate because of substantiation than other regulatory requirements. Because of this, I would like to clarify that Congress does not wish to interfere with those arrangements in a way that could lead to higher fees being imposed by administrators to make up for lost revenue, which would directly raise health care costs and hurt consumers. This is clearly not something that was the intent that we'd like to do. Therefore, I ask Chairman FRANK to join me in clarifying that Congress intends that prepaid cards associated with these types of programs should be exempted within the language of section 920(a)(7)(A)(ii)(II).

Mr. FRANK of Massachusetts. If the gentleman would yield, he's completely correct. The Federal Reserve has the mandate under this, which originated in the Senate, to write those rules. We intend to make sure those rules protect

a number of things: smaller financial institutions from being discriminated against since they're exempt from the regulation, State benefit programs, and these.

So the gentleman is absolutely correct, and I can assure him that I expect the Federal Reserve to honor that. And if there is any question about it, I am sure we will be able to make sure that it happens.

Mr. LARSON of Connecticut. I thank the chairman.

Mr. SESSIONS. Madam Speaker, I yield 2 minutes to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. I would like to thank Mr. SESSIONS for yielding me the time. I would like to thank our ranking member, SPENCER BACHUS, for his dedication to this issue. I would also like to thank the chairman of our full Committee of Financial Services for his dedication to this as well.

But, Madam Speaker, as we stand here today, unfortunately, this is a missed opportunity. From the start of the debate, it was apparent there was little or no interest from our Democrat colleagues in working towards a consensus bill on regulatory reform. Now they are using budgetary smoke and mirrors, and I think that it will be apparent to Americans as this bill unfolds.

As my constituents say to us all the time: Work together. Shelve the partisanship. The stakes are too high.

But, unfortunately, the bill before us was drafted without our significant input. We are now faced with a bill that will give us institutionalized government bailouts, limit consumer choices, and raise the cost for businesses, our job creators across this Nation.

My colleagues on the other side of the aisle will be basking in the rhetoric and high praise for cracking down on Wall Street. However, the resolution authority in this bill does little or nothing to address the issue of the moral hazard that has been created by the TARP program. Instead, failed firms will be wound down at taxpayers' expense.

Under this resolution authority, the big will get bigger, and they will push the limits of risk because they will know that the government will be there to pay for their demise. In fact, many of the tools used for TARP are institutionalized in this legislation. My friends can opine on Wall Street reform all they want, but this bill does not achieve that.

Why should the people of West Virginia help pay for poor decisions of Wall Street bankers, or in any State? Well, they shouldn't. But for over a year we have advocated for an enhanced bankruptcy for these large, highly complex financial institutions. This approach would have created a level playing field between Wall Street and Main Street and would have assured all parties know the rules of the game ahead of time.

Furthermore, the taxpayers would not have to worry if their children and grandchildren will have to pick up the tab for the mistakes of the fabulous fabs of the world. Unfortunately, the majority has decided once again to turn a deaf ear to America's cries to end the bailouts.

This bill will fuel the growth of Wall Street, will lead to job loss, and it represents a missed opportunity.

Mr. PERLMUTTER. Madam Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. HIMES).

Mr. HIMES. Madam Speaker, I rise to enter into a colloquy with Chairman FRANK. I want to clarify a couple of important issues under section 619 of the bill, the Volcker Rule.

The bill would prohibit firms from investing in traditional private equity funds and hedge funds. Because the bill uses the very broad Investment Company Act approach to define private equity and hedge funds, it could technically apply to lots of corporate structures, and not just the hedge funds and private equity funds.

I want to confirm that when firms own or control subsidiaries or joint ventures that are used to hold other investments, that the Volcker Rule won't deem those things to be private equity or hedge funds and disrupt the way the firms structure their normal investment holdings.

Mr. FRANK of Massachusetts. If the gentleman would yield, let me say, first, you know, there has been some mockery because this bill has a large number of pages, although our bills are smaller, especially on the page. We do that—by the way, there are also other people who complain sometimes that we've left too much discretion to the regulators. It's a complex bill dealing with a lot of subjects, and we want to make sure we get it right, and we want to make sure it's interpreted correctly.

The point the gentleman makes is absolutely correct. We do not want these overdone. We don't want there to be excessive regulation. And the distinction the gentleman draws is very much in this bill, and we are confident that the regulators will appreciate that distinction, maintain it, and we will be there to make sure that they do.

Mr. HIMES. Thank you, Mr. Chairman.

My understanding is also that, consistent with the overall intent not to subject commercial firms to financial regulation, section 604 provides that an existing savings and loan holding company with both financial and nonfinancial businesses will cease to be an S&L holding company when it establishes an intermediate holding company under section 626. That company also may have an intermediate holding company under section 167.

Am I right that the intent of this legislation is for these sections to be applied in harmony, so that an organization will have a single intermediate holding company that will be both the regulated S&L holding company and the organization and the holding company for implementing the heightened supervision of systemic financial activities under title I?

Mr. FRANK of Massachusetts. If the gentleman will yield again, yes, he is exactly right. And just to sum it up, we want regulated some activities and not regulated other activities when you have a hybrid kind of situation, and what the gentleman has described is how you accomplish that.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Speaker, like all my colleagues, I believe that financial reform is necessary now. But the legislation that is before us really, which empowers failed bureaucrats through government overreach and unnecessary job killing, is just not the right legislation.

First, you know, one of the major fundamental flaws of this 2,300-page bill is the section that basically empowers government bureaucrats with so-called resolution authority to basically pick winners and losers again, to continue that failed bailout philosophy.

Now, I know the chairman and the proponents of this bill claim that these provisions are meant to add certainty and stability to our financial system. But when you think about it, when you set up an alternative to bankruptcy for failed firms so that there are now two potential tracks for failed firms to go down, that actually introduces more uncertainty, more uncertainty for the financial markets, for the investors, for the counterparties, for our entire economy because of this bill. And that uncertainty, what does that lead to? It leads to failing to invest and leads to less job creation as well.

Furthermore, this section of the legislation gives an alarming amount of power to government regulators and bureaucrats to basically decide the fate of a firm and its creditors. Under this administration, we've seen this before. We've seen the rule of law trampled when the Federal Government bullied into submission secured creditors in the Chrysler situation. In favor of whom? Well, politically favored unsecured creditors.

And what is this legislation? This would codify the ability of regulators to engage in similar conduct, further eroding confidence in our rule-based economy. And sending investors where, to this country? No. To overseas, scattering them to other opportunities, rather than here in the U.S.

Not only that, but this resolution authority, in codifying a better deal than in bankruptcy for at least some of the politically connected, gives large firms an unfair advantage over their smaller rivals.

This then does what? It increases moral hazard by encouraging investment in firms that basically otherwise just don't deserve it. And this is a part of the problem that led to the demise

that we have seen in other areas of our economy, talking about Fannie Mae and Freddie Mac, the GSEs, which, by the way, are never touched in this legislation whatsoever.

Another aspect of the problem with this bill is Big Brother, Big Brother overreach that didn't exist before. This bill creates two new government bureaucracies, including the so-called Office of Financial Research, that will have unprecedented power to track the financial activities of everyone here and everyone in the entire United States. You're taking money out of the ATM, that's tracked. You're trying to set up a new credit card, that will be tracked. Information about any one of your consumer transactions, that will now be able to be tracked and gathered without anyone's approval, any citizen's approval. And it will be monitored by whom? Basically by unelected and unaccountable bureaucrats here in Washington with few or hardly any constraints whatsoever on how they're going to use the information or when they're going to use the information.

Then there's the section on derivatives, another massive, massive job killer. I joined with Congressman FRANK LUCAS. We offered an alternative to this bill in the last days that was basically the original House version of the bill. It had broad bipartisan support. Unfortunately, under pressure from Democrat leadership, not a single Democrat supported that House language in the final vote, despite the fact that very same language was originally sponsored by the Democrat Financial Services and Agriculture Committee chairman.

□ 1410

The results of all this? Well, the result of that section not being in it means that businesses big and small all over this country which had absolutely nothing to do with this financial crisis will now have a very difficult time to hedge their risks, to guard against future risk, because they will have to pay literally hundreds and hundreds of billions of dollars in additional funds to control risks on a daily basis.

What does that mean for all of us? More job losses. This bill is a job killer. And it will raise prices, too, for every American across the country, whether you are talking about food prices, energy prices, you name it. How many jobs will be lost? In a recent study by Keybridge, they found between 100,000 and 120,000 jobs will be lost because of this job-killing bill.

Mr. PERLMUTTER. I have to smile when I listen to my friends talk about job killing, when letting Wall Street run wild, gambling like it was just a big casino, results in 780,0000 jobs a month being lost to the point that during this recession we have lost 8 million jobs. And we've got to put people back to work. We need certainty, we need reasonable regulation. That's the purpose of this bill.

I yield 2 minutes to my friend from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. I thank the gentleman for yielding.

Ladies and gentlemen, you would think that the Republicans were somewhere on another planet. Let me correct the situation, if I may.

First of all, this was a problem that occurred under the Bush administration because of policies by the Republicans, who were in charge. It was indeed Paulson, our Secretary of the Treasury, that came to our Financial Services Committee with two pieces of paper and said here is what you need to fix it. Throw all of this money at Wall Street.

Let's give the truth in this matter. It was under Democratic leadership that we said ''no.'' Yes, we have a credit problem, a credit freeze of the credit markets up on Wall Street. And here we were. And I know sometimes the truth hurts, and I feel their pain over there. But I am sick and tired of our Republican friends assuming that they had no responsibility for this, Mr. Speaker. And we've got to set the record straight. It is in the charge of Democrats, under our leadership, that we indeed are saddled with the responsibility of bringing the confidence of the American people back to our private enterprise system and to keep it free. It is because of what the Democrats are doing that we are saving our free economic system. Under their policies it was heading to straight ruin, causing the worst economic collapse second only to the Depression.

So we are moving here today with this extraordinary bill to do everything possible to make sure that it never happens again, to restore the confidence of the American people. And we are beginning to do that. We are doing it by setting up a consumer protection agency, something we didn't have before. That's the reason this happened. They went to predatory lending, they went to steering people into subprime lending when they could have afforded other loans. There was no protection for them. Democrats are providing this protection. They were doing it because we had executive compensation pay geared to risky behavior. This is an important bill.

Mr. SESSIONS. Mr. Speaker, I would remind the gentleman who was speaking that we know what happened, and it's called pin-the-tail-on-the-donkey.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Hinsdale, Illinois (Mrs. BIGGERT), from the Financial Services Committee.

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this rule and to ask this body to step back for a moment to do a quick sanity check. What's the purpose of this bill? I thought its purpose was to rein in Wall Street and end the abuses that precipitated the most massive financial meltdown and economic downturn since the Great Depression. Its purpose is to make Wall Street pay for the abuses, not Main Street. I am all for that.

In fact, along with my Republican colleagues I offered the first reform bill, H.R. 3310, back in July, and many amendments designed to rein in Wall Street, end the abuses, but not harm Main Street. Senate Banking Chairman CHRIS DODD's first regulatory reform proposal was similar to ours, and offered great promise. Unfortunately, these commonsense and necessary reforms were scrapped in favor of the bill that we consider today.

Instead, we have before us a bill that turns the stated purpose upside down. What do I mean? Well, the end result is that Goldman Sachs supports the bill and the Chamber of Commerce opposes the bill. Goldman's CEO testified, and I quote, ''I am generally supportive. The biggest beneficiary of reform is Wall Street itself.'' Meanwhile, the U.S. Chamber, which represents Main Street American businesses, opposes the bill.

Wall Street supports this bill while Main Street suffers? Where is the logic in that? Main Street didn't engage in shady accounting gimmicks. Main Street didn't make risky derivatives trades. Main Street didn't issue subprime loans. And yet what we have here is a bill that makes Main Street pay the price. And what is that price? Increased taxes on community banks, manufacturers, small businesses, consumers, and American families that will increase the cost of credit. New taxes will decrease the credit available to those who need it most, small businesses who seek financing to create desperately needed jobs.

How will new taxes rein in Wall Street? This bill expands the size of government, increasing our national debt, making taxpayer bailouts permanent, and distorts our free market by allowing bureaucrats to pick winners and losers. It regulates the wages of every financial employee, from the janitor to the CEO.

We need commonsense financial reform. And that's not what this bill delivers. I urge my colleagues to oppose this rule and the underlying bill.

Mr. PERLMUTTER. I would say to my friend from Illinois, with whom I work on lots of things in this arena, I don't know where she is coming from saying there are taxes on small banks. There are FDIC charges so that they have sufficient reserves, but there are no taxes, as she would suggest.

I yield 2 minutes to my friend from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. Mr. Speaker, this bill is a huge step forward. Working and middle class families should not again have to worry that financial ruin lurks in the fine print of a contract that their bank's lawyer wrote. Families that qualify for prime mortgages that they can pay will not again get trapped instead in predatory subprime mortgages that they cannot pay. They can use a credit card without worrying about getting

gouged. They can have overdraft protection that is the convenience that their banks say it is, that it should be, not a trap to run up indefensible fees.

If this legislation is properly enforced, we can begin to believe again that our government is on the side of honest Americans trying to make an honest living. This bill is about our values. Our economy depends on our acting in our own self-interest and enjoying the rewards of our efforts, but every major religious faith forbids unrestrained greed.

On the stone tablets that Moses brought down from Mount Sinai there is the commandment, ''Thou shalt not covet anything that is thy neighbor's.'' And according to the First Book of Timothy, ''For the love of money is the root of all evil: which while some coveted after, they have erred from the faith, and pierced themselves through with many sorrows.''

When Franklin Roosevelt spoke in his first inaugural address about the practice of unscrupulous moneychangers in the temple, he spoke in language easily recognized by that generation. Roosevelt spoke of restoring ancient truths. ''The measure of the restoration,'' Roosevelt said, ''lies in the extent to which we apply social values more noble than mere monetary profit.''

The financial practices that this legislation seeks to reform have made a few Americans very rich, but by taking advantage of working and middle class families who needed to borrow money and honest investors who wanted to lend it, and by diverting too much of our economy from productive, honest work. We need to restore the faith from which we have erred. This bill is a start.

Mr. SESSIONS. Mr. Speaker, at this time I yield 3 minutes to the distinguished gentleman from Fullerton, California (Mr. ROYCE), from the Financial Services Committee.

Mr. ROYCE. I thank the gentleman for yielding.

I don't know why it should be a surprise to the Left that this financial system collapsed. The reason I say that is because in 1992, the GSE Act passed this Congress, under a Democratic majority passed this Congress. And the GSE Act specifically was an attempt to get every American into a home.

I understand the thought behind it. But the irrationality behind it, in terms of creating these mandates on Fannie Mae and Freddie Mac, the GSEs, mandates that 50 percent of their portfolio of $1.7 trillion be in subprime and Alt-A loans.

□ 1420

What did they expect would happen? The leverage, the political pull that went into getting the down payments down from 20 percent to 3 percent to zero. And now we have the very result that the Federal Reserve warned us about when they came to Congress in 2003 and 2004 and 2005 and warned us that if we did not take corrective action, if we did not allow the regulators to have the ability to deregulate or to regulate and deleverage these portfolios, that we were going to create systemic risk and the financial collapse could be a consequence of this.

And blocking repeatedly the efforts in the Senate, which the Democrats did, to address this issue. And then in 2007, finally in 2007 the Democratic majority here brought to the floor a bill which they say attempted to address this issue. But, again, in that legislation it tied the hands of the regulators so that they could not deleverage the portfolios, so that they could not put it into receivership, so that they couldn't regulate for systemic risk.

The other reason they brought the bill to the floor was because it had a $300 billion provision in it for affordable housing. That's why the bill got out of here; but it was opposed by the Treasury, and it was opposed by the Fed.

So the point I want to make is after all of that history, and after watching the collapse—which we were warned about by the regulators—and albeit, with good intentions because I know the thought was everybody would be able to have a house if you could get down to zero down payment loans and if you could force the GSEs to buy that junk that was sold by Countrywide, who do you think created the market? It was 70 percent of the market. It was because there was an intention here to circumvent the rules of economics.

And now in this legislation, what is not addressed? This very duopoly Fannie Mae and Freddie Mac. When you say we address the problems, no we don't. We compound the problems in this legislation.

The SPEAKER pro tempore (Mr. SALAZAR). The time of the gentleman has expired.

Mr. SESSIONS. I yield the gentleman 1 additional minute.

Mr. ROYCE. Now, what we do with this legislation is we make the largest institutions too big to fail, and we do so by putting in a provision that is going to allow them to borrow at a lower cost than their smaller competitors, who I guess we would say are too small to save. Right. They are going to borrow at a hundred basis points less because of the government backstop you're putting in place and because you're not allowing them to go through a regular bankruptcy process. We would like to see enhanced bankruptcy on the Republican side. We'd like to see firms actually fail.

Instead, we're going to have a process here where creditors are going to get a hundred cents on the dollar, potentially. They are going to loan to big firms; these big firms are going to become overleveraged. You did the same thing here that you did with the government-sponsored enterprises, Fannie and Freddie, that then forced their competition out of the market. And as a consequence of that, they became duopolies and then failed.

So this is what we're trying to get across to our friends on the other side of the aisle. This is why we oppose your approach. We've seen where it's headed from before.

Mr. PERLMUTTER. Mr. Speaker, how much time does each side have?

The SPEAKER pro tempore. The gentleman from Colorado has 13¼ minutes remaining, and the gentleman from Texas has 8 minutes remaining.

Mr. PERLMUTTER. Mr. Speaker, Mr. ROYCE mentions 2003, 2004, 2005 should have changed the GSEs in Fannie Mae and Freddie Mac. Well, the Republicans controlled the House, the Republicans controlled the Senate, the Republicans controlled the White House, and they didn't do it.

In fact, his former chairman on financial services, Republican Mr. Oxley, says the critics forgot that the House stepped up on reforming bills, but he fumes about the criticism that people are giving about Fannie Mae and Freddie Mac. He says all the—this is from the Financial Times, September 9, 2008: All of the handwringing and bedwetting is going on without remembering how the House stepped up on this. He said: What did we get from the White House? We got the one-finger salute. Very graphic quotation from Mr. Oxley, Republican chairman of the House Financial Services Committee saying that it was the White House that stopped the changes that needed to be stopped, and it's the billions of dollars from those mortgages from 2003, 2004, 2005, 2006 under Republican leadership that are weighing down Fannie Mae and Freddie Mac that under the Democrats we offered conservatorship and that's what they're in now, like a bankruptcy.

With that, I yield 2 minutes to my friend from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, let me just correct one very, very serious flaw and that is to somehow blame the effort to house Americans for this crisis. This crisis, this financial crisis, has to do with a failure to regulate, a failure to give consumer protection to people who are getting mortgages that they couldn't pay for on tricky and unsound terms, because we are now going to have a consumer protection bureau designed to protect those very same consumers. We are bringing stability to the market. We are bringing people a chance to have a home that they actually can pay for on terms that they actually will understand.

This consumer financial protection bill is going to be something that will help people keep the money that they earn and to make sound financial investments and purchases that will allow them to prosper and grow unlike the ones we saw in the past where Republican leadership let the laissez-faire economy move right on along without consumer protection, without oversight, which landed us in this serious, serious crisis.

The fact is, Mr. Speaker, the financial crisis that we're in is a result of a

lack of oversight, a lack of regulation, a lack of clear rules; and this particular piece of legislation will bring real clarity. It will also help banks. It will help small community banks because they will be able to compete on equal footing. Their competitors will now be regulated, which they were not in the past; and small banks will be able to say that the products that they offer will be able to be offered to the consumer on a basis similar to those unregulated financial institutions which now will be regulated.

So, Mr. Speaker, I think it is a good time to say that this bill is an excellent step forward. It will help stop the nickel and diming of Americans. It will help stop the targeting of people for financial mistreatment, and it will bring greater stability to our economy.

Mr. SESSIONS. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Egan, Illinois (Mr. MANZULLO), from the committee.

Mr. MANZULLO. Mr. Speaker, we on the Financial Services Committee have spent nearly 2 years holding hearings to determine the appropriate course of action for financial reform.

In September, the committee began marking up legislation to try to address failures in the financial market and plug the holes. The problem is that the two big culprits here, Fannie Mae and Freddie Mac, now taken over by the government, could cost the American taxpayers $1 trillion. Those two entities simply are not even—nothing happens to them in this new bill, the guys that caused the problem.

Maybe you could take this 2,000-page bill and gel it into one sentence: you can't buy a home unless you can afford it. That's what caused the problem in the first place.

No credit standards, so-called ''liar loans'' where people were allowed to buy homes when others sat at the closing table knowing full well the new buyers couldn't even make the first payment. So it took the Fed I think 2 years to come up with a rule that says, oh, by the way, if you buy a house, you have to have written proof of your earnings.

I mean, why did we need 2,000 pages of a bill—and none of it's addressed to the GSEs—simply saying Freddie Mac and Fannie Mae won't take the assignment of the mortgage unless the mortgage is sound. That won't solve the problem. We wouldn't have had the complete collapse of the system that we have today. But instead we just created an agency, the Consumer Financial Protection Bureau. What are these guys going to do besides adding hundreds of more bureaucrats, maybe build a new building somewhere, and they're going to impose regulations in nearly every sector of the economy.

□ 1430

What are they going to say?

All they have to say is, ''If you can't afford to buy a house, you can't have it.'' That should be the extent of the regulations. Yet what do we have now? Instead of one sentence, we have 2,000 pages.

Mr. PERLMUTTER. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Speaker, the purpose of the Wall Street accountability bill is very clear: Never again should the American taxpayer be asked to foot the bill for bad bets made on Wall Street. Never again should millions of Americans have to lose their jobs because of reckless conduct on Wall Street. Never again will we allow the American economy to be held hostage to bad decisions on Wall Street and in the financial sector.

Unfortunately, Mr. Speaker, our colleagues on the other side of the aisle haven't gotten that message. Having stood in this Chamber and having voted to help rescue Wall Street and the financial sector, they are not there for Main Street today. I think some headlines are instructive.

The Wall Street Journal, February 4, 2010:

''GOP chases Wall Street Donors.''

''In discussions with Wall Street executives, Republicans are striving to make the case that they are the banks' best hope of preventing President Barack Obama and congressional Democrats from cracking down on Wall Street.''

Roll Call, December 8, 2009:

''House GOP meets with 100 Lobbyists to plot to kill Wall Street Reform.''

''In a call to arms, House Republican leaders met with more than 100 lobbyists at the Capitol Visitors Center on Tuesday afternoon to try to fight back against financial regulatory overhaul legislation.''

That is the story of this debate, and the choice is clear: Are we going to be on the side of the big banks, which held the American economy hostage, which resulted in the loss of millions of jobs, and which left the taxpayers on the hook, or are we going to stay on the side of the consumers, taxpayers, American workers, and small businesses? The choice is very clear.

Back in December, every one of our Republican colleagues voted ''no'' on Wall Street accountability. Let's hope, this time, they stand on the side of the American taxpayer and of the American consumer and make the right choice for the American people.

Mr. SESSIONS. Mr. Speaker, I find it very interesting that the same people who are down here who are arguing for us to give them the responsibility and authority and who are espousing how balanced their bill is are the same people who are bankrupting this country. They don't even apply their own logic and common sense to what they pass in this House. They talk about all of this balance and responsibility and about how they are worried about the middle class. Yet they are bankrupting this country. Yet they are causing the largest unemployment that we have had in the modern era. They are not even talking about what they have done to create that circumstance, and they are trying to point the finger at somebody else. I think that that is irresponsibility.

Mr. Speaker, at this time I yield 2 minutes to the gentleman from Clinton Township, New Jersey (Mr. LANCE), a member of the committee.

Mr. LANCE. My thanks to Mr. SESSIONS; to our ranking member, Mr. BACHUS; as well as to the chairman and to the gentleman from Colorado.

Mr. Speaker, I rise to express my opposition to the rule for the financial bill that gives Wall Street firms the potential of permanent bailouts, that institutionalizes ''too big to fail,'' and that will ultimately constrict lending to consumers and small businesses at the worst possible time for our economy.

The underlying measure does not fully audit the Fed, and it does nothing to rein in housing giants Fannie Mae and Freddie Mac, which have already cost U.S. taxpayers $145 billion and counting.

The Troubled Asset Relief Program funds, by the original law, were supposed to be used to reduce the deficit, not to be used as a funding source for new spending, and the increase in the premium reserve ratio at the FDIC should not be used for anything other than protecting depositors in bank failures. Yet the Democratic majority has chosen the fiscal path of more spending and more borrowing—this at a time when the Federal debt is $13 trillion and rising rapidly.

The American people deserve a better plan that puts an end to bailouts, that audits the Fed, that reins in Fannie Mae and Freddie Mac, and that takes the government out of the business of picking winners and losers. This bill fails on all of these accounts. I oppose the rule and the underlying bill.

Mr. PERLMUTTER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HARE).

Mr. HARE. Mr. Speaker, for too long the irresponsible actions of big banks have put American families at risk. Today, with the passage of this financial reform legislation, we will finally begin to protect consumers on Main Street from the greed on Wall Street.

Predatory lending, risky schemes, and exploiting loopholes were just some of the tricks used by Wall Street fat cats to send our economy spiraling to the brink of a depression, but under this bill, we are ending these practices, and we are shining new light on products and transactions that threaten the stability of the financial system.

This bill is a landmark achievement in consumer protection by establishing a Consumer Financial Protection Agency, dedicated to ensuring that bank loans, mortgages, and credit cards are fair, affordable, understandable, and, most importantly, transparent.

This bill is good for small business. It is good for consumers, and it is good

for the financial security of our great Nation. It will also ensure that our financial sector will continue to remain an engine of economic growth, which is one of the reasons the Community Bankers Association of Illinois supports this legislation.

I want to thank Chairman FRANK and all of the members of the Democratic leadership for having the courage to do what is right and for standing up for American families.

Today, we have the opportunity to say enough is enough, to rein in Wall Street, and to protect our constituents. I ask my colleagues on both sides of the aisle to join me in supporting this critical piece of legislation.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Cherryville, North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I thank my colleague from Texas for yielding.

Mr. Speaker, I encourage my colleagues to vote ''no'' on this closed rule and to vote ''no'' on the conference report of this so-called ''financial regulatory reform bill.'' I say ''so-called'' because this is not much in the way of reform. It is change. It is manipulation, and it is going to be harmful to the American people.

My district is still mired with high unemployment. We've got over 13 percent unemployment in western North Carolina. The people across this Nation have about 10 percent unemployment nationally. People are hurting. Small businesses in my district are worried about access to credit. Families are worried about being able to keep their credit cards, their checking accounts, and the financial products that they know and like.

Unfortunately, this bill, this legislation, restricts credit, and it makes credit less available and tighter going forward. It makes it harder for the small businesses which are struggling to meet payroll—much less to create jobs—to make ends meet.

Now, the new taxpayer-funded bureaucracy that this legislation creates will intervene in the financial affairs of every single American and not for the better. The results will be fewer loans for people to buy cars, to purchase homes, to go to college, or to start small businesses. To make matters worse—and the kicker with this bill—is that it won't prevent the next crisis. It doesn't even address the root causes of the last crisis.

Certainly, we are in favor of making sure the last crisis we faced doesn't ever happen again. I think we agree on that, Republicans and Democrats. The fact is this bill doesn't address the root causes of the last crisis. So to call this ''reform'' is a sham and a fraud, and I encourage my colleagues to vote against it.

Mr. PERLMUTTER. Mr. Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Colorado has 6 minutes remaining. The gentleman from Texas has 1½ minutes remaining.

Mr. PERLMUTTER. I yield 2 minutes to the gentleman from New York (Mr. MCMAHON).

Mr. MCMAHON. I thank the gentleman for yielding.

Mr. Speaker, I rise today in full support of the bill and this rule.

I commend Chairman FRANK, Chairman PETERSON, and all of the Members and their staffs who have worked so hard.

This legislation, Mr. Speaker, addresses many of the problems at the heart of the financial crisis while allowing us to build an even stronger regulatory foundation for future economic growth and stability in our financial markets, which we need, undoubtedly, to create jobs in the American economy.

Since my first days in Congress, I have called for smart, thoughtful, new regulations for our shared goals of reform without unnecessarily burdening our economy or forcing our financial industries overseas. After a year and a half of debate, discussion—and although not perfect—I think we have struck the right balance here, and I am proud to support this bill. It is good for America. It is good for New York City. It is good for the people of Staten Island and Brooklyn, who sent me here to represent them.

In particular, I applaud the effort to bring greater transparency, accountability, and oversight to our derivatives markets. This bill will make sure that our regulators in the private sector understand that outstanding swap exposures for individual companies will never be allowed again to bring about a situation like what happened with AIG. This legislation also recognizes the important role that derivatives play in actually reducing systemic risk for our end user companies and in increasing the flow of credit throughout our economy.

□ 1440

Whether it is an airplane or farm machinery manufacturer hedging against currency risks, a commercial real estate company or life insurance annuity hedging against interest rate fluctuation, or an energy provider trying to hedge the price of oil and gas, derivatives are vital tools to keep consumer prices low and to help manage company budgets. These end-user companies pose little or no systemic risk to our economy, and this bill protects them from unnecessary and burdensome margin and clearing requirements.

Again, I thank Chairman FRANK and his staff for allowing me to be part of this process, and I thank the gentleman from Colorado for yielding me this time.

The SPEAKER pro tempore. The gentleman from Texas has 2 minutes remaining, and the gentleman from Colorado has 4 minutes remaining.

Mr. SESSIONS. Mr. Speaker, as I said earlier, it is important to provide consumer safety and security in the marketplace, but our constituents are also concerned about much, much more. They are concerned about jobs, they are concerned about the economy, and they are concerned about the tremendous debt this Nation has taken on.

Week after week we come to the House floor to debate bills and to talk about the agenda that the Democratic majority wants to have on the floor, and it would be true to say that Republicans oppose that agenda, because it is about taxing, it is about spending, it is about more debt, it is about bigger government, and it is about the diminishment of free enterprise system jobs. It is about the things that the American people have said they do not have confidence in this body solving.

Whether it is cap-and-trade, health care, or government takeover of the financial sector, my friends in the majority are ready every single week to stick it to the free enterprise system. My friends the Democrats seem more interested in accomplishing their political agenda than trying to help the American people.

Once again, today, we have a job loss bill on the floor. That is really what we should call this—more big government, fewer private sector jobs, $18 billion in fees that will have to be paid by the banks that will be passed on to consumers, just on and on and on.

Every Member of this body has a chance to say no to more spending, more big government, more rules and regulations, and somehow to show the American people that they can make tough choices and cut spending.

I encourage a ''no'' vote on the rule and a ''no'' vote on the underlying legislation. And I appreciate the gentleman from Colorado and his engagement with me today.

I yield back the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, I appreciate the comments of my friend from Texas, but we couldn't disagree more about the value of this bill and the process we have gone through to get to this point.

I would first like to thank the chairman and also the ranking member of the Financial Services Committee for holding hearing after hearing, taking testimony for the last year-and-a-half, almost 2 years, on the various subjects that are addressed within the bill, and for holding a very open and transparent conference that highlighted much of the bill and the differences between the House and the Senate. I think that kind of transparency is what we need to see in the financial markets, and that is at the heart of all of this.

In September of 2008, we had a terrible financial free-fall, starting with placing Fannie Mae and Freddie Mac in conservatorship, and then a whole series of failures towards the end of that month. Ultimately the President of the United States, George Bush, he and his chief cabinet officers asked this Congress to support the banking system in

a way that none of us could have ever conceived, but that was needed in an emergency to save the banking system and keep this economy going in some fashion or another.

Even so, under the rules and the approach taken by the Republicans who were in office throughout the Bush administration and this Congress from 1994 on to 2006, Wall Street was unregulated. It was allowed to just go wild, and it resulted in a terrible cataclysm that we are all paying for now.

The bill that is before this body addresses nine separate subjects: Consumer protection; investor protection; it deals with credit rating agencies; derivatives; hedge funds; insurance; it deals with salaries so that we don't incentivize too big of risk taking by executives so they put their banks or their financial organizations at risk; and it deals with too-big-to-fail, putting a structure in place so that if financial institutions get way out there, over-leveraged, as we saw in 2008, that we have a system in place where we can liquidate them and close them, not put them on life support in a bankruptcy, as my Republican colleagues would suggest.

This is a time to bring certainty back into the market and reasonable regulation and reasonable enforcement back to the financial system. The bill that is being brought to this Congress and this House today does just that.

This country needs to rein in Wall Street. We need to protect Main Street and the taxpayers, the people that live throughout this country. This bill goes a long way toward doing that.

With that, I urge a ''yes'' vote on the previous question and on the rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. 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, further proceedings on this question will be postponed.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. PERLMUTTER. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 293

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, July 1, 2010, through Saturday, July 3, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, July 13, 2010, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Wednesday, June 30, 2010, through Sunday, July 4, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 12, 2010, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. The concurrent resolution is not debatable.

The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. 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, this 15-minute vote on House Concurrent Resolution 293 will be followed by 5-minute votes on House Resolution 1490 and suspension of the rules with regard to H.R. 1554.

The vote was taken by electronic device, and there were—yeas 222, nays 186, not voting 24, as follows:

[Roll No. 409]

YEAS—222

Ackerman
Altmire
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Blumenauer
Boren
Boswell
Boucher
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
Deutch
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Ellison
Engel
Eshoo
Etheridge
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Garrett (NJ)
Gerlach
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Hill
Himes
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Maloney
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Posey
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Wu
Yarmuth

NAYS—186

Aderholt
Adler (NJ)
Akin
Arcuri
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (NY)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carney
Carter
Cassidy
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Crenshaw
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Donnelly (IN)
Dreier
Duncan
Ehlers
Ellsworth
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Giffords
Gingrey (GA)
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kirk
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
LaTourette
Latta
Lee (NY)
Linder
LoBiondo
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Maffei
Manzullo
Marchant
Markey (CO)
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Paul
Paulsen
Pence
Perriello
Peters
Petri
Pitts
Platts
Poe (TX)
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Sestak
Shadegg
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden

Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—24

Alexander
Bishop (GA)
Bishop (UT)
Boyd
Brown, Corrine
Burton (IN)
Davis (TN)
DeLauro
Edwards (TX)
Emerson
Farr
Gohmert
Higgins
Hinchey
Kaptur
Kingston
Latham
Lewis (CA)
Obey
Rothman (NJ)
Taylor
Wamp
Woolsey
Young (AK)

□ 1515

Mr. ROGERS of Alabama, Ms. MARKEY of Colorado, and Mr. CULBERSON changed their vote from ''yea'' to ''nay.''

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4173, DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 1490, 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 resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 234, nays 189, not voting 9, as follows:

[Roll No. 410]

YEAS—234

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Wu
Yarmuth

NAYS—189

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Chandler
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Critz
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kaptur
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—9

Delahunt
Gohmert
Higgins
Inslee
Rothman (NJ)
Taylor
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1523

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FOUNTAINHEAD PROPERTY LAND TRANSFER ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1554) to take certain property in McIntosh County, Oklahoma, into trust for the benefit of the Muscogee (Creek) Nation, and for other purposes, 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 Oklahoma (Mr. BOREN) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 1, not voting 10, as follows:

[Roll No. 411]

YEAS—421

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
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)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner

Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
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
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (FL)

NAYS—1

Bright

NOT VOTING—10

Gohmert
Green, Gene
Higgins
Pingree (ME)
Rothman (NJ)
Rush
Taylor
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1533

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.

Stated for:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 411, had I been present, I would have voted, "yes."

CONFERENCE REPORT ON H.R. 4173, DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

Mr. FRANK of Massachusetts. Mr. Speaker, pursuant to House Resolution 1490, I call up the conference report on the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1490, the conference report is considered read.

(For conference report and statement, see proceedings of the House of June 29, 2010, book II.)

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. FRANK) and the gentleman from Alabama (Mr. BACHUS) each will control 60 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, at the outset I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on this matter.

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

There was no objection.

Mr. FRANK of Massachusetts. Mr. Speaker, to begin, I want to yield for a colloquy 3 minutes to one of the leaders in the House and certainly in our committee in forging this particular legislation and in fighting to make sure that fairness is done throughout all of our efforts, the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, Members, I would like to begin by thanking the chair of the Financial Services Committee, my colleague, Mr. BARNEY FRANK, for the leadership that he has provided in bringing us to this point in doing regulatory reform. There were times I thought it would never happen, but because of his brilliance, and because of his leadership, and because of his ability to listen to all of the Members who serve not only on that committee but on the conference committee, we finds ourselves here.

But I would like at this point in time to engage my chairman to make sure that I understand one particular word that was used in this conference committee report.

So if I may make an inquiry of the gentleman from Massachusetts. I'm trying to understand the meaning of the world ''initiated'' in paragraph 5 of the conference report. Would ''initiated'' include any program or initiative that has been announced by Treasury prior to June 25, 2010? And if so, I assume that that means that programs such as the FHA refinance program, which would address the problem of negative equity and which I understand Treasury and the FHA are working on but is not yet publicly available, would be included as would the Hardest Hit Fund program, which is not fully implemented yet.

And this would not prevent, for example, within the $50 billion already allocated for HAMP, perhaps adjusting resources between already-initiated programs based on their effectiveness.

Mr. FRANK of Massachusetts. If the gentlewoman would yield.

The answer is a resounding yes. And I certainly have been following her leadership in trying to make sure that these programs do more than many of them have done.

So the answer to her question is yes. Nothing new can be started after June 25, but it does not reach back and strangle in the cradle those programs that were under way. I confirm that the conference report would not prevent adjusting resources between already initiated programs based on their effectiveness.

Ms. WATERS. Thank you. I appreciate that.

Mr. BACHUS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, today I would like to address the good, the bad, and the ugly in this bill.

The good: There is consumer protection. There is more disclosure and transparency. There are some bipartisan provisions in this bill that add a whistleblower office to the SEC. But the bad and the ugly far outweigh those.

In total, this bill is a massive intrusion of Federal Government into the lives of every American. It is the financial services equivalent of ObamaCare, the government takeover of our health care system.

□ 1540

If finally enacted, it will move us further toward a managed economy, with the Federal Government's making decisions that have been and should stay

in the hands of individuals and private businesses.

For instance, it will make the compensation of every employee of a financial firm subject to rules set by a government overseer. Can you imagine anything as basic as what an employer pays an employee controlled by a Federal bureaucrat in Washington? It will even apply to clerical employees. Government regulators will be empowered to seize and break up even healthy firms they decide are systemic risks and to even appoint new management to run these private companies.

As I said on the floor earlier today, this bill will institutionalize AIG-type bailouts of creditors and counterparties, and it will saddle taxpayers with the losses resulting from out-of-control risk-taking by Wall Street institutions—gamblers. My colleagues on the other side of the aisle will tell you this bill does not include a bailout fund. They are wrong.

As I explained earlier, here it is, laid out. You can lend money to a failing company. Now, how do you get money back from a failing company? You can purchase their assets. You can guarantee their obligations. You can sell or transfer their assets. It is there.

What does this cost?

As I explained earlier, the FDIC can borrow up to 90 percent of a firm's assets. That's $2 trillion in the case of Bank of America alone. They could borrow $2.1 trillion in that case alone. That is a bailout fund, period.

Not only will it make bailouts permanent, but it will empower government employees to go around settled bankruptcy law in so-called ''resolutions,'' done behind closed doors, with unequal treatment of creditors at the whim of politically influenced government officials. This has already happened. A financial firm's ability to survive a crisis like the one we went through 2 years ago will depend, as it did then, on whether its CEO can get the President of the New York Fed on the phone on a Saturday night, as one firm did. Friendships and being well-connected should not determine the success or failure of private enterprises.

Finally, it imposes an $11 billion tax disguised as an FDIC assessment. To fund this new government spending, they tax Main Street banks and financial institutions. They raise their FDIC premiums even though those premiums would go to bail out Wall Street firms and not to save depositors, as the system was designed to do.

Mr. Speaker, if you voted against this bill on the floor, if you voted against it in committee, you need to vote against it again, because it is even worse than when it came out of the House.

We have seen the anger and frustration generated by the injustice of too-big-to-fail bailouts. We have seen the folly of implied guarantees as with Fannie and Freddie. We have seen, time after time, the failure of government-run schemes to create jobs and to grow the real economy. Nevertheless, here the majority party is again, doing the same thing over and over, blindly hoping that, suddenly, this time, they will get a different result. Well, you're right. The American people are demanding a different result, and in a series of recent elections, they have told incumbents to go home and to spend their own money, not theirs—not the taxpayers'.

In conclusion, if you choose to bail out the creditors and counterparties of the big Wall Street firms or to loan them money when they get in trouble, don't expect the voters to bail you out come November.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume to correct a very incomplete picture that was just given.

The gentleman keeps quoting that one section. I'm astonished—astonished—that he quotes it so blatantly out of context. Yes, there are powers that are given. Clearly, in the bill, it is only once the entity has been put into receivership on its way to liquidation.

The gentleman from Alabama has several times today talked about the powers as if they were just randomly given. I will be distributing the entirety of this, and it is the most distorted picture of a bill I have seen. The title, by the way, is headed: Orderly Liquidation of Current Financial Companies. The purpose of this title is to provide the necessary authority to liquidate failing financial companies. Again, I am astonished that he would not give the Members the full picture that comes as part of a subtitle that reads: Funding for Orderly Liquidation.

Mr. BACHUS. Will the gentleman yield?

Mr. FRANK of Massachusetts. Yes.

Mr. BACHUS. When I say they shouldn't bail out the creditors and counterparties, I don't care whether they are in receivership or not. They should not bail them out, period.

Mr. FRANK of Massachusetts. Reclaiming my time, Mr. Speaker, please, let's get this started on the right point. Instruct the gentleman as to the rules. I thought he was going to ask me about what I said.

He has consistently read a part of this section, leaving out the part that would help Members understand it. He didn't say what he just said. He said he read these as if they were there in general. The powers he talked about come in the subsets of the section: Funding for Orderly Liquidation.

Those powers are just upon the appointment of a receiver. So this is not to keep an institution going. This is not AIG. Yes, he can be critical about the Bush administration on its own, without Congress, with regard to AIG. We repeal in this bill the power under which they acted and with the Federal Reserve's concurrence. By the way, it also says in here that those powers are subject to section 206.

Again, I don't know why the gentleman—I guess I do know why they would want to read this, but let me read it because it corrects entirely the wholly inaccurate picture he gave people. The actions that he read can be taken if the corporation determines mandatory terms and conditions for all orderly liquidation actions.

AIG was kept alive. This cannot be kept alive. This happens only as the death of the institution comes. He may think the Bush administration picked its friends. I think he is being unfair to Mr. Bernanke. I think he is being unfair to Mr. Paulson and Mr. Geithner. Anyway, here are the rules they would have to follow:

First, they would have to determine that such action is necessary for purposes of the financial stability and not for the purpose of preserving the covered company.

Two, they would have to ensure that the shareholders do not receive payment until the claims are paid.

They would have to ensure that unsecured creditors bear losses in accordance with the priority of claims in section 210. That is the FDIC.

They would have to ensure that the management is removed, and they would have to ensure that the members of the board of directors are removed.

So it is quite the opposite of what the gentleman talked about. It says that, if an institution has gotten so indebted that it should not be able to pay its debts, we would step in, and we would put it out of business. It is totally different from what happened with AIG. It does then say, yes, in some circumstances, there may be an ability to do these things but only after the institution has been liquidated.

The gentleman never mentioned that. The gentleman talks about it and talks about it, and he never mentions that this is only as the institution is being put out of business. It is also very clear elsewhere in here that any funds expended will come from the financial institutions, not from the taxpayers.

Now, we had a good piece of legislation that we had adopted in conference in order to try to do that here. Unfortunately, to get the Republican votes necessary in the Senate for an otherwise very good bill, we had to back that down, but it didn't change in here.

So, yes, there are provisions that the gentleman read, but unlike the way he presented them, they don't stand by themselves. They come only after it has been determined by the administration in power that the financial stability of the company requires, first, that the company be liquidated and, second, that some attention be given to its debts, but it will be funding out of the other financial institutions, not from the taxpayers.

I reserve the balance of my time.

Mr. BACHUS. At this time, I yield 3 minutes to the gentleman from Texas (Mr. SMITH), the ranking member of the Judiciary.

Mr. SMITH of Texas. I thank the ranking member, the gentleman from Alabama, for yielding.

Mr. Speaker, over a long history rooted in our Constitution, we have relied on the rule of law and on impartial bankruptcy courts to resolve the debts of failed enterprises. History has proven us correct.

Exhibit 1, for the benefits of the bankruptcy system, is the recent case of Lehman Brothers. As the peak of the 2008 financial crisis approached, Lehman declared bankruptcy. Within a week, it had sold its core business. Within 6 weeks, its third-party credit default swaps had been dissolved. That sealed off risk to other firms.

Experts have shown that the Lehman case didn't cause the financial system to melt down. This bill discards our proven bankruptcy system for something the American people forcefully reject: government-sponsored bailouts. The roller coaster bailout ride of 2008 is what caused the financial meltdown. Yet this bill just builds a bigger, faster bailout roller coaster. The bill's sponsors openly admit that they don't know if it will work, but they urge us to build it anyway.

□ 1550

The question is why, and the answer is simple: When government picks the winners and losers, government becomes more powerful. So do the Wall Street winners that government picks. Meanwhile, Main Street and free enterprise lose.

This administration and its congressional allies embrace what the Founders fought against, ever-expanding government power over the lives of free men and women. The Founders rejected this approach, the American people reject it, and so should we.

Mr. FRANK of Massachusetts. Mr. Speaker, producing this legislation has been one of the most impressive team efforts in which I have ever participated, and an indispensable member of the team going back to the early part of this century and his concern for mortgage lending and fairness in the rules is the gentleman from North Carolina (Mr. WATT) to whom I yield 3 minutes.

Mr. WATT. Mr. Speaker, I want to thank my colleague for the time and for his leadership in this tremendous effort.

I would like to spend some time just challenging a notion that is out there that this whole meltdown was unforeseeable by anybody, that nobody could have foreseen it, and dispel that notion by understanding that on March 16, 2004, the first anti-predatory lending bill was introduced in this House of Representatives by BRAD MILLER of North Carolina and myself. We saw forthcoming the possibility of this substantial meltdown, because we knew that predatory loans were out there being made to people who could not afford to pay them back.

Again, on March 9, 2005, in the 109th Congress we reintroduced the bill, the anti-predatory lending bill. On October 22, 2007, we reintroduced the anti-predatory lending bill in the 110th Congress. Finally, finally, in this term of Congress, on March 26, 2009, we reintroduced it for a fourth time, and finally it is incorporated into this legislation.

Now, why is that important? It for the first time puts around loans some prudential rules that say you ought to exercise some common sense when you make a loan to somebody.

Don't do a loan to people without proper documentation of their income. Don't give them a teaser rate for six months and then escalate it by two or three percentage points and increase their fees and their payments exponentially so that they can't pay it back. Don't give them yield spread premiums that reward the people who get people into the worst kind of loans, rather than giving them the best loans available. Don't charge a prepayment penalty for allowing somebody to get out of a higher interest rate into a lower interest rate. Make sure that when you refinance, somebody gets some net tangible benefit out of the refinance, other than the person that is making the loan. Don't allow people to steer to the highest interest rate and worst possible predatory loan when there are other loans available. Don't fail to give the proper disclosures about what is going on. And don't prevent the State Attorneys General from enforcing their own State laws, when we don't even have a Federal law on the books.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. WATT. All of that is in this bill. If we had had this kind of legislation in effect when we first started introducing it back in 2004, we could have avoided this.

Don't let anybody say that this was an unforeseeable chain of events that led to this meltdown. We need to correct it and make sure that going forward those kind of predatory practices never, never, never, never occur again in our country.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. I thank the gentleman for yielding and for the hard work he has done on this bill.

Mr. Speaker, clearly the country would like to see the right things done for the economy. I think this bill fails to do many of the basic things it should have done and does the things that we shouldn't have done.

It doesn't end too-big-to-fail, Mr. Speaker. In fact, it institutionalizes too-big-to-fail. Treasury will be able to front money to wind down these failing firms, but also Treasury can decide if they are at risk of failure. There is way too much involvement with the taxpayers in coming in and doing exactly what the American taxpayers are tired of seeing us doing.

The government-sponsored entities, Fannie Mae and Freddie Mac, that we have talked about and will talk about more on this floor today and have talked about for months as one of the prime causes for the economic problems we face, as far as I can tell, they are not mentioned, and if they are mentioned, Mr. Speaker, there is no reform. The root cause of the problem we have in the economy today was caused by these entities, and they are not addressed, and it was said they would not be addressed.

More control, Mr. Speaker, by the Federal Reserve of more things and more regulation. There is a new agency under the Federal Reserve that will be in charge of setting new rules for the banking sector of the country in its entirety.

Credit, Mr. Speaker, will not be more available. It will be less available. People who are in the job-creating business are already making announcements about what they will do as they respond to this. Why is that? Because this bill steps further into managing the economy. The government may be able to do lots of things, but making business decisions is not one of them. Utility companies, food processors, others who routinely try to protect themselves in a volatile marketplace will not be able to do this.

Mr. Speaker, this bill will cost jobs at the very time we ought to be figuring out how to increase jobs. I hope our colleagues will turn it down and go back and do the right thing.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 15 seconds to correct the gentleman.

We have not created a consumer bureau under the Federal Reserve. It will be housed in the Federal Reserve. The Federal Reserve will have no ability to interfere. Some on the other side wish it would. But it will be a fully independent consumer bureau. It will get its mail at the Federal Reserve, but nobody there will be able to open it.

I now yield 4 minutes to the gentleman from Pennsylvania (Mr. KANJORSKI), one of the leaders in putting together this bill in the area specifically of investor protection.

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

Mr. KANJORSKI. Mr. Speaker, I rise in support of the conference agreement.

Mr. Speaker, this is not a perfect bill, but this is a darn good bill. I know we are going to hear objections on both sides of the aisle, but if you have a chance to look at it, and it is a lengthy bill, the 2,600 pages that are presented to both the House today and within a week or so to the Senate constitutes the first revolutionary change of securities laws in the United States since the Great Depression. At that time we had a tremendous collapse, and our forefathers and predecessors rose to the occasion by establishing a regulatory platform within the United States that made us the envy of the world.

We had in 2008 a collapse and a failure of that system. It primarily grew out of the failure of the regulatory system to use all the powers it had and to keep track with our highly speculative and greedful nature at the time to allow us to go into the tremendous credit crisis that we faced in 2008.

To now make an argument that we need do nothing and we will recover and we will prosper is pure ludicrousness. The fact of the matter is there are holes, there are loopholes, there are failures within our system. We have to cleanse that system and fix that system, and that is exactly what this bill does.

I am pleased to say that I had a part in doing that. I helped prepare one amendment, the too-big-to-fail amendment. What we can say to our successors and to our constituents is that never again in the future will there be an unlimited power for financial institutions to grow either in size, interconnectedness or other negative factors that they can remain and put in jeopardy systemically the economy of the United States and the world.

□ 1600

We have the authority vested in our regulators to see that that doesn't happen. If our regulators are able and will use those powers, never again will we face the too-big-to-fail concept of having to bail out some of the largest institutions in the world.

Secondly, a large part of this was devoted to investor protection. I can't go through all the elements, but for the first time in history we're going to allow the regulators to study and come up with rules and regulations that allow a fiduciary relationship between broker-dealers, investment advisers, and their clients—their customers. Most people in this country think that already exists. It doesn't. After this bill and the use of those new regulations, it will. You can then trust that the advice being given by the broker-dealer or the investment counselor is in your best interest as a customer and not in theirs.

We also call for the largest comprehensive study of the Securities and Exchange Commission in the history of the commission. It will put into place the tools necessary to revise the entire SEC in the future. It also will be the predicate for that type of a comprehensive study to be used in other agencies and commissions of government to allow us the long road of reform in the American government. These things are in the bill. Beside that, we have the capacity to require that no one in the future need worry about the responsibility of the companies they're dealing with as to whether or not they will have counterparties, whether they are relying on representations that are true or false, because we're going to have transparency within the system.

In the other areas dealing with derivatives, we're going to have exchanges. We're going to have disclosure. Never has that happened in the history of the United States. Over the years, the last two decades, we have made attempts and have always failed. This time we have succeeded.

Mr. Speaker, without reservation, I recommend to my colleagues a vote of ''yes'' on this bill.

INTRODUCTION

Mr. Speaker, after nearly two years of study, discussion, hearings, and intense legislative negotiations, we have produced a final bill that will considerably strengthen our financial services infrastructure, a system that not only underpins the American economy but one that also serves as a cornerstone of our global markets. This bill also represents the most significant overhaul of our Nation's financial services regulatory framework since the reforms put in place during the Great Depression.

This landmark agreement touches upon nearly every corner of our financial markets. Among other things, this bill ends the era in which financial institutions can become too big to fail in several ways, including my provision to allow regulators to preemptively break up healthy financial firms that pose a grave threat to the U.S. economy. Additionally, the bill regulates financial derivatives for the first time, establishes procedures for shutting down failing financial companies in an orderly manner, forces the registration of hedge fund advisers, and holds credit rating agencies accountable through greater liability. This bill also greatly expands investor protections by setting up a fiduciary standard for broker-dealers offering personalized investment advice, allowing shareholders to nominate candidates for corporate boards, and creating a bounty program to reward whistleblowers whose tips lead to successful enforcement actions.

Moreover, this legislation enhances the powers and resources of the U.S. Securities and Exchange Commission, SEC. The pending conference agreement also forces a comprehensive study of the way that the SEC operates which will lead to much needed management reforms. Furthermore, the conference agreement creates for the first time a Federal office to monitor insurance matters. Finally, this bill will comprehensively modify mortgage lending practices—including escrow procedures, mortgage servicing, and appraisal activities.

In short, the conference report on H.R. 4173 is a very good package that will restructure the foundations of the U.S. financial system. It will enhance regulation over more products and actors, create additional investor protections and consumer safeguards, and promote greater accountability for those who work in our capital markets. For these reasons, I urge my colleagues to vote in favor of this momentous agreement.

ENDING TOO BIG TO FAIL

Historians will likely long argue about the causes of the 2008 credit crunch, but one cannot deny that one huge contributing factor was the failure of government regulators to rein in dangerous financial institutions. Giant films like American International Group, AIG, as well as many smaller firms, engaged in recklessly risky behavior that rewarded them with huge profits during the build-up of the housing bubble, but then nearly wiped them out as the bubble burst. Actually, AIG and other firms would have collapsed and our economy would have been sent back to the Dark Ages, except for the request of the Bush Administration to establish the $700 billion Troubled Asset Relief Program to prop up our country's teetering financial system.

Those terrifying months in late 2008 convinced me that the Federal government needed to play a far more vigorous role in policing the activities of the major financial players in our economy. During the last two years, my top priority has therefore been to avoid having any future Congress face the same dilemma that we faced in 2008: ''bail out'' Wall Street to save Main Street or risk the collapse of the entire American economy. I decided that the most important element of any reform of the financial system needed to ensure that no financial firm could be allowed to become so big, interconnected, or risky that its failure would endanger the whole economy.

In this regard, I am pleased that this legislation helps bring an end to the era of too-big-to-fail financial institutions in at least three significant ways. First, it achieves this end by establishing new regulatory authorities to dissolve and liquidate failing financial institutions in an orderly manner that protects our overall economy. The Obama Administration proposed these much needed reforms as an initial step for ending the problem of too big to fail.

Second, the conference agreement incorporates my amendment vesting regulators with the power to limit the activities of and even disband seemingly healthy financial services firms. Specifically, the Kanjorski amendment permits regulators to preemptively break up and take other actions against financial institutions whose size, scope, nature, scale, concentration, interconnectedness, or mix of activities pose a grave threat to the financial stability or economy of the United States.

Third, the final agreement contains a fairly strong Volcker rule that will limit the activities of financial institutions going forward and prevent them from becoming too big to fail. Inspired by the legendary former Federal Reserve Chairman, Paul Volcker, this rule will bar proprietary trading by banks, significantly curtail bank investments in private equity funds and hedge funds, and cap the liabilities of big banks. As a result, the Volcker rule will prohibit banks from engaging in highly speculative activities that in good times produce enormous profits but in bad times can lead to collapse.

Together, these three reforms will better protect our financial system and mitigate the problem of too big to fail. The Kanjorski amendment and the Volcker rule will also substantially resurrect the barrier between commercial and investment banking that resulted in a stable financial system for more than 70 years after the Great Depression.

As the Wall Street Journal on Saturday reported, ''. . . the bill gives regulators power to constrain the activities of big banks, including forcing them to divest certain operations and to hold more money to protect against losses. If those buffers don't work, the government would have the power to seize and liquidate a failing financial company that poses a threat to the broader economy.'' I wholeheartedly agree with this independent assessment.

In sum, the conference agreement on H.R. 4173 represents an historic achievement. By addressing the problem of too big to fail, this legislation will lead to a new era of American prosperity and financial stability for decades to

come. For this reason alone, this bill deserves to become law.

INVESTOR PROTECTION AND SECURITIES REFORMS

As the House developed this legislation, I played a key role in drafting the title concerning investor protection and securities reform. The Administration's proposal and the Senate's bill contained some important improvements, but the initial House plan had many, many more. I am pleased that the final package more closely resembles the initial House legislation rather than the original Administration and Senate plans.

Among its chief reforms in the area of investor protection, the conference agreement provides that the SEC, after it conducts a study, may issue new rules establishing that every financial intermediary who provides personalized investment advice to retail customers will have a fiduciary duty to the investor. A traditional fiduciary duty includes an affirmative duty of care, loyalty and honesty; an affirmative duty to act in good faith; and a duty to act in the best interests of the client. Through this harmonized standard of care, both broker-dealers and investment advisers will place customers' interests first.

Regulators, practitioners, and investor advocates have become increasingly concerned that investors are confused by the legal distinction between broker-dealers and investment advisers. The two professions currently owe investors different standards of care, even though their services and marketing have become increasingly indistinguishable to retail investors. The issuance of new rules will fix this long-standing problem.

Additionally, the legislation adopts recommendations made by SEC Chairman Mary Schapiro, SEC Inspector General David Kotz, and Harry Markopolos, the whistleblower who sought for many years to get regulators to shut down the $65 billion Ponzi scheme perpetrated by Bernard Madoff. Specifically, the conference agreement provides the SEC with the authority to establish an Investor Protection Fund to pay whistleblowers whose tips lead to successful enforcement actions. The SEC currently has such authority to compensate sources in insider trading cases, and the whistleblower provision in this bill would extend the SEC's power to compensate other tipsters who bring substantial evidence of other securities law violations.

The conference agreement also responds to other problems laid bare by the Madoff fraud. These changes include increasing the line of credit at the U.S. Treasury from $1 billion to $2.5 billion to support the work of the Securities Investor Protection Corporation, SIPC, and raising SIPC's maximum cash advance amount to $250,000 in order to bring the program in line with the protection provided by the Federal Deposit Insurance Corporation.

This bill additionally increases the minimum assessments paid by SIPC members from $150 per year, regardless of the size of the SIPC member, to 2 basis points of a SIPC member's gross revenues. This fix will help to ensure that SIPC has the reserves it needs in the future to meet its obligations. Finally, in response to the Madoff fraud, the final product includes my legislation to allow the Public Company Accounting Oversight Board to examine the auditors of broker-dealers.

For too long, securities industry practices have deprived investors of a choice when seeking dispute settlement, too. In particular, pre-dispute mandatory arbitration clauses inserted into contracts have limited the ability of defrauded investors to seek redress. Brokerage firms contend that arbitration is fair and efficient as a dispute resolution mechanism. Critics of mandatory arbitration clauses, however, maintain that the brokerage firms hold powerful advantages over investors and hide mandatory arbitration clauses in dense contract language.

If arbitration truly offers investors the opportunity to efficiently and fairly settle disputes, then investors will choose that option. But investors should also have the choice to pursue remedies in court, should they view that option as superior to arbitration. For these reasons, the final package provides the SEC with the authority to limit, prohibit or place conditions on mandatory arbitration clauses in securities contracts.

Another significant investor protection provided in this conference agreement concerns proxy access. In particular, H.R. 4173 clarifies the ability of the SEC to issue rules regarding the nomination by shareholders of individuals to serve on the boards of public companies. These provisions regarding proxy access will enhance democratic participation in corporate governance and give investors a greater voice in the companies that they own.

A myriad of problems presently confronts the SEC, perhaps none more urgent than the need for adequate resources. Chairman Schapiro and others have repeatedly stressed the need to increase the funding to ensure that the agency has the ability to keep pace with technological advances in the securities markets, hire staff with industry expertise, and fulfill one of its core missions: the protection of investors. In response, this agreement slightly increases the independence of the SEC in the appropriations process, doubles the authorized SEC budgets over 5 years, and creates a new reserve fund to support technology improvements and address emergency situations, like the flash crash that occurred in May 2010.

Moreover, H.R. 4173 modifies the SEC's structure by creating a number of new units and positions, like an Office of the Investor Advocate, an office to administer the new whistleblower bounty program, and an Office of Credit Ratings. However, the SEC's systemic failures to effectively police the markets in recent years required Congress to do even more to shake up the agency's daily operations. As such, the legislation includes my provision mandating an expeditious, independent, comprehensive study of the securities regulatory regime by a high caliber body with expertise in organizational restructuring to identify deficiencies and reforms, and ensure that the SEC and other regulatory entities put in place further improvements designed to provide superior investor protection. My hope is that this study will ultimately become the model for reforming other agencies. The final bill also includes my deadlines generally forcing the SEC to complete enforcement, compliance examinations, and inspections within 180 days, with some limited exemptions for complex cases.

The conference agreement on H.R. 4173 additionally modifies, enhances and streamlines the powers and authorities of the SEC to hold securities fraudsters accountable and better protect investors. For example, the SEC will have the authority to impose collateral bars on individuals in order to prevent wrongdoers in one sector of the securities industry from entering another sector. The SEC will also gain the ability to make nationwide service of process available in civil actions filed in Federal courts, consistent with its powers in administrative proceedings.

The bill further facilitates the ability of the SEC to bring actions against those individuals who aid and abet securities fraud. The Securities Exchange Act of 1934 and the Investment Advisers Act of 1940 presently permit the SEC to bring actions for aiding and abetting violations of those statutes in civil enforcement cases, and this bill provides the SEC with the power to bring similar actions for aiding and abetting violations of the Securities Act of 1933 and the Investment Company Act of 1940. In addition, the bill not only clarifies that the knowledge requirement to bring a civil aiding and abetting claim can be satisfied by recklessness, but it also makes clear that the Investment Advisers Act of 1940 expressly permits the imposition of penalties on those individuals who aid and abet securities fraud.

One final investor protection reform that I drafted and want to highlight concerns the new authority of the SEC and the Justice Department to bring civil or criminal law enforcement proceedings involving transnational securities frauds. These are securities frauds in which not all of the fraudulent conduct occurs within the United States or not all of the wrongdoers are located domestically. The bill creates a single national standard for protecting investors affected by transnational frauds by codifying the authority to bring proceedings under both the conduct and the effects tests developed by the courts regardless of the jurisdiction of the proceedings.

In the case of Morrison v. National Australia Bank, the Supreme Court last week held that section 10(b) of the Exchange Act applies only to transactions in securities listed on United States exchanges and transactions in other securities that occur in the United States. In this case, the Court also said that it was applying a presumption against extraterritoriality. This bill's provisions concerning extraterritoriality, however, are intended to rebut that presumption by clearly indicating that Congress intends extraterritorial application in cases brought by the SEC or the Justice Department.

Thus, the purpose of the language of section 929P(b) of the bill is to make clear that in actions and proceedings brought by the SEC or the Justice Department, the specified provisions of the Securities Act, the Exchange Act and the Investment Advisers Act may have extraterritorial application, and that extraterritorial application is appropriate, irrespective of whether the securities are traded on a domestic exchange or the transactions occur in the United States, when the conduct within the United States is significant or when conduct outside the United States has a foreseeable substantial effect within the United States.

OTHER REASONS TO SUPPORT THE CONFERENCE REPORT

The bill that we are considering today contains a number of other worthwhile elements that should become law, and I want to highlight several issues on which I personally worked or in which I have a deep, long-standing interest.

First, the bill creates a Federal Insurance Office within the Treasury Department. A key

component of our financial services industry, insurance is too often misunderstood or left behind in decisions made by the Federal government. As a result, I have long worked on the creation of this new office that will effectively monitor this industry sector for potential risks going forward. As a result of this new office, the United States will for the first time speak with a uniform voice on insurance matters on the international stage and have the authority to stand behind its words. I am therefore pleased that the Federal Insurance Office is finally becoming law.

Second, I have worked diligently on the title concerning the registration of hedge fund managers and private equity fund advisers. To promote market integrity, we need those individuals who handle large sums of money and assets to register with the SEC and provide information about their trades and portfolios. While I remain concerned about the registration exemptions put in place by others during the legislative process, I believe that these reforms are necessary to improve the quality of regulation and protect against systemic risk.

While hedge funds may not have directly caused this latest financial crisis, we do know that these investment vehicles have previously contributed to significant market instability, as was the case in the collapse of Long-Telin Capital Management in 1998. Thus, this reform is an important step in understanding and controlling systemic risk.

Third, this legislation greatly increases the accountability of credit rating agencies. The overly optimistic assessments by Moody's, Fitch, and Standard and Poor's about the quality of structured financial products constructed out of garbage aided and abetted the financial crisis. By imposing structural, regulatory, and liability reforms on rating agencies, this agreement will change the way nationally recognized statistical rating organizations behave and ensure that they effectively perform their functions as market gatekeepers going forward.

Fourth, I am very pleased that this agreement will modify escrowing procedures, mortgage servicing, and appraisal activities. I began working 9 years ago on these issues after identifying predatory practices, faulty appraisals, and other problems in the Poconos housing markets. These reforms are long overdue.

Among other things, these new mortgage lending standards will include a requirement that all borrowers with higher-cost mortgages have an escrow account established in order to pay for property taxes and homeowners' insurance. Studies have shown that at the height of the crisis, borrowers with higher-cost mortgages were substantially less likely than borrowers with good credit records to have an escrow account. Borrowers with less than perfect credit records, however, need more help in budgeting for these sizable expenses. This bill fixes this problem.

Title XIV of the bill also has reforms with respect to force-placed insurance. Predatory lenders often impose costly force-placed insurance, even though the homeowner may already have a hazard insurance policy. This legislation will clarify the procedures for when a servicer can force place insurance. The bill's bona fide and reasonable cost requirements will also ensure that mortgage servicers shop around for the best rates for the force-placed insurance that they impose. Moreover, the bill's force-placed insurance reforms will ensure that consumers who are erroneously billed for such premiums will have the monies refunded within 15 business days.

Additionally, the bill's appraisal reforms will update Federal appraisal laws for the first time in a generation. We now know that inflated appraisals and appraiser coercion and collusion contributed greatly to the creation of the housing bubble. We must respond by putting in place a strong national appraisal independence standard that applies to all loans. We must also comprehensively reform the appraisal regulatory system. This bill does both things.

Fifth, I am extremely pleased that this bill provides $1 billion for a national program to offer emergency bridge loans to help unemployed workers with reasonable prospects for reemployment to keep their homes. This new national initiative is based on Pennsylvania's successful Homeowners' Emergency Mortgage Assistance Program, HEMAP. Since 1983, HEMAP has saved 43,000 homes from foreclosure by helping to cover mortgage payments until homeowners find new jobs. With unemployment rates still unacceptably too high and far too many homeowners experiencing problems in paying their mortgages through no fault of their own, the time has come to replicate HEMAP at the national level.

Finally, the lack of regulation of the over-the-counter derivatives market has been a serious concern of mine for many years. In 1994, for example, I introduced a bill to regulate derivatives and other complex financial instruments. This conference agreement finally addresses the utter lack of regulation in this enormous market by mandating the clearing of most derivative contracts on exchanges so that we have more transparency. For those derivatives that are not cleared, the bill's reporting and disclosure requirements ensure that information on the transaction is maintained.

LONG-TERM CONCERNS

A sweeping, industry-wide regulatory reform bill like this one rarely comes along. As has been the case after the enactment of other overhaul bills, we can expect problems to manifest themselves and unintended consequences to occur.

While this bill incorporates the major goals of the Volcker rule, I had hoped for an even stronger version. Unfortunately, the ban on investments in or sponsorship of hedge funds and private equity is not as robust as I would have liked. The Volcker rule could have been stronger had the conferees accepted my amendment to provide for a de minimis exemption of tangible common equity, as opposed to Tier 1 capital, and a dollar cap on the investment. This amendment would have tightened the bill and better protected our financial markets from systemic risk.

Regrettably, the legislation also permanently exempts small public companies from the Sarbanes-Oxley Act's requirement to obtain an external audit on the effectiveness of internal financial reporting controls. This exemption disregards the significant concerns of investors—those that provide capital and bear the risk of losing their retirement savings.

External audits of internal control compliance costs have dramatically decreased in recent years. The stock prices of those companies that have complied with this law have significantly outperformed the stock prices of those that have not complied. Additionally, evidence suggests that 60 percent of all financial restatements have occurred at companies that will never be required to comply with the law's external audit requirements.

Together, these facts certainly suggest that the Sarbanes-Oxley exemption provision has no place in a reform bill that is supposed to strengthen investor protections. Moreover, I am worried about the investors at the more than 5,000 public companies now exempted who may one day wake up to discover their hard earned savings pilfered by corporate accounting misdeeds as was the case in Enron, WorldCom, and Tyco.

As previously mentioned, I have additional worries about the exemptions granted to the registration of private fund advisers. There are many other types of exemptions embedded throughout this bill, including exemptions in the derivatives title and in the powers of the new Consumer Financial Protection Bureau. While I hope that regulators and the entities that they regulate will prudently apply these exemptions, I have apprehensions that in the long term the exemptions will swallow the rules. We must remain vigilant against such an outcome.

Similarly, the success of this landmark reform effort will ultimately depend on the individuals who become the regulators. The key lesson of the last decade is that financial regulators must use their powers, rather than coddle industry interests. In this regard, I hope that regulators will judiciously use the new powers that I have drafted regarding the break up of too-big-to-fail firms. If just one regulator uses these extraordinary powers just once, it will send a powerful message to industry and significantly reform how all financial services firms behave forever more.

Additionally, I continue to have apprehensions about the interchange provisions inserted into this legislation by the Senate. This issue, without question, would have benefitted from additional time and study. I am hopeful that we got the balance right and that these new limitations do not ultimately impair the performance of credit unions and community banks. If necessary, I stand ready to change the new law in this area.

There are several other lingering concerns that I have about this bill, as well. For example, it grants the Federal Reserve far more new powers than I would have liked. The bill also sets a very high bar of a two-thirds supermajority vote of the Financial Stability Oversight Council to take action under my too-big-to-fail amendment. There is some wisdom in this requirement, but if too many individuals with an anti-regulatory bias serve on the Council they will neglect to use the powers that Congress gave them in order to protect our financial system.

Finally, our work today is only a beginning, not an end. Going forward, Congress needs to attentively watch our changing financial marketplace and carefully monitor our regulators in order to protect against systemic risk, forestall potential abuses of corporate power, safeguard taxpayers, and defend the interests of consumers and investors. Moreover, the United States must continue to encourage its allies abroad to adopt strong financial services regulatory reforms so that we will have a strong, unified global financial system.

Although we may be completing our work on this bill, it is important for us to remain vigilant in each of the areas about which I have

raised concerns. I, for one, plan to continue to closely monitor and carefully examine each of these matters.

CLOSING

Before closing, Mr. Speaker, I wish to congratulate the gentleman from Massachusetts, Financial Services Committee Chairman BARNEY FRANK, for his outstanding leadership in guiding this extremely complex bill through the legislative process. This conference marks the culmination of a long, thoughtful series of hearings, markups, floor debates, and conference negotiations. Chairman FRANK performed exceptionally at every stage of the process, and his name deserves to be attached to this landmark agreement. Senate Banking Committee Chairman CHRISTOPHER DODD deserves similar praise for his hard work. This is why I offered the amendment in conference to name this law the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Additionally, I want to counter the comments of those who have myopically criticized this package because it does not abolish Fannie Mae and Freddie Mac. By reforming the securitization process, risk retention requirements, and rating agency accountability, this bill lays the foundation for our upcoming work to address the future of these two institutions and, more broadly, the entire housing finance system. The reform of Fannie Mae, Freddie Mac, and the housing finance system is the next big legislative mountain that the Financial Services Committee must climb, and when the Congress returns after Independence Day, I will convene additional hearings to advance work on legislation to achieve this objective.

Mr. Speaker, while I may have some lingering doubts about this legislative package, it is overall a very good agreement. In short, the conference report represents a reasoned, middle ground that strikes an appropriate balance and does what we need it to do. It ends the problem of too-big-to-fail financial institutions, effectively regulates the derivatives products which some have referred to as financial weapons of mass destruction, and it greatly strengthens investor protections. It also regulates many more actors in our financial markets, establishes a Federal resource center on insurance issues, and holds rating agencies accountable for their actions. In sum, Mr. Speaker, I support this bill and urge my colleagues to vote for it.

Mr. BACHUS. At this time I yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the conference report for H.R. 4173, the so-called ''Restoring American Financial Stability Act.'' We're used to creative titles around here, but I've got to tell you, during a time of extraordinary economic duress, millions of Americans unemployed, failed economic policies, it is darkly ironic that a bill that will do anything but restore financial stability is named for that purpose.

The truth of the matter is, when you look at this legislation, it's proof positive again that this majority just doesn't get it. The American people are not looking at Washington, D.C., and clamoring for more spending, more taxes, and more bailouts. They're looking at Washington, D.C., and saying, When are you going to focus on creating jobs? When are you going to set partisan differences aside, power grabs, and Big Government agendas aside to do something to put Americans back to work?

Under the guise of financial reform, Democrats today are pushing yet another bill that will kill jobs, raise taxes, and make bailouts permanent. Let me say that again. This legislation will kill jobs by restricting access to credit, it will kill jobs by raising taxes on those that would provide loans and opportunity to small business owners and family farmers, and it makes the bad ideas of the Wall Street bailout permanent.

Free market economics depends on the careful application of a set of ideals—traditional American ideals and principles. Chief among them is the notion that the freedom to succeed must include the freedom to fail. Personal responsibility is at the very center of the American experiment from an economic standpoint. It is that center from which we have become not only the freest, but the most prosperous Nation in the history of the world.

As my colleagues on the other side of the aisle know, I vigorously opposed the Wall Street bailout because I thought it departed from that fundamental principle of personal responsibility and limited government. And I rise today to vigorously oppose this legislation that takes the bad ideas of the Wall Street bailout and makes them permanent.

This legislation codifies the notion of too big to fail, a policy and an approach the American people have roundly rejected. It will give government bureaucrats more power to pick winners and losers. When a financial firm is failing, the Treasury Secretary and the FDIC will actually have the authority to take taxpayer dollars and decide which creditors to pay back and how and when they'll get paid.

The American people don't want Washington, D.C., in that business. They want a refereed private sector that says ''yes'' to traditional bankruptcy and ''no'' to bailouts, because we're here to protect taxpayers and not Wall Street. This bill fails in that regard. I urge it be rejected and let's start over with legislation that's built on American ideals.

Mr. FRANK of Massachusetts. I now yield 3 minutes to one of the leaders in fashioning protection for consumers, the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Thank you, Chairman FRANK, for yielding, for your leadership, and for presiding over the most open and transparent conference process in the history of this Congress.

The Dodd-Frank bill is landmark legislation which will protect consumers and investors while allowing our financial services industry to continue financing the creativity and innovation which has, even in these very difficult times, made the American economy the envy of the world. This bill restores safety and soundness, reduces the likelihood of another systemic crisis, restores faith and confidence in our institutions and markets, while safeguarding Americans from predatory, unfair, and deceptive practices.

I have made it a mission throughout my career to help put consumers on an equal footing with their financial institutions through laws like the Credit Card Act. And today, we can take a huge step forward toward a more level playing field with the creation of the Consumer Financial Protection Bureau.

For far too long in our financial system and its products, any concerns about consumer protection came in a distant second or a third or none at all. Now, anyone who opens a checking or savings account, anyone who takes out a student loan or a mortgage, anyone who opens a credit card or takes out a payday loan will have a Federal agency on their side to protect them. For the first time, consumer protection authority will be housed in one place. It will be completely independent, with an independently appointed director, an independent budget, and an autonomous rulemaking authority. And, very importantly, it will have a seat at the table at the Financial Stability Oversight Council. Continuity and oversight of our financial system will consider not only safety and soundness but also the best interests of the American consumer, the American taxpayer, the American citizen.

I am particularly pleased that two items that I offered were included that will give consumers direct access to the CFPB through a consumer hotline and consumer ombudsperson. The bill also addresses the challenge of interchange fees. Working with Senator DURBIN and Representative MEEKS, we were able to craft a balanced compromise that addressed both the concerns of merchants about high interchange fees and the concerns of the financial sector to be fairly compensated for their services. This bill ensures transparency, establishes accountability, and protects consumers and investors.

America has long been the world leader in financial services. With this landmark bill, we can set an example and take the lead in global financial reform. I urge a ''yes'' vote.

Mr. BACHUS. At this time, Mr. Speaker, I yield 2 minutes to the ranking member of the Subcommittee on International Monetary Policy and Trade, the gentleman from California (Mr. GARY G. MILLER).

□ 1610

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today in opposition to this bill. This country is going

through a period of great economic distress; and ultimately, this bill would only serve to heighten uncertainty in the marketplace, restrict access to credit, and place more and more undue burdens on the backs of American small businesses.

This bill eliminates consumer options in housing markets. This bill includes language that alters ways consumers choose to pay their mortgage origination fees. Currently, consumers have the choice to pay origination fees up front, partially finance costs through the rate, or some combination of the two. This bill eliminates the consumer's ability to partially pay up front and partially finance costs through the rate, ultimately leading to higher costs and fewer options available to home buyers.

This bill favors the Federal Government over the private market. This bill places several new onerous restrictions on private community banks and then explicitly exempts the Federal Government from these same restrictions. The effect of these new restrictions is that consumers will be steered toward the government when seeking financing options and encouraging a greater takeover of the economy by the Federal Government.

This bill once again breaks our promise to the American people that excess TARP funds would go to pay down the debt and deficit. When this body enacted TARP in an effort to stave off a total economic collapse, we promised that any return the Federal Government made from the taxpayers' investment into the financial sector of this economy would go directly to paying down the deficit and the national debt, currently over $13 trillion. Instead, this bill breaks that promise by taking remaining TARP funds and using them to pay for the Federal takeover of the economy.

What we should do instead, we need to get the Federal Government out of the way so that small businesses can begin to innovate and expand. We need to provide a regulatory framework that provides community banks and small businesses the ability to make their own financial decisions.

Mr. Speaker, we cannot continue to break our promise to the American people. The future of this great Nation and that of its sons and daughters depends on the actions we take here today. And I can only conclude that this legislation will prolong this recession and lead us further down the road of high deficit and greater debt. I urge a ''no'' vote on this bill.

Mr. FRANK of Massachusetts. I yield 1 minute to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW. Mr. Speaker, I rise in support of H.R. 4173, the Wall Street Reform and Consumer Protection Act, because I believe this bill takes positive steps to protect us from the risky and abusive behavior that took our country to the verge of financial ruin.

I voted against the bank bailout bill because there wasn't enough accountability for how that money was going to be used. It also didn't get at the root of the problem. This legislation gets at the root of the problem by protecting consumers from abusive and predatory financial practices. It also gets banks back in the business of making good loans instead of gambling with our money. I look forward to passage of this legislation, and I urge my colleagues to lend their support as well.

Mr. BACHUS. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Georgia (Mr. PRICE), the chairman of the Republican Study Committee.

Mr. PRICE of Georgia. Mr. Speaker, look, this ought to sound pretty familiar. Here's just part of this bill, another 2,000-page monstrosity. Look at it, Mr. Speaker. It's down there held together by rubber bands. It is called the Dodd-Frank Wall Street reform bill. Senator DODD even said about it, ''No one will know until this is actually in place how it works.'' That's no way to do business.

The fundamental assumption of this bill is that since the smart people regulating banks let us down, we should just hire really, really smart people to prevent it from happening again. That assumption is not only false, it's dangerous. When the government picks winners and losers, the Nation loses. If my colleagues on the other side of the aisle believe that the same regulators who failed to see the housing crisis are now going to see the next crisis thanks to heavy-handed government regulation, then the American people would say to the Democrats in charge that they put too much faith in the power of Washington to see the future.

The fundamental question we've got to answer is, If this law were in place in 2008, would it have prevented the crisis? The answer to that question is clearly ''no.'' More oppressive job-killing regulation isn't the answer. What we need is flexible and accountable and nimble regulation. This bill does not do it.

What will it do? It will ensure bailouts. It puts bailouts in place forever. It doesn't address Fannie and Freddie, at the epicenter of the problem. It doesn't address it at all. It kills American jobs with oppressive regulation, and it will decrease the availability of credit and increase the cost of credit to all the American people. And that's even more angering to Americans because they know that there are positive solutions.

H.R. 3310 is the bill that we put forward nearly a year ago now that would make certain that we address the issue of regulatory reform in a positive way that makes it more flexible and nimble, that addresses the issue of Fannie and Freddie, actually solves the challenge that got us into this crisis in the first place, and makes certain that we end bailouts. The American people are sick and tired of bailouts. That bill, Mr. Speaker, will ensure that bailouts continue. The American people are urging us to vote ''no'' on this bill.

Mr. FRANK of Massachusetts. I yield 2 minutes to the gentleman from New York (Mr. MEEKS), a very important member of the committee who was helpful in forging some of the pieces of this.

Mr. MEEKS of New York. I thank the chairman for yielding.

Today is truly a historic day largely because of the great, magnificent job of our chairman, BARNEY FRANK, who we are so proud of. Very few people could have marshaled this bill in the way that he did. And because of him and that leadership, today we end too big to fail. We implement unprecedented consumer protections, and we issue rules that will prevent taxpayers from footing the bill for the irresponsible behavior of others while still—because I'm a New Yorker—maintain New York's standing as the world's financial capital.

As Chairman FRANK is fond of noting, this bill has death panels for the greedy financial institutions. If you are an institution that is causing systemic risk, this bill allows regulators to resolve you and dissolve you without recourse to any taxpayer money. I repeat. Let me emphasize, taxpayers will bear no cost for liquidating risky interconnected financial firms.

This bill includes strong investor protections and transparency mechanisms. Through the use of stress tests, which Representative DENNIS MOORE and I advocated for and the results of which will be published, it will increase transparency for investors and increase the amount of information available for investors to make wise decisions with their hard-earned savings.

Most importantly for my constituents, this bill establishes a Consumer Financial Protection Bureau to police lenders to ensure that the predatory lending that Mr. WATT was talking about that ensnared so many unsuspecting Americans will be halted. Led by an independent director, this office will be able to act swiftly so consumers will not need to wait for an act of Congress for years and years and years to receive protection from unscrupulous behavior.

As to interchange, we have placed explicit language in the bill to prohibit intrabrand price discriminations which would have put credit unions and community banks at a disadvantage. To address the concerns to the State treasurers and prepaid card providers for the underbanked, we explicitly exempt them from interchange fee regulation. And finally, by fixing concerns the Federal Government had, we potentially save the taxpayer $40 million per year, according to Treasury estimates.

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

Mr. FRANK of Massachusetts. I yield the gentleman an additional 15 seconds.

Mr. MEEKS of New York. We need this bill. It is the right bill. Without lending from Wall Street, there could be no Main Street. This bill responsibly

regulates the former to ensure the vitality of the latter.

Mr. BACHUS. I yield 2 minutes to the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. I thank the gentleman for yielding.

Mr. Speaker, I rise today in opposition to this conference report. You know, at a time when California has 12.4 percent unemployment, and my district's even higher at 16.5 in my home county of Kern County, my constituents are asking me, What is being done to create jobs?

For the folks that have been following this debate today, this is just another example of Washington not listening to their concerns. Instead of policies that promote private sector job growth, this bill would create more government. This bill before us today would create a new bureau at the Federal Reserve with sweeping authority and a budget to create plenty of new government jobs in Washington, D.C. It also creates a new office of Financial research, empowered to collect personal information about all of our international transactions. This office can actually issue subpoenas to get the information these unelected bureaucrats want to have about us.

But aside from the personal concerns we may have about this, what is being done to help create a private sector job? Well, this is not job creation for families in my district. This is just part of the majority's continuation of an overreach and expansion of government. First, it was the $787 billion stimulus that failed to keep unemployment down, then a national energy tax, then a $1 trillion government takeover of health care, and now another expansion of government that will raise costs for consumers and small businesses.

Well, Mr. Speaker, Republicans offered an alternative to this report that would have ended bailouts, would have addressed too big to fail and the failures of Fannie Mae and Freddie Mac; but that was rejected. Congress needs to be focusing on pro-small business policies, policies that make it easier for banks to lend to job creators that are at the heart of our communities, job creators that are at the heart of what we all want, a job-filled recovery instead of a jobless recovery. Unfortunately, this conference report will do none of these things, and I urge a ''no'' vote.

□ 1620

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 2 minutes to my colleague from Massachusetts (Mr. CAPUANO), another member of the committee who has played a major role in this.

Mr. CAPUANO. Mr. Speaker, I will tell you that this bill is one of the best bills I've ever been involved with in the 12 years I've been in Congress. Like any bill, it doesn't give me everything that I want. I don't think anybody would say that, including Mr. FRANK. But it is a bill that moves us back towards thoughtful oversight of the financial institutions of this country.

For 70 years, from the Glass-Steagall Act until about the 1980s, 1990s, depending what you count, we had the best financial institutions, the best financial system in the world. Every other country tried to emulate us.

What happened? Slowly but surely, this country, through its Congress and its President, decided that we wanted to deregulate everything. Let's look at nothing, let everything go. What was the result of it? A financial meltdown. That was in the economic sector. What was the result of it in the gulf? An oil spill of ultimate proportions.

The concept that government can't regulate has been proven wrong time and time again. Nobody argues for overregulation. That's a fair argument. Where is the appropriate line?

In this case, in the financial institutions case, we went years with loans that nobody knew what the standards were. We went years with credit rating agencies giving everybody a AAA rating without having a clue what was behind those papers. We went years with people betting, literally betting with our money, our pension fund money and other money that we didn't want to do, on things that didn't exist. They didn't exist. The result of it was a financial meltdown.

This bill brings us toward a more thoughtful regulatory regime that will ensure the stability of our economic system. And that's what this is all about. It's not about raising revenue. It's not about killing anything.

My district has a very vibrant financial sector and we want to keep it that way, but I also want be to make sure that it's stable. That's more important than anything else. This bill accomplishes that, and that's why we should support it.

Mr. BACHUS. I yield 2 minutes to the gentleman from Florida (Mr. PUTNAM).

Mr. PUTNAM. Mr. Speaker, I rise in opposition to the Frank-Dodd bill that would not reform Wall Street but, instead, create a permanent taxpayer backstop and fail to provide consumer protection and doesn't prevent a future crisis.

The permanent bailout would ensure that the Federal Government, through the FDIC and the Treasury, maintains the ability to use taxpayer funds to bail out financial institutions deemed too big to fail. That may be what's important to the D.C. bureaucrats, but to the community banks and credit unions back home and the communities they serve, I can assure you it's not. They're treated as too small to save.

Our community banks, our credit unions, our small businesses don't receive the special treatment accorded to the big guys in this bill. Instead, they go through the bankruptcy process. Why the double standard? Why the double standard for our communities? They didn't cause Wall Street's collapse, and yet they're held to a different standard. This is harmful to Main Street's small businesses.

The legislation creates an Office of Financial Research to ''monitor, record, and report on any financial transaction, including consumer transactions,'' without the consent of the consumer. That's right. Monitor, record, and report any transaction without your approval.

This new ''Big Brother Bureaucracy'' will be funded through assessments on financial institutions that trickle down to consumers through higher fees. According to the CBO, ''The cost of the proposed fee would ultimately be borne to . . . customers, employees, and investors.''

The legislation welcomes a new ''Washington Knows Best'' bureau. Housed within the Federal Reserve, the credit czar will dictate which financial products can and cannot be made available to consumers and will have broad authority to set sales practices, limit products, and mandate compensation. The bureau misses its mark to actually protect consumers and will, instead, create more barriers to consumers' ability to obtain credit, to pursue their dreams, to buy a home, to refinance, or to expand or save their small business.

This conference report, totaling over 2,300 pages, is bad for small business, and I urge its defeat.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH), who gave us an inspiration for trying to help unemployed people with their mortgages.

Mr. FATTAH. Mr. Speaker, the American people, as always, almost always, get it right. When they wanted to pick a party that would finally rein in the abuses of Wall Street, they gave the majority in the House and the Senate to the Democrats. And you can hear from the other side that they obviously made the right choice because there's no willingness to deal with some of these challenges from my colleagues on the other side.

I want to congratulate Chairman BARNEY FRANK. I met with him over a year ago about some of the challenges in terms of foreclosures in our country. In this bill is the result of language that I authored which replicated a very successful program in Pennsylvania that we believe will help others throughout the country.

I want to thank my great colleague from California, Congresswoman WATERS, for her efforts to make sure that this was fully engaged by the committee.

But beyond my proposal that is included in terms of homeowners assistance, in terms of foreclosures, this is a very good bill in terms of its regulation of Wall Street, in terms of consumer protection. This House, I urge and encourage that we vote in favor of the Wall Street reform bill.

Mr. BACHUS. I yield 2 minutes to the gentleman from Virginia (Mr. CANTOR), the Republican whip.

Mr. CANTOR. I rise in opposition to this conference report.

Mr. Speaker, the flow of credit and capital throughout the financial system is the building block of American prosperity. It has enabled entrepreneurs to pursue their ideas. It has enabled people to balance their budgets, to achieve a better standard of living. But when businesses and families cannot access capital from banks, consumers don't spend, small businesses hunker down, and investment dries up. The economy simply can't grow jobs.

This legislation is a clear attack on capital formation in America. It purports to prevent the next financial crisis, but it does so by vastly expanding the power of the same regulators who failed to stop the last one.

Dodd-Frank is the product of a tired and discredited philosophy. It's the notion that you can solve a problem by reflexively piling vast new layers of bureaucracy, regulatory costs, and taxes on it. And who'll pay the price? It won't merely be the big banks who the bill's supporters rail against. Smaller, less-leveraged community banks will have a more difficult time surviving the regulatory costs. And most alarming, costs will be passed on to consumers and businesses in the form of higher prices for credit. We know this because last year's Credit Card Act is already having just that effect.

Before it was passed, Republicans warned that more government expansion and more Washington proscription would create additional costs borne by the consumer. It was common sense, and sure enough, we were right. In response to that legislation, lending rates were reset higher as credit became less available. Meanwhile, free checking accounts are becoming a relic of the past for all but the wealthiest bank customers.

Republicans agree that the financial system needs a shake-up to bring transparency and stability. But the fact is, Mr. Speaker, this legislation does not accomplish this goal. It's bad for private business. It's bad for families, and I urge my colleagues to vote ''no'' before we do any more damage.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. WATERS), one of the leaders in housing and matters of fairness in our committee, the chairman of the Housing Subcommittee.

Ms. WATERS. Mr. Speaker and Members, I am pleased and proud to stand here today in support of this most significant piece of legislation that is before this House.

Again, I thank Chairman FRANK for his leadership, and I'm especially proud that this work of the conference committee was done by such a diverse group on this side of the aisle. I'm especially proud that members of the conference committee included not only women, but African Americans and Latinos and Anglos. It was truly diverse, and you can see that work reflected in what came out of the conference report.

□ 1630

For example, the CBC members of the Financial Services Committee worked on a number of these issues over the past several years, and we came up with those things that had been brought to our attention year in and year out that are finally paid attention to in the conference report.

The Federal Insurance Office, we will be asking them to gather information about the ability of minorities and low-income persons to access affordable insurance products. To give consideration and mitigation of the impact of winding down a systemically risky institution on minorities and low-income communities. The expansion of the Consumer Financial Protection Bureau's advisory board to include experts in civil rights, community development, communities impacted by high-priced loans, and others. And perhaps most importantly, the establishment of the Offices of Minority and Women Inclusion at each of the Federal financial services agencies.

These offices would provide for diversity in the employment, management, and business activities of these agencies. The data for the need for these offices speaks for itself. Diversity is lacking in the financial services industry, with the GAO reporting from 1993 to 2004 the level of minority participation in the financial services professions only increased marginally, from 11 percent to 15.5 percent. We took care of that in this bill. And now we have the opportunity to not only give oversight to diversity, but to help these agencies understand how to do outreach, how to appeal to different communities so that we can get the kind of employees that will create the diversity to pay attention to all of the needs of the people of this country.

In addition, Mr. Speaker, I am pleased to note that this conference report includes a provision that I championed to allow the SEC to issue rules on proxy access, giving the Nation's pension funds and other long-term institutional investors a say in the governing of the companies in which they own stock.

Additionally, I am pleased that this bill addresses foreclosures, which have single-handedly inflicted tremendous damage on neighborhoods in my district in California and across the country. It has long been my position that this bill would be incomplete without directly addressing the needs of America's homeowners and neighborhoods. That is why I have fought for an additional $1 billion in funds for the Neighborhood Stabilization Program, a program whose authorizing legislation I wrote in 2008. And it is helping neighborhoods all across this country that have foreclosed properties and rundown properties that are driving down the price of other homes in that community. Now we can rehabilitate those properties and keep the values up of the homes in the neighborhood.

I am also pleased that an additional $1 billion in emergency assistance for unemployed homeowners was included in this bill. Reports indicate that 60 percent of individuals seeking help in avoiding foreclosures are doing so because they are unemployed.

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

Mr. FRANK of Massachusetts. I yield the gentlewoman 1 additional minute.

Ms. WATERS. I thank the chairman.

This funding will provide a critical bridge for homeowners during periods of joblessness, and allow them to maintain stable housing for their children. This $2 billion, combined with an additional $6 billion I have secured for NSP through two rounds of funding, is another step toward addressing the foreclosure crisis. But more needs to be done. That is why I am pleased that the Treasury has committed to providing another $2 billion for unemployed homeowners in addition to the amounts provided under this bill. And that is why I will continue to fight for both additional funding and for loss mitigation legislation, which would make it mandatory for banks to offer real sustainable loan modification offers.

Chairman FRANK, thank you for your assistance, thank you for your support, thank you for your leadership. I am proud to be a part of this Congress, so proud to have been a part of the conference committee. And I think we are doing all Americans justice in this bill as we pay attention to needs that have been so long overlooked.

Mr. BACHUS. Mr. Speaker, at this time I yield 4 minutes to the gentleman from California (Mr. ISSA), the ranking member of Oversight and Government Reform.

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

Mr. ISSA. Mr. Speaker, others will rise and they will talk about the underlying bill. Although I was on the conference committee, and for 2 weeks Chairman FRANK, Ranking Member BACHUS and the rest of us were together, I do not claim and will not claim to be an expert on all the things that led to the financial meltdown or all the things which will preclude the next.

I do rise to oppose the Dodd-Frank bill, and I do so because I don't believe that it will preclude another meltdown and another crisis. I don't do that because I am an expert on the financial system. I am not. The people I served with on conference, many of them are. I am not concerned that the process was not open. I think Chairman FRANK allowed us an unusually great amount of time to be heard. But I am disappointed that at the end of the day so many things were left out.

I appreciate Chairman FRANK's offering for a separate bill to make up for the fact that the transparency and data issues that I worked for 2 weeks to put in this bill, because they were rejected by the Senate, we will have to send them again and hope that the Senate is more benevolent when we simply ask these agencies to have data standards that allow for the kinds of transparency among the regulators that will in fact see reckless behavior ahead of time, or at least allow us to know the underlying value of assets when the markets begin to melt.

The reckless behavior that led to the meltdown will be debated for years, but the absence of transparency at the time of the meltdown, an inability for our regulators, our banks, or anyone else to actually tell us what the underlying value of various assets were, were in no small part the result of arcane systems that underlie these very modern instruments.

You cannot have paper copies sitting in banks to tell you the details about a loan and then cut it into thousands of pieces, spread it around the world, and hope that somebody can have confidence in the document when things start going wrong.

Technology transparency is the most important thing missing from this bill. I hope to work with the majority and the minority to bring that in the coming days. I don't do it for my committee. I do it because the next time there is a hiccup anywhere in the world, even if that's simply a massive power outage leading to a confidence loss, we need to have the ability for regulators with confidence to say we have transparency, we know what these assets are worth, and we can assure them.

This bill does do a few good things, and I would be remiss if I didn't mention that the ability for banks to trust each other in financial transfers of non-interest-bearing large amounts is in no small part something that will keep the market going if otherwise there is a lack of confidence in the bank.

I do object to the way this bill is paid for. I believe that it was inappropriate. And unfortunately, people at the conference were not willing to consider a real pay-for, not even a real rollback in unexpended funds that would otherwise be available.

Mr. Speaker, this bill is done. We cannot look to what this will or won't do. We have to look to the future. Will we do a better job in data management, in transparency, in creating the tools that would allow the financial oversight board and the financial industry regulators to do the job the next time that they didn't do the last time?

Mr. Speaker, I do not have high confidence that it will be done. I have high confidence that this body will work together to produce a bill, send it to the other body, and try, try to get them to understand that data transparency is essential if we are not going to have another meltdown.

Mr. FRANK of Massachusetts. I yield 2 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Chairman FRANK, I first want to commend you on an extraordinary effort and your dedicated leadership in bringing this bill to the floor. I look forward to supporting this legislation.

Before that, however, I would like to clarify a few points as they pertain to the intent of the bill. It's my understanding that certain provisions which are intended to improve access to mainstream financial institutions are not intended to further limit access to credit and other financial services to the very consumers who are already underserved by traditional banking institutions.

As you know, each year over 20 million working American families with depository account relationships at federally insured financial institutions actively choose alternative sources and lenders to meet their emergency and short-term credit needs.

□ 1640

These alternative sources and lenders often offer convenient and less expensive products and services than the banks where these consumers have relationships.

Further, as the demands for short-term, small-dollar loans continues to increase as a result of the current economic environment, nontraditional lenders have filled the void left by mainstream financial institutions in many of our Nation's underbanked communities.

Mr. Chairman, I have a longer statement, and with your permission would skip to the clause that I think is particularly important and include my full statement in the RECORD in the interest of time.

Rather, I feel that the financial services should be well-balanced and carried out in a manner that encourages consumer choice, market competitions, and strong protections. It is my sincere hope that this legislation is designed to carefully and fairly police the financial services industry treating similar products in the short-term credit market equally while encouraging lending practices that are fair to consumers.

Is this the intent?

Mr. FRANK of Massachusetts. If the gentleman would yield, first, let me say that anybody who asks has my permission to skip any statement. That is an example I am going to try to follow myself sometimes.

Beyond that, I completely agree with the gentleman.

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

Mr. FRANK of Massachusetts. I yield an additional 15 seconds to the gentleman.

Mr. HASTINGS of Florida. I yield to the chairman.

Mr. FRANK of Massachusetts. We do want to make sure it's an informed choice, and we're going to work on financial literacy. But, no, it is not our intention to deny anybody that choice.

Mr. HASTINGS of Florida. Thank you very much, Mr. Chairman, and I really commend you for your efforts to pass meaningful financial regulation reform in this Congress. I deeply thank you.

Mr. BACHUS. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Texas (Mr. PAUL), the ranking member of the Domestic Monetary Policy Committee.

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

Mr. PAUL. I thank the gentleman from Alabama for yielding.

Mr. Speaker, I rise in opposition to this piece of legislation. I'm afraid it is not going to do much to solve our problems. I know it's very well intended, and it's believed that more regulations will solve the problems; but, quite frankly, the problems that we're facing come from a deeply flawed monetary system.

I had made an attempt to emphasize this point by talking about a full audit of the Federal Reserve, and fortunately this House was strongly in support of this piece of legislation. There are 320 cosponsors of this bill. It passed rather easily on the Financial Services Committee, and then it was put into the House version of this reform package. But it was removed in conference.

Although there is some attention given to getting more information from the Fed, it truly doesn't serve as a full audit. If we don't eventually address the Federal Reserve in depth, we will never fully understand how financial bubbles are formed and why more regulations tend to fail. If the financial markets were pleased with what we're doing here today and the discussion of the last several weeks, they wouldn't be reeling as they are at this very moment.

So I would say that we should be very cautious in expanding the role of the regulatory agencies, which does not solve the problem. At the same time, giving more power to the Federal Reserve doesn't make much sense if the theory is right that the Federal Reserve is the source of much of our problems.

Now, some objected to the transparency bill of the Federal Reserve and said that that was too much information, that the Federal Reserve had to be totally independent. The Federal Reserve Transparency Act doesn't do anything about removing transparency. It doesn't change monetary policy. It just says that the American people and the Congress have a right to know what they do.

After the crisis hit, the Federal Reserve injected $1.7 trillion and guaranteed many more trillions of dollars, and it was very hard to get any information whatsoever. So an ongoing audit to find out exactly what they do and why they do it, I think, would be a first step to finding out the relationship of the Federal Reserve system to

the banking system and the financial community.

Transparency is something the American people have been asking for and they want. They didn't like the lack of transparency with the TARP funds; and once the American people found out about what goes on at the Fed, they want transparency of the Fed.

So fortunately today we will have a chance to vote on this because it will be in the recommittal motion, and it will give us a chance to put the language back in, the H.R. 1207, the Federal Reserve Transparency Act, a chance to audit the Fed. So this will be a perfect opportunity to emphasize the importance of the Fed and to say that we do need a full audit.

Mr. FRANK of Massachusetts. I yield 3½ minutes to the gentleman from Illinois (Mr. GUTIERREZ), who's the chairman of the Financial Institution Subcommittee and has done a great deal of work to improve our financial situation through this bill.

Mr. GUTIERREZ. Chairman FRANK, I want to commend you, first of all, for your hard work in getting this legislation through Congress and your dedication to reforming our financial system.

The legislation we have before us takes a multi-pronged approach to ending the problem of ''too big to fail'' by giving regulators the tools, only when it is necessary, to decrease the size of financial institutions, limit their risky behaviors, and wind down systemically significant firms if they threaten the health of our financial system.

The most direct way to end ''too big to fail'' is to stop firms from growing too big in the first place. To limit their size and complexity, this legislation would impose increasingly strict rules on capital levels and leverage ratios which would limit a firm's risky behavior and diminish its potential threat to the stability of our financial system. By implementing a strong Volcker rule and limiting proprietary trading by insured depository institutions, we minimize a bank's ability to use subsidized funds for risky trading practices.

Additionally, the Dodd-Frank bill will create a financial stability oversight council that will be able to force a company, as a last resort, to divest some of its holdings and shrink its size if the council determines it poses a risk to the stability of the financial system. It has tools.

The most important part of this legislation that will help to end ''too big to fail'' is the resolution authority we create to safely wind down a failed significant firm and to prevent any further bank bailouts. This legislation ends individual open-bank assistance. Let me repeat: this legislation ends individual open-bank assistance, meaning that if the resolution authority, the death panel, the burial panel, is applied to a bank, it will not be bailed out but allowed to safely fail and prevent containment from spreading to the markets. Let me repeat this: no more bailout. We have a funeral fund.

One thing I want to note, though, at every opportunity Democrats have insisted that banks, the financial institutions, not the taxpayers of America, pay for this resolution authority, and the Republicans have said ''no'' every single time. In both the House and the Senate, they refuse to support a prefunded funeral fund that would be paid for by the riskiest and biggest banks. No. The big bankers don't pay. Main Street has to pay.

Opposition from certain Republican Senators—and I won't mention their names—forced us to strip the bank assistance from the conference report just last night. Republicans have sided with big Wall Street banks at every opportunity. They even opposed an amendment in the conference to increase the FDIC insurance to help protect people's hard-earned deposits along with community banks and small businesses.

So let's be clear. Combine this refusal to guarantee that the banks pay to clean up any future messes that they make with open opposition to this legislation and it is obvious where the line has been drawn by Republicans. If it helps Wall Street banks, they favor it; but if it helps Main Street and regular Americans, they won't vote for it, and we don't think they will today.

Mr. Speaker, I won't hold my breath for any Republican support of this historic legislation. But I do urge all of our Members to support this vital bill.

Mr. BACHUS. I yield myself 15 seconds.

Mr. Speaker, I don't think you would go to a funeral home and lend the corpse money. So I don't know why you would lend money to a failing firm. You ought to just go ahead and put them in bankruptcy like we want to do.

Mr. Speaker, at this time I yield 3 minutes to the gentlelady from Illinois who's the chairman of the Financial Services Oversight Committee (Mrs. BIGGERT).

□ 1650

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this conference report and the bill.

In the fall of 2008, our entire financial system and economy were on the verge of collapse. The $750 billion TARP program was hastily proposed. I, for one, would never have backed it were it not for the taxpayer protections—a promise that the taxpayers would be repaid.

This bill flat out breaks that promise to taxpayers. It siphons away unspent money from the TARP program. Instead of returning it to the taxpayers or instead of paying down our $13 trillion debt as promised, it uses the money to pay for new Federal spending.

Contrary to my colleagues' rhetoric, this bill makes bailouts permanent. Look at section 210N(5) and section 210N(6). These provisions authorize bureaucrats to bail out the six largest too-big-to-fail Wall Street firms to the tune of $8 trillion. What you have is taxpayers footing the bill to pay for failed Wall Street firms. That is a bailout.

My colleagues on the other side of the aisle claim that this bill requires that taxpayers be paid back. Yet how in heaven's name can taxpayers believe that when this very bill breaks the earlier promise that taxpayers would be paid back for TARP?

This bill also fails to reform Fannie Mae and Freddie Mac, the two mortgage giants at the center of the housing crisis. Taxpayers have bailed Fannie and Freddie out to the tune of $150 billion and billions more to come, but this bill doesn't reform them. It merely calls for a study, and it fails to include as part of our Federal budget the trillions in liabilities taxpayers now face because the Federal Government owns and operates both Fannie and Freddie.

Finally, let's not forget our hidden costs in this bill. Our Midwest manufacturers had nothing to do with the housing crisis or with the financial meltdown. Yet this bill requires them to divert trillions of dollars of working capital to pay for financial transactions, which may stifle job growth and raise the cost of commodities for American families.

What is the cost to small businesses? It is job growth. According to the U.S. Chamber of Commerce, it is taxpayers, small businesses and consumers as they pick up the tab for new Federal bureaucrats, 355 new rules, 47 studies, and 74 reports.

In the name of financial reform, we must not stifle job creation by saddling our small businesses and manufacturers with additional burdens. We need to get financial reform right so that innovators and entrepreneurs can secure credit and can expand and create desperately needed jobs. We need to get reform right, but this bill doesn't pass the test.

I urge my colleagues to oppose this conference report and bill.

Mr. FRANK of Massachusetts. I yield 1½ minutes to a very diligent member of our committee who has fought hard for the manufacturing interests of this country, the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. I thank the chairman for yielding.

Mr. Speaker, the Dodd-Frank Wall Street Reform bill is an historic piece of legislation that will protect consumers, reduce the risk of future economic failures, and provide for the increased oversight of our entire financial system. However, it also strives to protect job-creating Main Street businesses.

For example, this legislation will, for the first time, bring transparency and oversight to the currently unregulated $600 trillion derivatives market. However, because commercial end users, who are those who use derivatives to hedge legitimate business risks, do not

pose systemic risk and because they solely use these contracts as a way to provide consumers with lower cost goods, they are exempted from clearing and margin requirements.

I offered an amendment that would permanently extend the end user exemptions for clearing and margin to certain captive finance companies that use swaps to hedge their interest rate and foreign currency risks arising from their financing activities. The amendment was narrowly tailored to ensure that a captive finance company can only qualify for the exemption if 90 percent of its business derives from financing the sale or lease of its parent company's manufactured goods.

There is another provision of this bill which provides a 2-year transition period for affiliates.

I would like to yield to Chairman FRANK so he can clarify that what these two provisions do is provide a limited exemption from clearing and margin requirements for qualifying captive finance companies and a 2-year transition period for all other captives that would not qualify for the limited exemption created by the Peters amendment.

Mr. FRANK of Massachusetts. If the gentleman would yield, the answer is absolutely. He has crafted this very well with our cooperation, and he has stated this completely accurately.

Mr. BACHUS. Mr. Speaker, I yield 7 minutes to the gentleman from Oklahoma (Mr. LUCAS), who is the ranking member of the Agriculture Committee, to then yield time to his members.

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

Without objection, the gentleman from Oklahoma will control 7 minutes.

There was no objection.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 13 minutes of my time to the gentleman from Minnesota (Mr. PETERSON), the chairman of the Agriculture Committee, our co-conferee, and ask unanimous consent that he control that time.

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota.

Mr. PETERSON. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of the conference report on H.R. 4173, The Wall Street Reform and Consumer Protection Act.

I want to start by thanking Chairman FRANK, who has demonstrated his great policymaking skills and leadership on this important issue.

The staffs of both the House Agriculture Committee and the Financial Services Committee have worked closely on this legislation for the past year, and it is thanks to our efforts that we have a conference committee report for us today.

One of the bill's key components is title VII, which brings greater transparency and accountability to derivative markets. When the House considered financial reform in December, derivatives were one area in which we had strong bipartisan support. The House produced a very good product. The Senate's efforts on derivatives went in a very different direction. As with any legislation with such stark differences, compromises had to be made.

This comprehensive legislation represents a middle ground between the House and Senate products. While no one got everything they wanted in this bill, I think we got a bill that will help prevent another crisis in the financial markets like the one we experienced in 2008.

The House Agriculture Committee started looking at some of the issues addressed in this legislation even before evidence of the financial crisis started to appear. I am pleased that the conference report contains many of the provisions the House Ag Committee endorsed over the course of passing three bills on this topic. Let me briefly talk about some of those provisions.

Our in-depth review of derivative markets began when we experienced significant price volatility in energy futures markets due to excessive speculation—first with natural gas and then with crude oil. We all remember when we had $147 oil. The Ag Committee examined the influx of new traders in these markets, including hedge funds and index funds, and we looked at the relationship between what was occurring on regulated markets and the even larger unregulated over-the-counter market. This conference report includes the tools we authorized and the direction to the CFTC to mitigate outrageous price spikes we saw 2 years ago.

The House Agriculture Committee also spent a great deal of time considering the role of derivatives in the collapse of the financial markets and debating different approaches to regulating these financial tools.

In the end, it was the Agriculture Committee, on a bipartisan basis, that embraced mandatory clearing well before the idea became popular. Clearing is not only a means to bring greater transparency to the derivative markets, but it also should reduce the risk that was prevalent throughout the over-the-counter market. The conference report closely follows the House approach to mandatory clearing.

In crafting the House bill and the conference report, we focused on creating a regulatory approach that permits the so-called end users to continue using derivatives to hedge risks associated with their underlying businesses, whether it is energy exploration, manufacturing, or commercial activities. End users did not cause the financial crisis of 2008. They were actually the victims of it.

Now, that has been of some concern and, frankly, a misinterpretation of the conference report's language regarding capital and margin requirements by some who want to portray these requirements as applying to end users of derivatives. This is patently false.

The section in question governs the regulation of major swap participants and swap dealers, and its provisions apply only to major swap participants and swap dealers. Nowhere in this section do we give regulators any authority to impose capital and margin requirements on end users. What is going on here is that the Wall Street firms want to get out of the margin requirements, and they are playing on the fears of the end users in order to obtain exemptions for themselves.

□ 1700

One of the sources of financial instability in 2008 was that derivative traders like AIG did not have the resources to back up their transactions. If we don't require these major swap participants and swap dealers to put more backing behind their swap deals, we will only perpetuate this instability. That is not good for these markets, and it is certainly not good for end users.

I am confident that after passing this conference report we can go home to our constituents and say that we have cracked down on Wall Street and the too-big-to-fail firms that caused the financial crisis.

With that, I urge my colleagues to support the passage of this conference report.

I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise in opposition to this job-killing conference report. At a time when Congress should be focused on economic expansion, the majority brings us this conference report, which will kill jobs and make financial transactions more expensive.

Last December, this Chamber supported a bipartisan effort to bring transparency and regulation to the over-the-counter derivatives market while allowing for the management of legitimate risk. It recognized that mom-and-pop shops on Main Street were not the villains behind the economic collapse. They did not cause the financial crisis and should not be treated as if they did.

The derivatives title this Chamber passed reflected the need for commercial end users to lay off risk so they could offer their products at reasonable and stable prices. Unfortunately, the Senate decided that only some industries, only some, were worthy of inexpensive risk mitigation.

Despite the overwhelming bipartisan support our derivatives language enjoyed, during a meeting in the dark of night our bipartisan language was stripped out. A title that we passed by voice vote was only going to survive if offered as an amendment. So that is

what my good friend from New Jersey (Mr. GARRETT) and I did. As the conferees from this Chamber, we defended the House position. Unfortunately, at dawn last Friday, our amendment was defeated on a party-line vote, stripping away the only remaining protection for end users. American small businesses were told by the majority they would be regulated as though they were Wall Street.

A report released yesterday believes the language change by the majority could cost U.S. companies $1 trillion in capital and liquidity requirements. This isn't money to pay lavish bonuses; this is money to pay salaries, fund research and development, and pay construction loans.

Further analysis of this language concludes that $400 billion would be needed for collateral for businesses to post with dealer counterparts to cover the exposure of their existing over-the-counter derivatives. It is estimated that another $370 billion represents the additional credit capacity that companies could need to cover future risk.

Despite the majority's voracious appetite for spending, these are enormous dollar amounts. Rural America doesn't have the option of waiving phony PAYGO requirements. These costs are real and the ability to pay them does not exist. Business will now have to cut spending, which, simply put, means job losses or hold on at its very own risk, thereby further concentrating risk.

You know, once upon a time this bill was supposed to avoid risk concentration. That was once upon a time.

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

Mr. PETERSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. HOLDEN).

Mr. HOLDEN. I thank the chairman for yielding.

I rise today in support of H.R. 4173.

I serve as chairman of the House Agriculture Subcommittee on Conservation, Credit, Energy, and Research. As such, we have jurisdiction over the institutions of the Farm Credit System that serve agriculture as well as rural communities across the country.

Over 20 years ago, the Agriculture Committee put in place a revised legislative and regulatory regime for the Farm Credit System that has successfully stood the test of time in ensuring that these institutions operate safe and sound.

Farm Credit System institutions are regulated and examined by a fully empowered independent regulatory agency, the Farm Credit Administration, which has the authority to shut down and liquidate a system institution that is not financially viable. In addition, the Farm Credit System is the only GSE that has a self-funded insurance program in place that was established to not only protect investors in farm credit debt securities against loss of their principal and interest, but also to protect taxpayers.

These are just a few of the reasons why the Agriculture Committee insisted that the institutions of the Farm Credit System not be subject to a number of the provisions of this legislation. They were not the cause of the problem, did not utilize TARP funds, and did not engage in abusive subprime lending. We have believed that this legislation should not do anything to disrupt this record of success.

Mr. Speaker, I now would like to enter into a colloquy with the chairman of the Agriculture Committee.

Mr. Chairman, the conference report includes compromise language that requires the Commodity Futures Trading Commission to consider exempting small banks, Farm Credit System institutions and credit unions from provisions requiring that all swaps be cleared. We understand that community banks, Farm Credit institutions and credit unions did not cause the financial crisis that precipitated this legislation. While the legislation places a special emphasis on institutions with less than $10 billion in assets, my reading of the language is that they should not in any way be viewed by the Commodity Futures Trading Commission as a limit on the size of the institution that should be considered for an exemption.

Mr. Chairman, would you concur with this assessment?

Mr. PETERSON. Yes, I fully agree. The language says that institutions to be considered for the exemption shall include those with $10 billion or less in assets. It is not a firm standard. Some firms with larger assets could qualify, while some with smaller assets may not. The regulators will have maximum flexibility when looking at the risk portfolio of these institutions for consideration of an exemption.

Mr. HOLDEN. I thank the chairman.

Mr. LUCAS. Mr. Chairman, I now yield 2 minutes to the gentleman from Texas (Mr. NEUGEBAUER), who is a very significant participant on both the Financial Services Committee and the Agriculture Committee.

Mr. NEUGEBAUER. Mr. Speaker, I rise in strong opposition to this conference report. Financial regulatory reform is needed, but this 2,300 page bill is the wrong solution for the taxpayers, and it won't help build strong capital markets needed to fuel growth and new jobs for our country.

If you liked the bailouts of the last few years, you are going to love this new financial bill. If you are a consumer who wants fewer choices, higher costs of credit and new fees, this bill has some great deals for you.

This bill will vastly expand the powers of the government regulators. Those are the same regulators who fell short of the job the first time around, and now they are asking us to trust them and they tell us that the outcome will be different next time. But the outcome won't be different, because this bill sets up a permanent bailout regime that puts the government in charge of picking winners and losers.

Under this bill, if the government says to your company it is too big and too important to fail, your company gets an implied backing and serious advantages over its competitors, especially your smallest competitors. If the government determines a company should be shut down, the government gets to decide how everyone that does business with that company is treated, ignoring the rule of law, just like they did with AIG and the automobile companies behind closed doors.

And if those problems weren't serious enough, now the majority is playing fast and footloose with the taxpayers. In a move that could only make Bernie Madoff and Enron proud, the majority is now taking the unused and paid-back TARP funds that were supposed to pay down the national debt and double-counting the deposit insurance premiums to pay for the $19 billion cost of this bill.

American families can't double-count their income from their paychecks. What kind of accounting is Congress using that will let us double-count the money?

Mr. Speaker, bills sometimes have good titles but they don't accomplish what they are supposed to do. There is no real financial reform in this bill. I wish there was. I want to vote for real financial reform. But the big losers here are the American people. They stay at risk. Their choices are going to be limited, because now we are going to have a new credit czar determine what kind of financial products that the American people get to look at.

If you want real reform, vote against this bill.

□ 1710

Mr. PETERSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Speaker, I would like to engage the chairman in a colloquy.

I would like to briefly clarify an important point with the chairman regarding the intention of one of the exclusions from the definition of ''swap.'' The exclusion from the definition of swap for ''any sale of a nonfinancial commodity or security for deferred shipment or delivery, so long as the transaction is intended to be physically settled,'' is intended to be consistent with the forward contract exclusion that is currently in the Commodity Exchange Act and CFTC's established policy on this subject. Physical commodity transactions should not be regulated as swaps as that term is defined in this legislation. This is true even if commercial parties agree to ''book-out'' their delivery obligations under a forward contract.

For those who may not be familiar with terminology used in the trade, a book-out is a second agreement between two commercial parties to a forward contract who find themselves in a delivery chain or circle at the same delivery point. They can agree to settle

their delivery obligations by exchanging a net payment if there has been some change arising since the initial forward contract was entered into. Simply put, book-outs reduce transaction costs, and that saves consumers money.

Can the chairman clarify this for me?

I yield to the chairman.

Mr. PETERSON. The gentleman is correct. My interpretation of the exclusionary provision from the definition of swap that he mentioned is that the exclusion would apply to transactions in which the parties' delivery obligations are booked-out, as the gentleman described. The fact that the parties may subsequently agree to settle their obligations with a payment based on a price difference through a book-out does not turn a forward contract into a swap.

Excluding physical forward contracts, including book-outs, is consistent with the CFTC's longstanding view that physical forward contracts in which the parties later agree to book-out their delivery obligations for commercial convenience are excluded from its jurisdiction. Nothing in this legislation changes that result with respect to commercial forward contracts.

Mr. BOSWELL. I thank the chairman for the clarification.

Mr. PETERSON. I thank the gentleman.

I encourage people to support the conference report.

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

Mr. LUCAS. Mr. Speaker, I yield the remaining 2 minutes to the ranking member on the Small Business Administration Committee and a very valued member of the Agriculture Committee, the gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES of Missouri. Mr. Speaker, everyone agrees it's critical to restructure the regulatory oversight of our Nation's financial sector to help prevent future crises. Unfortunately, not only does this conference report fail to achieve this most basic goal, it also creates harmful new hurdles for small businesses. As ranking member of the House Small Business Committee, I cannot support this legislation.

Some of my colleagues are quick to state publicly that small businesses are going to bring us out of this economic downturn, yet they turn their backs on small firms and promote policies that severely hinder their growth. Through this legislation, Congress is once again ignoring the voice of the entrepreneur.

The conference report includes a massive new government bureaucracy that supporters claim will protect consumers from overzealous sellers of credit. However, the breadth of the rulemaking authority is astounding and will likely affect millions of credit transactions between small businesses and their customers. Even if the new agency only controls credit offered by regulated financial institutions, the additional burdens will raise the cost of credit for small businesses.

Of further concern is the language in the current bill that makes commercial end users who hedge their exposure to risk susceptible to unnecessary margin requirements through the use of cash collateral. Forcing sophisticated end users to increase capital set-asides to cover margins will ultimately raise the cost of products purchased by small businesses. Given the state of the economy, raising the costs on small businesses is one of the worst things that can be done.

The adverse long-term consequences of this legislation is nothing short of startling. At a time when American small businesses need it most, this bill may seriously restrict their access to capital. Additionally, this legislation will negatively affect small business investment companies from allowing regulators to decide whether these institutions can obtain capital from banks.

In closing, I strongly urge my colleagues to join me in opposing this ill-conceived conference report. If Congress expects small businesses to help turn around the economy, we have got to focus on developing legislation that helps them do just that.

Mr. BACHUS. Mr. Speaker, can I inquire as to the time left on both sides?

The SPEAKER pro tempore. The gentleman from Alabama has 21¼ minutes remaining. The gentleman from Massachusetts has 11 minutes remaining.

Mr. BACHUS. At this time I yield 2 minutes to the gentleman from New Jersey (Mr. GARRETT), who is the ranking member of the Capital Markets Subcommittee.

Mr. GARRETT of New Jersey. I rise in opposition to this job-killing continuation of a bailout bill. Earlier, Chairman FRANK said he was astonished by our interpretation this is a bailout bill. Well, what is even more astonishing is the fact that this is the same chairman who was here last session leading the efforts in our last bailout bill. And here he is, once again, leading the effort on this bill for a continuation of bailout. What is perhaps even more astonishing than that is that here he stands as the author of the bill, with the 2,300 pages in front of him, holding up and actually reading the bill, and he fails to see that this underlying piece of legislation continues to bail out creditors at the expense of U.S. taxpayers.

Just as we saw with the situation of AIG, where the creditors on Wall Street and the creditors over in China and such areas as that were bailed out at a hundred percent, we see the same thing possibly going forward here in this legislation as well. Perhaps that explains to us all why Wall Street is applauding this bill—because they know that they will continue to see the bailouts that they saw in the past. So it is astonishing to see that we're repeating history.

Now, I know the chairman will say, Well, this is not going to happen because there is the opportunity for receivership. But the chairman well knows if he looks into the bill that that receivership is not for a day or two—it's for a year or 2 or 3 or 4 or 5 years that we can continue to see American taxpayers putting out their money to bail out these failed, risky institutions.

It seems that at every turn the Democrats who wrote this bill chose to endow the same failed regulators who failed to foresee the last crisis with more and more power. At every single turn the Democrats chose more government bureaucracy and more government outreach into our economy. And at every turn the Democrats threw up policies that will kill jobs and restrict credit.

Now, on the one hand, this isn't surprising. We've seen this all before, when you think about it, whether it was in the area of cap-and-trade or in health care proposals, among others we saw before.

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

Mr. BACHUS. Mr. Speaker, I yield the gentleman 1½ additional minutes.

Mr. GARRETT of New Jersey. On the other hand, it is disappointing when you consider the history of the failed efforts in the area of health care or the failed efforts on the other side in the area of cap-and-tax that they haven't learned by now from their past mistakes. Think about it for a moment. Think about what we hear when we go back to our districts. That the American people are delivering a strong message to those of us in Washington willing to listen, a message saying that they do not want a continuation, Mr. Speaker, of the failed policies that you brought to the floor in the past with your bailouts of Wall Street. The American people say that they do not want to be on the hook for the tens—no—the hundreds of billions of dollars to bail out institutions on Wall Street that made bad risks. They want it to end now. And they want to end it today. They want less failed government overage into their lives and into the economy. They do not want institutions yet again created that can look at every single transaction that they make, whether it's at the ATM that the government can now look down into those transactions, whether it's opening up a credit card account someplace that the Federal Government can now look into those transactions, whether it's any transaction whatsoever that you or I make or anyone listening to this speech tonight will be able to make, because bureaucrats, unelected, unaccountable bureaucrats, will be able to look into those transactions.

They want less failed government overage into their lives. They want less intrusions into the economy. What, you ask them, do they want? They simply want more opportunities—opportunities to work and to provide for their

families. And they want those opportunities without pushing our country into greater debt. Unfortunately, this bill fails on all accounts.

□ 1720

Mr. FRANK of Massachusetts. I yield 1 minute to my colleague, the gentleman from Minnesota (Mr. PETERSON), the chairman of the Agriculture Committee.

Mr. PETERSON. Mr. Speaker, I would like to enter into the RECORD a letter that Chairman FRANK and I received from Chairmen LINCOLN and DODD on the treatment of end users under the derivatives title of the bill. As the letter makes clear, we have given the regulators no authority to impose margin requirements on anyone who is not a swap dealer or a major swap participant.

While the regulators do have authority over the dealer or MSP side of a transaction, we expect the level of margin required will be minimal, in keeping with the greater capital that such dealers and MSPs will be required to hold. That margin will be important, however, to ensure that the dealer or major stock participant will be capable of meeting their obligations to the end users. We need to make sure that they have that backing.

I would also note that few, if any, end users will be major swap participants, as we have excluded ''positions held for hedging or mitigating commercial risk'' from being considered as a ''substantial position'' under that definition.

I would ask Chairman FRANK whether he concurs with my view of the bill.

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

Mr. FRANK of Massachusetts. I yield the gentleman 15 additional seconds.

And the gentleman is absolutely right. We do differentiate between end users and others. The marginal requirements are not on end users. They are only on the financial and major swap participants. And they are permissive. They are not mandatory, and they are going to be done, I think, with an appropriate touch.

U.S. SENATE,
Washington, DC, June 30, 2010.

Hon. Chairman BARNEY FRANK,
Financial Services Committee, House of Representatives, Rayburn House Office Building, Washington, DC.

Hon. Chairman COLLIN PETERSON,
Committee on Agriculture, House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CHAIRMEN FRANK AND PETERSON: Whether swaps are used by an airline hedging its fuel costs or a global manufacturing company hedging interest rate risk, derivatives are an important tool businesses use to manage costs and market volatility. This legislation will preserve that tool. Regulators, namely the Commodity Futures Trading Commission (CFTC), the Securities and Exchange Commission (SEC), and the prudential regulators, must not make hedging so costly it becomes prohibitively expensive for end users to manage their risk. This letter seeks to provide some additional background on legislative intent on some, but not all, of the various sections of Title VII of H.R. 4173, the Dodd-Frank Act.

The legislation does not authorize the regulators to impose margin on end users, those exempt entities that use swaps to hedge or mitigate commercial risk. If regulators raise the costs of end user transactions, they may create more risk. It is imperative that the regulators do not unnecessarily divert working capital from our economy into margin accounts, in a way that would discourage hedging by end users or impair economic growth.

Again, Congress clearly stated in this bill that the margin and capital requirements are not to be imposed on end users, nor can the regulators require clearing for end user trades. Regulators are charged with establishing rules for the capital requirements, as well as the margin requirements for all uncleared trades, but rules may not be set in a way that requires the imposition of margin requirements on the end user side of a lawful transaction. In cases where a Swap Dealer enters into an uncleared swap with an end user, margin on the dealer side of the transaction should reflect the counterparty risk of the transaction. Congress strongly encourages regulators to establish margin requirements for such swaps or security-based swaps in a manner that is consistent with the Congressional intent to protect end users from burdensome costs.

In harmonizing the different approaches taken by the House and Senate in their respective derivatives titles, a number of provisions were deleted by the Conference Committee to avoid redundancy and to streamline the regulatory framework. However, a consistent Congressional directive throughout all drafts of this legislation, and in Congressional debate, has been to protect end users from burdensome costs associated with margin requirements and mandatory clearing. Accordingly, changes made in Conference to the section of the bill regulating capital and margin requirements for Swap Dealers and Major Swap Participants should not be construed as changing this important Congressional interest in protecting end users. In fact, the House offer amending the capital and margin provisions of Sections 731 and 764 expressly stated that the strike to the base text was made ''to eliminate redundancy.'' Capital and margin standards should be set to mitigate risk in our financial system, not punish those who are trying to hedge their own commercial risk.

Congress recognized that the individualized credit arrangements worked out between counterparties in a bilateral transaction can be important components of business risk management. That is why Congress specifically mandates that regulators permit the use of non-cash collateral for counterparty arrangements with Swap Dealers and Major Swap Participants to permit flexibility. Mitigating risk is one of the most important reasons for passing this legislation.

Congress determined that clearing is at the heart of reform—bringing transactions and counterparties into a robust, conservative and transparent risk management framework. Congress also acknowledged that clearing may not be suitable for every transaction or every counterparty. End users who hedge their risks may find it challenging to use a standard derivative contracts to exactly match up their risks with counterparties willing to purchase their specific exposures. Standardized derivative contracts may not be suitable for every transaction. Congress recognized that imposing the clearing and exchange trading requirement on commercial end-users could raise transaction costs where there is a substantial public interest in keeping such costs low (i.e., to provide consumers with stable, low prices, promote investment, and create jobs.)

Congress recognized this concern and created a robust end user clearing exemption for those entities that are using the swaps market to hedge or mitigate commercial risk. These entities could be anything ranging from car companies to airlines or energy companies who produce and distribute power to farm machinery manufacturers. They also include captive finance affiliates, finance arms that are hedging in support of manufacturing or other commercial companies. The end user exemption also may apply to our smaller financial entities—credit unions, community banks, and farm credit institutions. These entities did not get us into this crisis and should not be punished for Wall Street's excesses. They help to finance jobs and provide lending for communities all across this nation. That is why Congress provided regulators the authority to exempt these institutions.

This is also why we narrowed the scope of the Swap Dealer and Major Swap Participant definitions. We should not inadvertently pull in entities that are appropriately managing their risk. In implementing the Swap Dealer and Major Swap Participant provisions, Congress expects the regulators to maintain through rulemaking that the definition of Major Swap Participant does not capture companies simply because they use swaps to hedge risk in their ordinary course of business. Congress does not intend to regulate end-users as Major Swap Participants or Swap Dealers just because they use swaps to hedge or manage the commercial risks associated with their business. For example, the Major Swap Participant and Swap Dealer definitions are not intended to include an electric or gas utility that purchases commodities that are used either as a source of fuel to produce electricity or to supply gas to retail customers and that uses swaps to hedge or manage the commercial risks associated with its business. Congress incorporated a de minimis exception to the Swap Dealer definition to ensure that smaller institutions that are responsibly managing their commercial risk are not inadvertently pulled into additional regulation.

Just as Congress has heard the end user community, regulators must carefully take into consideration the impact of regulation and capital and margin on these entities.

It is also imperative that regulators do not assume that all over-the-counter transactions share the same risk profile. While uncleared swaps should be looked at closely, regulators must carefully analyze the risk associated with cleared and uncleared swaps and apply that analysis when setting capital standards for Swap Dealers and Major Swap Participants. As regulators set capital and margin standards on Swap Dealers or Major Swap Participants, they must set the appropriate standards relative to the risks associated with trading. Regulators must carefully consider the potential burdens that Swap Dealers and Major Swap Participants may impose on end user counterparties—especially if those requirements will discourage the use of swaps by end users or harm economic growth. Regulators should seek to impose margins to the extent they are necessary to ensure the safety and soundness of the Swap Dealers and Major Swap Participants.

Congress determined that end users must be empowered in their counterparty relationships, especially relationships with swap dealers. This is why Congress explicitly gave to end users the option to clear swaps contracts, the option to choose their clearinghouse or clearing agency, and the option to segregate margin with an independent 3rd party custodian.

In implementing the derivatives title, Congress encourages the CFTC to clarify through rulemaking that the exclusion from the definition of swap for ''any sale of a nonfinancial commodity or security for deferred shipment or delivery, so long as the transaction is intended to be physically settled'' is intended to be consistent with the forward contract exclusion that is currently in the Commodity Exchange Act and the CFTC's established policy and orders on this subject, including situations where commercial parties agree to ''book-out'' their physical delivery obligations under a forward contract.

Congress recognized that the capital and margin requirements in this bill could have an impact on swaps contracts currently in existence. For this reason, we provided legal certainty to those contracts currently in existence, providing that no contract could be terminated, renegotiated, modified, amended, or supplemented (unless otherwise specified in the contract) based on the implementation of any requirement in this Act, including requirements on Swap Dealers and Major Swap Participants. It is imperative that we provide certainty to these existing contracts for the sake of our economy and financial system.

Regulators must carefully follow Congressional intent in implementing this bill. While Congress may not have the expertise to set specific standards, we have laid out our criteria and guidelines for implementing reform. It is imperative that these standards are not punitive to the end users, that we encourage the management of commercial risk, and that we build a strong but responsive framework for regulating the derivatives market.

Sincerely,

Chairman CHRISTOPHER DODD,
Senate Committee on Banking, Housing, and Urban Affairs, U.S. Senate.

Chairman BLANCHE LINCOLN,
Senate Committee on Agriculture, Nutrition, and Forestry, U.S. Senate.

Mr. BACHUS. At this time I yield 4 minutes to the gentleman from California (Mr. ROYCE), a senior member of the committee.

Mr. ROYCE. Mr. Speaker, yesterday a small community banker in Ohio by the name of Sarah Wallace wrote a letter. She wrote about what she believed will be the end of community banking as we know it. And Sarah Wallace notes, in her words: ''Going forward, we will no longer be able to evaluate loan applications based solely on the creditworthiness of the borrower. We will be making regulation compliance decisions instead of credit decisions.''

And this gets to the heart of the issue with the underlying legislation that we're discussing. Despite the fact that every failed financial firm had some type of Federal regulator overseeing it, the answer put forward in this bill is to give broad, largely undefined powers to those regulators and not, by the way, in the interest of safety and soundness. If the objective was safety and soundness, the amendment that I put forward to allow the safety and soundness regulator to overrule the Consumer Financial Protection Bureau in cases where safety and soundness was at stake, that would have been upheld. No, that's not the goal here.

And to get back to the point that Sarah Wallace makes, her observation is that instead of focusing on providing credit and providing the best possible service to the customers in these small towns that need that credit, these institutions will instead focus their efforts on appeasing the Federal Government and on appeasing their allies in Congress.

Well, why should that give us concern? It should worry us because whether it is striving toward another altruistic goal, such as Congress' interest in subsidizing housing—and by the way, that's what happened during the housing crisis—or whether it's funneling cash into friendly community activist organizations, like ACORN, the fact is, the closer big government gets to business, the more likely these favors will become the rule instead of the exception.

What I don't like about this is the political pull that comes out of it. What I don't like about it is the market discipline being replaced. And I think on a massive scale, this bill replaces objectivity with subjectivity. It replaces the market discipline on Main Street with political pull in Washington, and regulators will now decide which firms will be treated differently and, therefore, moved through the resolution process and which firms should be left to the bankruptcy courts.

Why would we care about that in terms of these big firms having this ability now to have this alternative means of resolution? Well, once in the resolution process, the government will have the authority to provide a 100 percent bailout to whichever creditor it favors while imposing severe losses on other institutions who bought the exact same bonds. Should we be concerned about abuse in this respect? I think so, because this type of bureaucratic discretion has led to abuse in the past.

We have already seen that abuse in the Obama administration's handling of the Chrysler bankruptcy last year. Secured creditors, typically entitled to first priority payment under the absolute priority rule, ended up receiving less than the union allies of the administration who held junior creditor claims. The fact that the regulatory reform approach injects politics into the process ensures this kind of favoritism in the future.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the majority leader.

Mr. HOYER. I thank the chairman for yielding, and I congratulate the chairman for the extraordinary work he has done. I thank Mr. BACHUS too, who is, I think, one of the really responsible leaders in the minority in terms of issues of substance. And when there are differences, they are honest differences.

Mr. Speaker, I come to the floor, and when I do, I hear portions of the debate, sometimes not all of the debate. I want to make an observation, though. I listened to the gentleman from New Jersey, and he remarked on what the people were saying. And I think that, frankly, his remarks reflected the difference in the perspective between the two parties.

Indeed, that perspective has been reflected in my three decades here, under Mr. Reagan and others who have served as President and lastly with Mr. Bush, Mr. Obama's immediate predecessor. And that perspective was, if the regulators would simply get out of the way, things would be fine. Mr. ROYCE indicates that the market will take care of things. ''The market will discipline itself,'' he said. Phil Gramm said that with respect to the derivatives.

Unfortunately, I voted for that bill that Mr. Gramm was for. I made a mistake. Brooksley Born was correct. The market did not discipline itself. In fact, the market took extraordinarily irresponsible steps. What I hear, I tell my friend from New Jersey, the people saying is, Don't let the big guys trample on us. Don't let the big guys put us at great risk. Don't let the big guys make decisions that they take the risk and we take the loss. That's what I hear the people saying, and that's what I think this bill is designed to respond to.

This week Mr. BOEHNER compared reforming Wall Street to killing an ant with a nuclear weapon. Well, that may sound colorful, but this is the greatest economic crisis that any of us—I'm looking around on this floor—have experienced in our lifetimes. And I am closer to experiencing the last one than any of you, I think, on the floor are. But none of us, even at my advanced age, were alive during the Great Depression. So this is the first time that we have experienced such a deep, deep recession.

But I will tell you, the 8 million Americans whose jobs it took away think it was a mighty big ant that squashed them and their families, or the millions more who saw their savings devastated or the families in every one of our districts who have lost their homes. They're thinking to themselves, Mr. BOEHNER, that was a mighty big ant that came my way. And not to more than half of the Nation's working adults who report that they have been pushed by the recession into ''unemployment, pay cuts, reduced hours at work or part-time jobs,'' according to a Pew Research Center Survey reported in today's Washington Post.

□ 1730

Now, some of you may think that was an ant that walked through here, but some think it was a pretty big elephant. It squashed them and hurt them.

I don't mean an elephant in the symbol of your party, a respected animal with a long memory.

But we have differences, and the differences are, as I've said before, that you perceive regulation as harmful.

My analogy is, if you take the referee off the football field, I guarantee the split end's going to leave early. He's going to try to get an advantage. And I guarantee the little guys on the field are going to get trampled on by the big guys because there's no referee to say, Time out. You broke the rules.

This bill is about putting the referee back on the field and saying, Obey the rules. Do not trample on the little people. Don't take risks that you will expect them to pay for.

More than half, Mr. Speaker, of today's families have been affected. There is no way to overstate what happened to them, and there is no mistaking the cause of the crisis: The Wall Street culture of reckless gambling, and a culture of regulatory neglect that the last administration wants to perpetuate it, and some want to return to.

I simply think that would be a mistake. I tell my friend from New Jersey, the people I talk to think it would be a mistake as well. They don't like what's happened. They don't want it to happen again, and this is an effort to make sure that's the case.

Never again. Never again should Wall Street greed bring such suffering to our country. And never again should Washington stand by as that greed manifests itself as irresponsible risk taking where a few share the profits, but Main Street bears the brunt of Wall Street's lost bets.

Now, let me say that I voted for that bill—I was wrong—the Gramm bill that said Brooksley Born was wrong, we didn't need to regulate derivatives. And by the way, there were a number of Democrat leaders who said that as well, that we didn't need to, and Mr. Greenspan said it as well. He's admitted he made a mistake, and he was distressed by that mistake.

Now, we can't erase that crisis, but we can work to rebuild what we lost. As Democrats have done every time, we've supported job creation, from the Recovery Act to ''Cash for Clunkers'' to the HIRE Act to the additional tax relief for small businesses, that's, frankly, been obstructed by the minority party in the other body who have made a high-stakes political bet on recovery's failure. That would be a shame.

We can also, just as any responsible family would, ensure ourselves against a repeat crisis and protect America's jobs from another devastating collapse. The Wall Street Reform and Consumer Protection Act, which Mr. FRANK and Mr. DODD have led to this point, means an end to the irresponsible practices of the big banks.

And I want to say the community banks, which I think Mr. ROYCE referred to, he's absolutely right. They were not the problem, none of our community banks. They, frankly, cared that people could pay their money back, and they were careful in giving loans and careful in making sure that people to whom they gave loans could pay them back.

It was those who securitized them, that put them in these big, fancy documents, that didn't care whether they could pay them back because, for the most part, they made their money on the transaction, not on the long-term responsibility of the debtor.

I'm happy that among our financial institutions there are responsible actors who appreciate effective oversight and understand that it stimulates investment, enterprise, entrepreneurship, and job creation. Why? Because people can trust the system because they know the referee is on the field watching, and they know, therefore, the game will be honest.

No bill, of course, can create an economy without risk, nor should it. But this bill will bring accountability to Wall Street and Washington, protect and empower consumers, forestall future financial meltdowns, and prevent taxpayer money from being put on the line again to bail out Wall Street excess.

I want to say to my friend who mentioned that we bailed out Wall Street, how quickly you forget that it was President Bush and Secretary Paulson and Ben Bernanke, appointed as Chair of the Federal Reserve by President Bush, that asked for that bill; and that your leadership, for the most part, supported and urged its adoption. So, with all due respect, it was President Bush's administration that asked for that bailout, not Democrats.

What Democrats did, when they said there was a crisis, acted in a bipartisan way to respond to that crisis. And, very frankly, I think we precluded a depression.

Americans have an obligation of responsible borrowing, but financial companies also have responsibilities to make loans fair and transparent. By creating a Consumer Financial Protection Bureau, we can make sure that both sides live up to that bargain.

The Consumer Financial Protection Bureau will strengthen and modernize oversight of Wall Street by putting the functions of seven different agencies in one accountable place. It seems to me that that would appeal to people who want not so much proliferation of various agencies crossing one another.

In addition, corporations like AIG and Lehman Brothers will no longer be able to make the kind of gambles that risk the health of our entire economy and, indeed, the world's. Institutions that place the biggest economic bets will be required to keep capital on hand to meet their obligations, should those bets fail, and not expect the taxpayer to do that.

This bill also reduces the conflicts of interest that allowed credit rating agencies to wrongfully declare such institutions in good health long after they were dangerously overloaded. Of course, the regulators weren't watching. There was a philosophy, of course, that regulation got in the way.

And it prudently regulates the inherently dangerous derivatives that Warren Buffett called, and I quote, ''weapons of financial mass destruction'' for the ability to bring down entire economies when bets go bad.

Should a major firm still find itself on the verge of collapse, this bill insulates the rest of the economy and keeps taxpayers off the hook, off the hook for any future bailouts.

Mr. Speaker, a tremendous amount of irresponsibility in Washington and on Wall Street went into the crisis from which we are still struggling to recover. That crisis, of course, started in December 2007. Actually, it started long before that, as I said, in the late nineties. Middle class families who worked hard and played by the rules overwhelmingly paid the price.

But there's a kind of irresponsibility even worse, failure to learn. We know what greed and neglect can do. None of us can plead ignorance.

Let's show, Mr. Speaker, ladies and gentlemen of this House, that we've learned something from the crisis. Let's keep it from happening again. That is, I tell my friend, what I hear from my constituents. They want to have us stop it from happening again. They're angry about it. I'm angry about it. I'm sure that the ladies and gentlemen on both sides of the aisle are angry about it. This is an opportunity to ensure, to the extent we possibly can, that this tragedy to so many millions of families does not happen again.

Mr. GARRETT of New Jersey. Will the gentleman yield for a question?

Mr. HOYER. I yield to my friend.

Mr. GARRETT of New Jersey. I thank the gentleman, and I appreciate the gentleman's comments.

Would the gentleman just agree with this statement, though, that neither I nor, I think, anyone on our side of the aisle take the view that we want no regulation, that we are proposing no reform; that, actually, we have presented a proposal for reform, prior, to the administration, that we do believe we need some reform differing in approach and an approach that we and some believe would end the perpetual bailouts? Would you agree that we just come from a different perspective and just want to have a different proposal?

Mr. HOYER. Reclaiming my time, I thank the gentleman for his question.

As I said at the outset, I do believe we come from a different place. And I do believe it is accurate to state that all of the Republican Presidents who have served during the time that I have served have advanced the proposition that regulation at the Federal level was overburdensome and it ought to be reduced.

Certainly, we ought to reduce regulation that is neither effective and is intrusive to the growth of our economy and to the effective operation of businesses. But with respect to that, I say to my friend, I think what we saw during the last decade was an excessive

commitment, as Mr. Greenspan pointed out, to the proposition, as Mr. ROYCE stated, Just get out of the way; they will discipline themselves.

□ 1740

Frankly, the split end that leaves 2 seconds early because the referee is not on the field is not a bad person. He is trying to get an advantage. And that's the difference I think between our perspectives. I understand that difference of the perspectives, so I agree with you that we do have a difference in perspective. I believe this strikes the right balance.

And I yield to my friend the chairman.

Mr. FRANK of Massachusetts. I would just say to the gentleman from New Jersey, I can only judge by what I see. When the House voted on this bill last December, the minority had certain amendments made in order by the rules, not as many as they would have liked or as I would have liked, but in the end they had the motion to recommit, over which they had complete editorial control. The motion to recommit on this version of this bill that passed the House last December from the minority said no regulation, no reform of regulation.

It had one provision. It said kill everything in the bill. It didn't say do it differently. It didn't amend it. It didn't change it. It said do not change anything. Do not reform anything except end the TARP, which thanks to the Senate we are now doing in this bill.

So I can only judge by what I see. When the gentleman says that, when the minority had a chance to offer their own version of this, they offered a version that said no, no reform, no change, no regulation, leave the status quo.

Mr. HOYER. Reclaiming my time, and I will now leave the stage after a little more than my minute, I will say to my friend that the chairman's answer, I think, reflects my view of our different perspectives.

Mr. BACHUS. Mr. Speaker, at this time I yield 5 minutes to the gentleman from Texas (Mr. HENSARLING), the ranking member on the Financial Institutions Subcommittee.

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Speaker, the cause of our financial crisis is really Federal policy that strong-armed, that cajoled, that facilitated financial institutions to loan money to people to buy homes who couldn't afford to keep them, and people who decided to buy more home than they could afford and now expect their neighbors who didn't to bail them out.

I mean, Mr. Speaker, it's not a matter of deregulation; it was a matter of dumb regulation. And there was no dumber regulation than that which created the government-sponsored enterprises, and gave them an affordable housing mission, and ended up buying the lion's share of troubled mortgages, or insuring the troubled mortgages in the system. Again, it wasn't deregulation; it was dumb regulation. And all this bill before us does is perpetuate the same dumb regulations that got us into this financial pickle in the first place.

The bill before us doesn't go to the root cause. It leaves the government-sponsored enterprises, which represent among other things the mother of all taxpayer bailouts, $147 billion and counting, with $1 trillion of taxpayer exposure. They are left in place. Amendments Republicans offered to reform the government-sponsored enterprises, no, those are somehow out of order. Amendments that would have put them on budget, no, those are somehow out of order.

And in fact, an amendment—there is only one little study in this. There are lots of studies; only one study dedicated to the government-sponsored enterprises. An amendment that would have ensured the study at least try to figure out how to make the taxpayer whole, the Democrats voted that down. They are even scared of a study that would somehow try to make the taxpayers whole.

Instead, what does this bill do, Mr. Speaker? It creates a permanent bailout authority. There is only one reason to have a bailout authority, and that's for bailouts. If you want more taxpayer-funded bailouts, this is the bill for you. To paraphrase a line from the old Kevin Costner movie ''Field of Dreams,'' If you build it, they will come. That's the whole reason to have a bailout authority.

The Federal Government can lend to failing firms. They can purchase the assets of failing firms. The Federal Government can guarantee the obligations of failing firms. The Federal Government can take a security interest in the assets of failing firms. This is a bailout authority. The big will get bigger, the small will get smaller, the taxpayer will get poorer.

Now, I know our friends on the other side of the aisle continue to say, well, the taxpayer's not going to have to pay anything. Well, the Congressional Budget Office, headed by a Democrat, they seem to differ. I have a copy of their analysis of the bill dated June 28. ''CBO estimates that enacting the legislation would increase direct spending by $26.9 billion. Most of that amount would result from provisions that would establish a program for resolving certain financial firms that are insolvent or in danger of becoming insolvent.'' Now, they are notorious for lowballing these estimates, but even they say that ultimately taxpayers will be called upon for this bailout authority.

Mr. Speaker, the best way to end taxpayer bailouts of failing firms is to end taxpayer bailouts of failing firms. And that's really the choice presented before us. Bankruptcy versus bailouts for failed Wall Street firms. The Democrats obviously choose bailouts.

Second of all, Mr. Speaker, this is a job killer, pure and simple a job killer. It creates a new Federal institution to ban and ration consumer credit. The Chamber of Commerce, representing Main Street not Wall Street, estimates this will increase consumer interest 1.6 percent and that 4.3 percent fewer new jobs will be created.

I hear from community bankers in my district. Cad Williams, East Texas National Bank: ''If I have more compliance costs, and the Federal Government is going to limit the types of customized credit products I can offer, we will lose jobs in Anderson County, Texas.''

I hear from constituents. Small businessman Tim Ratcliff of Combine, Texas: ''I own a small business. I am a distributor for promotional products that come from suppliers all over the country. Without easy, reliable access to that credit, I am out of business.''

Mr. Speaker, again, this is a job killer. I haven't even talked about the huge new expansion of government within this bill. This should be defeated.

Mr. FRANK of Massachusetts. I yield 1 minute to the Speaker of the House.

Ms. PELOSI. I commend the gentleman for his great leadership, and I thank him for yielding time.

Mr. Speaker, as I listened to the debate here, I can't help but remember, and I have a vivid memory of it, a couple of years ago, almost 2 years ago, September 18, a Thursday afternoon, we were gathered in our office, and had just seen in the week and a half preceding, a week and a half to 2 weeks preceding that day, some unusual events that related to Lehman Brothers, Merrill Lynch, and then AIG and the Fed bailout of AIG.

I called the Secretary of the Treasury and said, We are meeting here in my office, and wondered if we could be helpful in any way in terms of public policy, because what we seem to see coming out from the executive branch is chaos. Different responses to different challenges that were not adding up to us. Could you, Mr. Secretary, come to the Congress tomorrow and give us a report on what is happening? And I said could you be here at 9 o'clock tomorrow morning to tell us what is happening to the markets? Secretary Paulson said, ''Madam Speaker, tomorrow morning will be too late.'' Tomorrow morning will be too late. ''Why, Mr. Secretary, have you not notified Congress? Why have you not called us sooner? Why would it take a call from me to ask you to report to us to tell us that tomorrow morning will be too late?''

Without going into his response, which I am happy to do, but in the interests of time I won't now, I then called the Chairman of the Fed, Chairman Bernanke, and asked him to join the Secretary of the Treasury at my office later that day.

The meeting turned into a meeting that was House and Senate, Democrats and Republicans gathered together to hear from the Secretary of the Treasury the condition of the markets. The

Secretary, who had told us that we couldn't even wait until the next morning, described a very, very grim situation.

□ 1750

The chairman of the Fed, who was an expert on the Great Depression, told us that the situation was so grim that if we did not act immediately, there would be no economy by Monday. This is Thursday night. There would be no economy by Monday. How could it be? We, the greatest country in the world with the strongest economy, yet we needed to act immediately.

The response from the Bush administration was a bailout of the banks. And at a 24-hour/48-hour period they produced a bill, $700 billion, that they asked the Congress to pass to bail out the banks. It was necessary to do because of the recklessness of the Bush administration's economic policy, because of the lack of supervision, discipline, regulation. The recklessness on Wall Street had taken us to the brink of a financial crisis of such magnitude that the chairman said there wouldn't be an economy by Monday.

Took us into deep recession where 8½ million jobs were lost. People lost their jobs, therefore in many cases their health insurance. They lost their pensions, they lost their savings, they had to live off savings, and they lost their investments for their children's education. Because of recklessness on Wall Street, joblessness was rampant on Main Street.

One of the reasons was there was no credit. It's interesting to hear my colleagues talk about the importance of credit to Main Street, but not one of them voted for the Small Business Credit bill that passed in this Congress about a week ago.

But in any event, joblessness, lack of credit, suppressing the entrepreneurial spirit of the United States of America, because there were some, not all, but some on Wall Street who decided it was okay to privatize the game as long as they were making money and nationalize the risk. Send the bill to the taxpayer when they were not. That's why we are here today to make sure that never happens again, to say to them that the party is now over.

And it's interesting to note that in that message, not one Republican participated when this bill came to the floor originally. And that was the end of last year. Years of allowing Wall Street to do anything it wants, beyond laissez faire, to be overleveraged, no transparency, no accountability, produce the most severe financial crisis and economic downturn since the Great Depression—and the American people paid the price.

Again, 8 million jobs, nearly $17 trillion in net worth disappeared. A record number of foreclosures ravaged our communities. And, again, credit disappeared from small businesses. This also had a tremendous impact on construction in our country because of the lack of loans.

Today, I rise with the clear message that the party is over. No longer again will recklessness on Wall Street cause joblessness on Main Street. No longer will the risky behavior of a few threaten the financial stability of our families, our businesses, and our economy as a whole.

The Wall Street Reform and Consumer Protection Act has been appropriately named for Chairman DODD and Chairman FRANK, and I thank them for their leadership. In doing so, in bringing this legislation before the Congress, Chairman FRANK and Chairman DODD are making history. For decades to come their names will be identified with historic reforms to protect the economy of our country and the financial and economic security of the American people.

I also want to acknowledge Chairman COLLIN PETERSON who carefully negotiated some of the most contentious positions of this legislation working with Chairwoman LINCOLN on the Senate side. All of the Democratic conferees, I thank you for your commitment for making the strongest bill possible and for always putting America's consumers first.

Today we will follow the lead of those on the committee enacting historic legislation to bring transparency to our financial markets, lowering the leverage that got us into this trouble in the first place, bringing tough oversight to Wall Street, and bringing consumer protection to Main Street and to the American people.

By voting ''yes,'' we will pass the toughest set of Wall Street reforms in generations. This comprehensive and far-reaching legislation injects transparency and accountability as it lowers leverage and to the financial system run amok under the Republicans' reckless economic policies.

This legislation makes commonsense reforms that end the era of taxpayer bailouts and ''too big to fail'' financial firms. It establishes a new independent agency solely dedicated to protecting Americans from anticonsumer abuses. The bill closes the door on predatory lending and regulates payday lenders. It includes provisions to allow us to conduct oversight over the Fed, establishes tough rules for risky financial practices, enhances oversight for credit rating agencies, and reins in egregious CEO bonuses by giving shareholders a say on executive pay.

It sheds light on the darkest corners of the derivatives market and is fully paid for. And how is it paid for? By shutting down the Bush-era bailout fund known as the TARP and using the savings for financial reform.

As we cast our votes today, each Member of this body faces a choice. We have had these choices before. Democrats wanted to rein in health insurance companies; the Republicans said no. Democrats wanted to rein in Big Oil; the Republicans said no. Democrats want to rein in the recklessness of some on Wall Street; the Republicans are saying no.

Each Member of this body will have a choice. We can place our bet on the side of those on Wall Street who have gambled with our savings and lost, or we can stand with Main Street and the middle class. Will we preserve a status quo? And if this bill were to fail, we would be preserving a status quo that has left our economy in a wretched state. Or will we guarantee the American people strong reforms and effective vigilance to prevent another financial crisis?

How can we possibly resist the change that must happen? How can we forget that the chairman of the Fed said if we do not act, we will not have an economy by Monday—4 days from when we were having the conversation? How can we let the status quo that created that condition to continue?

I urge my colleagues to choose on the side of Main Street. I urge you to build a future of stability and security for America's families, consumers, and small businesses. I urge you to vote ''aye'' on the Dodd-Frank Wall Street Reform and Consumer Protection Act.

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

Mr. Speaker, I hear two people that I know are leaders of the majority; and they each, Mr. HOYER and Ms. PELOSI, I know they appear to be sincere when they say that never again will the American people be asked to bail out those on Wall Street who made reckless deals; no longer will the taxpayer be put on the hook.

□ 1800

Yet there is an inconvenient truth here for my Democratic friends, and that is the clear wording of the bill. I mean I think it is elementary that before we pass legislation that we read it. I would not repeat this except that my colleagues in the majority continue to say time after time after time that there is no bailout, and there is. There is an AIG-style bailout. Now, AIG cannot be saved under this legislation. In fact, we changed that, and we both insisted in a bipartisan way that the AIGs of today will not survive. They will not survive under this bill. AIG, under this bill—and in bipartisan way we agree—failed. We say we put the AIGs into bankruptcy, and they are resolved in that way. My Democrat colleagues say that an AIG-like failing company will be put in an FDIC supervised resolution authority.

Now, Mr. FRANK is correct when he says, Wait a minute. Wait a minute. This only occurs when these firms are being placed in liquidation. They are being liquidated.

Well, now, I agree with him, but is there no bailout of anyone on Wall Street? Well, of course there is. It is a very expensive bailout.

In the Dodd-Frank bill, it is section 204D(1–6). I mean, go write this down. Go and read it. It says that the FDIC can, one, lend to a failing firm; two, purchase the assets of a failing firm; three, guarantee the obligation of a

failing firm; four, take a security interest in the assets of a failing firm; five, and/or sell the assets that the FDIC has acquired from the failing firm.

Why would you lend a failing firm money? I keep asking that. The second thing is: Where is the bailout fund in this bill?

There is no bailout fund in this bill. There is $19 billion that is assessed towards community banks. They are FDIC assessments that are raised, which are about $9 billion, and there is the TARP program that ended 3 months sooner than it should have. We were told somehow, because we were not going to start any new programs in that 3 months, that somehow—hocus-pocus—it saves us about $10 billion. It is hocus-pocus because you cannot spend the money on the new programs in this bill and then turn around and suddenly pull out of a hat that same money and give it back to the taxpayers. It just doesn't happen.

Also, Speaker PELOSI may forget that one of the first signs of trouble was not in September of 2008 but in July of 2008 when we suddenly realized that Fannie and Freddie were insolvent and that many of our banks, almost all of our banks, had major positions in their shares. Why did they have major positions in the shares of Fannie and Freddie? They lost all of that money because the government had said, If you'll invest in that, we'll give you a special rating, and we'll count it as the same as treasuries. It disappeared overnight.

Now, that was in July, not in September. Banks took a hit on that. The Democrats said at that time—and the Bush administration and Secretary Paulson—we've got to give $400 billion to Fannie and Freddie because, in 1999, under the Clinton administration, you said let's loan to people with poor credit; let's loan to people without much of a downpayment. Republicans and Democrats both rushed to use this as a source of cheap money, and it failed.

Republicans said—and still say and say as this bill is on the floor—wait a minute. You're going to reform these companies before you pour taxpayer dollars in them. Every Republican in the House voted, no, we will not give them taxpayer money until they are reformed and there is a plan to liquidate them.

The chairman says we need to liquidate them. What about Fannie and Freddie? Why aren't we liquidating them? We're not. The biggest bailout that we've had is of Fannie and Freddie. Who did we bail out? Did we bail out the banks that had shares? No, we bailed out the Chinese bondholders. Secretary Paulson said, You know what? The Chinese might not lend us any money.

Let me tell you that we'll sure need the Chinese to lend us money if this bill passes, because there is a derivatives section in here.

Now, we have a letter that Chairman PETERSON produced, which said this doesn't affect end users, but it's a letter. The truth is we were in conference last week when we fought this out, and we voted for an exemption for end users. The Democrats voted against one. We've been told in the past 48 hours, 72 hours, by groups like the International Swap and Derivatives Association that this bill will cost businesses $1 trillion. $1 trillion. That is capital. It doesn't matter whether they trade on the derivatives or if someone does it for them. Someone has to post that capital, and that goes through and is an expense for that commercial company.

If you take $1 trillion out of the economy suddenly, sure, you are going to have a crisis like this bill anticipates. This bill says, if there is such a crisis, then a receiver is appointed. Chairman FRANK keeps saying, A receiver is appointed. A receiver is appointed.

That's right. That receiver, after 30 days, is authorized to borrow 90 percent of the fair value of the failing companies.

Chairman FRANK, that is $8.5 trillion. That money is not in this bill. There is not even $10 billion in this bill for this type of resolution. So you have to go to the banks or you have to go to the financial companies or you're going to get it after the fact. If they're failing, how are they going to pay it?

I want to close with a positive. The 320 Members of this House who took a stand can take a stand in just a few minutes.

COLLIN PETERSON, Chairman PETERSON, said that there are no requirements that end users post margins. We all agree that, if they had to, it would be $1 trillion out of these companies. $1 trillion, according to JOE BIDEN, will produce 700,000 to 1.4 million jobs and will produce as many as 200,000 jobs a month. So that is the hit to this economy if this does apply to end users.

So we have a motion to recommit. First, it says there is an exemption on end users. Now, you have said that there is one, and you have this letter from Chairman DODD and BLANCHE LINCOLN saying there is one, so that's half of it. So you'd vote for that because you're saying it's in there.

Secondly, there is the Federal audit. We need the taxpayers to demand—and the voters are demanding—of Mr. HOYER transparency at the Fed. They are spending trillions of dollars. They are committing trillions of dollars. Let's have this audit of the Fed.

Mr. Speaker, the American people are sick and tired of back room deals and secret manipulations of the economy to benefit political cronies at the expense of taxpayers.

The voters and taxpayers are demanding transparency and accountability and they will not be pacified with false promises or misdirection. Calling a bank tax an "assessment" fools no one, especially the voters.

That's why I will be offering a motion to recommit at the conclusion of this debate that will replace the weak Federal Reserve Audit in the conference report with a robust provision patterned after a bill co-sponsored by 320 members of this House when it was offered by Congressman PAUL.

Taxpayers want to see for themselves what their government is doing with their money. And that includes specifically the Federal Reserve, an institution that has unfettered powers and whose errors of judgment were a contributing cause of the financial crisis.

Monetary policy fueled the credit boom and bust cycle. The Fed needs to be held accountable for any mistakes it has made in the past and any it may be making now. Failing to hold the Fed accountable increases the likelihood of those mistakes being repeated in the future, and exposes taxpayers to an unacceptable level of risk.

The American people support a full audit of the Federal Reserve System to achieve the level of transparency needed to protect taxpayer dollars and ensure accountability.

With each taxpayer dollar it committed during the financial crisis, the Fed assured the American people they would not take losses. American taxpayers deserve more than the central bank's assurances; they deserve proof. A full audit of the Federal Reserve System is the only way to create the openness that a democratic society like ours demands.

The second element of the Motion to Recommit attempts to correct one of the most damaging aspects of this bill and that is saying a lot because there are a number of seriously misguided provisions in this legislation.

Several items in the conference report will impact companies' ability to create jobs.

It has been reported that BP and Enron have tried to manipulate markets using derivatives but we do not need any new law to regulate that kind of illegal activity. It is already illegal. We do need regulators to enforce the rules.

The lack of an end user exemption for commercial companies in the derivatives title will pull an estimated one trillion dollars of resources from job creation and investment.

Coincidentally, the combined stimulus packages enacted in the last two years also amounts to about one trillion dollars. Vice President Biden told us on June 2nd that the Obama stimulus package alone would result in the creation of between 700,000 and 1.4 million jobs in the remainder of 2010. Under the vice president's logic, diverting one trillion dollars from productive commercial business capital could presumably destroy up to 1.4 million jobs.

Instead of allocating precious resources to hire more people or increase wages, commercial companies will have to post capital every time they enter into a derivatives contract to hedge against legitimate business risk.

If this legislation—supposedly intended to regulate the financial services industry—is enacted, capital requirements will force non-financial companies to abandon legitimate hedging strategies and accept excessive volatility at a cost that will ultimately be borne by their customers and employees.

Margin requirements for "end-users" are not a new issue for Members of the House. Chairman FRANK tried to insert an amendment in the House bill last December which would have explicitly allowed regulators to set margin requirements for end-users. It failed overwhelmingly, by a vote of 150 to 280.

Withdrawing a trillion dollars from the private sector could well sow the seeds of the

next crisis because it could destabilize the financial system, possibly triggering another vicious cycle of government bailouts to correct the results of bad government policy.

The House should ensure that the potential economic harm in these derivative provisions is avoided by approving this Motion to Recommit and sending this defective legislation back to the conference to be rewritten.

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

Mr. FRANK of Massachusetts. I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman has 7¾ minutes remaining.

Mr. FRANK of Massachusetts. Mr. Speaker, to begin, I want to address the Members who are concerned that the interchange amendments will unduly affect smaller financial institutions. The interchange amendment wasn't part of the bill here. It was put in by a very heavy vote in the Senate, and the conference process means you compromise.

There is in that amendment, as Senator DURBIN put it in, an exemption for any fee setting by the Federal Reserve for smaller institutions. They then feared that they would be discriminated against, so we amended the amendment with the participation of the Senate, obviously. There are three provisions that protect the smaller institutions, community banks and credit unions.

There is an antidiscrimination provision that says that merchants and retailers cannot refuse to accept a debit card. There can be no discrimination against small banks for their credit cards. The Federal Reserve, the instructions to the Federal Reserve, include making that antidiscrimination work, and we can guarantee people we will do it.

So, yes, as the amendment passed the Senate, it said that these smaller institutions were exempt but that they might have suffered discrimination. They are protected in this bill. That's why, for instance, the small banks in Illinois have endorsed this bill.

I also want to talk briefly about what has happened with the TARP. We had the two last Republican speakers. One hailed the CBO as an unassailable authority. Then the final speaker said it was hocus-pocus. It is apparently unassailable hocus-pocus, which I don't want to get into. It's too late at this time.

This is how the TARP thing works. There are two parts to the TARP. The bill does say that repayments go to debt relief. There have been substantial repayments from the banks, and those go to debt relief. They are unaffected by the amendment. What the amendment says is there are still tens of billions of dollars of TARP money that could be committed. The amendment we adopted in conference says no more, that they cannot do that. That's where the savings comes. So the savings comes from not allowing additional TARP spending.

You know about the Republicans with regard to cutting off TARP? They were for it before they were against it. They used to be all for cutting out the TARP until it came up here. Now, let me say I don't like that way to do it. I prefer what we had in our provision, which was to assess the Goldman Sachs, JPMorgan Chase, Mr. Paulson's hedge fund. That's the way we wanted to do it, but we couldn't get it through the Republicans in the Senate. So, first, Republicans in the Senate tell us, Don't do it. Then other Republicans in the Senate say, Why didn't you do it?

So I'll make Members a pledge right now: The committee I chair will, I hope, bring out a bill that revives that assessment on the financial institutions above $50 billion and the hedge funds. So Members who missed it will get a chance to show us they really care. We will bring them there, and we will have that come forward.

Now, I do want to talk a little bit about subprime lending and about the partial history we get.

The fact is that the Republican Party controlled the House and the Senate from 1995 to 2006. During that period, they showed remarkable restraint. As eager as they were to restrain subprime lending and as passionate as they were to reform Fannie Mae and Freddie Mac, they didn't do it. That's a degree of abstinence unparalleled in political history. They were in charge.

Whose fault was it? Apparently, it was our fault. It was my fault. As I said before, people have accused me of being this secret manipulator of Tom DeLay. Well, if that were the case, you wouldn't have cut taxes for very rich people. You wouldn't have gone to war in Iraq. As I said, if he were listening to me, he wouldn't have gotten on the dance show. So I don't take responsibility for Mr. DeLay. The Republican Party didn't do it.

Now, the gentleman from California (Mr. ROYCE) said he tried in 2005. He had an amendment to the bill of Mr. Oxley. Mr. Oxley, the Republican chairman of the committee, brought out a bill. Mr. ROYCE didn't like it. He brought up his amendments. If no Democrat had voted either in committee or on the floor of the House on that bill, it would have looked exactly as it looked. The majority was Republican. So, apparently, the gentleman from California (Mr. ROYCE) wasn't able to persuade even a third of his fellow Republicans to vote with him.

I'm sorry he wasn't able to do better. I'm not an expert in how to get Republicans to vote with you, so I can't offer him any help. Maybe he can find somebody who can teach him how to get better votes among Republicans, but it's not our fault that the Republican Party didn't do it.

By the way, in 2003, I did say I didn't see a problem with Fannie Mae and Freddie Mac. Then, in 2004, President Bush said to Fannie Mae and Freddie Mac, I order you. He had the power and he used it. He used it to order them to increase their subprime lending purchases. By the way, he wasn't alone in that. A June 22 article from the Wall Street Journal quotes a Member of Congress, in 2005, at a hearing, saying, ''With the advent of subprime lending, countless families have now had their first opportunity to buy a home or perhaps be given a second chance.'' Fail once. Get it again.

The American Dream should never be limited to the well-offs or to those consumers fortunate enough to have access to prime rate loans. That is from the gentleman from Texas (Mr. HENSARLING). So George Bush wasn't alone in that.

Then 2007 came, and the Democrats took power. We passed a bill, for the first time in this House, to regulate Fannie Mae and Freddie Mac. Secretary Paulson liked the bill. He said it didn't go as far as he would have liked, but it was a good bill. In 2008, it finally passed, and Fannie Mae and Freddie Mac were put in a conservatorship. They were the first major institutions to be reformed.

By the way, in 2007, in this House, we also passed a bill to control subprime lending. Now, the gentleman from Alabama had been the chairman of the subcommittee with jurisdiction over subprime lending during some of those Republican years, and he never produced a bill. He said it was our fault. He wrote us a letter—myself, Mr. WATT of North Carolina, and Mr. MILLER of North Carolina—and we didn't tell him we'd vote for it.

You know, I wish I could have it back. I wish I knew I was secretly in charge of the Republican agenda. I wish I knew they wouldn't do anything unless I said they could and that they would do something if I said they should, but no one told me. Where were they when I needed them to be more powerful? He didn't bring it forward. It wasn't my fault. The Republicans never checked with me as to what they were supposed to do.

In 2007, we did pass such a bill to restrict subprime lending, and The Wall Street Journal attacked us. It said it was a ''Sarbanes-Oxley'' for housing. Sarbanes-Oxley is about as nasty as you can get in The Wall Street Journal, and here is what they said about subprime lending in 2007.

□ 1815

So maybe that is why George Bush expanded subprime lending.

The Wall Street Journal said in 2007, complaining about our bill, ''But for all the demonizing, about 80 percent of even subprime loans are being repaid on time and another 10 percent are only 30 days behind. Most of these new homeowners are low-income families, often minorities, who would otherwise not have qualified for a mortgage. In the name of consumer protection, Mr. FRANK's legislation will ensure that far fewer of these loans are issued in the future.''

Yeah. Unfortunately, a couple of years too late, because we couldn't get that through. But the Wall Street

Journal was right, we would limit them, but wrong, along with the gentleman from Texas (Mr. HENSARLING) about the subprime loans. And I also wanted to do affordable rental housing, which that administration opposed.

This bill has the biggest package of increased consumer protections in the history of America. And it doesn't ban products or ration products. It says there is going to have to be fair dealing. This bill says that there is a fiduciary responsibility on people selling products to individual investors for the first time. It gives the SEC the power to do it, and they are going to do it. This bill reforms the system, and I hope it is enacted.

This conference report would not have been possible without the hard work of staff on both sides of the Capitol. I thank them for their efforts and submit the following list:

WALL STREET REFORM—STAFF

HOUSE FINANCIAL SERVICES COMMITTEE

Jeanne Roslanowick
Michael Beresik
David Smith
Adrianne Threatt
Andrew Miller
Daniel Meade
Katheryn Rosen
Kate Marks
Kellie Larkin
Tom Glassic
Rick Maurano
Tom Duncan
Gail Laster
Scott Olson
Lawranne Stewart
Jeff Riley
Steve Hall
Erika Jeffers
Bill Zavarello
Steve Adamske
Elizabeth Esfahani
Daniel McGlinchey
Dennis Shaul
Jim Segal
Brendan Woodbury
Patty Lord
Lois Richerson
Jean Carroll
Kirk Schwarzbach
Marcos Manosalvas
Marcus Goodman
Garett Rose
Todd Harper
Kathleen Mellody
Jason Pitcock
Charla Ouertatani
Amanda Fischer
Keo Chea
Sanders Adu
Hilary West
Flavio Cumpiano
Karl Haddeland
Glen Sears
Stephane LeBouder

OFFICE OF REP. CAROLYN MALONEY

Kristin Richardson

OFFICE OF REP. GREGORY MEEKS

Milan Dalal

OFFICE OF REP. MARY JO KILROY

Noah Cuttler

OFFICE OF REP. GARY PETERS

Jonathan Smith

HOUSE AGRICULTURE COMMITTEE

Clark Ogilvie

HOUSE BUDGET COMMITTEE

Greg Waring

HOUSE ENERGY AND COMMERCE COMMITTEE

Phil Barnett
Michelle Ash
Anna Laitin

HOUSE JUDICIARY COMMITTEE

George Slover

HOUSE OVERSIGHT AND GOVERNMENT REFORM COMMITTEE

Mark Stephenson
Adam Miles

HOUSE LEGISLATIVE COUNSEL

Jim Wert
Marshall Barksdale
Brady Young
Jim Grossman

SENATE BANKING COMMITTEE

Ed Silverman
Amy Friend
Jonathan Miller
Dean Shahinian
Julie Chon
Charles Yi
Marc Jarsulic
Lynsey Graham Rea
Catherine Galicia
Matthew Green
Deborah Katz
Mark Jickling
Donna Nordenberg
Levon Bagramian
Brian Filipowich
Drew Colbert
Misha Mintz-Roth
Lisa Frumin
William Fields
Beth Cooper
Colin McGinnis
Neal Orringer
Kirstin Brost
Peter Bondi
Sean Oblack
Steve Gerenscer
Dawn Ratliff
Erika Lee
Joslyn Hemler
Caroline Cook
Robert Courtney
Abigail Dosoretz

SENATE AGRICULTURE COMMITTEE

Robert Holifield
Brian Baenig
Julie Anna Potts
Pat McCarty
George Wilder
Matt Dunn
Elizabeth Ritter
Stephanie Mercier
Anna Taylor
Cory Claussen

SENATE LEGISLATIVE COUNSEL

Rob Grant
Alison Wright
Kim Albrecht-Taylor
Colin Campbell
Laura McNulty Ayoud

CONGRESSIONAL RESEARCH SERVICE

Baird Webel

Mr. LEVIN. Mr. Speaker, I rise in strong support of H.R. 4173, the Wall Street Reform and Consumer Protection Act.

Almost two years ago, this House was faced with painful dilemma: risk the collapse of our financial system and a second Great Depression, or take action to stabilize financial markets. The comprehensive financial regulatory reform before us will help to ensure that we are never again forced to choose between bailing out banks and saving our economy.

In the run up to the financial crisis, rampant speculation, and in some cases fraud, in the residential housing and mortgage markets combined with an explosion of complexity in our financial markets to create a bubble that when it burst, rippled through our entire economy. The financial crisis that began in 2008 was the worst since the Great Depression and was enabled and made worse by a lax regulatory environment that for many years failed to properly supervise financial markets and control the risks Wall Street was creating.

Under the bill before us, for the first time, there will be a federal regulatory body with the responsibility to identify and address systemic risks to our economy. Transparency will be brought to derivatives markets so that these complex financial instruments cannot transmit shockwaves through our financial system. Consumers will be able to get the clear, accurate information they need to shop for credit cards, mortgages and other financial products, rather than being sold products that are too good to be true by unregulated lenders who know they are unaffordable.

Mr. Speaker, the Wall Street Reform and Consumer Protection Act will restore responsibility, accountability and transparency to our financial markets. I urge all of my colleagues to stand with the working Americans who have been the victims of the financial crisis rather than defend a discredit ideology that says government is always wrong and markets are always right. We have seen in the last two years that markets can get out of control, and we need appropriate structures in place to ensure that our financial markets work for all Americans.

Mr. BACHUS. Mr. Speaker, I want to add these comments regarding Section 913 of the Report calling for a review by the Securities and Exchange Commission, SEC, of the current regulation of investment advisers and broker-dealers.

The Conference Report on H.R. 4173 directs the SEC to conduct a study to evaluate the effectiveness of current standards—both at the state and federal levels—with respect to investment advisers and broker-dealers when providing personalized investment advice and recommendations about securities to retail customers.

Before the SEC proceeds with any new rules and regulations in this area, it is critically important that the unique roles of different financial professionals, their distinct relationships with their customers, and the nature of the services and disclosures they provide be fully examined and well understood. These definitive factors should provide information to guide the SEC in determining if any new rules and regulations are needed and defining the details of any such measures that might be proposed.

The conferees included the requirement for a comprehensive study for these purposes, and I anticipate that the SEC will follow the intent of Congress with a thorough and objective analysis in this regard.

Mr. DAVIS of Illinois. Mr. Speaker, we are gathered today with the opportunity to implement Wall Street reform, and help make our financial markets safer for everyday American citizens, investors, and small businesses. At the center of our efforts today is the concept of power, and what it means to those who have it, and those who don't. Baltasar Gracian, a renowned Spanish Jesuit writer, once said that ''The sole advantage of power is that you can do more good.''

I think many people would agree with me that the corporations and executives on Wall Street have considerable power. The question remains, however, whether they are using that

power to do good things. People will point out, and I agree, that they are making many people very wealthy, but at what cost? For too long corporate interests have been allowed to dominate decision making in America's financial capital, and many times, this has meant unfair and predatory practices. As lawmakers, we should set out to make our financial markets a more evenhanded place for our citizens, and the consumers that put their trust and money on the line.

One of the key things that H.R. 4173 will do is to create a Consumer Financial Protection Bureau, tasked with the responsibility of making sure consumer lending practices are fair. Also, under the Volcker rule, large financial institutions would no longer be allowed to engage in risky trading using federal dollars, supported by taxpayers. Throughout the many various initiatives and stipulations in the bill, one theme is clear: protecting American citizens, and maintaining a fair market that allows both informed consumers and powerful financial markets to thrive in tandem.

H.R. 4173 does not set out to take power away from those on Wall Street, but to make sure they use their many strengths and abilities for the benefit of the average American investor and small business owner. I rise in support of H.R. 4173, the Restoring American Financial Stability Act of 2010, knowing that the benefits and wealth for the few should not come at the cost of the many.

Mr. PETERSON. Mr. Speaker, I rise today to discuss some of the jurisdictional issues that arise out of Title VII of H.R. 4173. The bill brings a new regulatory regime to swaps as it will be defined under the Commodity Exchange Act, CEA. Title VII of H.R. 4173 extends the Commodity Futures Trading Commission's, CFTC's, exclusive jurisdiction under the CEA to also include swaps, except as otherwise provided elsewhere in Title VII. Also included in Title VII are two savings clauses for the Securities and Exchange Commission, SEC, and one for the Federal Energy Regulatory Commission, FERC.

Title VII allocates authority over swaps and security-based swaps as follows. First, the CFTC has exclusive jurisdiction over swaps, including swaps on broad-based security indexes. Within the swap definition is a category of swaps called security-based swap agreements. For this specific category of swaps, the CFTC will continue to exercise its full jurisdictional authority, while the SEC may exercise certain specific authorities over these products, as outlined in Title VII. Title VII also clarifies that the SEC has jurisdiction over security-based swaps, which are swaps on narrow-based security indexes and single securities, and that the two agencies share authority over mixed swaps.

Nothing in the SEC savings clauses, or any other provision of Title VII, alters the existing jurisdictional divide between the CFTC and SEC established by the Johnson-Shad Accord which, among other things, provides the CFTC exclusive jurisdiction over futures (and options on futures) on broad-based security indexes. Nor do these savings clauses, or any other provision of Title VII, divest or limit the authority that the CFTC shares with the SEC over security futures products as authorized by the Commodity Futures Modernization Act of 2000.

This bill also clarifies the authorities of the CFTC and FERC over financial instruments—both swaps and futures—traded pursuant to FERC or state approved tariffs or rate schedules.

Section 722 preserves FERC's existing authorities over financial instruments traded pursuant to a FERC or state approved tariff or rate schedule, which under current law does not extend to CFTC-regulated exchanges and clearinghouses, because these are within CFTC's exclusive jurisdiction. The CFTC's authorities over futures and swaps traded pursuant to FERC or state approved tariffs or rate schedules are also fully preserved. The bill further specifies that, outside of regional transmission organizations/independent system operators (RTOs/ISOs) markets, the CFTC shall continue to have exclusive jurisdiction over financial instruments traded on CFTC-regulated exchanges, such as NYMEX or ICE, traded through swap execution facilities, or cleared on CFTC-regulated clearinghouses.

To avoid the potential for overlapping or duplicative FERC and CFTC authority, the bill provides the CFTC with the authority to exempt financial instruments traded within an RTO/ISO from CFTC regulation if the CFTC determines the exemption would be consistent with the public interest and the purposes of the Commodity Exchange Act.

Section 722 also preserves FERC's anti-manipulation authority as it currently exists under the Federal Power Act and the Natural Gas Act prior to enactment of this legislation.

Mr. SKELTON. Mr. Speaker, thriving capital markets depend upon innovation to grow the economy and to generate jobs. Yet, market innovation must be conducted responsibly and must be carefully monitored by public regulators to ensure Wall Street's complex financial transactions do not put at risk the savings of average American families or the national economy as a whole. The famous quote by U.S. Supreme Court Justice Louis Brandeis indicating that ''sunlight is the best disinfectant'' certainly applies to Wall Street.

In recent years, market innovation ran afoul of public regulators as financial giants gambled with the savings of working families and placed irresponsible bets that put in jeopardy America's financial well being. Titans of the financial industry acted not to promote the general welfare of the United States, as is outlined in the preamble to our Constitution, but against the well-being of the American public. And, as all of us know, broken regulations, greed, and incessant risk taking on Wall Street cost each one of us—the American taxpayers—who helped to save our economy from ruin in the fall of 2008.

From the beginning of this crisis, I have felt strongly that Congress ought to consider authorizing tough new regulations on Wall Street to help shine a brighter light on extremely complex financial transactions.

In my view, writing into law mechanisms that prevent financial institutions from getting ''too big to fail;'' that reform the Federal Reserve; that better regulate hedge funds, securities, derivatives and credit rating agencies; and that give shareholders a greater say in the compensation of financial company executives makes good sense and, if done properly, would help to ensure American taxpayers are never again put on the hook for Wall Street's misbehavior while creating an environment for responsible market innovation.

But, as important as new regulations are for our country, Congress must be careful in authorizing them. We must direct regulations at Wall Street and other bad actors while not wrapping America's home town financial institutions into costly and complex sets of new rules, such as those associated with the new Consumer Financial Protection Bureau. Community banks and credit unions are the heart of small towns across this country. For years, they have been conservative with their money and played by the rules. They ought not be forced to pay the price for Wall Street's transgressions.

The Dodd-Frank Wall Street Reform and Consumer Protection Act is well-intentioned, and I support much of the legislation. But the measure falls short in my goal to target Wall Street without disrupting Main Street banks and credit unions and their customers.

Home town financial institutions help to generate jobs and economic development in rural America by lending to families, small businesses, and farmers. They will be key to our nation's economic recovery and should be guaranteed more, not less, economic certainty by Congress. The uncertainty associated with the Dodd-Frank bill is why it is opposed by Missouri's small town banks and credit unions and by many in our nation's business community.

Creating more economic certainty for Missouri's business community and improving rural economic development have been priorities for me during the 111th Congress. It is why I have sought to cut small business taxes and to cut red tape associated with government backed small business loans, opposed a massive health insurance overhaul bill, urged bank regulators to consider easing restrictive capital requirements on small banks that want to issue loans, and supported a $30 billion small business lending fund program to allow community banks to lend money to healthy small businesses that want to expand and hire workers.

Wall Street reform is badly needed and the Dodd-Frank bill is a step in the right direction. However, I cannot lend my support to a bill that places costly new regulations on Missouri's home town banks and credit unions at a time when the government ought to be encouraging them to lend money to create jobs in the private sector.

I urge the conference committee to return to work on the Dodd-Frank bill so it can fine tune the bill's new regulatory authority in a way that cracks down on Wall Street financial firms and irresponsible mortgage lenders without unduly targeting America's community banks. This action would be in the best interest of financial system reform and of the overall economic well being of small town America.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I rise today to speak about H.R. 4173, the Wall Street Reform and Consumer Protection Act.

Credit unions have been good stewards of our money. I say our money, because while they have not been eligible for any of the TARP funds, they have not been involved in the subprime loan situation many have blamed as causing this economic crisis. When the stimulus went into effect, Credit Unions were the only ones trying to lend money.

I have been hearing a lot from the credit unions and community banks in my district regarding the debit interchange provision. I am very concerned that the interchange provision

may have the unintended consequence of adversely affecting these small financial institutions. I know they are intended to be carved-out of this provision and I hope that my colleagues will join me in encouraging the Federal Reserve and the card payment networks to make sure that the carve-out envisioned under this provision is meaningful and effective.

I was pleased to read the statement from Chairman FRANK restating his views of the interchange amendment included in the conference report. I urge him to work with the Credit Union National Association as it works with the Fed to ensure that credit unions with under $10 billion in assets were held exempt from the Fed interchange changes. Chairman FRANK's statement gives the Fed strong guidance to follow when this bill becomes law.

In conclusion, the Interchange language exempts all community banks and credit unions with under $10 billion in assets. To achieve this, we: included language that explicitly prohibits intra-brand discrimination. Thus, if a merchant takes a Visa debit card, it must take all Visa debit cards. Also exempted credit cards. As Chairman FRANK has noted, ''for good measure . . . merchants and retailers cannot discriminate against small banks for the credit cards they issue.'' Furthermore, when the Federal Reserve issues rules regulating interchange fees, it is directed, in Chairman FRANK's words, ''to ensure that community banks and credit unions remain exempt from the requirements and are able to continue to issue their debit cards without any market penalty.''

This exempts all but three credit unions nationwide.

Beyond this, here are additional measures in the Interchange amendment that more broadly benefit working families: fixed states' concerns by removing government-administered pay programs from interchange fee regulation. Fixed concerns of pre-paid folks who offer services to the under-banked by removing them from interchange fee regulation. With respect to this, we also added pro-consumer language that SANDER LEVIN has in a bill to prohibit overdraft fees and fees on the first monthly ATM withdrawal using one of these cards. Ensured that USDA's SNAP, food stamp, program is not affected.

I look forward to passage of this bill and the fair treatment of Credit Unions by the Federal Reserve.

Mr. HASTINGS of Florida. Mr. Speaker, I want to commend Chairman FRANK on an extraordinary effort and for his dedicated leadership in bringing this bill to the floor. I look forward to supporting this legislation.

Before that however, I would like to clarify a few points as they pertain to the intent of this bill.

It is my understanding that certain provisions which are intended to improve access to mainstream financial institutions are not intended to further limit access to credit and other financial services to the very consumers who are already underserved by traditional banking institutions.

As the Chairman knows, each year, over 20 million working American families with depository account relationships at federally insured financial institutions actively choose alternative sources and lenders to meet their emergency and short-term credit needs.

These alternative sources and lenders often offer more convenient and less expensive products and services than the banks or credit unions where these consumers have relationships.

Further, as the demand for short-term, small dollar loans continues to increase as a result of the current economic environment, non-traditional lenders have filled the void left by mainstream financial institutions in many of our nation's underbanked communities.

I agree with the Chairman that lenders should meet this demand responsibly with clear, well-disclosed product terms and conditions that do not encourage consumer dependence and indebtedness.

I would also stress that regulation of this sector of the market should ensure strong consumer protections while encouraging a broad range of product offerings without discrimination as to the type of lender.

Therefore, regulation of short-term credit products and of the lenders who offer them, whether they be traditional financial institutions or non-traditional lenders, should not be used to single out an entire sector.

Rather, it should be well-balanced and carried out in a manner that encourages consumer choice, market competition, and strong protections.

It is my sincere hope that this legislation is designed to carefully and fairly police the financial services industry, treating similar products in the short-term credit market equally while encouraging lending practices that are fair to consumers. Is this the intent of the legislation?

I thank the Chairman, commend his continued efforts to pass meaningful financial regulatory reform this Congress, and thank him for his previous efforts to ensure we responsibly address the role of non-traditional financial institutions. I look forward to continuing our work together in this matter and as we further our efforts to put our nation back on solid financial footing.

Mr. BLUMENAUER. Mr. Speaker, I rise today to support the Conference Report on H.R. 4173—the Dodd-Frank Act of 2010. This legislation will strengthen our financial system by providing new rules that bar big banks and Wall Street investment houses from the risky practices that badly damaged our economy. The legislation also enacts new consumer protections to block predatory lending practices and financial gimmickry.

It was famously remarked by Professor Elizabeth Warren that it is ''impossible to buy a toaster that has a one-in-five chance of bursting into flames and burning down your house. But it is possible to refinance an existing home with a mortgage that has the same one-in-five chance of putting the family out on the street.'' With passage of this bill, Congress has ensured stronger protections for families and small businesses by ensuring that bank loans, mortgages, and credit cards are fair, affordable, understandable, and transparent. The bill has been called the ''strongest set of Wall Street reforms in three generations'' by Professor Warren. I am proud of my work with Professor Warren and I commend her efforts in strengthening this bill.

The financial crisis cost us 8 million jobs and $17 trillion in retirement savings. It was the worst financial crisis since the Great Depression. The financial crisis limited investment, cost jobs, put families on the street, and has ushered in a sense of financial anxiety that limits American imagination and opportunity.

The Dodd-Frank Act establishes a strong set of consumer protections, including a Consumer Financial Protection Bureau that will be led by an independent director appointed by the President and confirmed by the Senate, with a dedicated budget in the Federal Reserve. The Bureau will write rules for consumer protections governing all financial institutions—banks and non-banks—offering consumer financial services or products and oversee the enforcement of federal laws intended to ensure the fair, equitable and nondiscriminatory access to credit for individuals and communities. The bureau will roll together responsibilities that are now spread across seven different government entities, providing consumers with a single, accountable, and powerful advocate.

The legislation also establishes strong mortgage protections. The bill requires that lenders ensure that their borrowers can repay their loans by establishing a simple federal standard for all home loans. Lenders also are required to make greater disclosures to consumers about their loans and will be prohibited from unfair lending practices, such as steering consumers to higher cost loans. Lenders and mortgage brokers who fail to comply with new standards can be held accountable by consumers for as much as three-years of interest payments, any damages, and any attorney's fees.

The Dodd-Frank Act also disciplines Wall Street. It imposes tough new rules on banks to prevent the risky financial practices that led to the financial meltdown. Taxpayers will no longer pay the price for Wall Street's irresponsibility. The bill creates a process to shut down large failing firms whose collapse would put the entire economy at risk. After exhausting all of the company's assets, additional costs would be covered by a ''dissolution fund,'' to which all large financial firms would contribute.

The dissolution of a failing firm will be paid for first by shareholders and creditors, followed by the sale of any remaining assets of the failed company. Any shortfall that results is paid for by the financial industry. The bill requires big banks and other financial institutions, those with $50 billion in assets, to foot the bill for the failure of any large, interconnected financial institution posing a risk to the entire financial system, as AIG did in the run-up to the 2008 financial crisis. Financial institutions will pay assessments based on a company's potential risk to the whole financial system if they were to fail. Before regulators can dissolve a failing company, a repayment plan to charge Wall Street firms and big banks must be in place to recoup any cost associated with the shutdown.

It has been remarked that the markets will discipline themselves, that all that stands between poverty and wealth is some mythical regulatory barrier. But that is not what we found in the financial world and not what recent history illustrated. Instead, the market allowed participants to take wild reckless risks. This legislation reins in these irresponsible risks that cost us millions of jobs, millions of hours of economic productivity, millions of homes that have been foreclosed, and trillions in American savings. I look forward to passing this important legislation.

Mr. STARK. Madam Speaker, I rise today in support of the Wall Street Reform and Consumer Protection Act. This bill will protect consumers from ever again being forced to bail

out private financial institutions and brings overdue oversight to our financial markets.

We learned the hard way that when private financial institutions grow too large, their failure will put our entire financial system and economy in peril. Mammoth companies like AIG, Citigroup, and Bank of America took excessive risks and invested in risky financial products. When the economy turned, it was taxpayers that bailed them out.

This bill imposes new requirements to discourage companies from becoming too large and unstable. Financial institutions will be prohibited from taking on excessive debt. The new Volcker Rule will limit the amount of money a bank can invest in hedge funds and otherwise use to gamble for its own benefit. Risky derivatives contracts owned by the banks will be subject to regulatory oversight and approval by government agencies. The bill also arms regulators to dismantle failing financial companies at the expense of the financial industry, not taxpayers.

This bill does more than just rein in the financial institutions, it will also protect families. I strongly support the provision that will create a new Bureau of Consumer Financial Protection. This independent bureau within the Federal Reserve will be on the front lines protecting taxpayers from predatory lenders and other unfair practices by mortgage brokers, banks, student lenders, and credit card companies.

The bill goes a long way to prevent another foreclosure crisis by reforming the mortgage industry. The bill prohibits pre-payment penalties that trap borrowers into unaffordable loans. It outlaws financial incentives that encourage lenders to steer borrowers into complicated high-interest loans. There will be penalties for lenders and mortgage brokers who do not comply with these new standards. If a bad credit score negatively impacts someone in a hiring decision or a financial transaction, the consumer will have free access to their score.

This bill could be better. Breaking up the big banks would be the most effective tool to bring reform to Wall Street. This financial reform bill will usher in a new era for both financial institutions and consumers. Banks will have to learn to operate under increased scrutiny and face immediate consequences when they don't play by the rules. I support the Wall Street Reform and Consumer Protection Act and urge my colleagues to do the same.

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of the conference report to H.R. 4173, the Dodd-Frank Wall Street Reform and Consumer Protection Act, which closes frequently exploited loopholes in our regulation system, puts an end to rewarding reckless investments, and demands responsibility and accountability from Wall Street to prevent another economic collapse.

Over the past few years, the irresponsible actions of financial institutions and corporations have provided countless illustrations of the need to fix our broken system. As a result of the financial crisis, our country shed eight million jobs and Americans lost $17 trillion in retirement savings and net worth. My home state of Rhode Island was on the front lines of abusive and predatory lending practices, which led to one of the country's highest foreclosure rates, and has endured devastating job loss, now suffering the fourth highest unemployment rate in the nation at 12.3 percent.

Like my constituents, I have been angered by the greed exhibited by Wall Street and other companies that took advantage of their investors, preyed on our citizens, and rewarded executives with outrageous pay packages. With this bill, consumer protection will come first, and irresponsible companies will be held accountable for their actions. H.R. 4173 establishes the Consumer Financial Protection Agency, which will protect families and small businesses by ensuring that bank loans, mortgages, credit cards and other financial products are fair, affordable and transparent. These new protections are targeted and fair: Merchants will be excluded from the oversight of the CFPA, and small banks and credit unions will not be subject to undue regulatory burdens. There will also be coordination with other regulators when examining banks to prevent undue regulatory burden.

This measure also establishes an orderly process for dismantling large, failing financial institutions like AIG or Lehman Brothers, which will protect taxpayers and prevent ripple effects throughout the rest of the financial system. This bill also discourages financial institutions from taking too many risks by imposing tough new capital and leverage requirements. Most importantly, there will be no more taxpayer bailouts for "too big to fail" institutions. This legislation will also effectively end new lending under the Troubled Asset Relief Program.

Additionally, H.R. 4173 responds to the failure to detect frauds like the Madoff scheme by ordering a study of the entire securities industry. This measure will also increase investor protections by strengthening the Securities and Exchange Commission and boosting its funding level. For the first time ever, the over-the-counter derivatives marketplace will be regulated and hedge funds will have to register with the SEC. And the bill takes steps to reduce market reliance on the credit rating agencies and impose a liability standard on the agencies. This legislation will help create an environment in which financial institutions take care of—and are held accountable to—their shareholders and customers.

I would like to thank the committees for their work on this bill, and especially want to thank Chairman FRANK for his leadership on this strong reform measure. This legislation represents a tremendous accomplishment for this Congress and this country. It is an urgently needed response to a crisis that should never have been allowed to happen, and its protections and reforms will benefit Americans for generations to come. I encourage all my colleagues to vote for this bill.

Mr. BOEHNER. Mr. Speaker, the legislation before us fails the American people.

Americans have suffered through a financial meltdown. A serious financial meltdown that destroyed millions of jobs and wiped out the savings of millions of American families. A devastating meltdown that slowed our economy, and raised new doubts about whether it's even possible any longer to pursue the American Dream.

The legislation before us will do nothing to prevent it from happening to the American people again.

The fact of the matter is, the financial meltdown was triggered by government mortgage companies, giving too many high-risk loans to people who couldn't afford them. And it was the policies of the leadership of this Congress that allowed it to happen.

This legislation will do nothing—nothing—to fix those mistakes.

The bill is more than 2,000 pages long.

That in and of itself is an outrage. Haven't we learned our lesson yet? Any bill produced by this Congress that is 2,000 pages long can't possibly be good for jobs, or freedom, or our economy.

In those 2,000 pages, there is not a single reform made to Fannie Mae or Freddie Mac, the government mortgage companies at the heart of the meltdown.

Mr. Speaker, this is not reform. It's more of the same.

This is not change. It's the status quo.

It's a sham.

Things could have been different. We could be here today passing a bipartisan bill to reform government-sponsored enterprises like Fannie Mae and Freddie Mae. Republicans, led by SPENCER BACHUS, offered such a proposal.

Instead of reforming Fannie and Freddie, we're doing this 2,000 page monstrosity that will destroy jobs.

Mr. Speaker, what are we thinking? What are we doing?

Today the president of the United States was in Wisconsin. He gave remarks there chastising Republicans for our objections to this bill. He suggested those who oppose the legislation before us are "out of touch."

The American people are tired of the rhetoric. They want solutions.

What's "out of touch" are politicians who care more about elections and campaign ads than they do about solutions.

What's "out of touch" are politicians who pass 2,000 page bills that will destroy jobs, at a time when 1 in every 10 Americans from our workforce is out of work.

What's "out of touch" are politicians who believe it's OK to force responsible Americans to use their tax dollars to subsidize irresponsible behavior.

Under this bill, Americans will have no choice but to keep on subsidizing the irresponsible behavior that got America into this mess.

There is no reform to Fannie Mae and Freddie Mac. There's just 2,000 new pages of bigger government, private sector mandates, and unintended consequences.

The American people are sick and tired of it.

Mr. Speaker, when are we going to stop forcing responsible American citizens to subsidize irresponsible behavior?

When are we going to stop passing massive bills that destroy jobs?

When are we going to start working on real solutions to the challenges facing this country?

Apparently, not today.

I urge my colleagues—vote "no" on this job-killing bill, and let's get to work on a real reform bill that will fix the problems that led to the financial meltdown.

Mr. FATTAH. Mr. Speaker, I rise in strong support of the Conference Report to Accompany H.R. 4173, the Wall Street Reform and Consumer Protection Act of 2010. Rectifying the worst economic crisis to impact the financial markets since the Great Depression, the Wall Reform and Consumer Protection Act of 2010 outlaws many of the egregious industry practices that marked the subprime lending boom, ensuring mortgage lenders make loans that benefit the consumer rather than incentivizing self-dealing profit maximization.

In supporting this legislation, Congress corrects the failures of the financial sector, preventing the calamity that transpired after the collapse of the financial markets from reoccurring in the future.

One of the critical components of this legislation is the adoption of a provision that will end the practice of acting on behalf of financial institutions due to the determination that they are ''too big to fail.'' Taxpayers will no longer be asked to subsidize failing institutions due to their potential negative impact on the economy. The bill creates a new structure in which the orderly dissolution of failed financial firms can occur without fear of financial panic. The bill also imposes tough new capital and leverage requirements that create a disincentive for financial institutions to get too large without adequate structural support to ensure the financial soundness of the institution. Furthermore, the bill establishes rigorous standards for financial institutions in order to better protect the economy and American consumers, as well as investors and businesses.

Another important component of this legislation is the creation of a new independent watchdog within the Federal Reserve that provides consumers with clear and accurate information needed to shop for mortgages, credit cards, and other financial products. The new regulatory structure protects consumers from hidden fees, abusive terms, and deceptive practices that were unfairly used against consumers with disturbing frequency. Furthermore, loopholes that allow financial institutions to engage in risky and abusive practices, including the unregulated exchange of over-the-counter derivatives, asset-backed securities, and hedge funds are eliminated.

Most importantly, the Wall Street Reform and Consumer Protection Act includes the Emergency Homeowners' Relief Fund, which will provide desperately needed assistance to millions of homeowners who now find they are unable to meet their financial obligations due to the severe recession caused by the unbridled greed and recklessness of the financial services industry. The foreclosure rate in the United States has been rising rapidly since the middle of 2006. Losing a home to foreclosure can hurt homeowners in many ways. For example, homeowners who have been through a foreclosure may have difficulty finding a new place to live or obtaining a loan in the future. Furthermore, concentrated foreclosures can drag down nearby home prices, and large numbers of abandoned properties can negatively affect communities. Finally, the increase in foreclosures may destabilize the housing market, which could in turn negatively impact the economy as a whole.

Although the economic recovery from the worst financial recession since the Great Depression is progressing steadily under the leadership of the Obama Administration and Democratic Leadership in Congress, the tragic rise of unemployed homeowners threaten a sustained recovery. Unemployment is now the leading cause for delinquency for families facing foreclosure. A recent study by NeighborWorks that examined the reasons why people are falling behind on their mortgages found that 58 percent of delinquent homeowners were behind due to job loss. The impact of foreclosures is particularly acute in minority communities due to the disproportionately high rates of joblessness.

Repossessions from housing foreclosures rose to a record high of 92,432 in April 2010, which is up 45 percent from the previous year. Continual rates of high unemployment places additional pressures on a financial system already overburdened with requests to modify loans by mortgage servicers, with many of those requests being unfulfilled. Under the guidance of the Department of Treasury, the Obama Administration created the Home Affordable Modification Program (HAMP) as a part of the Making Home Affordable program to provide desperate relief to unemployed and underemployed homeowners.

HAMP encourages servicers to provide mortgage modifications for troubled borrowers in order to reduce the borrowers' monthly mortgage payments to no more than 31 percent of their monthly income. In order to qualify, a borrower must have a mortgage on a single-family residence that was originated on or before January 1, 2009, must live in the home as his or her primary residence, and must have an unpaid principal balance on the mortgage that is no greater than the Fannie Mae/Freddie Mac conforming loan limit in high-cost areas ($729,750 for a one-unit property). Furthermore, borrowers must currently be paying more than 31 percent of their income toward mortgage payments, and must be experiencing a financial hardship that makes it difficult to remain current on the mortgage. Borrowers need not already be delinquent on their mortgage in order to qualify.

Though the Obama Administration's efforts are commendable, the unprecedented scale of the problems facing homeowners demands that more needs to be done to prevent homeowners from losing their homes. In Pennsylvania, a major state initiative to combat family-devastating foreclosures has been operating with success for more than a quarter-century, enacted in the wake of the severe recession of 1983. The Homeowners Emergency Mortgage Assistance Program (HEMAP) has provided loans to over 43,000 homeowners since 1984 at a cost to the Keystone State of $236 million. Assisted homeowners have repaid $246 million to date which works out to a $10 million profit for the state after 25 years of helping families keep their homes.

The Pennsylvania model will work nationally. It is with great gratitude that Chairman FRANK and Chairman DODD included my proposed mortgage relief provisions in the conference report that is being considered before the House today. Modeled after the bill I introduced in the House, the Emergency Homeowners' Relief Fund that is contained in the House-Senate conference bill establishes an emergency mortgage assistance program for qualifying homeowners who are temporarily unable to meet their obligations due to financial hardship beyond their control.

Under this program, homeowners would have the opportunity to regain financial stability without the immediate pressure of foreclosure. Specifically, a homeowner who indicated that he or she was unemployed would provide verification of unemployment compensation to the servicer and automatically be approved for a loan that would pay any mortgage above 31 percent of their income (the target amount in Making Home Affordable modifications). The Treasury would make payments for the homeowner on the homeowner's behalf until the borrower is able to resume payments to the lender. The Emergency Homeowners' Relief Fund would cut through the disorder of the loan modification program and slow the numbers of foreclosed properties on the market.

Mr. Speaker, I wish to thank my colleagues on the House Financial Services Committee, Chairman BARNEY FRANK, Congresswoman MAXINE WATERS and Congressman PAUL KANJORSKI. I also wish to thank my colleagues in the Senate, Banking, Housing and Urban Affairs Committee Chairman CHRIS DODD, and Senator BOB CASEY for their strong support of the mortgage foreclosure relief provisions contained in this bill. I also wish to thank the House Financial Services Committee staffers for their hard work in preparing this conference report, including Housing Policy Director Scott Olson and Deputy Chief Counsel Gail Laster. In addition, I would like to thank my Legislative Director, Nuku Ofori, for all of his efforts in getting this critical mortgage relief provisions included in the Wall Street Reform bill.

Ms. ROS-LEHTINEN. Mr. Speaker, It is a great tragedy that the final version of the financial services bill which was approved by a House-Senate conference, contained little or no help for the hundreds of victims of Ponzi schemes, many of whom reside in my Congressional district.

This bill fell far short of doing everything or even anything, to assure the average American investor in the stock market that we want to protect their interests.

I proposed to the conferees certain amendments to the Securities Investor Protection Act (SIPA) in order to protect victims of Ponzi schemes. Unfortunately, these reforms which were designed after extensive discussions with many of the victims, were totally ignored.

My amendments included an ''anti-clawback'' provision, designed to end the terror of thousands of Ponzi victims, who face years of prolonged litigation against the government, unless these proposals are enacted.

Under no circumstances, except complicity with a crooked broker—should these investors be subject to clawback litigation.

The opposition to this amendment has mainly come from the SEC/SIPC and Wall Street which seek to protect SIPC's right of subrogation, therefore taking money again from the victims and giving it back to SIPC. Not only is this disingenuous, but it shifts the burden of the financial loss to every taxpayer in America.

The importance of this amendment is that SIPA was intended to instill confidence in the capital markets and impose upon the SEC the responsibility to monitor and supervise those markets.

The idea that SIPC or the courts would hold innocent investors, who relied upon the SEC's endorsement of Madoff, to suffer judgments for amounts they took out of their accounts in good faith, is upsetting.

One proposal suggests that clawbacks be allowed against so-called ''negligent'' investors. How could they be negligent if the SEC and FINRA never spotted the fraud over a 20 year period? In fact, in 1992, the SEC endorsed Madoff as safe.

Shouldn't that affirmative statement be enough to shield investors from being accused of ''negligence?''

At a minimum, a defense against ''negligence'' requires innocent investors to spend vast amounts of money defending their conduct against a SIPC-funded trustee, who while making $1.4 million in fees per week, has

every incentive to prolong litigation against them.

As a practical matter, the court could say that every Madoff investor was negligent because they never uncovered the crime.

We should be protecting innocent victims of the SEC's negligence, not protecting Wall Street and its stepchild, SIPC.

Another amendment I proposed would have provided for immediate payment to all Ponzi scheme victims of up to $500,000 in SIPC insurance. That payment should be based upon the last statement the victims' received from their broker. This amendment also clarifies that any person who invested in an ERISA-approved retirement plan is a "customer" under SIPA.

Americans have a right to rely upon the statements they receive from SEC-regulated broker/dealers. This was the Congressional purpose of SIPA in 1970 and it remains so today.

Tens of thousands of Americans have lost their life savings because of the inaction of the SEC and its failure to close down the operations of Bernard Madoff, Allen Stanford, and others. Let's do the right thing for these people.

The President said he does not want BP to nickel and dime the oil spill victims, why is it OK to nickel and dime victims of the SEC? These people lost their life savings because of the greed of Wall Street and the inaction of the SEC.

We should have added these much needed amendments in order to ensure innocent investors that the American financial system is not rigged against them.

Mr. DINGELL. Madam Speaker, I stood before this body in 1999 and gave full-throated opposition to the repeal of the Glass-Steagall Act. My opposition had the merit of being correct a decade ago and, at the very least, prophetic today. Indeed, Graham-Leach-Bliley gave rise to the creation of financial juggernauts, whose underhanded actions, gone unregulated by design of that Act and subsequent deregulation, have driven this great country over an economic precipice of proportions not seen since the Great Depression.

I will vote in favor of the conference report today because it is, at its core, a good bill. In so doing, however, I admonish legislators and regulators alike never again to permit another economic calamity for want of vigilance. While history judges us for what we do, it will also condemn us for what we do not.

The SPEAKER pro tempore. Pursuant to House Resolution 1490, the previous question is ordered.

MOTION TO RECOMMIT

Mr. BACHUS. Mr. Speaker, I have a motion to recommit with instructions at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. BACHUS. Yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bachus moves to recommit the bill H.R. 4173 to the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4173 and to instruct the managers as follows:

(1) To disagree to section 1109 (relating to the GAO audit of the Federal Reserve facilities) of the conference report.

(2) To insist on section 1254(c) (relating to audits of the Federal Reserve), other than paragraph (1) of such section 1254(c), of the House bill.

(3) To insist on section 4s(e)(8) of the Commodity Exchange Act (relating to initial and variation margin), as proposed to be added by section 731 of the Senate amendment.

(4) To insist on section 15F(e)(8) of the Securities Exchange Act of 1934 (relating to initial and variation margin), as proposed to be added by section 764 of the Senate amendment.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. FRANK of Massachusetts. This is a legitimate parliamentary inquiry, probably the first one I have ever made or heard. But there was a lot of confusion.

Is it the case apparently that there is no debate on a motion to recommit on a conference report?

The SPEAKER pro tempore. The gentleman is correct. There is no debate on this motion to recommit.

The yeas and nays have been demanded.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on adoption of the conference report, if ordered, and the motion to suspend the rules on H.R. 4445, if ordered.

The vote was taken by electronic device, and there were—yeas 198, nays 229, not voting 5, as follows:

[Roll No. 412]

YEAS—198

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boucher
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Critz
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Edwards (TX)
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (GA)
Graves (MO)
Grayson
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hodes
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lipinski
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Space
Stearns
Sullivan
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NAYS—229

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)

Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Snyder
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Wu
Yarmuth

NOT VOTING—5

Bishop (UT)
Taylor
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1846

Messrs. OLVER, BRADY of Pennsylvania, POLIS, PRICE of North Carolina, JOHNSON of Georgia, Ms. CORRINE BROWN of Florida, Messrs. AL GREEN of Texas, POMEROY, Ms. SCHAKOWSKY, Messrs. MOLLOHAN, DINGELL, VISCLOSKY, GUTIERREZ and CONYERS changed their vote from ''yea'' to ''nay.''

Mr. GOODLATTE, Mrs. KIRKPATRICK of Arizona, Mrs. BACHMANN, Mr. EDWARDS of Texas, Ms. FOXX and Mr. BILBRAY changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FRANK of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 237, nays 192, not voting 4, as follows:

[Roll No. 413]

YEAS—237

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crowley
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Wu
Yarmuth

NAYS—192

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Berry
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chaffetz
Chandler
Childers
Coble
Coffman (CO)
Cole
Conaway
Cooper
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Davis (TN)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Edwards (TX)
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kaptur
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Owens
Paul
Paulsen
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—4

Taylor
Wamp
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1854

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

INDIAN PUEBLO CULTURAL CENTER CLARIFICATION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 4445) to amend Public Law 95–232 to repeal a restriction on treating as Indian country certain lands held in trust for Indian pueblos in New Mexico, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. HEINRICH) that the House suspend the rules and pass the bill, 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.

RECORDED VOTE

Mr. ANDREWS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 411, noes 0, not voting 21, as follows:

[Roll No. 414]

AYES—411

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rehberg
Reichert
Reyes
Richardson
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (FL)

NOT VOTING—21

Akin
DeFazio
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Ehlers
Frank (MA)
Garamendi
Hall (NY)
Kirk
McCarthy (CA)
Quigley
Rangel
Rodriguez
Royce
Rush
Taylor
Wamp
Waters
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SCHRADER) (during the vote). There are 2 minutes remaining in this vote.

□ 1903

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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5618, RESTORATION OF EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 2010, AND WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. MATSUI, from the Committee on Rules, submitted a privileged report (Rept. No. 111–519) on the resolution (H. Res. 1495) providing for consideration of the bill (H.R. 5618) to continue Federal unemployment programs, and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. MATSUI, from the Committee on Rules, submitted a privileged report (Rept. No. 111–520) on the resolution (H. Res. 1496) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

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 on 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.

CRUISE VESSEL SECURITY AND SAFETY ACT OF 2010

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3360) to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate 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 ''Cruise Vessel Security and Safety 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. Findings.
Sec. 3. Cruise vessel security and safety requirements.
Sec. 4. Offset of administrative costs.
Sec. 5. Budgetary effects.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) There are approximately 200 overnight ocean-going cruise vessels worldwide. The average ocean-going cruise vessel carries 2,000 passengers with a crew of 950 people.

(2) In 2007 alone, approximately 12,000,000 passengers were projected to take a cruise worldwide.

(3) Passengers on cruise vessels have an inadequate appreciation of their potential vulnerability to crime while on ocean voyages, and those who may be victimized lack the information they need to understand their legal rights or to know whom to contact for help in the immediate aftermath of the crime.

(4) Sexual violence, the disappearance of passengers from vessels on the high seas, and other

serious crimes have occurred during luxury cruises.

(5) Over the last 5 years, sexual assault and physical assaults on cruise vessels were the leading crimes investigated by the Federal Bureau of Investigation with regard to cruise vessel incidents.

(6) These crimes at sea can involve attacks both by passengers and crewmembers on other passengers and crewmembers.

(7) Except for United States flagged vessels, or foreign flagged vessels operating in an area subject to the direct jurisdiction of the United States, there are no Federal statutes or regulations that explicitly require cruise lines to report alleged crimes to United States Government officials.

(8) It is not known precisely how often crimes occur on cruise vessels or exactly how many people have disappeared during ocean voyages because cruise line companies do not make comprehensive, crime-related data readily available to the public.

(9) Obtaining reliable crime-related cruise data from governmental sources can be difficult, because multiple countries may be involved when a crime occurs on the high seas, including the flag country for the vessel, the country of citizenship of particular passengers, and any countries having special or maritime jurisdiction.

(10) It can be difficult for professional crime investigators to immediately secure an alleged crime scene on a cruise vessel, recover evidence of an onboard offense, and identify or interview potential witnesses to the alleged crime.

(11) Most cruise vessels that operate into and out of United States ports are registered under the laws of another country, and investigations and prosecutions of crimes against passengers and crewmembers may involve the laws and authorities of multiple nations.

(12) The Department of Homeland Security has found it necessary to establish 500-yard security zones around cruise vessels to limit the risk of terrorist attack. Recently piracy has dramatically increased throughout the world.

(13) To enhance the safety of cruise passengers, the owners of cruise vessels could upgrade, modernize, and retrofit the safety and security infrastructure on such vessels by installing peep holes in passenger room doors, installing security video cameras in targeted areas, limiting access to passenger rooms to select staff during specific times, and installing acoustic hailing and warning devices capable of communicating over distances.

SEC. 3. CRUISE VESSEL SECURITY AND SAFETY REQUIREMENTS.

(a) IN GENERAL.—Chapter 35 of title 46, United States Code, is amended by adding at the end the following:

"§3507. Passenger vessel security and safety requirements

''(a) VESSEL DESIGN, EQUIPMENT, CONSTRUCTION, AND RETROFITTING REQUIREMENTS.—

''(1) IN GENERAL.—Each vessel to which this subsection applies shall comply with the following design and construction standards:

''(A) The vessel shall be equipped with ship rails that are located not less than 42 inches above the cabin deck.

''(B) Each passenger stateroom and crew cabin shall be equipped with entry doors that include peep holes or other means of visual identification.

''(C) For any vessel the keel of which is laid after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, each passenger stateroom and crew cabin shall be equipped with—

''(i) security latches; and

''(ii) time-sensitive key technology.

''(D) The vessel shall integrate technology that can be used for capturing images of passengers or detecting passengers who have fallen overboard, to the extent that such technology is available.

''(E) The vessel shall be equipped with a sufficient number of operable acoustic hailing or other such warning devices to provide communication capability around the entire vessel when operating in high risk areas (as defined by the United States Coast Guard).

''(2) FIRE SAFETY CODES.—In administering the requirements of paragraph (1)(C), the Secretary shall take into consideration fire safety and other applicable emergency requirements established by the U.S. Coast Guard and under international law, as appropriate.

''(3) EFFECTIVE DATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the requirements of paragraph (1) shall take effect 18 months after the date of enactment of the Cruise Vessel Security and Safety Act of 2010.

''(B) LATCH AND KEY REQUIREMENTS.—The requirements of paragraph (1)(C) take effect on the date of enactment of the Cruise Vessel Security and Safety Act of 2010.

''(b) VIDEO RECORDING.—

''(1) REQUIREMENT TO MAINTAIN SURVEILLANCE.—The owner of a vessel to which this section applies shall maintain a video surveillance system to assist in documenting crimes on the vessel and in providing evidence for the prosecution of such crimes, as determined by the Secretary.

''(2) ACCESS TO VIDEO RECORDS.—The owner of a vessel to which this section applies shall provide to any law enforcement official performing official duties in the course and scope of an investigation, upon request, a copy of all records of video surveillance that the official believes may provide evidence of a crime reported to law enforcement officials.

''(c) SAFETY INFORMATION.—

''(1) CRIMINAL ACTIVITY PREVENTION AND RESPONSE GUIDE.—The owner of a vessel to which this section applies (or the owner's designee) shall—

''(A) have available for each passenger a guide (referred to in this subsection as the 'security guide'), written in commonly understood English, which—

''(i) provides a description of medical and security personnel designated on board to prevent and respond to criminal and medical situations with 24 hour contact instructions;

(ii) describes the jurisdictional authority applicable, and the law enforcement processes available, with respect to the reporting of homicide, suspicious death, a missing United States national, kidnapping, assault with serious bodily injury, any offense to which section 2241, 2242, 2243, or 2244(a) or (c) of title 18 applies, firing or tampering with the vessel, or theft of money or property in excess of $10,000, together with contact information for the appropriate law enforcement authorities for missing persons or reportable crimes which arise—

''(I) in the territorial waters of the United States;

''(II) on the high seas; or

''(III) in any country to be visited on the voyage;

''(B) provide a copy of the security guide to the Federal Bureau of Investigation for comment; and

''(C) publicize the security guide on the website of the vessel owner.

''(2) EMBASSY AND CONSULATE LOCATIONS.—The owner of a vessel to which this section applies shall provide in each passenger stateroom, and post in a location readily accessible to all crew and in other places specified by the Secretary, information regarding the locations of the United States embassy and each consulate of the United States for each country the vessel will visit during the course of the voyage.

''(d) SEXUAL ASSAULT.—The owner of a vessel to which this section applies shall—

''(1) maintain on the vessel adequate, in-date supplies of anti-retroviral medications and other medications designed to prevent sexually transmitted diseases after a sexual assault;

''(2) maintain on the vessel equipment and materials for performing a medical examination in sexual assault cases to evaluate the patient for trauma, provide medical care, and preserve relevant medical evidence;

''(3) make available on the vessel at all times medical staff who have undergone a credentialing process to verify that he or she—

''(A) possesses a current physician's or registered nurse's license and—

''(i) has at least 3 years of post-graduate or post-registration clinical practice in general and emergency medicine; or

''(ii) holds board certification in emergency medicine, family practice medicine, or internal medicine;

''(B) is able to provide assistance in the event of an alleged sexual assault, has received training in conducting forensic sexual assault examination, and is able to promptly perform such an examination upon request and provide proper medical treatment of a victim, including administration of anti-retroviral medications and other medications that may prevent the transmission of human immunodeficiency virus and other sexually transmitted diseases; and

''(C) meets guidelines established by the American College of Emergency Physicians relating to the treatment and care of victims of sexual assault;

''(4) prepare, provide to the patient, and maintain written documentation of the findings of such examination that is signed by the patient; and

''(5) provide the patient free and immediate access to—

''(A) contact information for local law enforcement, the Federal Bureau of Investigation, the United States Coast Guard, the nearest United States consulate or embassy, and the National Sexual Assault Hotline program or other third party victim advocacy hotline service; and

''(B) a private telephone line and Internet-accessible computer terminal by which the individual may confidentially access law enforcement officials, an attorney, and the information and support services available through the National Sexual Assault Hotline program or other third party victim advocacy hotline service.

''(e) CONFIDENTIALITY OF SEXUAL ASSAULT EXAMINATION AND SUPPORT INFORMATION.—The master or other individual in charge of a vessel to which this section applies shall—

''(1) treat all information concerning an examination under subsection (d) confidential, so that no medical information may be released to the cruise line or other owner of the vessel or any legal representative thereof without the prior knowledge and approval in writing of the patient, or, if the patient is unable to provide written authorization, the patient's next-of-kin, except that nothing in this paragraph prohibits the release of—

''(A) information, other than medical findings, necessary for the owner or master of the vessel to comply with the provisions of subsection (g) or other applicable incident reporting laws;

''(B) information to secure the safety of passengers or crew on board the vessel; or

''(C) any information to law enforcement officials performing official duties in the course and scope of an investigation; and

''(2) treat any information derived from, or obtained in connection with, post-assault counseling or other supportive services confidential, so no such information may be released to the cruise line or any legal representative thereof without the prior knowledge and approval in writing of the patient, or, if the patient is unable to provide written authorization, the patient's next-of-kin.

''(f) CREW ACCESS TO PASSENGER STATEROOMS.—The owner of a vessel to which this section applies shall—

''(1) establish and implement procedures and restrictions concerning—

''(A) which crewmembers have access to passenger staterooms; and

''(B) the periods during which they have that access; and

''(2) ensure that the procedures and restrictions are fully and properly implemented and periodically reviewed.

''(g) LOG BOOK AND REPORTING REQUIREMENTS.—

''(1) IN GENERAL.—The owner of a vessel to which this section applies shall—

''(A) record in a log book, either electronically or otherwise, in a centralized location readily accessible to law enforcement personnel, a report on—

''(i) all complaints of crimes described in paragraph (3)(A)(i),

''(ii) all complaints of theft of property valued in excess of $1,000, and

''(iii) all complaints of other crimes,

committed on any voyage that embarks or disembarks passengers in the United States; and

''(B) make such log book available upon request to any agent of the Federal Bureau of Investigation, any member of the United States Coast Guard, and any law enforcement officer performing official duties in the course and scope of an investigation.

''(2) DETAILS REQUIRED.—The information recorded under paragraph (1) shall include, at a minimum—

''(A) the vessel operator;

''(B) the name of the cruise line;

''(C) the flag under which the vessel was operating at the time the reported incident occurred;

''(D) the age and gender of the victim and the accused assailant;

''(E) the nature of the alleged crime or complaint, as applicable, including whether the alleged perpetrator was a passenger or a crewmember;

''(F) the vessel's position at the time of the incident, if known, or the position of the vessel at the time of the initial report;

''(G) the time, date, and method of the initial report and the law enforcement authority to which the initial report was made;

''(H) the time and date the incident occurred, if known;

''(I) the total number of passengers and the total number of crew members on the voyage; and

''(J) the case number or other identifier provided by the law enforcement authority to which the initial report was made.

''(3) REQUIREMENT TO REPORT CRIMES AND OTHER INFORMATION.—

''(A) IN GENERAL.—The owner of a vessel to which this section applies (or the owner's designee)—

''(i) shall contact the nearest Federal Bureau of Investigation Field Office or Legal Attache by telephone as soon as possible after the occurrence on board the vessel of an incident involving homicide, suspicious death, a missing United States national, kidnapping, assault with serious bodily injury, any offense to which section 2241, 2242, 2243, or 2244(a) or (c) of title 18 applies, firing or tampering with the vessel, or theft of money or property in excess of $10,000 to report the incident;

''(ii) shall furnish a written report of the incident to an Internet based portal maintained by the Secretary;

''(iii) may report any serious incident that does not meet the reporting requirements of clause (i) and that does not require immediate attention by the Federal Bureau of Investigation via the Internet based portal maintained by the Secretary; and

''(iv) may report any other criminal incident involving passengers or crewmembers, or both, to the proper State or local government law enforcement authority.

''(B) INCIDENTS TO WHICH SUBPARAGRAPH (A) APPLIES.—Subparagraph (A) applies to an incident involving criminal activity if—

''(i) the vessel, regardless of registry, is owned, in whole or in part, by a United States person, regardless of the nationality of the victim or perpetrator, and the incident occurs when the vessel is within the admiralty and maritime jurisdiction of the United States and outside the jurisdiction of any State;

''(ii) the incident concerns an offense by or against a United States national committed outside the jurisdiction of any nation;

''(iii) the incident occurs in the Territorial Sea of the United States, regardless of the nationality of the vessel, the victim, or the perpetrator; or

''(iv) the incident concerns a victim or perpetrator who is a United States national on a vessel during a voyage that departed from or will arrive at a United States port.

''(4) AVAILABILITY OF INCIDENT DATA VIA INTERNET.—

''(A) WEBSITE.—The Secretary shall maintain a statistical compilation of all incidents described in paragraph (3)(A)(i) on an Internet site that provides a numerical accounting of the missing persons and alleged crimes recorded in each report filed under paragraph (3)(A)(i) that are no longer under investigation by the Federal Bureau of Investigation. The data shall be updated no less frequently than quarterly, aggregated by cruise line, each cruise line shall be identified by name, and each crime shall be identified as to whether it was committed by a passenger or a crew member.

''(B) ACCESS TO WEBSITE.—Each cruise line taking on or discharging passengers in the United States shall include a link on its Internet website to the website maintained by the Secretary under subparagraph (A).

''(h) ENFORCEMENT.—

''(1) PENALTIES.—

''(A) CIVIL PENALTY.—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than $25,000 for each day during which the violation continues, except that the maximum penalty for a continuing violation is $50,000.

''(B) CRIMINAL PENALTY.—Any person that willfully violates this section or a regulation under this section shall be fined not more than $250,000 or imprisoned not more than 1 year, or both.

''(2) DENIAL OF ENTRY.—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

''(A) commits an act or omission for which a penalty may be imposed under this subsection; or

''(B) fails to pay a penalty imposed on the owner under this subsection.

''(i) PROCEDURES.—Within 6 months after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, the Secretary shall issue guidelines, training curricula, and inspection and certification procedures necessary to carry out the requirements of this section.

''(j) REGULATIONS.—The Secretary and the Commandant shall each issue such regulations as are necessary to implement this section.

''(k) APPLICATION.—

''(1) IN GENERAL.—This section and section 3508 apply to a passenger vessel (as defined in section 2101(22)) that—

''(A) is authorized to carry at least 250 passengers;

''(B) has onboard sleeping facilities for each passenger;

''(C) is on a voyage that embarks or disembarks passengers in the United States; and

''(D) is not engaged on a coastwise voyage.

''(2) FEDERAL AND STATE VESSELS.—This section and section 3508 do not apply to a vessel of the United States operated by the Federal Government or a vessel owned and operated by a State.

''(l) DEFINITIONS.—In this section and section 3508:

''(1) COMMANDANT.—The term 'Commandant' means the Commandant of the Coast Guard.

''(2) OWNER.—The term 'owner' means the owner, charterer, managing operator, master, or other individual in charge of a vessel.

''§ 3508. Crime scene preservation training for passenger vessel crewmembers

''(a) IN GENERAL.—Within 1 year after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, the Secretary, in consultation with the Director of the Federal Bureau of Investigation and the Maritime Administration, shall develop training standards and curricula to allow for the certification of passenger vessel security personnel, crewmembers, and law enforcement officials on the appropriate methods for prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment. The Administrator of the Maritime Administration may certify organizations in the United States and abroad that offer the curriculum for training and certification under subsection (c).

''(b) MINIMUM STANDARDS.—The standards established by the Secretary under subsection (a) shall include—

''(1) the training and certification of vessel security personnel, crewmembers, and law enforcement officials in accordance with accepted law enforcement and security guidelines, policies, and procedures, including recommendations for incorporating a background check process for personnel trained and certified in foreign ports;

''(2) the training of students and instructors in all aspects of prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment; and

''(3) the provision or recognition of off-site training and certification courses in the United States and foreign countries to develop and provide the required training and certification described in subsection (a) and to enhance security awareness and security practices related to the preservation of evidence in response to crimes on board passenger vessels.

''(c) CERTIFICATION REQUIREMENT.—Beginning 2 years after the standards are established under subsection (b), no vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crewmember onboard who is certified as having successfully completed training in the prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment on passenger vessels under subsection (a).

''(d) INTERIM TRAINING REQUIREMENT.—No vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crewmember onboard who has been properly trained in the prevention detection, evidence preservation and the reporting requirements of criminal activities in the international maritime environment. The owner of a such a vessel shall maintain certification or other documentation, as prescribed by the Secretary, verifying the training of such individual and provide such documentation upon request for inspection in connection with enforcement of the provisions of this section. This subsection shall take effect 1 year after the date of enactment of the Cruise Vessel Safety and Security Act of 2010 and shall remain in effect until superseded by the requirements of subsection (c).

''(e) CIVIL PENALTY.—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than $50,000.

''(f) DENIAL OF ENTRY.—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

''(1) commits an act or omission for which a penalty may be imposed under subsection (e); or

''(2) fails to pay a penalty imposed on the owner under subsection (e).''.

(b) CLERICAL AMENDMENT.—The table of contents for such chapter is amended by adding at the end the following:

''3507. Passenger vessel security and safety requirements
''3508. Crime scene preservation training for passenger vessel crewmembers''.

SEC. 4. OFFSET OF ADMINISTRATIVE COSTS.

(a) REPEAL OF CERTAIN REPORT REQUIREMENTS.—

(1) Section 1130 of the Coast Guard Authorization Act of 1996 (33 U.S.C. 2720 note) is amended by striking subsection (b).

(2) Section 112 of the Maritime Transportation Security Act of 2002 (46 U.S.C. 70101 note) is repealed.

(3) Section 676 of title 14, United States Code, is amended by striking subsection (d).

(4) Section 355 of title 37, United States Code, is amended by striking subsection (h) and redesignating subsection (i) as subsection (h).

(5) Section 205 of the Coast Guard and Maritime Transportation Act of 2004 (14 U.S.C. 637 note) is amended by striking subsection (d).

(b) COMBINATION OF FISHERIES ENFORCEMENT PLANS AND FOREIGN FISHING INCURSION REPORTS.—The Secretary of the department in which the Coast Guard is operating shall combine the reports required under section 224 of the Coast Guard and Maritime Transportation Act of 2004 (16 U.S.C. 1861b) and section 804 of the Coast Guard and Maritime Transportation Act of 2004 (16 U.S.C. 1828) into a single annual report for fiscal years beginning after fiscal year 2010.

SEC. 5. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate 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 Maryland (Mr. CUMMINGS) and the gentleman from New Jersey (Mr. LOBIONDO) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3360.

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

There was no objection.

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

Mr. Speaker, I rise today to urge the passage of the Senate amendments to H.R. 3360, the Cruise Vessel Security and Safety Act of 2010. The House passed H.R. 3360 on November 17 by a vote of 416–4. On June 10, 2010, the Senate passed this legislation with an amendment which is now before us for consideration today.

I applaud my distinguished colleague, Congresswoman DORIS MATSUI, the author of H.R. 3360, for her hard work on this legislation and for her tireless work on behalf of her constituent, Ms. Laurie Dishman, and of all victims of crimes on cruise ships.

As chairman of the Subcommittee on the Coast Guard and Maritime Transportation, I've convened two hearings to examine the issue of crime on cruise ships. I applaud Ms. Dishman and so many other victims and family members of victims for testifying before my subcommittee and for their long effort to support the development of legislation that would help ensure no one else is a victim of a crime on a cruise ship.

Almost all of the nearly 200 cruise vessels embarking and disembarking passengers in the U.S. are registered in foreign countries. As a result, when Americans step onto a cruise vessel, they are stepping onto what becomes a floating piece of another country's jurisdiction as soon as it leaves U.S. waters.

All available statistics indicate that crime is rare on cruise vessels, but it does happen. Therefore, H.R. 3360 seeks to improve the safety of passengers on cruise vessels by requiring commonsense measures to help prevent criminal activity and to ensure cruise lines respond appropriately when a crime occurs, including, by providing proper care for crime victims and securing crime scenes.

I believe that H.R. 3360 responds directly to the problems we examined in our hearings by requiring reasonable alterations in vessel design, equipment, and construction standards to increase the physical safety and security of passengers.

For example, H.R. 3360 requires that cruise vessels install peepholes or similar features in cabin doors so that passengers can identify who is at their door without having to open the door.

H.R. 3360 also requires that cruise vessels have railings that are at least 42 inches high to help prevent passengers from falling overboard. This legislation also requires that cruise ships have onboard trained medical personnel who can provide treatment to assault victims, collect evidence to support prosecutions, and administer antiretroviral medications. This legislation also requires that a store of such medications be maintained on cruise vessels.

And at this point, Mr. Speaker, I would also like to give credit to my colleague on our subcommittee and committee, Congresswoman CORRINE BROWN of Florida, who fought very hard to make sure that folks who may have been victims of rape had the appropriate personnel to address their concerns, as did Ms. MATSUI. These provisions are critical to ensuring that those who are victims of sexual assault have immediate access to state-of-the-art medical care.

H.R. 3360 also specifies certain crimes that must be reported to U.S. authorities by any vessel calling on a U.S. port, and it requires the government to maintain an Internet site that provides a numerical accounting of the reported crimes. Such statistics will be aggregated by individual cruise lines, and cruise lines will be required to maintain a link to the site on their own Web pages.

The Senate amendment made several changes to the legislation passed by the House. Some of these changes enhance the legislation, including the addition of a provision requiring cruise ships to inform passengers of jurisdictional authority applicable to crimes occurring in United States territorial waters, on the high seas, and in the countries visited by the vessel.

That said, the Senate amendment also eliminates a number of reports unrelated to crime on cruise ships that have been required by other pieces of legislation to be submitted to the Congress by the Coast Guard, including a report on foreign-flagged vessels calling on U.S. ports and a report on Coast Guard staffing levels in search and rescue centers.

I understand that the elimination of these reports was demanded by a few Senators, ostensibly to offset the costs of implementing safety and security reforms on cruise vessels. I do not believe that measures that improve safety and security, and particularly not measures such as H.R. 3360, which imposes almost all new requirements on the cruise lines themselves, should require offsets, and particularly not offsets such as these.

That said, enactment of H.R. 3360 will make cruising safer for the millions of Americans who travel on cruise vessels each year, and I urge all of the Members of the House to join in passing the Senate amendments to H.R. 3360.

I also take this moment to thank my ranking member, Mr. LOBIONDO, for our bipartisan efforts in seeing that this legislation got to the floor and is passed.

I again commend Congresswoman MATSUI for her dedication to this cause and for her extraordinary work on H.R. 3360.

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

□ 1915

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

Mr. Speaker, the House is considering the Senate amendments to H.R. 3360, the Cruise Ship Security and Safety Act of 2010. I supported passage of the original bill and intend to support this final version because, on the whole, the bill is a significant improvement over legislation that was considered by the House in the 110th Congress.

The Committee on Transportation and Infrastructure has closely examined the factors that are impacting the safety and security of American citizens aboard cruise ships that operate in and out of United States ports. H.R. 3360 makes commonsense improvements which will enhance safeguards for passengers during the cruise. While no level of procedural or structural modification can prevent all incidents from occurring, I believe this bill will significantly enhance the capabilities of both passengers and cruise lines in the future.

The bill will also codify an agreement between the FBI and cruise ship

lines which will require cruise operators to immediately notify Federal law enforcement agencies of major incidents that occur aboard a vessel.

I am concerned by one change that was included in the Senate bill to expand criminal liability to apply to a wide range of actions under the bill. This goes far beyond what was agreed to in the original House bill, and I believe we should review the impacts of this language at some point in the future.

That being said, the bill will provide additional protections to U.S. passengers, and I ask all Members to join me in supporting the bill.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 4 minutes to the sponsor of the bill who has worked very hard on this legislation for years now, the distinguished lady from California, Congresswoman MATSUI.

Ms. MATSUI. I thank the gentleman from Maryland for yielding me time.

Mr. Speaker, I rise in support of the Senate amendments to H.R. 3360, the Cruise Vessel Security and Safety Act, legislation that I introduced and which passed the House by a strong bipartisan vote of 416–4 in November of last year. The bill received similar support in the Senate, which passed it with unanimous consent earlier this month.

The Senate amendments to this legislation are also bipartisan in nature, and I urge my colleagues to support the bill before us that would send critical consumer protection language to the President for his consideration. For far too long American families have unknowingly been at risk when embarking on cruise vacations.

Four years ago, one of my constituents, Laurie Dishman, wrote to me for help. Laurie was the victim of a sexual assault while on a cruise vacation. She was given no assistance by the cruise line in properly securing evidence of the assault, no assistance in identifying her attacker, no assistance in prosecuting the crime once back on shore. Devastated, Laurie reached out to me, and I immediately worked with Chairman CUMMINGS, who committed to me to hold hearings on this issue and began to work on this critical legislation.

These hearings made apparent the gross inadequacies of current cruise safety provisions. And with ongoing news coverage of rapes on cruise ships, it is clear that this legislation is both urgent and necessary. My legislation establishes stringent new standards to ensure the safety and security of passengers on cruise vessels. Its reforms include requiring that vessel personnel be able to preserve evidence of crimes committed on these vessels, and provide appropriate medical treatment to the victims of sexual assaults.

Security, safety, and accountability must all be strengthened to hold criminals accountable and end the cycle of serious, dangerous crimes aboard cruise ships.

I would like to thank both Chairmen, CUMMINGS and OBERSTAR for the good work their committees and staffs have done on this bill and for their tremendous support in making this bill a reality. I would also like to thank my colleagues on the other side of the aisle for their support. This has been a long, difficult road for all cruise victims and their families. And believe me, this legislation is truly a result of their courage, their dedication, and their conviction to preventing further crimes from happening.

I urge my colleagues to support this important legislation and pave the way for safety of all cruise passengers.

Mr. LOBIONDO. Mr. Speaker, I yield to my colleague from Texas, Congressman POE, such time as he may consume.

Mr. POE of Texas. I appreciate the gentleman for yielding.

I rise totally in support of H.R. 3360, the Cruise Vessel Security and Safety Act of 2010. This legislation passed the House with strong support in November of last year, and I am pleased to see it return from the other body as an improved bill ready for final passage. I commend my colleague, Ms. MATSUI of California, who has been relentless as an advocate for protection of the cruise line passengers.

Mr. Speaker, every year cruise line companies carry over 10 million Americans to and from American ports. The cruise lines promise Americans safety, security, fun, and relaxation aboard the ships. But as we have seen, safety is not something the cruise lines are always prepared to guarantee.

According to the FBI, sexual assault is the leading crime reported and investigated by the agency among crimes that occur on the high seas. In fact, in a 2005 hearing before the Committee on Government Reform, Chris Swecker, assistant director of the Criminal Investigative Division of the FBI, noted that, ''Sexual assaults are the dominant threat to women and minors on the high seas, with the majority of these incidences occurring on cruise ships.'' His statements are backed up by the disturbing frequency of assaults onboard these ships. During one 6-month period in 2007, the cruise lines reported 41 separate instances of sexual assault to the FBI, 19 of which were categorized as rape.

There are troubling patterns to these assaults. In 2007, a Los Angeles Times report revealed that over a 32-month period, Royal Caribbean reported over 250 incidents of sexual assault, battery, and harassment. But the most startling fact about these cases: Almost 40 percent of these crimes were committed by cruise company employees. In fact, Ms. MATSUI's constituent, Laurie Dishman, was sexually assaulted by a cruise ship security guard.

Laurie Dishman knew what to do, which was call her Member of Congress. And when Ms. MATSUI found out about this situation, she did what she needed to do and worked relentlessly with both sides of the body here to make sure that this legislation came to a vote and now final passage.

Mr. Speaker, the frequency of these cases and the overwhelming statistics should not be tolerated. If U.S.-based cruise ship companies who own and operate foreign-flagged passenger vessels want to access millions of Americans who travel on these ships, they should be required to implement simple, proper safety and security improvements for all travelers.

As the cochair and founder of the Congressional Victims' Rights Caucus, I am proud to support H.R. 3360. This bill will implement necessary safety measures onboard cruise ships, including video surveillance and proper documentation of complaints by passengers. Most importantly, the law mandates that cruise ship personnel contact both the FBI and the Coast Guard as soon as serious crimes like homicide, kidnapping, and assault are reported by the passengers.

This strong legislation will protect the safety of millions of Americans and hold law violators accountable for sexual assault on the high seas. No longer will criminals be able to hide on our oceans when they commit crimes against Americans. So I urge my colleagues to support this bill.

Mr. OBERSTAR. Mr. Speaker, I rise today in strong support of the Senate amendment to H.R. 3360, the ''Cruise Vessel Security and Safety Act of 2010.''

Serious crimes are committed at sea aboard cruise vessels just as they are committed on land. Over the last five years, sexual and physical assaults were the leading crimes committed aboard cruise vessels and investigated by the Federal Bureau of Investigation.

Alarmingly, it is not known precisely how often crimes are committed on cruise vessels or how many people have disappeared during ocean voyages because cruise lines that are registered in countries other than the United States are not required to make crime-related data available.

In fact, only one of the nearly 200 cruise vessels that serve the North American market is registered in the United States. This means that only one cruise vessel serving the North American market is, at all times, subject to the laws of the United States and required to report incidents of alleged crimes to United States law enforcement agencies.

While there are limited circumstances in which the U.S. can assert jurisdiction over some crimes occurring on cruise ships, cruise vessels registered in foreign countries directly fall under the jurisdiction of the United States only when they are operating in U.S. waters—in U.S. ports or sailing within 12 miles of the U.S. coast.

At all other times, foreign-registered vessels operate subject to the laws of the country in which the vessel is registered or in whose waters they are travelling. The laws in these countries may not—and often do not—provide the same rights and protections to crime victims that would be provided under U.S. law.

However, foreign-registered cruise vessels can be subject to some U.S. laws as a condition of entry into U.S. ports.

By applying conditions upon U.S. port entry, H.R. 3360 seeks to bridge some of the potential gaps between the rights, protections, and

access to assistance that are available to victims of crime under U.S. law and the laws of other countries.

H.R. 3360 establishes stringent new standards including training for ships' personnel to preserve evidence of crimes and provide appropriate medical treatment. Specifically, H.R. 3360 requires cruise lines to aid U.S. investigators by training crewmembers in crime scene preservation, by mandating log book entries detailing complaints of crimes, and by making available video tapes and other forms of evidence.

The legislation also provides much-needed support for the victims of crime by requiring cruise lines to provide on board medical professionals who are trained to treat victims of sexual assaults, medications, and access to victims' support services.

In addition, H.R. 3360 ensures that the public can make informed choices before booking a cruise. The bill requires the Secretary of Homeland Security to compile and maintain statistical data of certain incidents on an internet website. The data would identify each cruise line and each cruise line would be required to provide a link on its internet site to the website maintained by the Secretary.

Finally, H.R. 3360 enhances the safety and security of cruise passengers by requiring cruise lines to upgrade, modernize, and retrofit the safety and security infrastructure on their vessels by installing peep holes in passenger doors, video surveillance cameras, time-sensitive electronic key technology, higher railings, and acoustic hailing devices.

It is estimated that 10.6 million Americans enjoyed a cruise vacation in 2007. Millions more have cruised since and millions more will cruise in the future. We need to ensure the security and safety of passengers and crews on cruise vessels and to provide support for the victims of crime at sea.

With passage of this legislation today, the bill will be cleared for the President's consideration.

Before closing, I want to acknowledge the extraordinary work of the gentlewoman from California (Ms. MATSUI) for bringing us to this point. In 2006, Ms. MATSUI's constituent, Laurie Dishman, who was the victim of a crime aboard a cruise ship, reached out to Ms. MATSUI and Congress for help in addressing the significant shortcomings of cruise vessel safety and security. Ms. Dishman had the courage and fortitude to tell her heart-wrenching story to our Committee in a hearing on these issues. Knowing Ms. Dishman's story, Ms. MATSUI drafted this bill and has worked for more than three years to get Congress to this point.

I also thank the gentlemen from Arizona (Mr. SHADEGG and Mr. MITCHELL), who have strongly supported this bill on behalf of the daughter of an Arizona constituent. Merrian Carver disappeared from a cruise ship in August 2004, and was never found. What makes Ms. Carver's case even more shocking is not just that a vibrant, young woman was lost, but that her disappearance was not reported by the cruise line to the U.S. Coast Guard or the FBI until well after the voyage ended.

Finally, I thank Chairman JAY ROCKEFELLER, Chairman of the Senate Committee on Commerce, Science, and Transportation, for working to overcome Republican objections to the bill, enabling Senate passage of the legislation.

With enactment of this legislation, I am hopeful that the stories of Laurie Dishman and Merrian Carver will become a thing of the past. Although we cannot stop all crimes aboard cruise ships (or anywhere else), we can ensure that Americans will be protected by our system of justice.

I urge my colleagues to join me in supporting the Senate amendment to H.R. 3360, the "Cruise Vessel Security and Safety Act of 2010."

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

Mr. CUMMINGS. In closing, I will just urge my colleagues to vote in favor of this very, very important piece of legislation that will have far-reaching effects.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3360.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CORRECTING THE ENROLLMENT OF H.R. 3360

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 289) directing the Clerk of the House of Representatives to make a technical correction in the enrollment of H.R. 3360.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 289

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H.R. 3360) to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes, the Clerk of the House of Representatives shall make the following correction: In section 4(b), strike "Coast Guard and Maritime Transportation Act of 2004" the second place it appears and insert "Coast Guard and Maritime Transportation Act of 2006".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from New Jersey (Mr. LOBIONDO) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Con. Res. 289.

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

There was no objection.

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

Mr. Speaker, H. Con. Res. 289 simply corrects a drafting error in the Senate amendments to H.R. 3360. Specifically, the Senate amendments intended to combine required Coast Guard reports on fisheries enforcement plans and on efforts to prevent the incursion of foreign fishing vessels into U.S. waters.

However, the Senate amendments incorrectly referred to section 804 of the Coast Guard and Maritime Transportation Act of 2004 rather than the act of 2006, which is the correct cite for the requirement that the Coast Guard submit biannual reports on the service's progress in detecting and interdicting incursions by foreign fishing vessels into the U.S. Exclusive Economic Zone.

H. Con. Res. 289 merely corrects the legal cite, but does not make any other changes to the Senate amendments to H.R. 3360.

I reserve the balance of my time.

Mr. LOBIONDO. Mr. Speaker, this is purely technical. We have no objection.

I yield back the balance of my time.

Mr. CUMMINGS. 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 Maryland (Mr. CUMMINGS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 289.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AFFIRMING SUPPORT FOR A STRONG ALLIANCE WITH THAILAND

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1321) expressing the sense of the House of Representatives that the political situation in Thailand be solved peacefully and through democratic means, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1321

Whereas Thailand became the first treaty ally of the United States in the Asia-Pacific region with the Treaty of Amity and Commerce, signed at Sia-Yut'hia (Bangkok) March 20, 1833, between the United States and Siam, during the administration of President Andrew Jackson and the reign of King Rama III;

Whereas the United States and Thailand furthered their alliance with the Southeast Asia Collective Defense Treaty, (commonly known as the "Manila Pact of 1954") signed at Manila September 8, 1954, and the United States designated Thailand as a major non-North Atlantic Treaty Organization (NATO) ally in December 2003;

Whereas, through the Treaty of Amity and Economic Relations, signed at Bangkok May 26, 1966, along with a diverse and growing trading relationship, the United States and

Thailand have developed critical economic ties;

Whereas Thailand is a key partner of the United States in Southeast Asia and has supported closer relations between the United States and the Association of Southeast Asian Nations (ASEAN);

Whereas Thailand has the longest-serving monarch in the world, His Majesty King Bhumibol Adulyadej, who is loved and respected for his dedication to the people of Thailand;

Whereas Prime Minister Abhisit Vejjajiva has issued a 5-point roadmap designed to promote the peaceful resolution of the current political crisis in Thailand;

Whereas approximately 500,000 people of Thai descent live in the United States and foster strong cultural ties between the 2 countries; and

Whereas Thailand remains a steadfast friend with shared values of freedom, democracy, and liberty: Now, therefore, be it

Resolved, That the House of Representatives—

(1) affirms the support of the people and the Government of the United States for a strong and vital alliance with Thailand;

(2) calls for the restoration of peace and stability throughout Thailand;

(3) urges all parties involved in the political crisis in Thailand to renounce the use of violence and to resolve their differences peacefully through dialogue;

(4) supports the goals of the 5-point roadmap of the Government of Thailand for national reconciliation, which seeks to—

(A) uphold, protect, and respect the institution of the constitutional monarchy;

(B) resolve fundamental problems of social justice systematically and with participation by all sectors of society;

(C) ensure that the media can operate freely and constructively;

(D) establish facts about the recent violence through investigation by an independent committee; and

(E) establish mutually acceptable political rules through the solicitation of views from all sides; and

(5) promotes the timely implementation of an agreed plan for national reconciliation in Thailand so that free and fair elections can be held.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, I rise in strong support of this resolution, and yield myself as much time as I may consume.

Mr. Speaker, I want to thank my good friend, Congressman FALEOMAVAEGA, for introducing this important resolution, which calls for a peaceful resolution to the political situation in Thailand through democratic means.

As we all know, earlier this year Red Shirt protesters occupied the streets of Bangkok for 9 weeks. At first, these protests were peaceful. Over time, however, clashes between the Red Shirts and the security forces escalated into urban warfare. By mid-May, 89 people, the vast majority of them civilians, had been killed, and around 1,800 wounded, including a renegade Thai general who joined the antigovernment protests.

Since the outbreak of these protests, the government has made significant strides towards addressing the concerns of the protesters. Earlier this month, Prime Minister Abhisit Vejjajiva announced that he plans to hold new elections by the end of 2011.

□ 1930

His fans called for all parties to join together in upholding the institution of the constitutional monarchy, working towards resolving fundamental problems of social justice, ensuring that the media can operate freely, creating an independent committee to investigate the street protests, and establishing political rules through solicitation of views from all sides.

I believe that the Prime Minister's plan is a positive step towards achieving democratic reconciliation. Earlier this month, the Prime Minister survived a vote of no confidence in the parliament over his handling of the protests, demonstrating that there is support for the PM to lead the country towards reconciliation.

I want to remind my colleagues that Thailand is one of the United States' closest friends and most dependable allies. In 1833 we concluded the first treaty with an Asian nation when we joined with Thailand in the Treaty of Amity and Commerce. In 1954, we forged a military alliance. And in 2003, the United States designated Thailand as a major non-NATO ally.

Because of our long history, I believe that we must do everything we can to support reconciliation in Thailand and to convey our sincere hope that Thailand continues to prosper with democracy, stability, and the rule of law. That is why I cosponsored House Resolution 1321, and I urge all my colleagues to join me in supporting this resolution and moving it towards speedy adoption.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to yield such time as he may consume to the gentleman from Hawaii (Mr. DJOU), a member of the Armed Forces and Budget Committees and the first Member of Congress to be of half Thai descent.

Mr. DJOU. Thank you to the gentlelady from Florida. I also want to express my thanks to Mr. FALEOMAVAEGA for bringing this resolution.

Mr. Speaker and Members, it is with some degree of sadness that I rise to speak in support of this resolution. Mr. Speaker and Members, it is my understanding from the House Historian's Office that I am the first Member of the United States Congress of Thai ancestry.

For myself, Thailand is not just a place. It is not just an ally of the United States. It is some place where my mother was born and raised and most of my mother's side of the family continues to reside. I of course speak in very strong support of this resolution asking for a peaceful resolution of the conflict and dispute going on currently in Thailand.

Mr. Speaker and Members, for us here in this Nation, while we may have very strong and bitter disagreements between Republicans and Democrats, conservatives and liberals, we ultimately resolve our differences peacefully at the ballot box—not with a cartridge box. But now what is happening in Bangkok, Thailand, is saddening, disappointing; and it is something that we all, as Americans, must be troubled by. Thailand is an important ally for the United States in Southeast Asia and has been the lynch pin of our strategic interests in Southeast Asia for decades.

What I have seen on the streets of Bangkok and what my family has witnessed firsthand over the last few months is incredibly disappointing. Last month, Mr. Speaker, my family, when I talked to my cousins, it was with both joy and sadness to see what had transpired in our immediate family. It is with incredible honor and distinction that I was able to take the oath of office as a Member of the United States Congress. But my first cousins, who were born and raised in Thailand, unfortunately witnessed firsthand what was happening on the streets of Bangkok and saw firsthand the violence that was going on in the city center.

I think it is a reminder to all of us as Americans the uniqueness, the importance, the vitality and the incredible, incredible good fortune we have to call ourselves Americans.

But it is also what is happening in Bangkok that should remind us that we as a Nation should lead by example and remind all of the peoples of the world of what we can have and what we have here in this Nation, and it doesn't have to always end in violence.

Mr. Speaker and colleagues, I strongly urge passage of this resolution and hope, on behalf of my family, that these differences that are going on right now in Thailand are resolved peacefully.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself such time as I may consume.

I would like to start out by thanking the gentleman from Hawaii for those insightful words and for his personal commitment and family honor in making sure that we can have a peaceful resolution to this conflict.

And I also rise in support of this resolution which honors our Nation's long-standing alliance with the Government and the people of Thailand. It

also calls for a settlement of the political situation in that country through peaceful and democratic means.

The scenes on television screens around the world last month of Bangkok burning were unnerving to all who wish the Thai people well. A 2-month political crisis, which killed 88 people and injured more than 1,800, reduced landmarked buildings in the Thai capital to ashes. The fact that Thailand's King, the longest-serving monarch in the world, has been hospitalized for the past several months only added to the sense of urgency over the fragile political situation.

So this resolution provides an opportunity to extend best wishes for a speedy recovery to His Majesty who celebrated the 60th anniversary of his coronation this past May 5.

Thailand is the first Southeast Asian nation to have a formal diplomatic agreement with us in the United States. A treaty of amity and commerce was signed with the administration of President Andrew Jackson in 1833. The offer of a herd of domesticated elephants by the present Thai King's great grandfather, while politely declined by President Lincoln as unsuitable for the American climate, has long been cited as an example of the warm and enduring bonds between the American and Thai people.

When the congressional leaders gathered in Statuary Hall last week to commemorate the 60th anniversary of the outbreak of the Korean War, the flag of Thailand proudly flew with those of other allied nations behind the Speaker's podium. Thailand sent a regiment of 1,294 men to that conflict, of which 129, 10 percent, perished on the Korean peninsula. Further cooperation with the United States during the Vietnam and Iraq wars in east Timor and during a series of refugee crises in Southeast Asia has further cemented bilateral ties.

Cobra-Gold, the largest multi-national military exercise in the world, has brought the United States and the Royal Thai Armed Forces annually together for the past 29 years to enhance regional peace and stability. The growing trade between our two countries has made Thailand America's 25th largest goods trading partner according to the statistics provided by the U.S. Trade Representative.

So it is clearly in America's interest for the recent violence to come to an end so that this militarily dependable and economically vibrant ally can move forward toward national reconciliation. Hopefully, the proposed national reconciliation will lead to a permanent healing of Thai society so that the Thai people do not escape from the tiger into the crocodile, as the Thai saying goes, moving from one crisis to another.

This resolution, Mr. Speaker, calling for an end to violence through peaceful and democratic means and for a rededication to our vital alliance is something our Members should strongly support, as do I.

Mr. MANZULLO. Mr. Speaker, as the senior Republican on the Asia Subcommittee of the House Foreign Affairs Committee and as the co-chair of the Friends of Thailand Caucus, I rise in favor of H. Res. 1321, which expresses support for resolving the political situation in Thailand through non-violent, democratic means. The relationship between the United States and Thailand goes back over 175 years to when the U.S. signed its first agreement with an Asian nation as part of the Treaty of Amity and Commerce with Siam. Thailand is one of America's closest friends and dependable ally. In fact, the King of Thailand generously offered President Abraham Lincoln a supply of elephants to help Union forces win the Civil War. Thailand has also contributed troops and supplies for U.S. military engagements in Korea, Vietnam, the Persian Gulf, Afghanistan, and Iraq for which we are forever grateful. After several decades of mostly military dictatorships, by the early 1990s, Thailand established democratic rule, furthering bolstering its status as a partner of the United States. As a result, in 2003, the U.S. designated Thailand as a major non-NATO ally. Thailand has also grown to be a significant trading partner of the United States. In fact, exports from Illinois to Thailand were one of the few bright spots during this recession—increasing 8.1 percent between 2008 and 2009. Thailand is one of the top 25 export markets for Illinois products. I was pleased and honored when the Ambassador from Thailand came to visit northern Illinois last April to learn more about what America has to offer.

However, ever since 2006, the political situation inside Thailand has been a state of turmoil. We have all been pained to see the media images of violence and burned-out buildings. Obviously, only the Thai people can resolve their own internal conflicts. I hope that this resolution can play a constructive role in helping to encourage all sides to resolve their differences peacefully. I trust that the 5-point national reconciliation plan proposed by the Prime Minister of Thailand and highlighted by this resolution is fully implemented.

This resolution is important to reaffirm our support for democracy, non-violence, and the people of Thailand. I urge the government of Thailand to follow through on its commitments as outlined in their 5-point plan. I also urge all parties in Thailand to join in this effort and settle their differences peacefully. Therefore, I encourage my colleagues to vote in favor of H. Res. 1321.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in strong support of H. Res. 1321, expressing the sense of the House of Representatives that the political situation in Thailand be solved peacefully and through democratic means. I thank my colleague, Mr. FALEOMAVAEGA, for introducing this important resolution.

Beginning in mid-March 2010, anti-government protestors occupied parts of Bangkok for nine weeks. Initially peaceful, the demonstrations and the response from the security forces became increasingly aggressive, eventually spiraling into urban warfare. Most of the protestors, known as the "red shirts," are loyal to former Prime Minister Thaksin Shinawatra who was ousted in a military coup in 2006. On May 3, 2010, the Thai Prime Minister, Abhisit Vejjajiva, offered talks and proposed a "reconciliation plan" including an election on November 14, 2010 in an effort to end the political crisis that immobilized Bangkok and killed 88 people and wounded hundreds. Although the violence has subsided, the political divisions remain stark and the threat of more confrontation lingers. Continuous progress has been made on the Thai Government's reconciliation plan. A public forum was convened on June 17, 2010 as a brainstorming session on how to move the process forward. According to the Prime Minister, the views gathered during this public forum reflect visions for both the Thai people and society and were in line with those of the government. Two committees will be set up by the end of June. The first committee will focus on strategies and priorities for reform to be proposed to the government and the second will work on nation reform assembly which will serve as a channel for all sectors of society to put forward their views and proposals with help from academic works.

Thailand has been a long-time military ally and a significant trade and economic partner. Our close relationship and longstanding friendship with Thailand dates back to 1883 when the two countries signed the Treaty of Amity and Commerce. Despite differences on Burma policy and human rights issues, shared economic and security interests have long provided the basis for U.S.-Thai cooperation. Thailand contributed troops and support for U.S. military operations in both Afghanistan and Iraq and was designated as a major non-NATO ally in December 2003. Thailand's airfields and ports play a particularly important role in U.S. global military strategy, including having served as the primary hub of the relief effort following the 2004 Indian Ocean tsunami.

As a major recipient of foreign direct investment, and with exports of goods accounting for over 70 percent of its GDP in 2007, Thailand's economy depends heavily on its trading partners. Economic relations with the United States are central to Thailand's outward-looking economic strategy. According to the U.S. Commerce Department, U.S. trade with Thailand in 2008 consisted of $9.1 billion in exports and $23.5 billion in imports. The State Department reports that although Japan is Thailand's biggest trading partner, the United States is currently Thailand's largest export market.

With more than 200,000 people tracing their ancestry to Thailand, our two nations share extensive social and cultural links.

We recognize that enormous challenges remain ahead. Thailand has a past of turbulence and turmoil—the country has experienced 18 coups in the past 77 years. I am hopeful that their continued progress can lead to an ever more fruitful economic and political relationship between the United States and Thailand, contributing to the well being and prosperity of both our nations.

The United States is hopeful that Thailand's political problems will be solved peacefully and through democratic needs. The United States supports the national reconciliation plan proposed by the Prime Minister which encompasses upholding the monarchy, instituting political reform, and eradicating injustice.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1321, as amended.

The question was taken.

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

Ms. WATSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

CONGRATULATING 17 AFRICAN NATIONS ON 50TH ANNIVERSARY OF INDEPENDENCE

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1405) congratulating the people of the 17 African nations that in 2010 are marking the 50th year of their national independence, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1405

Whereas in the year 2010, 17 African nations will celebrate the 50th anniversary of their independence from France, Italy, or Great Britain, including Cameroon (January 1, 1960), Togolese Republic (April 27, 1960), Republic of Mali (June 20, 1960), Republic of Senegal (June 20, 1960), Republic of Madagascar (June 26, 1960), Democratic Republic of the Congo (June 30, 1960), Somalia (July 1, 1960), Republic of Benin (August 1, 1960), Republic of Niger (August 3, 1960), Burkina Faso (August 5, 1960), Republic of Cote d'Ivoire (August 7, 1960), Republic of Chad (August 11, 1960), Central African Republic (August 13, 1960), Republic of the Congo (August 15, 1960), Gabonese Republic (August 17, 1960), Federal Republic of Nigeria (October 1, 1960), and the Islamic Republic of Mauritania (November 28, 1960);

Whereas contemporary United States ties with Sub-Saharan Africa today far transcend the humanitarian interests that have frequently underpinned United States engagement with the continent;

Whereas there is a growing understanding among foreign policy experts that economic development, natural resource management, human security, and global stability are inextricably linked;

Whereas cooperation between the United States Armed Forces and Africa is growing, with United States and African forces routinely conducting joint exercises;

Whereas African governments are steadily taking a larger role in the provision of security and peacekeeping on the continent, due in part to United States security assistance and training;

Whereas Africa's growing importance is reflected in the intensifying efforts of China, Russia, India, Iran, and other countries to gain access to African resources and advance their ties to the continent; and

Whereas a more comprehensive, multi-faceted regional policy is essential for the United States to operate effectively in this increasingly competitive environment: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the people of the 17 African nations that in 2010 are marking the 50th year of their national independence;

(2) honors the lives of the ten of thousands of patriots, including innocent civilians, who died, were imprisoned, or otherwise dedicated their lives, often at great personal sacrifice, to achieving African political independence;

(3) commends the socioeconomic and political progress being made by these nations, while acknowledging the associated challenges that many still face;

(4) recognizes Africa's significant strategic, political, economic, and humanitarian importance to the United States; and

(5) renews the commitment of the United States to help the people of sub-Saharan Africa to foster democratic rule, advance civic freedom and participation, and promote market-based economic growth, and to alleviate the burden of poverty and disease that so many in the region continue to face.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent for all Members to have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

Mr. Speaker, I want to thank Mr. RUSH for introducing this resolution that recognizes the 50th anniversary of independence for 17 African countries.

In the scramble for Africa between 1880 and the First World War, European countries extended their political and economic rule over the vast territory and resources of Africa. The colonizing powers saw this as an opportunity to continue commerce between Europe and Africa following the end of the slave trade.

At the Berlin Conference of 1884, the European powers carved up Africa among themselves to suit their demand for gold, diamonds, minerals, and spices. The age of European imperialism ravaged the human and natural resources of the African continent.

In 1941, President Roosevelt introduced the principle of the Economy of Imperial Colonies to Prime Minister Winston Churchill and started the debate over British and eventually all European imperialism. In 1957, sub-Saharan Africa's post-colonial era began with the independence of Ghana. Over the following several decades, all other African countries won their independence and joined the international community of sovereign nations.

Now, this resolution congratulates the people of the 17 African nations who celebrate their 50th year of national independence in 2010. The American people have benefited greatly from our relations with African nations during the past 50 years.

African countries remain among our strongest allies in the world. We enjoy strong economic and political ties with many African countries, and we are the beneficiaries of strong cultural and social ties to Africa's people.

□ 1945

Mr. Speaker, I urge all of my colleagues to support this important resolution, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 1405, congratulating the people of 17 African nations on 50 years of independence and recognizing the importance of Africa to the United States.

Fifty years ago, 17 African nations threw off the yoke of colonialism and established themselves as independent nations. Unfortunately, the past half century has been anything but peaceful or joyful for all too many of these states.

Only two of the 17 nations we celebrate today—Mali and Benin—are considered to be free. One, Somalia, is virtually a collapsed state, and in the Democratic Republic of the Congo, a brutal civil war that continues in the east has claimed millions of lives and has spawned some of the worst human rights atrocities known to man. Yet there have been some successes, Mr. Speaker.

African economies are growing at rates reminiscent of the great Asian tigers. Citizens are becoming increasingly aware of their rights and are demanding a greater stake in their economic and political futures, demanding accountability and driving the ''Big Men of Africa'' from office. Still, in Africa, independence has proven to be a necessary but insufficient condition for freedom.

At a battlefield in Gettysburg, the great Abraham Lincoln honored the fallen by stating, ''We here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that the government of the people, by the people, for the people, shall not perish from the Earth.''

So, Mr. Speaker, on this 50th anniversary of independence for no less than 17 African nations, we stand in solidarity with the people who won their independence but who continue in their struggle for freedom.

I urge my colleagues to support this timely and important resolution.

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

Ms. WATSON. Mr. Speaker, I yield as much time as he may consume to the gentleman from Illinois, BOBBY L. RUSH.

Mr. RUSH. I would like to begin by thanking Foreign Affairs Committee Chairman HOWARD BERMAN, Africa and Global Health Subcommittee Chairman DONALD PAYNE, and my good friend Congresswoman DIANE WATSON. I also would like to thank Congresswoman YVETTE CLARKE and Congressman ED ROYCE for their constant leadership on African issues.

This year, Mr. Speaker, 17 African nations are celebrating the 50th anniversary of their independence.

1960 was an important year for those former French, British, and Italian colonies and protectorates. The triumphant march of a series of hard-fought victories that led to independence started on January 1 with the nation of Cameroon, and it ended on November 28, 1960, with the nation of Mauritania's securing its independence from France.

The resolution I am bringing to the floor today will honor the sacrifices of the founding fathers of these African nations. Little did they know then that a proud and supportive USA would today enter into our Nation's permanent history this well-deserved tribute to the thousands of unsung men and women who gave their lives based on the simple dream of freedom and on a desire to assert their self-determination over the lives that only God could give them.

We in the USA know something about that freedom and that determination.

Chief among these visionary African leaders are Amadou Ahidjo in Cameroon; Kwame Nkrumah in Ghana; Patrice Lumumba in the Democratic Republic of the Congo; Leopold Senghor in Senegal; Thomas Sankara in Burkina Faso; Felix Houphouet Boigny in Cote d'Ivoire; and Julius Nyerere in Tanzania.

This resolution also commends the socioeconomic and political progress being made by these nations while acknowledging the associated challenges that many still face today. Many of these nations have become democracies and are striving to break the links to past oppressions. Men and women of good faith work tirelessly to overcome the remnants of colonialism, neocolonialism, structural adjustments, internal and regional wars, and their own bureaucratic hurdles. They also face serious challenges beyond their control, which have been exacerbated by growing threats from the global financial crisis, climate change, and terrorism.

Despite numerous challenges, many of the African nations we salute today are becoming economically, politically, and strategically important to the United States. Our Nation simply cannot afford to take Africa for granted nor can it afford to mistakenly see Africa as a desperate continent forever in need of charity from our Nation. Africa's growing economic importance is reflected in intensified efforts by China, Russia, India, Iran, and other nations which seek to gain access to Africa's vast natural resources.

Some say we may need Africa more than Africa needs us, and it is clear that many African leaders are beginning to think the same way. Both sides are mistaken. We need each other now more than ever. It is time to solidify our economic and strategic partnership.

I and others who support this resolution commend President Obama for his leadership in making our mutually beneficial partnership a reality by signing a binational commission agreement with South Africa, with Angola, and with Nigeria. We hope that the United States will soon adopt a similar strategic agreement with the entire Gulf of Guinea region.

The White House has announced that President Obama will be hosting these 17 African heads of state and a group of younger, emerging leaders within these nations at a celebration that will mark the 50th anniversary later this summer. I would like to take this opportunity to commend our President for calling this summit. It was long overdue. I hope the invitation will be extended to other African nations as well.

As Professor Paul Collier wrote in a recent article, entitled ''The Case for Investing in Africa,'' ''The continent is now growing much more rapidly than the OECD nations. It may well be on the cusp of a reversal of fortune.''

It is time to revisit our relationship with the continent of Africa and to define a more comprehensive approach.

I would encourage the administration to also establish a commission that will create a platform where human rights groups, the civil society, U.S., and African governments, financial institutions, the private sector, and the diaspora can formulate and implement a mutually beneficial and coordinated policy framework that advances democracy, economic growth, and prosperity in Africa.

It is worth noting that the U.S. has already taken several steps that underline Africa's increasing importance. Our economy and its recovery are far more dependent on Africa than we have acknowledged to date, and so, too, is our national security.

For these reasons, I urge you to vote for H.R. 1405, which celebrates the 50th anniversary of 17 African nations, recognizing that Africa is of significant strategic, political, economic, and humanitarian importance to the United States. It will renew the commitment of the United States and will help the people of the sub-Saharan Africa to foster democratic rule, to advance civic freedom, to promote market-based economic growth, and to alleviate the burden of poverty and disease that so many in the region continue to face.

This is only the first step, Mr. Speaker, to Africa's much needed transition into a global economy. However, this step is the right one as we undertake the long overdue transformation and our own approach toward Africa and our own belief in the African people and in the African continent.

Ms. CLARKE. Mr. Speaker, I rise in strong support of H. Res. 1405, a resolution celebrating 50 Years of African Independence. The seventeen African countries celebrating their political independence are: Cameroon, Togo, Mali, Senegal, Madagascar, Democratic Republic of Congo, Somalia, Benin, Niger, Burkina Faso, Cote d'Ivoire, Chad, Central Africa Republic, Congo, Gabon, Nigeria and Mauritania.

This resolution is important because democratic principles have flourished in many African countries over the past decade. Indeed, more than two-thirds of sub-Saharan African countries have held democratic elections since 2000. Moreover, several nations, from Senegal to Tanzania, and from Ghana to Zambia have seen successful power changes over the past decade. The Unites States Department of State has expressed its commitment to supporting African efforts to fortify government accountability and overall good governance, which is crucial to the continent's future growth and global influence.

The resolution commends the socio-economic and political progress being made by African countries, while acknowledging the associated challenges that many still face. According to a June 2010 McKinsey Global Institute report entitled 'Lions on the Move: The Progress and Potential of African Economies,' over the past decade ''Africa's economic pulse has quickened, infusing the continent with new commercial vibrancy.'' Africa's combined consumer spending in 2008 was $860 billion, and America is committed to partnering with African nations to foster economic development, entrepreneurship and trade in the continent.

Kofi Annan, Chair of the Africa Progress Panel (APP) recently noted that 'Africa's future is in its own hands, but that success in managing its own affairs depends on supportive global policies and agreements.' H. Res. 1405 comes at a time when the world is taking notice of Africa's great progress in recent years and it reaffirms the United States' commitment to growth and prosperity in Africa.

I commend the House for passing this important resolution.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H. Res. 1405: ''Congratulating the people of the 17 African nations that in 2010 are marking the 50th year of their national independence.'' As a cosponsor of this resolution, I am proud to acknowledge the progress made by these 17 nations as well as the other African nations that gained independence in the early 1960s. The 17 African nations that gained independence in 1960 are:

The Republic of Cameroon (January 1, 1960);

The Togolese Republic (April 27, 1960);

The Republic of Mali (June 20, 1960);

The Republic of Senegal (June 20, 1960);

The Republic of Madagascar (June 26, 1960);

The Democratic Republic of the Congo (June 30, 1960);

Somalia gained its independence on (July 1, 1960);

The Republic of Benin (August 1, 1960);

The Republic of Niger (August 3, 1960);

Burkina Faso (August 5, 1960);

The Republic of Cote d'Ivoire (August 7, 1960);

The Republic of Chad (August 11, 1960);

The Central African Republic (August 13, 1960);

The Republic of the Congo (August 15, 1960);

The Gabonese Republic (August 17, 1960);

The Federal Republic of Nigeria (October 1, 1960); and

The Islamic Republic of Mauritania (November 28, 1960)

When the nations in Africa gained independence during the 1960s and 1970s, there was an expectation that the end of colonialism would usher in a new era of representative government in which the people of these new nations could freely choose a government that represented their interests. Fifty years after independence, however, the progress of these nations has been mixed at best. In many nations, progress has failed to match expectations as the people of these new nations struggled to shed the yoke of their colonial legacies. These legacies include inorganic borders and inherited systems of patronage.

Although many African nations were dealt a difficult hand, the continent's new leaders, by in large, sought to consolidate and retain power rather than embrace political systems defined and strengthened by their diversity. Since independence, transfer of political power has consistently been a thorn in the side of side of most African nations.

Although many of the challenges of broadening and democratizing political participation in Africa rests in the hands of a few 'big men,' there are also significant challenges at local levels. Today, millions of people in Africa are stateless. Some because their births were never recorded, others because they belong to the 'wrong' ethnic group. Civil conflicts in Cote d'Ivoire, the Democratic Republic of Congo and numerous other countries have been fuelled if not created by pernicious citizenship policies that sever the link between certain parts of the population and the state. As rebel leader in the Ivory Coast reportedly exclaimed, ''Give us our identity cards and we hand over our Kalashnikovs.'' This, to me, captures both the tension and the stakes in play. The people of Sudan, the DRC, Guinea, and others have long since passed the point where they can afford to be at war. It is imperative that we work to end conflicts and facilitate governments that reflect the will of the people.

While we must remain vigilant in our scrutiny of those leaders who stifle democracy, we must also recognize leaders who promote democracy even if it imperils their own political position. Last summer, I visited Ghana and saw a democracy that is heading in the right direction. During the December 2008 Presidential elections, John Atta Mills of the National Democratic Congress (NDC) won the election in an extremely narrow victory that required a run-off with Nana Akufo-Addo of the former ruling New Patriotic Party (NPP). Domestic and international observers deemed the election free and fair. Facilitating mature democracies requires us to find ways to encourage leaders to relinquish power, and I think we can improve our use of these 'carrots.'

Mr. Speaker, I urge my colleagues to join me in support of this resolution and renew the commitment of the United States to help the people of sub-Saharan Africa to foster democratic rule, advance civic freedom and participation, and promote market-based economic growth, and to alleviate the burden of poverty and disease that so many in the region continue to face. We must also remember to keep ''fifty years of independence'' in context. Fifty years may seem like a long time, but consider America's own history when, fifty years after independence, the country had not yet had experienced its civil war.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1405, as amended.

The question was taken.

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

Ms. WATSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

CONGRATULATING SOUTH AFRICA ON FIRST TWO CONVICTIONS FOR HUMAN TRAFFICKING

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1412) congratulating the Government of South Africa upon its first two successful convictions for human trafficking, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1412

Whereas from June 11, 2010, through July 11, 2010, the 2010 Fédération Internationale de Football Association (FIFA) World Cup will be hosted by South Africa and include games played in stadiums across the country, including Cape Town, Port Elizabeth, Durban, Bloemfontein, Rustenburg, Pretoria, Johannesburg, Nelspruit, and Polokwane;

Whereas the 2010 FIFA World Cup is likely to attract an estimated 2,700,000 local spectators and 350,000 to 500,000 visitors to the country;

Whereas the influx of tourism is likely to lead to an increase in demand for sexual services and create demand for the commercial sexual exploitation of women and children;

Whereas the preparations for the 2010 FIFA World Cup have resulted in an influx of foreign workers;

Whereas the hospitality industries may be particularly susceptible to labor trafficking during the 2010 FIFA World Cup;

Whereas the Government of South Africa has invested in media campaigns and other initiatives to prevent and combat trafficking, such as the Tsireledzani Initiative and the Red Card 2010 Campaign: Disqualifying Human Trafficking in Africa, and has created and trained a human trafficking law enforcement unit which is one important element of the South African Department of Social Development's 2010–2015 Strategic Plan;

Whereas the Government of South Africa has planned to provide shelter and rehabilitative care to victims of human trafficking throughout the country during the World Cup and beyond at Thuthuzela Centres, which exist through the country's domestic violence and anti-rape intervention strategy;

Whereas the Government of South Africa has ordered schools to be closed during the 2010 FIFA World Cup, raising concerns that children could be left unattended during a period of high trafficking potential;

Whereas, on June 14, 2010, the United States Department of State released its annual Trafficking in Persons Report, asserting that ''South Africa is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically forced labor and forced commercial sexual exploitation. Children are largely trafficked within the country from poor rural areas to urban centers like Johannesburg, Cape Town, Durban, and Bloemfontein. Girls are subjected to sex trafficking and involuntary domestic servitude; boys are forced to work in street vending, food service, begging, criminal activities, and agriculture.'';

Whereas this release marks the 10th anniversary of the Trafficking in Persons Report and no country has yet to build a fully comprehensive response to combating trafficking and protecting survivors;

Whereas women and girls have reportedly been trafficked into South Africa from as far away as Russia, Thailand, Pakistan, Philippines, India, China, Bulgaria, Romania, Ukraine, the Democratic Republic of Congo, Angola, Burundi, Ethiopia, Senegal, Tanzania, Uganda, Rwanda, Kenya, Cameroon, Nigeria, and Somalia;

Whereas civil society in South Africa, with the support of the South African Government, has invested notable energy and resources into preventing human trafficking at the 2010 FIFA World Cup through Cape Town Tourism, International Union of Superiors General and the Southern African Catholic Bishops' Conference of the Catholic Church, the Salvation Army, the Tshwane Counter-Trafficking Coalition for 2010, and many other nongovernmental and religious organizations; and

Whereas in April 2010, the Durban Magistrates Court convicted two individuals accused of running a brothel and using Thai women as prostitutes of over a dozen offenses, including money laundering, racketeering, and contravention of the Sexual Offenses and Immigration Acts, thereby marking the first successful convictions for human trafficking in South Africa: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Government of South Africa upon its first two successful convictions for human trafficking;

(2) recognizes the implementation of several elements of South Africa's anti-trafficking strategy and remains hopeful that full implementation of such anti-trafficking measures will proceed without delay;

(3) acknowledges the passage in South Africa of the Child Justice Act of 2008 (Act No. 75, 2008) and underscores the importance of rehabilitative care of minors under the age of 18;

(4) recognizes the Government of South Africa's notable efforts to combat trafficking leading up to, during, and following the 2010 Fédération Internationale de Football Association (FIFA) World Cup;

(5) recognizes the shelters and rehabilitative care provided to human trafficking victims during the World Cup through such centers as the Thuthuzela Centres and encourages further shelter and care programs for victims beyond the event's conclusion;

(6) calls on the Government of South Africa to move quickly to adopt the Prevention and Combating of Trafficking in Persons Bill in order to facilitate future prosecutions;

(7) calls on the Government of South Africa to increase awareness among all levels of relevant government officials as to their responsibilities under the trafficking provisions of the Sexual Offenses and Children's Acts;

(8) calls on the Government of South Africa to prioritize anti-trafficking law enforcement during the 2010 FIFA World Cup through expanded law enforcement presence, raids, and other measures in areas where trafficking for labor and sexual exploitation are likely to occur;

(9) calls on the Government of South Africa to adopt measures to protect vulnerable children, including those children unattended because of school closures and refugee children, as well as other potential victims, from sexual and labor exploitation; and

(10) urges the Government of South Africa to detain and prosecute tourists participating in commercial sexual exploitation of women and children during the 2010 FIFA World Cup.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this resolution. I would like to thank the gentleman from New Jersey (Mr. SMITH) for introducing this resolution, congratulating South Africa for its first two successful convictions of human trafficking. These convictions demonstrate South Africa's commitment to protecting the vulnerable within its borders.

□ 2000

While important progress has been made, the resolution also urges the government of South Africa to take further steps to prevent human trafficking by enacting a more comprehensive anti-human trafficking law, pursuing its Child Protection Strategy, prioritizing enforcement during the World Cup, educating all relevant government officials about the problem, and providing rehabilitative care for those who are freed from forced labor in the sex industry.

In May of 2004, South Africa was awarded the coveted World Cup Tournament, which is going on there today. Recognizing the nexus between major sporting events and crime, particularly prostitution, the South African government placed a high priority on public awareness and the anti-trafficking law. As the preparation for the soccer tournament got underway, the country's sex industry was simultaneously gearing up for the large influx of visitors and the trafficking of women, girls, men, and boys into city brothels to meet the expected demand.

Mr. Speaker, after ridding itself of the hateful apartheid system, South Africa has been on a relentless drive to modernize its laws and make sure they protect their citizens and punish offenders. In spite of the many achievements since throwing off the burden of apartheid, the country, like others, is plagued by many ills that confront the rest of the world, including human trafficking. Because of daunting economic problems throughout Africa and its own endemic rural and urban poverty, South African cities are an attractive place for bad characters, including human traffickers and drug dealers.

South Africa must confront both sides of the problem, as it is both a source and a destination for trafficking persons. People from impoverished areas throughout Africa are brought into the country to provide sexual services and all kinds of menial labor for little or no pay. Young boys are made to beg on the streets or work on farms while young girls are forced into domestic servitude or the illicit sex industry. At the same time, traffickers often target South Africans themselves, sending them off to Europe or the United States as laborers or domestic servants.

Mr. Speaker, the Government of South Africa has invested in law enforcement, community education, and international cooperation to stem the tide of trafficked persons. African countries collectively are taking the crime of trafficking seriously. Last week, the African Union announced that it is establishing an AU Commission initiative against trafficking. This new campaign, announced on the Day of the African Child, will help ensure that member states are adopting and properly implementing international protocols to eliminate trafficking.

To eradicate human trafficking—to find and free those who are living in shackles, to prevent vulnerable and marginalized people from falling captive to those who would commodify human life—is a challenge that must be shared by all governments. That is why I urge my colleagues to support this resolution and join me in recognizing the progress that South Africa is making.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I am so honored to yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), the ranking member on the Subcommittee on Africa and Global Health and the author of this resolution.

Mr. SMITH of New Jersey. I thank my good friend, the ranking member, for yielding, and thank her for being one of the cosponsors of the resolution, along with CAROLYN MALONEY and KAY GRANGER and others in this body. This is a bipartisan resolution that we present on the floor today.

Mr. Speaker, while the World Cup is a joyous and unifying event watched the world over, it comes at a very high cost for many women and children trapped in sexual slavery in South Africa. Going on right now, the World Cup is drawing an estimated 2.7 million local spectators and up to 500,000 visitors to the country. It is an honor and an economic boon for South Africa, but it is also a threat to vulnerable women and children—a threat that the government of South Africa is and must continue to aggressively combat.

Major sporting events, Mr. Speaker, and conventions that attract large numbers of people in the United States or abroad have been proven to result in an increase in the demand for commercial sexual exploitation. Pimps and traffickers jump to respond to the demand by trafficking women and girls for prostitution to events such as the World Cup.

We have seen examples of this in stories coming out of South Africa in the media over the last several months. One taxi driver covered in a story proudly advertised his ''Red Light Tour'' which includes strip bar hopping and guidance to prostituted women less likely to be HIV-positive. He, like so many in the sex industry, is hoping to cash in on sexual tourism accompanying the World Cup. Sindiswa was just 17 years old, and according to Time magazine, didn't make it to the games. Forced into prostitution at 16 after leaving her impoverished village on a bogus promise of a job, she died of AIDS complications in January of this year.

Mr. Speaker, according to the U.S. Department of State, where prostitution is legalized or tolerated there is a greater demand for human trafficking victims and nearly always an increase in the number of women and children trafficked into commercial sexual slavery.

In preparation for the World Cup, the Government of South Africa, to its credit, commissioned a comprehensive study of human trafficking within its borders and discovered that trafficking victims were brought in from all over the world—not just from neighboring countries where poverty and porous borders make women and children particularly vulnerable to exploitation. Law enforcement in Cape Town, for example, where some of the games are played, has been closely monitoring and tracking human trafficking. Over the last few months, Cape Town law enforcement noted a sudden increase in women arriving with falsified immigration documents from Asia, and they

saw a sudden drop in the age of girls working the streets. I applaud Cape Town for its vigilance, as these were signs that criminal syndicates with the means and certainly the capacity were trafficking women and girls to the World Cup.

Mr. Speaker, as you may be aware, I offered the Trafficking Victims Protection Act of 2000, and its reauthorizations in 2003 and 2005. Our most recent TIP report, which is mandated by these laws, ranks South Africa as a Tier 2 country—a country that does not fully comply with the minimum standards for the elimination of trafficking but is making significant efforts to do so.

And so on behalf of my colleagues and I, we offer this resolution, H. Res. 1412, to congratulate South Africa for the steps it has taken—its first two major trafficking convictions and increased law enforcement activity, especially—in this all-important fight against human trafficking. We offer H. Res. 1412 today to underscore the urgent need for further action and trafficking funding prioritization by the Government of South Africa. Of course, that admonishment should go to each and every one of us, including the United States.

While South Africa does not yet have in place a comprehensive anti-trafficking legislation, it does have legislation that offers increased protection to children. It is my sincere hope that all levels of relevant government officials will be aware of their responsibilities under the anti-trafficking provisions of the Sexual Offenses and Children's Acts and the Children's Amendment Act of 2007, and that these will be fully funded and implemented by the Government of South Africa. As we all know as lawmakers, if the law goes unenforced, it is, frankly, not worth the paper it is printed on. That goes for any parliament's or congress' law. They need to implement this—and do so faithfully.

□ 2010

Mr. Speaker, law enforcement must be particularly vigilant in protecting children during the World Cup through an expanded law enforcement presence and raids in areas where exploitation is occurring. Trafficked women and children rescued during the games must be given special rehabilitative care in order to prevent the trauma that they have suffered from defining them and condemning them to a life of further exploitation and abuse. Aggressive prosecution of the traffickers is also a must, as organized crime will always gravitate towards whatever activity is most lucrative and least risky.

Moreover, as this resolution points out, it is our sincere hope that South Africa will follow up with prosecution of any soccer fans or other tourists caught exploiting women and children. The buyers of trafficking victims are responsible for this human misery, for without demand, these women and children would not be slaves.

I believe that the games are just the beginning for South Africa in its fight against human trafficking. We have seen tremendous investment of resources, will, and anti-trafficking momentum from nongovernmental organizations and faith-based organizations in the lead-up to the games. Cape Town Tourism, International Union of Superiors General and the Southern African Catholic Bishops' Conference of the Catholic Church, the Salvation Army, Red Card 2010 Campaign, and the Tshwane Countertrafficking Coalition for 2010 are just a few of those who have stepped up to combat this modern day slavery.

South African citizens have been widely warned about the dangers of human trafficking, and many have volunteered in the fight. Human trafficking is in the public eye now, and it is time for the Government of South Africa to purge it from its cities and anywhere else that it is found. I thank my good friend for yielding and urge Members to support the resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from New Jersey, and we are blessed to have such a human rights activist on our committee and, indeed, in the entire House of Representatives. Thank you so much, Mr. SMITH.

Mr. Speaker, the bill before us, House Resolution 1412, recognizes the efforts to date of the South African Government to fight human trafficking while urging sustained and expanded efforts for the future. According to the State Department's 2010 Trafficking in Persons Report: ''South Africa is a source, transit and destination country for men, women and children subjected to trafficking in persons, specifically forced labor and forced commercial sexual exploitation.'' Further, South Africa ''does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so.''

As the 2010 Trafficking Report recognizes and this resolution reaffirms, South Africa has, in fact, made notable progress in confronting human trafficking. The recent conviction by the Durban Municipal Court of two individuals on trafficking-related charges is particularly significant and merits recognition. Still, we have a long way to go, Mr. Speaker. Concerns over trafficking in South Africa have been heightened with the commencement of the FIFA 2010 World Cup games which are being held at newly erected stadiums throughout the country. The massive influx of workers to build these stadiums and other infrastructure, high rates of domestic unemployment, the arrival of millions of spectators and gaps in law enforcement capacity have provided an ideal operating environment for traffickers.

Criminal networks and street gangs are already known to operate child prostitution rings in the country's major cities where child sex tourism is on the rise. These same cities, including Durban, Cape Town and Johannesburg now boast major soccer stadiums capable of drawing between 40,000 to 95,000 spectators each. The confluence of criminality and opportunity created by the World Cup has presented major challenges for the South African Government. Unfortunately, these challenges will endure long after the cup has been awarded.

This resolution urges the South African Government to engage in an aggressive, sustained, and effective campaign to fight the scourge of trafficking. It urges the government to adopt the pending Prevention and Combating of Trafficking in Persons bill and enforce relevant elements of the Sexual Offenses and Child Justice Acts. It urges the government to adopt additional measures to protect vulnerable children and other potential victims from sexual and labor exploitation. It urges the government to prioritize anti-trafficking law enforcement, particularly during the World Cup games. And, lastly, it encourages the government to prosecute tourists engaging in commercial sexual exploitation. I strongly urge our colleagues to support this timely and important resolution.

With that, Mr. Speaker, I am very pleased to yield such time as he may consume to the gentleman from California (Mr. ROYCE), the ranking member on the Foreign Affairs Subcommittee on Terrorism, Nonproliferation and Trade.

Mr. ROYCE. Mr. Speaker, I rise in support of this legislation. I would like to thank the gentleman from New Jersey, Mr. CHRIS SMITH, for all that he has attempted to do to bring this resolution before us and also for bringing this issue into the international community. And Congresswoman DIANE WATSON, we appreciate your leadership on this as well.

I think for any of us who try to contemplate the impact of modern-day slavery—I was thinking, I was just talking to Congressman SMITH about the movie ''Amazing Grace'' about William Wilberforce and the attempt in Britain so long ago to try to eliminate the slave trade. And when we think about the fact that in this century this type of slavery still exists, I think that when we consider the magnitude of it, the misery of the people, especially the children that are subjected to this, we think about this range of sexual servitude across this planet affecting some 12 million adults but also millions of children.

And this is what is happening every day. People are trafficked into this type of servitude. You think about the fact that many of these children are 6, 7 years old. And, sadly, as the State Department tells us in this report that was just released, the majority of transnational trafficking, the majority of these victims are being trafficked into commercial sexual exploitation. So that is the reality that the world faces today.

Now, importantly, this resolution commends the Government of South Africa for taking some steps because it has tried to combat this problem. It has brought to justice, it has successfully convicted its human traffickers here in a trial that has gotten some attention. So it is important to note such improvements.

But at the same time, it's important for us to realize how much remains to be done, how much the international community needs to work and come together to go after these criminal syndicates that are involved in this kind of activity.

And I only wish we could be celebrating the achievement of countries like Vietnam; but, unfortunately, we've read the report. Some countries are actually being downgraded in this report. In Vietnam, women and children are routinely misled by fraudulent job opportunities where they find themselves, instead, sold into brothels. Sadly, while some conditions are improving, other states, like Vietnam, are falling far, far behind.

And it is also our hope that the release of this report will do much in the international community, along with the help by NGOs that have come forward, in order to try to put a spotlight on this issue, in order to try to get every government involved and moving in the correct direction and prosecuting those who are involved in the criminal syndicates for trying to advance this kind of inhumanity across this planet.

□ 2020

I again commend all of the cosponsors of this legislation, including my colleague, ILEANA ROS-LEHTINEN.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to thank Mr. ROYCE and thank Mr. SMITH, the author of this resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1412, as amended.

The question was taken.

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

Ms. WATSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PERMANENT RADIO FREE ASIA AUTHORIZATION ACT

Ms. WATSON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3104) to permanently authorize Radio Free Asia, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3104

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) Radio Free Asia (referred to in this Act as ''RFA'')—

(A) was authorized under section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208);

(B) was incorporated as a private, non-profit corporation in March 1996 in the hope that its operations would soon be obviated by the global advancement of democracy; and

(C) is headquartered in Washington, DC, with additional offices in Bangkok, Hong Kong, Phnom Penh, Seoul, Ankara, and Taipei.

(2) RFA broadcasts serve as substitutes for indigenous free media in regions lacking free media outlets.

(3) The mission of RFA is ''to provide accurate and timely news and information to Asian countries whose governments prohibit access to a free press'' in order to enable informed decisionmaking by the people within Asia.

(4) RFA provides daily broadcasts of news, commentary, analysis, and cultural programming to Asian countries in several languages, including—

(A) 12 hours per day in Mandarin;

(B) 8 hours per day in 3 Tibetan dialects, Uke, Kham, and Amdo;

(C) 4 hours per day in Korean and Burmese;

(D) 2 hours per day in Cantonese, Vietnamese, Laotian, Khmer (Cambodian), and Uyghur; and

(E) 1½ hours per week in Wu (local Shanghai dialect).

(5) The governments of the countries targeted for these broadcasts have consistently denied and blocked attempts at Medium Wave and FM transmissions into their countries, forcing RFA to rely on Shortwave broadcasts and the Internet.

(6) RFA has provided continuous online news to its Asian audiences since 2004, although some countries—

(A) routinely and aggressively block RFA's website;

(B) monitor access to RFA's website; and

(C) discourage online users by making it illegal to access RFA's website.

(7) Despite these attempts, RFA has successfully managed to reach its online audiences through proxies, cutting-edge software, and active republication and repostings by its audience.

(8) RFA also provides forums for local opinions and experiences through message boards, podcasts, web logs (blogs), cell phone-distributed newscasts, and new media, including Facebook, Flickr, Twitter, and YouTube.

(9) Freedom House has documented that freedom of the press is in decline in nearly every region of the world, particularly in Asia, where none of the countries served by RFA have increased their freedom of the press during the past 5 years.

(10) In fiscal year 2010, RFA is operating on a $37,000,000 budget, less than $400,000 of which is available to fund Internet censorship circumvention.

(11) Congress currently provides grant funding for RFA's operations on a fiscal year basis.

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that—

(1) public access to timely, uncensored, and accurate information is imperative for promoting government accountability and the protection of human rights;

(2) Radio Free Asia provides a vital voice to people in Asia;

(3) some of the governments in Asia spend millions of dollars each year to jam RFA's shortwave, block its Internet sites;

(4) Congress should provide additional funding to RFA and the other entities overseen by the Broadcasting Board of Governors for—

(A) Internet censorship circumvention; and

(B) enhancement of their cyber security efforts; and

(5) permanently authorizing funding for Radio Free Asia would—

(A) reflect the concern that media censorship and press restrictions in the countries served by RFA have increased since RFA was established; and

(B) send a powerful signal of our Nation's support for free press in Asia and throughout the world.

SEC. 3. PERMANENT AUTHORIZATION FOR RADIO FREE ASIA.

Section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

(1) in subsection (c)(2), by striking '', and shall further specify that funds to carry out the activities of Radio Free Asia may not be available after September 30, 2010'';

(2) by striking subsection (f);

(3) by redesignating subsections (g) and (h) as subsection (f) and (g), respectively; and

(4) in subsection (f), as redesignated—

(A) by striking ''The Board'' and inserting the following:

''(1) NOTIFICATION.—The Board'';

(B) by striking ''before entering'' and inserting the following: ''before—

''(A) entering'';

(C) by striking ''Radio Free Asia.'' and inserting the following: ''Radio Free Asia; or

''(B) entering into any agreements in regard to the utilization of Radio Free Asia transmitters, equipment, or other resources that will significantly reduce the broadcasting activities of Radio Free Asia.'';

(D) by striking ''The Chairman'' and inserting the following:

''(2) CONSULTATION.—The Chairman''; and

(E) by inserting ''or Radio Free Asia broadcasting activities'' before the period at the end.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, this bill, which passed the Senate last week by unanimous consent, would amend the International Broadcasting Act of 1994

to permanently authorize Radio Free Asia. Radio Free Asia, or RFA, was established by Congress in 1994 and began its operations in 1996. As a private, nonprofit corporation, its mission is to provide accurate and timely news to Asian countries whose governments prohibit access to a free press.

Today, RFA broadcasts news and information in nine languages: Burmese, Cantonese, Mandarin Chinese, Korean, Khmer, Laotian, Tibetan, Uyghur, and Vietnamese. RFA also maintains a vibrant Internet presence, providing information through podcasts, blogs, message boards, and YouTube.

Because RFA is guided by the principles of free expression and opinion and serves its Asian listeners by providing information critical for informed decisionmaking, the governments of the countries that RFA targets have actively sought to block RFA's transmissions and access to its Web site. These repressive governments are clearly concerned that public access to the timely, uncensored, and accurate information provided by RFA will lead to greater demands for democracy, respect for fundamental human rights, and government accountability.

A winner of numerous human rights and broadcast journalism awards, RFA has played a vital role in providing information in some of the most oppressed societies in Asia. For example, RFA broke the news of the peaceful protest by Tibetan monks in the capital of Tibet in 2008 and provided extensive coverage, used by major international media outlets, of the Chinese crackdown on the monks.

By permanently authorizing RFA, we will enhance the efficiency of the RFA's operations and send a powerful signal of our country's support for a free press in Asia and throughout the world.

According to Article 19 of the Universal Declaration of Human Rights, ''everyone has the right to freedom of opinion and expression; this includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers.''

RFA's mission is to do just that, to bring news and information about their own countries to populations denied the benefits of freedom of information by their governments. RFA's broadcasts, through the radio and the Internet, are devoted to that very idea, to that notion of enlightenment.

Radio Free Asia provides a vital voice to hundreds of millions of people in Asia, and I strongly urge my colleagues to support this legislation.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ROYCE), the ranking member on the Foreign Affairs Subcommittee on Terrorism, Nonproliferation and Trade, and the author of the House companion to this bill.

Mr. ROYCE. Mr. Speaker, this program, Radio Free Asia, was due to expire, under existing law, in September. And I am delighted here, for several reasons, that the legislation is before us. One is because, on a strategic level, if you have this sunset and you have authoritarian regimes presuming that at the end of the year RFA's broadcasts are going to be discontinued, it implies that it does not have the full support of the U.S. Government or our people here in the United States. And in some countries there's even been talk of RFA going out of business. This sends the message that that just isn't so because now RFA will permanently be in business.

And from a practical standpoint, what does that mean? If you're running a station, it means that you've got the ability now to contract effectively in long-range leases. You get the capital agreements that you need. You are better able, less expensively, to run these operations.

It's not that these operations are expensive. As my friend, John Kasich, former chairman of the Budget Committee once said, the price of this is the price of a fuel cap on a B–52. But, oh, how effective, oh, how effective this strategy has been over the years, because what we provide here is surrogate news. We provide the kind of information that people would be hearing if they actually had a free radio station, if they could actually listen to the voice of a news reporter on issues such as the corruption of a local official, let's say, or what is actually happening in their city, what is happening in their country. That is provided now through RFA.

And I wanted to share with you just a couple of observations. Many of us have heard the words of Vaclav Havel and Lech Walesa, Eastern Europeans who were very moved by the broadcasts into their own countries by Radio Free Europe. And whether it's a crackdown on workers at a local factory or news and information about ideas like tolerance, political pluralism, the fact is these messages were heard.

And I remember in the former Yugoslavia talking to a Croatian journalist who had tears in his eyes, and he said there was one country in Eastern Europe where we did not broadcast with Radio Free Europe. That was Yugoslavia.

□ 2030

And as a result, he told me, we watched what happened in Czechoslovakia as Vaclav Havel was able to do a plebiscite, and the Czech Republic went one way and Slovakia went the other. And the reason he was crying was because he said not one human life was lost in that, and Vaclav Havel had said he had listened to those broadcasts about the importance of political pluralism and self-determination and tolerance, whereas he as a Croatian was listening to Croatian hate radio and Serbian hate radio, and indeed hate radio from every single ethnic group in that country.

And during his time as a reporter covering those wars, he watched the war with Slovenia spin out of control, and then Croatia, and Bosnia, and the Kosovo war. He watched each of these tragedies, with their tens of thousands of human lives lost. And he said to me something I will never forget. ''If only we had had the broadcasts here to better prepare us for what was to come.'' That is why this work is so important.

And today we do this work in Burma, we do this work in North Korea, in Vietnam, and in China, in all the major dialects. And many of these governments actively work, of course, to try to block RFA transmissions and information into their society. But still the information manages to get in. Maybe not into the main cities at times, but into the rural areas and into the suburban areas.

And frankly, Freedom House, which ranks all of these countries not free, attests to the ability of this information to get through. As one observer has noted, this type of broadcasting irritates authoritarian regimes, inspires democrats, and creates greater space for civil society. So it's no wonder that China attempts to block RFA transmissions, or that Vietnam has heavily jammed the station since its first day.

But RFA has been chipping away at authoritarian regimes. And I will just mention Kim Jong Il and his grip on information in North Korea. I mention it because Congresswoman DIANE WATSON and I went into North Korea. And according to experts today, that grip is not as strong as it once was. And this is one of the reasons. The information cordon that once encircled North Korea, I am going to quote this observer, is now in tatters as information is getting in. And that is backed up by a survey by a prominent think tank which interviews hundreds of North Korean refugees every year. And it finds an ever-increasing percentage, now more than half who fled since 2006, had listened to foreign news regularly, including RFA.

I remember a report we had of one of the Politburo members who said in debate, ''If you are not listening to the radio broadcasts, you are like a frog in the well who does not know what is going on in the outside world.'' And so the harsher the regime, the more the attempt to control information, the more diligent we find our reporters and stringers are at RFA in trying to counter the propaganda that comes from the state.

And with this legislation, Radio Free Asia can better focus its long-term mission of bringing its message of some modicum of humanity, freedom, democracy, respect for the rule of law, creating a space for civil society where it can flourish under the Asian continent's oppressive regimes such as China. And I think if we continue this good effort, and I have listened in and participated in some of the broadcasts

into China, we have a tremendous opportunity to reach a young generation of people who are in desperate need of another side of the story. And those reporters are providing it with RFA.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I thank my good friend from California (Mr. ROYCE), the author of the House companion of this bill, for his leadership on this issue.

Today I rise in strong support of the Senate bill, S. 3104, a bipartisan bill that deserves our prompt approval. I want to thank the gentleman from California, who has been working on this issue for a number of years. And as we know, Mr. Speaker, an unfettered and independent press is so vital to the maintenance of liberty that its protection was enshrined in the First Amendment of our Constitution.

Tyranny cannot abide dissent. And the repressive regimes know that they cannot afford to allow the unregulated dissemination of information and ideas. People accustomed to thinking freely and speaking freely cannot be deterred from also living freely. These are the realities that drive our Nation's longstanding commitment to surrogate broadcasting, providing to oppressed societies the kind of news and information that local journalists would supply if they were allowed to operate freely.

We can all recall the important role that Radio Free Europe played in helping us to end the Cold War. For the past 14 years, its younger sibling, Radio Free Asia, has provided critical broadcasting in a neighborhood that contains some of the world's most antidemocratic regimes: North Korea, Burma, China, Vietnam, and Laos. It also broadcasts in important minority languages such as Uyghur, Cantonese, Wu, and dialects of Tibet.

Among all of the freedom broadcasting services of the United States, RFA, Radio Free Asia, is the only one whose authorizing legislation contained a sunset date, which Congress has repeatedly extended. It is high time to remove that sunset and make Radio Free Asia's authorization permanent.

Sadly, the need for Radio Free Asia is not going to end any time soon, Mr. Speaker. Making the authorization permanent, therefore, is an important signal of the United States' commitment, putting those regimes who try so extremely hard to block the Radio Free Asia broadcasts on notice that they cannot wait out our resolve to support freedom of the press in Asia.

In addition, permanent authority makes operational sense, as the recurring sunset has complicated Radio Free Asia's ability to hire long-term staff, to negotiate cost-effective leases and capital agreements. For these reasons, Mr. Speaker, this measure before us deserves our unanimous support.

Let us stand today with the long-suffering people of China, of Tibet, of North Korea, of Burma, of Vietnam, of Cambodia, and Laos, and against regime-sponsored attempts to restrict the information they receive.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in strong support of S. 3140, a bill to permanently authorize Radio Free Asia, and for other purposes. I thank my colleague Senator LUGAR for introducing this important bill that reasserts our commitment to a free press and freedom of speech in Asia and throughout the world.

Freedom of the press is one of our most cherished values and enshrined in our first amendment. "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." I believe it is one of the most valuable and fundamental rights written in the Constitution, as it grants us as people the ability to speak truth to tyranny. In the United States we often take this freedom for granted, but in many countries throughout the world it does not exist at all, or exists only on paper and not in practice.

Thus the United States has long sought to expand this freedom throughout the world, promoting free speech and freedom of information in places where governments have strangled their people's ability to speak their minds. Most notably during the Cold War, Radio Free Europe was one of the many tools the United States used to try and reach out to those behind the Iron Curtain, who were deprived of information and whose right to speak their minds freely was severely curtailed. Radio Free Asia, RFA, attempts to do the same for the people of Asia whose freedom of speech and press, particularly in China and North Korea, has been stifled by increasingly restrictive government policies.

The consistent and continued attempts on behalf of these governments to block and jam RFA's broadcasts are a testament to their value and effectiveness. Like a cool breeze drafting through a hot, stifled room, RFA is a breath of fresh air to those who are deprived of information and afraid to speak freely. Creatively using shortwave broadcasts and the Internet, RFA has been able to circumvent many of the restrictive tactics of oppressive governments, often relying on the ingenuity and intelligence of local listeners themselves to spread the word.

But RFA needs more time and more resources to do its job right. It is of paramount importance that Radio Free Asia continue its broadcasts in the future, until its implementation is made obsolete by its own success in promoting freedom of information in the countries it currently serves. According to Freedom House, freedom of the press is in decline almost everywhere in the world, making Radio Free Asia's services that much more vital in reaffirming this Congress' concern for the freedom of people around the globe. I am glad that the Congress has decided to continue the important work of the RFA and to promote freedom to our oppressed brethren in Asia.

Ms.ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and pass the bill, S. 3104.

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

A motion to reconsider was laid on the table.

EXPRESSING SUPPORT FOR PEOPLE OF GUATEMALA, HONDURAS AND EL SALVADOR AFTER TROPICAL STORM AGATHA

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1462) expressing support for the people of Guatemala, Honduras, and El Salvador as they persevere through the aftermath of Tropical Storm Agatha which swept across Central America causing deadly floods and mudslides, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1462

Whereas, on May 29, 2010, Guatemala, Honduras, and El Salvador experienced devastating floods and mudslides brought on by Tropical Storm Agatha;

Whereas Tropical Storm Agatha has left 174 dead and 62,827 families were directly affected in Guatemala;

Whereas Tropical Storm Agatha has left 22dead and 7,998 in shelters in Honduras;

Whereas Tropical Storm Agatha has left 11 dead and 12,000 in shelters in El Salvador;

Whereas over 2,000 Guatemalans were displaced with little forewarning following the eruption of the Pacaya volcano;

Whereas the combination of Tropical Storm Agatha and the eruption of the Pacaya volcano have devastated Guatemala's landscape leaving behind sinkholes and mudslides across the country;

Whereas, due to recent droughts, erratic rainfall, high food prices, and a sharp drop in remittances, Guatemala has suffered severe food insecurity that will increase in the wake of Tropical Storm Agatha;

Whereas Guatemalan officials are estimating that damages will surpass $475,000,000;

Whereas the loss in the agriculture sector could be close to $18,500,000 in Honduras;

Whereas 380 schools have been affected in El Salvador;

Whereas critical infrastructure relating to water and sanitation has been destroyed;

Whereas the United States has provided relief for the victims of Tropical Storm Agatha by deploying United States Southern Command support helicopters and frigates for assistance with the transport of food, water, and emergency supplies;

Whereas countries and organizations around the world have contributed millions of dollars in medicines and aid, and humanitarian aid agencies in the United States and around the world are mobilizing to provide much needed assistance to the relief and recovery efforts; and

Whereas Guatemala, Honduras, and El Salvador have begun the process of recovering from these natural disasters: Now, therefore, be it

Resolved, That the House of Representatives—

(1) mourns the loss of life and expresses solidarity with all people affected by Tropical Storm Agatha;

(2) commends the brave efforts of the people of Guatemala, Honduras, and El Salvador as they recover from Tropical Storm Agatha;

(3) recognizes the assistance of the international community during the recovery effort in providing relief to the people of Guatemala, Honduras, and El Salvador; and

(4) urges the Secretary of State, in coordination with the Administrator of the United States Agency for International Development (USAID), to continue to develop a strategic plan to promote food security and recovery efforts with the goal of mitigating the current and future effects of the recent natural disasters that have devastated Guatemala, Honduras, and El Salvador.

The SPEAKER pro tempore (Mr. MAFFEI). Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

□ 2040

GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

On May 29, 2010, Guatemala, Honduras and El Salvador experienced devastating floods and mudslides caused by Tropical Storm Agatha. Agatha has left 174 dead and directly affected more than 62,000 families in Guatemala, killed 22 and forced nearly 8,000 into shelters in Honduras, and left 11 dead and 12,000 in shelters in El Salvador. And to make matters worse, over 2,000 Guatemalans were displaced with little forewarning following the eruption of the Pacaya volcano on May 27, 2010.

The combination of the tropical storm and the volcano has devastated Guatemala's landscape leaving behind sinkholes and mudslides across the country. In addition, due to recent droughts, erratic rainfalls and high food prices, a sharp drop in remittances, Guatemala now faces severe food insecurity, and this is expected to increase in the wake of Tropical Storm Agatha.

Guatemalan officials are estimating that damages will surpass $475 million. In Honduras, the loss in the agriculture sector could be close to $18.5 million. In all three countries, critical infrastructure relating to water and sanitation has been destroyed.

The United States has provided relief for the victims of Tropical Storm Agatha by deploying United States Southern Command support helicopters and frigates to assist with the transport of food, water, and emergency supplies. Humanitarian aid agencies in the United States and countries and NGOs around the world are mobilizing to provide much-needed assistance to the relief and the recovery efforts.

The resolution before us recognizes the assistance efforts already under way and urges the Secretary of State in coordination with the administrator of the United States Agency for International Development, or USAID, to continue to develop a strategic plan with the goal of mitigating the effects of the recent natural disasters that have devastated these three countries. Guatemala, Honduras, and El Salvador face a major challenge as they recover and rebuild. They deserve our continued support.

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

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise today as a proud cosponsor of House Resolution 1462, which expresses the support of the United States to the people of Guatemala, Honduras, and El Salvador in the aftermath of Tropical Storm Agatha.

Having already declared a state of emergency following a volcano eruption just 50 miles from Guatemala City days earlier, Guatemala was hit by Tropical Storm Agatha on May 29, 2010. Floods and mudslides devastated parts of Guatemala, Honduras, and El Salvador as a result of the storm. Hundreds of lives were lost, hundreds of thousands of survivors left in shelters.

Immediately following this disaster, as we always do, the United States, as a government and as a people, was standing by to lend a helping hand. The United States Southern Command, SOUTHCOM, located in my home district in Miami, Florida, deployed four helicopters from Soto Cano Air Base in Honduras to conduct aerial assessments and transport emergency relief supplies to areas impacted by the disaster.

The ability of SOUTHCOM to utilize resources from the Soto Cano Air Base demonstrates the important role that Honduras plays in enabling the United States to provide support for security and disaster purposes. SOUTHCOM also sent personnel from Miami to join a humanitarian assessment team on the ground in Guatemala. And I was proud to see Royal Caribbean Cruises, also of Miami, work with the Pan American Development Foundation to help transport food to the tens of thousands of survivors in the days following the storm.

The growing security challenges facing Guatemala, Honduras, and El Salvador as a result of narcotraffickers and vicious gangs have only been complicated by this recent natural disaster. It will be critical for the United States to work with responsible democratic nations in the region to ensure that this does not become a window of opportunity for criminals.

The success we have seen in Colombia and the ongoing efforts being taken in Mexico against the drug cartels have created an unfortunate sandwich effect in Central America. But only through a united hemispheric-wide approach that is based on a shared commitment to democracy, to security, to prosperity, will we achieve success against the narcotraffickers and organized crime.

Again, Mr. Speaker, I would like to extend my heartfelt condolences to the families and friends of those who suffered as a result of Tropical Storm Agatha. As the brave people of Guatemala, Honduras, and El Salvador continue to recover from this tragic disaster, please know that we have you in our hearts and in our prayers.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in strong support of H. Res. 1462, support for the people of Guatemala, Honduras and El Salvador as they persevere through the aftermath of Tropical Storm Agatha which swept across Central America causing deadly floods and mudslides. I would like to thank Mr. MACK for introducing this resolution underlining our heartfelt support for our North American neighbors in their time of desperate need.

Mr. Speaker, the countries of Central America have suffered devastating damage and loss of life at the hands of Mother Nature. Tropical Storm Agatha has left over 200 dead and over 95,000 in shelters, most of them in Guatemala. The powerful storm has inflicted over $475,000,000 in damages throughout the region, destroying critical water and sanitation infrastructure. Combined with recent droughts, high food prices and a dramatic drop in remittances from the United States, Guatemala in particular has suffered severe food insecurity that will likely increase due to the effects of the storm.

I join my fellow members in expressing our most heartfelt condolences for the loss of life and suffering the Guatemalan, Honduran and Salvadoran people have endured in the wake of the storm. We mourn for those who are no longer with us, and extend our deepest sympathies to those they have left behind, in many cases without food or shelter. It is a tragedy for anyone to lose their home, their father, their mother, their children, their friends. We will do everything we can to help them recover from this disaster.

But we also commend the people of these ravaged countries for their bravery, and for standing tall in the face of adversity. In spite of the frustration and sadness that come in the aftermath of a disaster, they are fighting hard to recover. They could certainly use our help.

The international community and the United States have already responded. Countries, NGOs and humanitarian aid agencies from around the world have generously contributed millions of dollars in medicine and aid, and mobilizing to transport and deliver support and supplies. The United States continue to assert and strengthen our commitment to participate in the global outpouring of support to our devastated neighbors to the south.

After all, we are no strangers to the effects of natural disasters, and many of our cities have suffered through more than their fair share. As a Representative of the good people of Houston, Texas, many of the Atlantic hurricanes and tropical storms that wreak havoc every summer hit very close to home. From

Ike to Ivan to Wilma to Katrina, we know all too well the devastation that befalls those unfortunate enough to be standing in the path of one of the North Atlantic's deadly hurricanes or tropical storms. We have seen the destruction first hand; I have spoken to the victims; we have known the pain and suffering those natural disasters can cause.

We know the road of recovery can be long and fraught with challenges. But we have recovered, and so shall the people of Guatemala, Honduras and El Salvador. And the United States must help ensure that they do.

As such, I am proud to stand behind my fellow members in calling upon the Congress to urge the Secretary of State and the United States Agency for International Development to continue working on a strategic plan to promote food security and recovery efforts, with the aim of mitigating current and future effects of the recent natural disasters that have devastated Guatemala, Honduras and El Salvador.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1462, as amended.

The question was taken.

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

Ms. WATSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

SUPPORTING DESIGNATION OF NATIONAL ESIGN DAY

Mr. MCDERMOTT. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 290) expressing support for designation of June 30 as ''National ESIGN Day''.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 290

Whereas the Electronic Signatures in Global and National Commerce Act (ESIGN) was enacted on June 30, 2000, to ensure that a signature, contract, or other record relating to a transaction may not be denied legal effect, validity, or enforceability solely because it is in electronic form;

Whereas Congress directed the Secretary of Commerce to take all actions necessary to eliminate or reduce, to the maximum extent possible, the impediments to commerce in electronic signatures, for the purpose of facilitating the development of interstate and foreign commerce; and

Whereas June 30, 2010, marks the 10th anniversary of the enactment of ESIGN and would be an appropriate date to designate as ''National ESIGN Day'': Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) supports the designation of a ''National ESIGN Day'';

(2) recognizes the previous contribution made by Congress to the adoption of modern solutions that keep the United States on the leading technological edge; and

(3) reaffirms its commitment to facilitating interstate and foreign commerce in an increasingly digital world.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. MCDERMOTT) and the gentleman from Illinois (Mr. SHIMKUS) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

□ 2050

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

Mr. Speaker, I rise today to celebrate the 10th anniversary of the signing of the Electronic Signatures in Global and National Commerce Act, the ESIGN bill, a landmark piece of legislation that has transformed how we conduct interstate commerce and business. The advent of e-signatures has brought enormous benefit to both consumers and businesses alike by drastically improving convenience, reducing costs, and increasing the speed of transactions.

As many of you know, I represent Seattle, which is one of the most wired and high-tech cities in the world. ESIGN has greatly improved the ability of companies in my district to be more effective and competitive in the global marketplace.

I would especially like to acknowledge Seattle-based electronic signature platform provider DocuSign for being a leader in the electronic signatures and records industry and for helping spearhead the coalition to recognize June 30 as National ESIGN Day.

DocuSign recognizes that the benefits of e-commerce extend beyond the dollar values that are placed on business activity. With over 30,000 current customers and having served over 4.5 million people to date, DocuSign provides its customers with confidence in the integrity and credibility of emerging electronic capabilities. They have been a leader in removing obstacles and barriers to business transactions online and in allowing their customers to work faster, more reliably, and more securely.

It is important we recognize the foresight and vision of those who worked so hard to pass ESIGN 10 years ago, including Congresswoman ANNA ESHOO and Congressman JAY INSLEE. The passage of that bill has helped more American companies to operate globally, and it has helped to increase productivity and efficiency for consumers, businesses, and governments.

When President Clinton signed the bill into law in June 2000, he said, ''Just imagine if this had existed 224 years ago. The Founding Fathers wouldn't have had to come all the way to Philadelphia on July 4 for the Declaration of Independence. They could have emailed their John Hancocks in.''

Now, 10 years later, that is what businesses and governments in every corner of the globe are able to do—instantly complete transactions that used to take days.

I reserve the balance of my time.

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

It is great to be down here with my colleague Mr. MCDERMOTT. Usually, I don't like resolutions, you know, but he approached me on the floor. This is a really important one, and I think it is important to go back over the history of what we did 10 years ago.

Mr. Speaker, everything was paper. You had to have paper copies. You couldn't do bank transactions. You couldn't do certifications. You couldn't do business documentation.

My colleague mentioned ANNA ESHOO, who is a great friend of mine on the committee. JAY INSLEE is also a great friend of mine on the committee. I serve on the Energy and Commerce Committee. I've been on the Telecommunications Subcommittee. I think credit goes to Chairman Bliley, and I think credit goes to Billy Tauzin. The great thing about Energy and Commerce is a lot of the issues that we address cut across partisan lines, especially on the Technology Subcommittee.

So the signing of this bill really helped, as my colleague said, and it really changed the way we can conduct business in the new digital age. It is really a great credit, and it does merit taking the time to think back on those folks who pushed for this, in a bipartisan resolution and through both Chambers, in order to get the bill signed into law.

I am sure there was opposition by Members in both parties. In fact, I know one famous Democrat on the committee who wasn't an original supporter of this. So the fact that Chairman Bliley and Billy Tauzin, as the chairmen of the subcommittee and the full committee, were all engaged in support shows what we can do when we work together.

The Electronic Signatures in Global and National Commerce Act, ESIGN, represents a critical step in harmonizing the world's global commerce and contract law with a modern electronic and increasingly Internet-dependent world. This happened during the 106th Congress. It was my second Congress. I came in during the 105th.

I think the other important information is with other digital e-commerce issues that we are approaching and discussing. We are discussing one in the committee now, which is the 21st century access to disabilities, which is trying to make sure that the digital age doesn't leave the disability community behind.

So the question that we faced in the committee today was: How much do we make sure that we set the standards but that we don't dictate technology? Because, if we dictate technology, we disincentivize the folks who are the smarts behind this new age.

What we did on ESIGN was to say, Here are the standards. You smart people figure it out. Make sure that privacy is protected. Make sure that you can continue to keep data if people want hard copies. The other thing we allowed was for the consumers to choose. If people wanted to try this new venue, it was pretty scary. Can you imagine going on the Internet 10 years ago and saying, ''I'm going to buy a pair of tennis shoes, and I'm going to put my credit card number on the computer, and they're going to mail me this stuff, and it's all going to work out''? It was pretty scary. People do it all the time now, but you know what? If you want to go down to the store and pay cash for those shoes, you can still do it.

So the benefit of what we did was to say let the consumers choose. Also, the benefit of what we did was to say give the business community the standards. Don't try to squeeze them into a one-size-fits-all method. Let the great innovative minds—many of them are in my colleague's State of Washington State—really make this stuff work.

I've been on the Energy and Commerce Committee for, fortunately, my 14 years in Congress, and I've been on the Telecommunications Subcommittee. I should be an expert. I still don't understand it. I still don't understand how it all works, but I know that there are smart enough people who can make it work, and this is a perfect example. This 10-year anniversary, in essence, is a tremendous success story. I have a 17-year-old, a 15-year-old and a 10-year-old. They are growing up in an age where they don't know any other way of doing transactions and of doing business than what we did 10 years ago.

JIM, I appreciate your effort. I appreciate your coming to me on the floor. Like I said, I'm not a big resolution guy, but I thought this was one worthy of sitting back and of focusing on what we did in the hopes, as we move forward on other high-tech issues, that we will set the guidelines but that we will let the really smart innovators figure out how it can be done.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. MCDERMOTT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 290.

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. MCDERMOTT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

□ 2100

INDEPENDENT LIVING CENTERS TECHNICAL ADJUSTMENT ACT

Ms. CHU. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5610) to provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 5610

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 ''Independent Living Centers Technical Adjustment Act''.

SEC. 2. INDEPENDENT LIVING CENTERS TECHNICAL ADJUSTMENT.

(a) GRANTS TO CENTERS FOR INDEPENDENT LIVING IN STATES IN WHICH FEDERAL FUNDING EXCEEDS STATE FUNDING.—

(1) IN GENERAL.—If the conditions described in paragraph (2) are satisfied with respect to a State, in awarding funds to existing centers for independent living (described in section 722(c) of the Rehabilitation Act of 1973 (29 U.S.C. 796f-1(c))) in the State, the Commissioner of the Rehabilitation Services Administration—

(A) in fiscal year 2010—

(i) shall distribute among such centers funds appropriated for the centers for independent living program under part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.) by any Act other than the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) in the same proportion as such funds were distributed among such centers in the State in fiscal year 2009, notwithstanding section 722(e) of the Rehabilitation Act of 1973 (29 U.S.C. 796f-1(e)) and any contrary provision of a State plan submitted under section 704 of such Act (29 U.S.C. 796c); and

(ii) shall disregard any funds provided to such centers from funds appropriated by the American Recovery and Reinvestment Act of 2009 for the centers for independent living program under part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.); and

(B) in fiscal year 2011 and subsequent fiscal years, shall disregard any funds provided to such centers from funds appropriated by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) for the centers for independent living program under part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.).

(2) CONDITIONS.—The conditions described in this paragraph are the following:

(A) The Commissioner receives a request from the State, not later than July 30, 2010, jointly signed by the State's designated State unit (referred to in section 704(c) of such Act (29 U.S.C. 796c(c))) and the State's Statewide Independent Living Council (established under section 705 of such Act (29 U.S.C. 796d)), for the Commissioner to disregard any funds provided to centers for independent living in the State from funds appropriated by the American Recovery and Reinvestment Act of 2009 for the centers for independent living program under part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.).

(B) The Commissioner is not conducting a competition to establish a new part C center for independent living with funds appropriated by the American Recovery and Reinvestment Act of 2009 in the State.

(b) GRANTS TO CENTERS FOR INDEPENDENT LIVING IN STATES IN WHICH STATE FUNDING EQUALS OR EXCEEDS FEDERAL FUNDING.—In awarding funds to existing centers for independent living (described in section 723(c) of the Rehabilitation Act of 1973 (29 U.S.C. 796f-2(c))) in a State, the director of the designated State unit that has approval to make such awards—

(1) in fiscal year 2010—

(A) may distribute among such centers funds appropriated for the centers for independent living program under part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.) by any Act other than the American Recovery and Reinvestment Act of 2009 in the same proportion as such funds were distributed among such centers in the State in fiscal year 2009, notwithstanding section 723(e) of the Rehabilitation Act of 1973 (29 U.S.C. 796f-2(e)) and any contrary provision of a State plan submitted under section 704 of such Act (29 U.S.C. 796c); and

(B) may disregard any funds provided to such centers from funds appropriated by the American Recovery and Reinvestment Act of 2009 for the centers for independent living program under part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.); and

(2) in fiscal year 2011 and subsequent fiscal years, may disregard any funds provided to such centers from funds appropriated by the American Recovery and Reinvestment Act of 2009 for the centers for independent living program under part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from Tennessee (Mr. ROE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. CHU. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 5610 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 5610, the Independent Living

Centers Technical Adjustment Act. This bill addresses an issue brought to our attention by a number of States that are at risk of having to reduce services for adults with disabilities. Authorized under the Rehabilitation Act of 1973, the Independent Living Center program serves adults with disabilities by providing an array of independent living services, including the information and referral services, independent living skills training, peer counseling, and individual and systems advocacy training. This program is administered by the Rehabilitation Services Administration, which allocates Federal funds to the centers based on a formula in an established State plan. Under current law, Centers within a State must first receive funds at the level they received in the previous year, and absent sufficient funding, they must receive the same proportional amount of the total they received the previous year.

The Independent Living Centers were provided additional funds through the stimulus package passed by Congress in 2009. States were given maximum flexibility for determining the allocation of these funds among the centers in their States. Several States opted to distribute these temporary funds using a formula different from their base formula. As a result, some Centers received a proportionally larger or smaller allocation than they did in previous years.

This one-time change in the allocation of funds made sense because of the challenges State economies were facing. At the same time, current law did not envision this one-time increase in funding. And, in fact, the Rehabilitation Services Administration is required to allocate 2010 funds based on a Center's total proportional allocation for 2009 and the additional funding a Center received under the American Recovery and Reinvestment Act, or ARRA. This requirement may result in some Centers losing up to 35 percent of funds as the total proportion a Center received may be less than they received in the prior year.

The Independent Living Centers Technical Adjustment Act will allow States to request that ARRA funds not be included in determining their center's previous year allocations. That way, the temporary funds provided under ARRA do not permanently change the Center's base allocations. This is a complex but necessary fix to protect services for so many people with disabilities who benefit from the work of the Independent Living Centers.

Mr. Speaker, I want to thank Chairman MILLER for introducing this important legislation, and I urge support of this technical change to ensure Independent Living Centers can continue the important work for people with disabilities in our communities.

I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5610, the Independent Living Centers Technical Adjustment Act. Independent Living Centers are nonresidential, private, not-for-profit agencies that provide an array of services for people with disabilities to enable them to live independently. Independent Living Centers provide employment, skills training, peer counseling, and information for people with disabilities to enable them to become participating members of society. They enable people with disabilities to live independent lives and participate in society as working adults.

The Rehabilitation Act provides funding for the planning, conduct, administration, and evaluation of Independent Living Centers. Due to the way 31 States chose to distribute funds provided for the Independent Living Centers in the American Recovery and Reinvestment Act, FY 2010 funds may be distributed disproportionately to Independent Living Centers in those 31 States.

H.R. 5610, the Independent Living Centers Technical Adjustment Act, would enable funds to be distributed to Independent Living Centers in the appropriate manner for FY 2010. H.R. 5610 enables States that distributed ARRA funds disproportionately to the centers to have those funds disregarded in the determination of the distribution of FY 2010 funds. This bill ensures the funding for Independent Living Centers, which provide such a valuable resource for people with disabilities, is distributed to the centers proportionally and appropriately. I stand in support of this bill and ask my colleagues for support.

I yield back the balance of my time.

Ms. CHU. Mr. Speaker, I urge support of H.R. 5610, 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. CHU) that the House suspend the rules and pass the bill, H.R. 5610, as amended.

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

A motion to reconsider was laid on the table.

HONORING THE CHILDREN OF THE AMERICAN REVOLUTION

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

Mr. PAULSEN. Mr. Speaker, I rise today to commend the work being done by the Children of the American Revolution, Lake Minnetonka. They're hosting a pancake breakfast to raise money for their grant programs to teach kids about the real meaning of the Fourth of July. Their mission is to train good citizens, develop leaders, and to promote a love of the United States of America and its heritage.

The Lake Minnetonka chapter recently gave a grant to Our Military Kids, a nonprofit that provides tuition assistance for art, sports, and music camps to children of parents that are deployed overseas or recovering from serious injury. They're also presenting the first donation for a memorial that's planned for the Minnesota State capitol grounds that pays tribute to all family members of all men and women, past and present, who have served our country in uniform.

Again, Mr. Speaker, I want to commend the children of the American Revolution, and I encourage all of us to remember those who serve this great Nation as we approach the Fourth of July.

REJECT JOB-KILLING BILL

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

Mr. MORAN of Kansas. Mr. Speaker, I rise in opposition to the job-killing bill, H.R. 4173, the Dodd-Frank Act of 2010. All this so-called financial reform legislation accomplishes is to heap additional regulations and burdens upon community financial institutions which, by and large, were not the cause of the financial crisis. Even worse, this legislation doesn't adequately address the issue of too big to fail for Wall Street firms that were the root of the problem.

The added regulatory cost on the community banks in this bill will further slow job growth in our economy. In Kansas, this will especially hurt businesses and farmers and ranchers that need loans from their community banks to help make payroll and grow their crops. The added costs of the regulations and increased capital requirements on these financial institutions will lead to an even worse credit market.

Mr. Speaker, Congress should reject the bill and pass commonsense legislation that addresses the problems of Wall Street that caused our financial crisis, not add further regulation and costs to Main Street.

□ 2110

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.

GOD AND GUNS

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, when I was at a town hall meeting in Texas recently, a local man came up to me afterward to talk about his concerns over where our country was headed—

something to do with a fiery inferno in a hand basket. Anyway, as he was talking to me, I noticed his T-shirt. Here's what it said: ''I love my Bible,'' and it had a photograph of the Bible, ''and I love my guns,'' with a photograph of two .45 Colt revolvers. Naturally they were in the right order. After all, he was a local preacher.

The most important right we have as Americans is the freedom of speech, and that includes the freedom of religion. It's first in the constitutional Bill of Rights because without it, none of the rest would be possible. The right to bear arms is the Second Amendment because without it, we could not protect the First Amendment.

The recent Supreme Court decision simply stated the obvious as it is written in the Bill of Rights: ''A well regulated militia being necessary to the security of a free State, right of the people to keep and bear arms, shall not be infringed.'' Now I'm sure the halls of academia were all up in arms about the right to bear arms. The media immediately began spreading the shocking news: the Supreme Court actually upheld the Constitution. Oh, the hysteria they went through. They said, Murder rates will surely double upon the mere announcement of this. Never mind the fact that more gun control does not lower murder rates; it actually increases them. Look at this city, Washington, D.C., the toughest gun control in the country.

But let's don't let the facts get in the way of a political agenda. I wonder how the media and the antigun protesters would have felt about the First Amendment being ignored for political purposes. The Second Amendment, like the rest of the Bill of Rights, protects citizens from the power of government. People have rights. Government has no rights. Government has power. And when citizens give away their rights, like the Second Amendment, government increases its power and oppression over the people.

The Supreme Court ruled accurately and restored the rights of all Americans based on the due process clause of the 14th Amendment to the Constitution which commands that no State shall ''deprive any person of life, liberty or property without due process of law.'' To truly understand the meaning and purpose of the Second Amendment, we need to understand the men who actually wrote the Constitution and what they said when it was ratified.

The Founding Fathers were very concerned that a strong Federal Government would trample on individual freedom and individual rights because that's what happened to the colonists under the power of Great Britain. Governments historically do that to their people, trample on individual rights. That's historical. So after the ratification of the Constitution, the Framers knew that a declaration of rights had to be added to protect basic individual rights, rights that are inalienable, created by our Creator and not created or given to us by government.

The Second Amendment was included in the Bill of Rights to prevent the government—that's the Federal Government—from disarming the public like the British Army did to American citizens. The right of the free people to defend freedom and protect themselves was so important that it was placed second in the Bill of Rights behind the First Amendment, freedom of speech and freedom of religion and the freedom of press and the right to peacefully assemble.

Currently, gun control advocates and their elitist allies wish to subject the people to more government oppression of freedom by denying individuals the right to arm themselves. Thomas Jefferson knew the importance of an armed citizenry. He said: ''No free man shall ever be debarred from the use of arms.'' Samuel Adams wrote: ''The Constitution shall never be construed to prevent the people of the United States who are peaceful citizens from keeping their arms.'' And of course James Madison, who helped write the Bill of Rights, once wrote that the Americans had ''the advantage of being armed,'' and that other nations' governments were ''afraid to trust the people with such arms.''

So leave it to a Texas preacher to keep it all in perspective. You see, without the Second Amendment, you can't protect the First Amendment, the freedom of speech, the freedom of religion, the freedom of press and the freedom to peacefully assemble without the Second Amendment.

And that's just the way it is.

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

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

WALL STREET REFORM

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

Ms. KAPTUR. Mr. Speaker, I rise to share my major disappointment and key concerns with the so-called Wall Street reform bill that just passed this House and why I voted ''no'' on this measure. Bottom line, the bill does not fundamentally change the skewed financial power relationship between Wall Street and Main Street. That relationship has so gravely hurt our Nation.

The bill allows the Wall Street institutions to maintain their choke hold on Main Street's vitals. The big banks that have caused our economic crisis by severely abusing their privilege to create money were treated with kid gloves.

Now, the Republican leader said that the bill was like a nuclear weapon aimed at an ant. I say, the bill was a cotton ball thrown at an elephant. The bill does not even create real competition to the handful of big banks that have simply become too big and controlling.

Indeed, the bill allows them to keep their vaulted positions with a few modifications to their business practices. It will take years for regulators to sort out and apply, if ever, the mild provisions in the bill. And there are so many loopholes you could read the bill for another year to find them all. A Consumer Financial Protection Bureau at the Federal Reserve cannot compensate for a banking system that is, at its heart, terribly misformed. Time will prove this view correct.

A handful of big banks—Goldman Sachs, JPMorgan, Bank of America, Citicorp, Wells Fargo, HSBC and Morgan Stanley—have so harmed the vast majority of other financial institutions on Main Street that these smaller institutions, which comprise the majority that are still left, are being penalized big time by having to pay exorbitant additional insurance fund fees to the regulators to prop up the losses of the big banks that have so harmed the whole financial architecture of our country. That's why lending remains seized up coast to coast. It's why over 84 more banks have folded this year. And while this is happening for the remains that are left, then the big six go in and gobble up what's there.

The bill basically grandfathers the too big to fail big banks that have grown even more unwieldy as the financial crisis has deepened. Today they have been rewarded because they're even growing bigger. Before the crisis, they controlled one-third of the assets of this country. Astoundingly, they now control two-thirds of the assets of our Nation. Can you imagine a handful of banks with that much power? The bill does absolutely nothing about that. It kind of looks the other way. One cannot call this structure free market competition. One has to call it oligopolistic control of our financial marketplace.

If you're feeling the pain because you lost your home or you're about to lose your home or you lost your job or you lost some of your pension or you lost some of your IRA, you know who to blame. Their bad behavior has hurt all the other banks in this country and, in fact, other nations and people around the world. For shame.

But as a result of their concentration of power in the hands of far too few, it is expected that 20 million American families will lose their homes, 2.4 million more Americans this year. Unemployment rates remain stuck too high, and our economy is not producing the jobs it should because lending has seized up across this Nation. People are losing more equity and their savings, yet Goldman Sachs, JPMorgan, Citigroup, Bank of America, Morgan Stanley, Wells Fargo, HSBC, they're doing just fine, making billions and billions in profits and taking bigger and bigger bonuses to boot.

This bill didn't even recoup those bonuses to help pay for the cost of housing modifications for Americans who stand to lose their most important asset this year, their equity.

The arrogant power of the big banks is demonstrated by their interconnectedness, when you saw Goldman Sachs and AIG kind of bail one another out. And it's a perfect example of why too big to fail is too big to exist. They are very clever, and they command inordinate power, so much market power that they ignore the laws for themselves when it is convenient.

Banks are doing more than just banking. In fact, they are speculating with our money. They just can't help themselves. They take a dollar and turn it into a hundred or more.

The SPEAKER pro tempore. The time of the gentlewoman from Ohio has expired.

Ms. KAPTUR. Mr. Speaker, I will place the other remarks in the RECORD tonight. And I might say that it's not a question of if the system will fail again, but only when it will fail again.

This used to not be allowed under the Glass-Steagall, which prohibited commercial banks from doing investment activities and investment firms from taking deposits. The two were kept separate.

However, in 1999, the Graham-Leach-Bliley bill repealed Glass-Steagall and the walls came down between commercial banking and speculating.

Gambling and prudent lending need to be separate again. I have introduced H.R. 4377, the Return to Prudent Lending Banking Act which strengthens the Glass-Steagall separations and repeals some of what Graham-Leach-Bliley did.

We know instinctually that we need to break up the big banks and increase competition across our financial system.

Instead, the megabanks stay too big to fail, and the American taxpayers will pick up the tab when they implode the economy at some date in the future. That is their pattern. That is their history.

This bill took far too many passes.

Regulating derivatives is an excellent example of Congress knowing what we need to do but not doing it.

Regulating all derivatives openly and clearly should be expected with no exceptions. Nothing less is acceptable.

In this bill, JP Morgan, Goldman Sachs, Morgan Stanley, Bank of America, Wells Fargo, Citigroup, and their colleagues can continue to trade derivatives that are used to specifically hedge the risk that they are undertaking, as well as still being able to trade interest-rate and foreign-exchange swaps.

Last week Bloomberg Businessweek stated the following: "U.S. commercial banks held derivatives with the notional value of $216.5 trillion in the first quarter, of which 92 percent were interest-rate or foreign-exchange derivatives, according to the Office of the Comptroller of the Currency."

So, they can keep the vast majority of business in house.

Bloomberg Businessweek also reported that "The [same] five U.S. banks with the biggest holdings of derivatives—JP Morgan Chase, Goldman Sachs, Bank of America, Citigroup, and Wells Fargo—hold $209 trillion, or 97 percent of the total, the OCC said."

So, let's review: 5 megabanks, all "too big to fail", highly interconnected, hold ⅔ of the assets of people in our country. They have concentrated vast amounts of financial power amongst themselves and also control 97 percent of the derivatives in the country. Now that's a recipe for more abuse. And that set of facts is a window on future abuse.

Perhaps worst of all, according to such experts as William Isaac, former Chair of the FDIC and Henry Blodget, editor-in-chief of The Business Insider, concur that "reform" bill would not have prevented the crisis of 2008. So, why didn't Congress assure that it did?

Now, some might say we can't predict what the next financial crisis will look like. But we should be able to put reforms into place that would have prevented the crisis we just went through. But Congress did not. The wine glasses and cigars are surely full and lit tonight.

Sadly, this House repeated its history in weak financial regulation. We did not make the hard choices. It left the American people vulnerable again. It is not a question of "if," but only "when."

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.)

RECOGNIZING KANSANS FOR SHARING IRENA SENDLER'S HEROIC STORY

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

Mr. MORAN of Kansas. Mr. Speaker, I want to share a story about the value of studying history, the importance of great teachers, the power of educating students, and the glory of a life lived in service to others.

□ 2120

In 1999, Norm Conard, a history and social studies teacher in Uniontown High School in southeast Kansas came across a clipping from U.S. News and World Report explaining the story of Irena Sendler, who helped rescue as many as 2,500 Jewish children during the Holocaust. Mr. Conard, along with his students, ninth graders Megan Stewart, Elizabeth Cambers, Jessica Shelton, and 11th grader Sabrina Coons, wondered if the article could just be a misprint.

Mr. Conard encouraged his students to participate in the National History Day and learn more, find out the answer. An initial Internet search found just one additional article about Irena Sendler, but the students dug deeper and discovered an amazing story that was nearly lost to history.

While searching for Irena's resting place, the students discovered that she was, in fact, alive. After many letters were exchanged, the Kansas students traveled to Poland to meet Irena in 2001, and they were able to visit with her about her heroic work during the Holocaust.

Irena Sendler was a Catholic social worker living in Poland when the Nazis first invaded Warsaw. As early as 1939, Irena began helping Jews by offering food and shelter and falsifying documents. When the Nazis erected the Warsaw ghetto in 1940 to imprison 450,000 Jews, Irena and her collaborators created false papers allowing them access in and out of the ghetto.

During World War II, Irena helped 2,500 Jewish children escape from near certain death by sneaking them out of the ghetto. Irena took these children to Polish families, orphanages, and convents and recorded a list of their names to ensure that their identities were preserved so that after the war she could help reunite them with their parents. After the records were nearly discovered in her home by the Gestapo, she put them in jars and buried them.

In 1943, Irena was arrested by the Nazis and placed in prison and interrogated and tortured. When pressured about the names and locations of those she helped, Irena gave a false story that she had created in the event of her capture. She was sentenced to death. Unbeknown to her, a group called Zegota quietly negotiated with the Nazi executioner for her release. Despite her escape, the Nazis publicized Irena's death throughout the city. For the remainder of the war, Irena remained hidden, just like the children she had helped.

After the war ended, she dug up the jars and worked to reunite the children with their parents. Unfortunately, sadly, most of the parents died in the Holocaust.

The Uniontown students used Irena's story as an inspiration for a play called "Life in a Jar" to honor her contributions and to share her story with the world. Since 1999, these students, along with others from southeast Kansas, have presented "Life in a Jar" to over 270 venues around the world, including a performance in Warsaw. They have also performed for Holocaust survivors, many of whom were saved by Irena.

Since the students' discovery, Irena has received international recognition for her brave work. She was awarded the 2003 Jan Karski Award for Valor and Courage. She was recognized by Pope John Paul II and the President of Poland. Additionally, Irena was considered for a Nobel Peace Prize in 2007. Irena passed away in 2008 at the age of 98.

The students' legacy lives on in Kansas as well. Mr. Conard was awarded a grant from the Milken Family Foundation to build a center in Fort Scott, Kansas, committed to the teaching of the importance of respect, understanding, and religious tolerance, and to develop diversity projects about unsung heroes like Irena Sendler. The Lowell Milken Center also provides

Holocaust lesson plans to teachers and uses ''Life in a Jar'' to demonstrate what students are capable of achieving. In addition, the Center has also produced a DVD to share Irena's story. Funds raised by the performance of the play and the DVD are for the care of those who worked to rescue Jewish children in Poland, like Irena.

When the students from Kansas met Irena, she told them they were ''continuing the effort she began 50 years ago'' and expressed appreciation, as we should, for their work to make this piece of history known. Now their efforts to share this story inspire others.

It is the hope of the project that all who learn of Irena Sendler's efforts to save the children of Poland will embrace their classroom motto, ''He who changes one person changes the world entire.''

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

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

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

(Mr. DAVIS of Illinois 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 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 Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. SCHIFF 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 North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

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

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

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

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

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

WHERE'S THE BUDGET?

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, we're going to talk about an interesting subject here this evening, and one that might seem a little boring to start with but actually has tremendous ramifications, and that is the question and the subject of budgeting.

Now, budgets are always kind of an unpleasant thing because there's a natural requirement of a budget to balance a couple of things, balance spending and how much money you take in. So when a family works on a budget, it may be a hard time because you have to make choices between what are you going to spend your money on and how much money do you have to spend. So budgeting is one of those tough things, but it's necessary for organizations in order to be organized enough to try to keep some semblance of economic sanity.

We're going to talk about budgeting some. And the subject is of some interest tonight because, if you think about a family, maybe some families budget in a much more formal process, others do it a little bit informally, but more or less what they try to do is keep how much money is coming in pretty close to what's going out. When they don't, they start to get some very high credit card bills. Of course, small businesses, very important for them to budget.

So who is it? Which one do you think forgot about budgeting? Fortune 500 corporations? No. Schools have budgets. But we find tonight this curious phenomenon, and this is a little bit like watching an eclipse or something. It doesn't happen very often. Since 1974, when the Budget Act was passed, it's never happened that Congress did not have a budget. And yet, this year, Congress, it's Congress that doesn't have the budget. Kind of an amazing thing.

We've heard our floor leader, Congressman HOYER, he says it isn't possible to debate and pass a realistic long-term budget until we've considered the bipartisan commission's deficit reduction plan which is expected in December.

That sounds a little bit like an excuse, doesn't it?

It's the first time we've done anything bipartisan in the last 18 months if they did wait for it. And if it were bipartisan, I'm sure they wouldn't be interested in passing it.

Is it true that we have to wait until December to pass a budget? I don't think so. There's no excuse. There's a balanced budget resolution here. Here it is, actually, a copy of the front of the bill.

Of course, the trouble with this, this has a big problem. This is a Republican budget. This is a budget that's talking about getting the budget balanced by 2020. It's an austere budget. It's a tough budget. It's a budget that you'd argue about, but it's a responsible budget.

And I'm joined by some very good friends of mine on the subject of budgets. And we're going to move from budgets. We're going to end up answering at least one question. That is, well, why are budgets important?

I'm joined by my good friend from Arizona, Congressman FRANKS, an expert on quite a number of different subjects, and we're going to talk a little bit later tonight, too, about doing some oil drilling.

I believe you were, was it 16 or 17 when you had your first oil rig? But I yield time to my good friend.

□ 2130

Mr. FRANKS of Arizona. Well, in talking about the budget tonight, I guess I believe, Congressman, that the budget challenges that we have, the deficit spending and the debt, has the ability to challenge and damage this country perhaps in a way that no military power has ever been able to do.

We are around $13 trillion in debt in this country. And if you try to measure that in simple terms, it almost boggles the mind. But if you try to put it in terms that we can understand, if we decided to pay that off at a million dollars a day. Let's say we just suspended the interest on the debt and we didn't go another penny in debt, and we said we are going to pay what we owe off before we go deeper in debt. Now that I suppose sounds outrageous for a place like this, but that's a very commonsense idea. And yet, if we paid our existing debt off at $1 million a day, with no interest and no additional spending, it would take us around 40,000 years to do that.

Mr. AKIN. That's really discouraging.

Mr. FRANKS of Arizona. My grandkids may not be around that long. But the real tragedy, of course, is that we're not paying this debt off at $1 million a day as a country. That's a very nominal figure. We're going into debt thousands of times that much every day. The Obama administration is spending us into oblivion. There has never been a precedent. Since this Obama administration's taken place in two year cycles, they have put us at what looks like will be around $3 trillion additional in debt. If we don't change that, I really believe that it could be the central figure in America's economic obituary.

Mr. AKIN. I very much appreciate your starting off on a very sobering kind of note because I wanted to get to that question about, well, maybe budgets sound boring, but what does it mean? And I think you put that in graphic terms. You are saying it's more damaging than some war that some foreign conqueror could wreak, more havoc than a war.

Mr. FRANKS of Arizona. Well, Congressman, if we fail to put our economic house in order, we're not going to be able to project any military capability at all. You know, a government is what it spends. And one of the reasons that America has such a strong military capability is because we're so strong economically. We're the most powerful Nation economically in the world. We dwarf all other economies. But the way we're going, we could be competing with Greece for the instability that this administration seems to be heading our country toward.

Mr. AKIN. You know, you have been almost reading my mind, because I have some charts that do compare Greece to where we are economically, and they are spooky charts.

I am joined by another one of our good friends, my good friend from Georgia, Congressman BROUN. And I have to say I have got a couple of my favorite people to share an hour with on the floor tonight, both very articulate, but both very knowledgeable.

Congressman FRANKS, if you start to talk to him about missile defense and ballistics and all kinds of technical questions, he is a veritable Popular Mechanics walking on two feet.

And then my good friend Dr. BROUN, who spent years as a medical doctor, also has a whale of a lot of Georgia common sense. And I would like to welcome you, Dr. BROUN, or Congressman BROUN, or my good friend PAUL. Thank you.

Mr. BROUN of Georgia. Thank you, Mr. AKIN. I appreciate your yielding.

In fact, the quotes you have up there on the chart I think are very telling. Democratic Whip STENY HOYER, this is when he was the minority whip, 2006, as is indicated. He said, ''The most basic responsibility of governing.'' And as you also very ably pointed out, JOHN SPRATT, who is the Democratic chairman of the House Budget Committee, Congressman from South Carolina, said also in 2006, ''If you can't budget, you can't govern.'' If you can't budget, you can't govern. And it's just inane.

It's unconscionable that this leadership here in this House isn't even going to attempt, not even attempt to bring about a budget for this Congress to vote on. And why is that? Why would they not, particularly with these very strong statements that the majority whip, now STENY HOYER, made back in 2006 before they became the majority? JOHN SPRATT, when he was on the Budget Committee, not the chairman, as he is now, said if you can't budget, you can't govern. But they can't budget, they won't budget, and they are not governing very well either. But why? Why is that so?

Mr. AKIN. I would like to jump in, if I could, because I think that's where we got to ask the question. This is, I guess, when the Republicans were in the majority, 2006. And they are saying the most basic responsibility is governing. This is Congressman HOYER. And now we don't have a budget, and he is one of the leaders.

Here we have the ranking member on the House Budget Committee, and he says, ''If you can't budget, you can't govern.'' Well, that's what they are saying in 2006. But it seems like that's not where we are today, is it? Here's ''Where Is the Budget?'' This is something that was in The Hill newspaper. But it's kind of telling. ''Skipping a budget resolution this year would be unprecedented. The House has never failed to pass an annual budget resolution since the current budget rules were put into place in 1974.''

That's why I am saying this is a little bit like one of those full eclipses of the sun. You have to wait for a certain number of years and be just in the right place to see it. This is unusual. We haven't seen this before. Unfortunately, it is not a good omen exactly from an economic point of view. According to what? The Congressional Research Service. They are the ones that keep records of all of this kind of stuff. So there isn't any budget, which does beg the question.

Mr. BROUN of Georgia. Mr. AKIN, before you take that chart down, if you would yield for half a second, down at the bottom, I want to call attention to the viewers, this was an article, this didn't come from Glenn Beck or Rush Limbaugh or Sean Hannity, it came from The Hill, one of the Hill newspapers up here called The Hill, on April 14, 2010, this year, talking about this Congress, talking about this leadership. Skipping a budget resolution would be unprecedented.

Mr. AKIN. Unprecedented.

Mr. BROUN of Georgia. Unprecedented.

Mr. AKIN. Unusual. And what are the implications of all of this? You know, the Congress didn't pass a budget, but the administration sent us a budget. This is kind of a complicated looking chart. But this isn't very complicated in a lot of ways, because this thing is receipts. This is the money coming in. And this is outlays. Now, this is the sort of chart that you need to have some first-graders, because they could give us some real wisdom.

We could say which one of these circles is bigger? Is it the red one or the blue one? The red one is bigger. So we're spending more than what we're receiving. That says your budget's in trouble. That's not very complicated. And it's so much in trouble that the U.S. Congress doesn't want to acknowledge that fact. They say, well, if we don't see it, maybe—it's like at night, you know, when you have a bad dream. If you pull the covers up, maybe it will go away. That seems where we are.

My good friend from Arizona.

Mr. FRANKS of Arizona. Well, I think that one of the disappointing things for me in this body, and in all due respect to the majority, is that they seem to hold themselves unconstrained to the truth and the things that you mentioned. It almost seems that they feel like they can hold themselves to be able to take a vote here and repeal the laws of mathematics. And we're facing a day of reckoning that is coming pretty quickly.

There are a lot of things that are beginning to snowball. Not only is this administration spending and deficit spending in an unprecedented way, but we're fast approaching where the baby boomer generation, of which I am sort of kind of on the tail end, barely old enough to be a baby boomer—

Mr. AKIN. I am on the front end. So let's talk about that.

Mr. FRANKS of Arizona. But the point is, this has been the most productive generation in the history of this country. And the baby boomer generation is beginning now to start to retire. And that means two things: that productivity is going to be dramatically reduced, and of course then they are going to go on Social Security and begin to put a drain on the system. And we absolutely are in an unsustainable circumstance at this moment. And for all the things that we try to do, the Democrat majority simply is ignoring that reality.

I have two little babies at home, 22-month-old twins, and they are the greatest joy of my soul. And I will just say to you that the idea that we're robbing them of God knows what, I mean it's almost like they could be facing a complete economic meltdown, and it could happen way before they get old enough to deal with it. But we actually, in my judgment, have generational theft here. And it is something that is a disgrace. And I think it's fundamentally immoral. And we don't have to do that.

All we have to do is say that whatever else we're going to do, we're going to do like families. We're going to have a budget. We're going to say we're not going to spend more than we take in. We may not be able to pay this debt off tomorrow. I already said it might be 35,000, 40,000 years the way we are going just at a million dollars a day paying it off. But we're not going to go further in debt. And that's something this Congress should have the courage to do.

Mr. AKIN. I think that Congress has tended—our job is to spend money. That's what Congress is designed to do. Of course we do too good a job of it. And the question is we have been overspending for a long time.

□ 2140

We overspent when President Bush, we Republicans, when he was in. And I know you gentlemen joined me in some very tough votes in saying, no, we can't do that. But we have overspent to a degree all the way along. But what

happened is we've taken this thing to an entirely new level. And I have some charts that I think explain that. But I want to hear from my good friend from Georgia.

Mr. BROUN of Georgia. I want to add to what our good friend from Arizona was just saying. In Scripture, Proverbs tells us a good man leaves an inheritance to his children's children. And the inheritance we're leaving to our children's children is a mound of debt that they'll know we'll never overcome.

We've got to stop the spending here in Washington. We have to stop this outrageous growth of the Federal Government—outrageous, unacceptable to the American people—robbing our children and our grandchildren not only of their economic future but also of their freedom. And that's exactly what we're doing here in this Congress.

And it all started with the TARP funds that President Bush and Hank Paulsen pushed through. I voted against those TARP funds in 2007. I guess it was in 2008 when it was pressed forward by President Bush and he was wrong and I voted against him, and many Republicans did at the same time, voted against him. But it has been magnified. It has been grown at a tremendous exponential rate: the red ink, the debt, the spending. And I think the reason we're not going to vote on a budget, not even have a proposed budget by the Congress, is because this majority does not want any constraints on their spending. They don't want any.

And a budget, if you follow it, constrains spending. That's what it's designed to do. And it also puts forth all of the parameters and would show the American people the increasing debt that is going to be pushed off on future generations.

So we're going totally against what Scripture teaches us when God tells us a good man leaves an inheritance to his children's children.

Mr. AKIN. The point you bring up, gentlemen, I was not a Boy Scout, but we had a bunch of boys that were Boy Scouts. And one of the things that they learned, which we did, because my wife and I were outdoors people and did a lot of backpacking and canoeing and all, is that when you come to a campsite, you always want to leave it better than the way you found it. It was just sort of like a tradition among outdoorsmen. And that tradition very much reflected the mindset of my parents' generation, the people that fought World War II. My father is 89 and was with Patton in the Army.

But there was a general way of thinking in that generation. And the mindset was that they were going to sacrifice a lot of things they wished they'd had as kids in order to give their kids something better. They're going to leave the campsite better than it was left for them.

And so my parents' generation, if they made a mistake, it was they tended to spoil us. They tended to give us everything we wanted, whereas they had had to really—the other generation, they might not have had a college education but said, My son is going to be a doctor. My son is going to be an engineer. I'm going to make sure they have enough money to go to college, which I didn't have a chance to do. And that was their mindset. And that's what breaks my heart about such a boring subject as budgets is because of the fact that we're not following—we're leaving that campsite look like a dump truck full of litter just got dumped on it. We're leaving litter that our kids can't pick up, our grandchildren won't be able to pick up. And that's just wrong. And it is not the American way.

And yet what's it spring from? Our own selfishness politically that we have to appease—which is wrong in the first place. It's theft and we're going to steal money from a lot of people that aren't even alive yet and we're going to spend it and hand it out to people. And that's a sad place to be in.

So we're doing two things. So we're increasing taxes radically, but we're increasing spending even more. The ironic thing is that when you increase taxes, you also kill the goose that's laying the golden eggs and you start to take in less revenue.

Here's a list of some of them. This cap-and-tax bill that we passed. This thing is supposed to be about global warming. It's supposed to be about reducing CO_2. The only thing this thing does is create more taxes and more government regulation and probably more CO_2 to boot. If they wanted to stop CO_2—if people were honest about stopping CO_2—let's assume you're a greenie and that your CO_2 is really bad and we've all got to stop breathing. How are you going to do it? You're just going to double the number of the nuclear power plants and you wipe out all the equivalent of all the CO_2 burned by every passenger car in America. But that's not what this bill does. It supposedly is about global warming, but in fact it's just more taxes.

And the health care tax thing. This deal here, that bill, they had to struggle to keep it under a trillion dollars. The President said, I won't do it if it costs a dime. No. He did it because it costs more than a trillion. So there's another great big tax. Death tax. Capital gains. They're going to expire. So we're going high in taxes. But does that mean we're cutting back on spending? No.

This, my friend, is why if I were a Democrat I wouldn't want to put a budget out there. Take a look at that picture. My friend from Arizona.

Mr. FRANKS of Arizona. I just was responding. I think if we could explain why they are not putting a budget out is because they do not want the American people to see what they're really doing.

Mr. AKIN. I don't think they want them to see that graph.

Mr. FRANKS of Arizona. I don't think they want them to see that. Fundamentally, you're correct. I was touched by the gentleman's understanding that this is really about—and we always forget that true statesmenship is not just about the next election. It's about the next generation. And I'm always in memory of how my parents worked so hard. My dad worked in the mines and everything else he could think of doing, and he is probably listening to us tonight. But I'm just so thankful for a father that gave everything of himself to try to make it possible for me to have a better life than he did, and I wouldn't be here without that. My mother worked in nursing homes. And you know, they gave everything they had to us.

And here we're doing exactly the opposite. Not only are we spending our children into an oblivion of debt, not only are we teaching the next generation that they don't have to be responsible, not only are we seeing government take over most of our major industries now whether the auto industry, the health care industry, the insurance industry, the banking industry. I don't know what's next. We're teaching our young kids something that is very, very frightening.

And I just think that more than anything, Mr. AKIN, that you pointed out the real issue here. It is a lack of commitment to the future generations. And this Democrat majority has done for spending what Stonehenge did for rocks. There is no one that can touch them. They can talk about Republican deficits. And from my part and yours and Mr. BROUN's here, you know we worked here when we were in the majority. Our votes reflected a desperate commitment to balance this budget.

But this Democrat majority has completely left all reason to the wind. They've tried to spend and tax and borrow our way into prosperity, and I just don't think I've ever seen in my lifetime a more dangerous situation for us economically. And in the final analysis here, they are also doing everything they can it seems to crush business and job growth.

And so it just seems like all of these things are coming together, and I don't know where it ends, and I don't know what to do. It's almost you have to be an alarmist to tell the truth here.

Mr. AKIN. I thought it would be appropriate to talk about what these bars mean. It's pretty straightforward.

These were Republican years under Bush, and this shows the deficit. We're not proud of this deficit. Shouldn't be any. The worst year under Bush was this one where Speaker PELOSI ran the Congress. So this was Bush's worst year for deficit right here.

So we go from 2009 to 2010 with President Obama, and he's three times the Bush level of deficit and this year is even higher.

Now, one of the ways to measure these things is this deficit is a percent of our gross domestic product, all of the stuff that we make in America.

This is running at about 3.1 percent. This is about 9.9 percent right here. Now, these numbers have consequences, and the consequences are your children and your grandchildren. But it also could precipitate a crisis a lot sooner, and we really don't know what that crisis looks like.

What happens when you go to the bank and your ATM doesn't work? You worked all of your life and you have savings in the bank and there isn't any money in there because you can't get any money out because the dollar bill isn't worth anything. Have we ever experienced that before? We've seen some high inflation that's not pretty. What happens if the banking system just stops working because we pushed this too far?

□ 2150

What is the civil unrest? What happens with our just-in-time food inventories when there is no more food on the shelves and when there is no more gasoline at the gas pumps because we have pushed this too far? How far is too far? I don't know, but I know this: This isn't the right direction that we are going.

I yield to my friend from Georgia.

Mr. BROUN of Georgia. Mr. AKIN, you are exactly right. We have seen historically what happens when this sort of thing occurs. All we have to do is look off our own Florida shores, at Cuba, under the Communist dictatorship of Fidel Castro. I'm old enough to remember when Mr. Batista was overthrown by Castro. I'm old enough to remember that Cuba, prior to the Communist takeover of their country, was a very vibrant community and very economically sound. There were some inequities and problems there. I'm not trying to promote Mr. Batista's governance down there by any means, but on the other hand, where are the Cubans today?

The debt created by Fidel Castro and by the socialistic mentality, which is the same mentality that Fidel Castro had, is very pervasive here. It is the same mentality we have here with our leadership, both in the White House as well as here in Congress, today, under Democratic leadership. It leads to economic ruin. It leads to abject poverty for everyone.

Former Prime Minister of England Margaret Thatcher at one time said the problem with socialism is, eventually, you run out of other people's money. That's exactly what happened. You had a chart up there about the taxes. You had it up there as ''cap-and-tax.'' I just want to quote President Obama about a couple of things about that so-called ''cap-and-trade'' bill that we passed here in the House. The Senate has been dealing with that.

As you said, Mr. AKIN, it is not about the environment. In fact, the President, himself, said that he needed that for revenue, revenue to pay for ObamaCare. Now, that's not a direct quote of the President's, but that's what he said. He said he needed the revenue from the environmental tax, which was really an energy tax, a tax on all energy—gasoline, electricity and everything. He needed the revenue so that he could pay for his medical program, for his socialized medicine that we forced through here in Congress. That's why I call it ''tax-and-trade,'' not ''cap-and-tax,'' but you can call it ''tax-and-tax,'' I guess, or any of those. Also, the President said very clearly—and I can quote him on this. He said that this energy tax would necessarily skyrocket the cost of gasoline. It would necessarily skyrocket the cost of gasoline.

Mr. AKIN. I think he also promised that nobody making less than $250,000 would be taxed, right? Yet, if you flip on a light switch, you are going to get taxed.

How do you square those?

Mr. BROUN of Georgia. Everybody is going to get taxed. So that was a falsehood. In Georgia, we call that a bald-faced lie. The promise that we had that people who made under $250,000 would not be taxed is totally wrong, and he knew it. In Georgia, the people just say it's a bald-faced lie, meaning that he knew very well that he was not telling the truth when he said that.

Mr. AKIN. You know, the funny thing is that we need to learn something from history, and the Democrats have got something they could learn from. It's Henry Morgenthau. He was the Secretary of the Treasury under FDR. They had a recession, and by his policies, they managed to turn it into the Great Depression. After 8 years of government spending, which is what we have seen—just incredible levels of government spending—he makes FDR look like a piker. He makes George Bush look like Ebenezer Scrooge.

So here is Henry Morgenthau before the House Committee of Ways and Means. He says this:

We have tried spending money. We are spending more than we have ever spent 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.

That is Henry Morgenthau. He is a contemporary of little Lord Keynes, that not so bright British economist.

Here is a Democrat who just says, Hey, we tried it for 8 years, and it doesn't work. So what are we doing now? We are going right back around, and we are overspending. We haven't learned our lessons.

Mr. BROUN of Georgia. Mr. AKIN, if I might, if you would yield a minute.

Mr. AKIN. I do.

Mr. BROUN of Georgia. Just recently, just last week, our President went before the G–20, I guess is what it's called now, and he was encouraging them to spend, spend, spend. As you brought up Lord Keynes' name, there is something called Keynesian economics, which basically says that you get out of recessions and depressions by the government's spending money, but it never has worked, and it never will work. It's just like socialism never has worked and never will work.

It seems as if the arrogance of this administration and of this leadership and as if the ignorance of both are leading us down the same path that FDR and Henry Morgenthau went down in the Great Depression. World War II didn't get us out of the Depression. It wasn't World War II that got us out of the Depression. It was cranking up the manufacturing sector and the private sector's actually starting to create new jobs because of the need for increased manufacturing that got us out of the Depression. Actually, the Depression didn't end until after World War II. It was private enterprise and free enterprise and what's called supply side economics, which most people don't understand and which, I think, a lot of economists don't understand.

Yet we certainly know that this administration and the leadership of this House and the Senate have absolutely no clue about what creates jobs or about what creates a strong economy. It is less government, less spending, more manufacturing, more free enterprise. Having the small business sector expand and having consumers with money in their pockets to be able to go buy goods and services, that is what is going to create jobs. That is what is going to get us out of this recession that we are in today.

In fact, some economists now are saying that we are beginning to go into a depression. The policies of this administration and the policies of the leadership of the House and the Senate, of the Democratic Party, are going to do the same thing that they did under FDR and Henry Morgenthau. They are going to create greater debt, and they are already doing it. They are going to create greater spending. They are going to create greater problems for the future of this Nation. The question is: How are we going to ever recover? I'm not sure.

Mr. AKIN. I'm not sure about the intent.

Yes, your whole idea about little Lord Keynes and his idea about spending one's way into prosperity strikes me about like grabbing your boot loops and trying to fly around the room, you know? I don't know if he was a boot loop kind of guy, but anyway, he was certainly different in his view of economics.

My good friend from Arizona.

Mr. FRANKS of Arizona. Well, I just want to agree with Congressman BROUN, you know, when he talked about what brought us out of the Depression. The postwar industrial machine in this country was astounding.

One of the things, it seems, that this Democrat majority simply does not understand—and it's probably because most of them haven't been in small business or in the real world many times; they don't sign the front of a check, you know, but usually sign the

back of it. The reality is that they forget that the monetary system is a reflection of the method of the productivity mechanism that we have in this country.

All economy, ultimately, and in the most fundamental, substantive analysis is about productivity. You know, that means that people have to work and create goods and services. When we don't have people working, when we don't have jobs, then it doesn't happen. When you take government money and when you say, well, we're going to spend our way into recovery, it does two things.

First of all, it either takes the money directly out of taxpayers' pockets—it has to come from somewhere, right?—or they have to borrow it. If they borrow it, then it makes less capital available for business and for those groups that actually create jobs. They don't seem to understand that, unless the 300-plus million people of the country are working and creating jobs and creating goods and services, no matter what our monetary policies are, nothing will work, and the economy will fail.

I guess I just want to add, Congressman, that the highway of history is littered with the wreckage of governments that thought that they could create and maintain productivity in markets better than free enterprise could. It has just been an element of history, and I don't want to see this country join that litany. This administration is driving us head on in that direction.

You know, you talked about, historically, our total GDP in this country—and one of you can correct me if I'm wrong—is somewhere in the neighborhood of $15 to $17 trillion a year.

□ 2200

Whenever our debt approaches 100 percent of the GDP per year of a country, historically and empirically that has almost always precipitated a major meltdown. I'm not talking about just a recession or even a depression, I'm talking about a cataclysmic meltdown that leaves a country having to start over from the beginning. And I don't want to see us go in that direction.

Mr. AKIN. Gentleman, you expressed that in good scholarly terms about your debt being as high as your GDP. But just trying to put that as a family—if you're a family and you make $100 a week and your credit card bill is $100 a week, you're in trouble. That's what you're saying. In fact, you're more than in trouble. And I think that's what you're talking about

Mr. FRANKS of Arizona. Well, in this case, the Democrats are way past that because that would mean you're spending as much as you're making. They're spending more than the government is taking in. That's deficit. I'm talking about something a little different. I'm talking about the debt—the total debt to GDP ratio. And in this case we're not there yet. I think that we're somewhere at about $1.4 trillion, $1.3 trillion deficit and about at $13 trillion debt. And $13 trillion debt would be up somewhere against around a $15 trillion to $17 trillion GDP annual economy. What's 13 into 17? We're not at 100 percent yet but we're starting to get there. Whenever it goes to 100 percent or 105 percent, historically there's usually some type of major meltdown. I think that's a reflection not so much of arbitrary numbers but of sort of human nature. We begin to think, Oh, we'll never be able to pay this off. Let's just quit. The capital begins to run away from the markets. People begin to horde what they have. Just like in the Great Depression. It wasn't that all the money disappeared. It wasn't that all of a sudden capital vaporized. People put it in their pockets because they no longer trusted their government. They no longer trusted that they could put their capital at risk and have any real assurance that they had even a possibility of getting it back. And that's where this government is failing the people. They are destabilizing this economy so badly that capital is afraid to even get in the game.

Mr. AKIN. Yes. And that's one of the factors that totally destroys jobs—and that is the uncertainty factor. So if you want to ruin jobs, raise taxes a whole lot, create a lot of uncertainty, and then spend way beyond your means. That's what we're doing. It's a war on business.

There are a couple of different things. We talked about these tax increases that the Democrats did. Here's something they didn't do at all. They haven't fixed the problem with Freddie and Fannie. These are two timebombs ready to go off again. They started the big crisis before when we mismanaged Freddie and Fannie. As much as people go ''boo'' and ''hiss'' at George Bush, in September 11, 2003, he was asking for authority to regulate Freddie and Fannie because they were out of control. And the Democrats blocked that legislation in the Senate, and now we have a meltdown on our hands. So there's some things that are taxes, some things that are spending, and some things that are no action at all that all feed into this problem. So this sounds kind of boring.

Mr. BROUN of Georgia. Let me ask you something. I want you to make this clear, if you don't mind, Mr. AKIN. We hear from our Democratic colleagues over and over again that all this is Bush's fault. We're still hearing that on this floor. It's Bush's fault. President Bush in 2003 was trying to rein in Freddie and Fannie. The Bush administration said that there was a problem. And I think you're fixing to show us an article.

Mr. AKIN. This doesn't say Rush Limbaugh here. This says: The New York Times. This is the New York Times. Not exactly a conservative newspaper. September 11, 2003, the headline is: The Bush administration today recommended the most significant regulatory overhaul in the housing finance industry since the savings and loan crisis a decade ago. Under the plan disclosed at a congressional hearing today, a new agency would be created within the Treasury Department to assume supervision of Fannie Mae and Freddie Mac.

So this is 2003. They saw it coming.

Mr. BROUN of Georgia. And who blocked that?

Mr. AKIN. This then resulted in Republicans in the House passing a bill. Where's it go then? We sent it to the Senate. What happened in the Senate? You needed 60 votes to pass it. And so what happened? The Democrats killed this in the Senate, just like they killed the energy bill in the Senate that was designed to help us with gas prices; just like they killed, as you know, gentlemen, the tort reforms in the Senate to reduce health care costs; just like, as you know, my friend from Arizona, they killed the associated health plans that we passed time after time here on the floor to try to allow small businesses to pool their employees to get a better price on health insurance.

Now we were accused of doing nothing. We didn't do nothing. We sent a lot of legislation to the Senate where they didn't have 60 Republican votes, and it was killed by Democrats. Here's what happens here. But have we done anything about Freddie and Fannie? No. It's still hugely in debt, and we're just basically bailing it out all the time. What's the result of that going to be? It's going to be a lot of trouble.

Here's one of the pains. This is what hurts, one, is unemployment. Look at the private-sector employment numbers here. Look at the red line. That's the public-sector employment. Have we created jobs? Sure have. We hired a whole lot of census workers. But the jobs that pay for the government are going down because these policies make a difference in peoples' lives.

Whenever I think of unemployment—you gentlemen are both gentlemen. Both of you have wives and kids. And I suppose that somehow wired back in the back of our minds, certainly in the back of mine, when I have a wife and kids, I need to take care of them. That's the fundamental thing that I'm supposed to do as a dad. If I fail at that, then I'm a miserable failure in my own mind.

And I'm picturing a set of policies that the Democrats proposed to put people into houses they couldn't afford to pay for, so they're going to default on their mortgage, and they and their kids are going to be sitting on a sofa out on the street as they have been thrown out of a house. That, to me, is kind of a nightmarish thing. And that's that unemployment. It looks like a boring number on a chart, but it's people who are hurting. It's people who are living back with their parents. It's parents who are digging into their savings to take care of their kids because there are no jobs. So these things may be boring, but they sure have a lot of pain

associated with them and a lot of consequences associated with them.

This was a promise that if we gave lots of money to different States that had been mismanaging their budget with this supposed stimulus bill, I think it was supposedly $787 billion, but turned out to be $800 billion. And we spent all this money. And this is what's supposed to happen. It's supposed to reduce unemployment. Here's what the unemployment really is. Because we didn't learn from Henry Morgenthau. You have can't spend your way into prosperity by spending Federal money. These things have consequences. They hurt people. This isn't just boring numbers on a graph. That's actually what the actual unemployment is. So there's a consequence to these policies.

The tragedy is there are solutions to this stuff. It isn't that hard to do. What we ought to do is just learn from JFK. We can learn from Ronald Reagan, but try to be a little charitable. JFK got it right. There's a solution to this. We don't have to do this. All we've got to do is simply cut spending and cut taxes. Everybody knows that.

I've used the analogy—were you a pilot, Congressman FRANKS?

Mr. FRANKS of Arizona. I never was.

Mr. AKIN. Was it you?

Mr. BROUN of Georgia. I'm a pilot, yes.

Mr. AKIN. You're a pilot. I think we used this analogy the other day on the floor, because I remember as a kid the biplanes and the early days of flight. My science teacher flew glider planes and designed some of the glider planes that were used in the D-day invasion. He was a guy that hated what he called ''fizzle ed'' because he wasn't in great shape and he didn't like the football jocks. But the ironic thing was he got an award to the National Hall of Fame of Glider Pilots, which is an athletic type of thing because he could do all kinds of aerobatic loops with his glider planes. And he taught me some basics about flying. And what caught my attention was, in the early days of flight you get in an airplane and you do one of these deals where you don't have enough power and you pull the airplane into a stall and the airplane falls over backwards and it'll start to spin. And it was called a graveyard spin, I guess. When pilots got into those things, they kept flying the airplanes into the ground, which ruined their whole afternoon.

Finally, somebody realized—I guess a smart pilot decided to gamble his life. He said, I think there's a way out of this problem. And it's counterintuitive. And that is, when you're in that spin, the temptation I guess of pilots is to pull the stick back and try to get the nose of the plane up so you don't fly into the ground. And that just makes it worse.

□ 2210

So this guy, when he's in this graveyard spin, he says, I'm going to do it. And everybody is watching him, Here goes another guy who is going to fly his airplane into the ground. And instead, he kicked the rudder to stop the spin, pushed the stick forward until the airplane stabilized. And then he pulled the stick back and pulled it right out and made it look easy.

You know, the solution is JFK, Ronald Reagan, and George Bush all understood the solution to this problem. It doesn't have to be doom and gloom. The solution is, stop Federal spending, stop the high tax rate; and pretty soon we'll come out of the graveyard spiral. And we don't have to do another Great Depression. We've done that before. I don't want to be too doom and gloom about this, but the fact is these numbers are hurting people.

This is the President. He says, Now give me one more good reason why you're not hiring, and you've got this great big socialized medicine bill, which is well calculated to destroy the economy, and then this goofy cap-and-tax excuse for global warming. I asked my constituents, Which is more important to you, our dependence on foreign oil or global warming? And it was an 80/20 type thing. Let's get practical. We need to be doing something about our energy business in this country is what they're telling us. But it isn't all doom and gloom. There are solutions to these things. My good friend from Arizona.

Mr. FRANKS of Arizona. Well, I will just say, and it just seems obvious to me—and I will probably take a little chapter out of your cartoon there—this President has been very confident in a lot of his prognostications. There's a hubris and an arrogance there that is just overwhelming. But when you look at the facts, whether it's in our military challenges, our national security challenges, whether it's dealing with the challenges in the gulf, or whether it's dealing with the economy, it seems that his arrogance-to-competency ratios are catastrophically out of balance.

If you really want to know where the deficit is in this country, it's between the arrogance of this administration and the competence of this administration; and I think therein really lies the big challenge that we face. I don't know what's going to cure that if voters don't wake up.

Mr. AKIN. You know, the thing that strikes me is most people that I know—I am an engineer. Engineers are kind of geeks anyway, but we have such a predictable sort of thought pattern, and that is, now we've got this great big hole that we've just drilled in the bottom of the ocean. Now, you can talk about that it's a mile deep and there's tremendous pressure. We are going to talk about this because you used to have an oil rig, and we need to talk about oil.

But in it's simplest form, there's this ocean, and there's a hole in the bottom, and it's leaking oil. And my impression is that most Americans I know, when you have all this sloppy, yucky, sticky oil pouring out of a hole in the ocean floor, your first reaction is to try to figure out, how do you fix it. You know, you want to try to say, Okay, let's get some people together that know about this stuff, and let's stop the problem, and let's try to mitigate the damage that's done, clean it up; but let's stop it from spilling oil. I mean, that's such a fundamental thing. Engineers have this big weakness. They're always ready to fix something when they haven't even defined what the problem is, but that's such a knee-jerk reaction.

And yet what we've got here is somebody who is more ready to try to figure out who to blame than to fix the problem. We've seen it before in the economy on the other things, but there's nothing quite as vivid as just a plain old hole in the ocean that's spewing out oil. And you'd say, Well, first let's put a team together to fix it. Instead, we're going to say, Oh, let's see how much we can excoriate BP. Well, I don't feel sorry for them. They're the ones that had—as far as I know, the personnel on the oil rig were either incompetent or made some very bad decisions. They deserve to lose a lot of money. They did things wrong.

The only thing is, it seems to me that the Federal Government has been even worse. And the thing that's so amazing is, why don't we put the team together to fix the problem instead of just standing around and looking to assign blame on the whole thing? That's what concerns me a lot. What happens if this economy turns into another big hole in the ocean that really starts to go downhill? What are we going to have for leadership to fix that problem? I recognize my good friend from Georgia.

Mr. BROUN of Georgia. Thank you, Mr. AKIN. Just today, we had Secretary Salazar come to the Natural Resources Committee to talk about the BP oil spill and about what is being done. And during my time of questioning the Secretary, I brought up to him a quote from Bill Clinton, Democratic President. I don't very often quote Bill Clinton or Democratic Presidents, but Bill Clinton urged this administration, first, to stop the leak; second, to clean up the oil; and, third, to protect the environment and those who are being damaged by this.

Mr. AKIN. That doesn't sound too complicated.

Mr. BROUN of Georgia. Then to try to find out what caused the problem and then fix it. But that's not what we're doing. Just today we had a hearing on the chairman of the Natural Resources Committee's bill, the CLEAR Act, to regulate offshore drilling, onshore drilling, all drilling, all energy production here in this country. And Secretary Salazar defended his moratorium that's going to kill over 100,000 jobs in this country.

Mr. AKIN. I think it was 140,000 direct jobs. These are not the barbers and the restaurateurs and stuff. This is just the hard jobs that it's going to kill.

Mr. BROUN of Georgia. It's going to kill those jobs. And Secretary Salazar defended his decision. The interesting thing—Mr. AKIN, you're an engineer—Secretary Salazar pulled together a panel of experts to look at this problem and to make recommendations. And in the report that came out, the Secretary used this report to promote a 6-month moratorium to stop drilling—for all drilling, onshore, offshore, shallow water, deepwater, all drilling.

Mr. AKIN. So did this plan, first of all, stop the oil that's coming out of the floor of the ocean?

Mr. BROUN of Georgia. Well, no. They're just stopping the drilling that's going on.

Mr. AKIN. So they didn't fix the problem?

Mr. BROUN of Georgia. They didn't fix the problem at all.

Mr. AKIN. Did they deal with cleaning up the mess?

Mr. BROUN of Georgia. They didn't deal with anything. They didn't deal with any of the things that Bill Clinton suggested that they do. And the interesting thing is that the Secretary said that this panel was suggesting that we have this moratorium. The panel came back and said, No, no, no, no, no, we didn't say that. In fact, we don't want you to stop the drilling. We think you ought to continue it.

Mr. AKIN. Now wait a minute. Let's get this straight. This is a little confusing. A panel of, more or less, experts is put together. They're asked to come up with a recommendation. They come up with a recommendation, and the administration says, Well, we're going to put a moratorium on drilling because that's what was recommended. And the panel says——

Mr. BROUN of Georgia. No, we didn't.

Mr. AKIN. No, we didn't. We didn't recommend that. I guess the panel came up with the wrong answer.

Mr. BROUN of Georgia. Well, I think it goes back to something that the President's chief of staff said when he said that a crisis is too good to waste. I suggested to the Secretary today that this is a crisis that they shouldn't ignore because it appears to me—and how it appears to a lot of American people—that this administration is trying to push through its tax-and-trade policy.

Mr. AKIN. I call it cap-and-tax, tax-and-trade.

Mr. BROUN of Georgia. Yes. Well, it's an energy tax that's going to tax everybody in all sectors of the society. It's going to hurt poor people, people on limited income because more of their money is expended on things that are critical for life.

Mr. AKIN. Let's get this straight. So what we're going to do is, we've got a hole in the ocean that's pouring out this really sticky, yucky oil. I mean, we're counting on BP to clog that up. We don't really have that good of a solution on the cleanup thing because the Governor is saying, we want to build some sand berms to stop the oil from washing into our wetlands. And the government says you can't do it, and then they say you can. And when they start to do it, they say you can't. So we're not really taking care of the mitigation piece of it.

Instead, our solution is, Hey, let's tax everybody. That seems a little counterintuitive. So we're going to tax them twice. One, we're going to tax them when the government taxes them on energy; and, two, they are going to get hammered because the cost of energy is going to go up because we don't have the whole oil basin of the gulf, which is a pretty good source of oil, to give us lower-priced fuel. That just seems a little bit counterintuitive, doesn't it? It's a little bit like that graveyard spiral. We keep twisting downward. We need somebody to firewall a stick, kick the rudders right, and then pull us out.

My good friend, Congressman FRANKS from Arizona, was it 15 or 16 or 17 you owned your first oil rig? We need a little bit of help on this.

Mr. FRANKS of Arizona. Actually, my younger brother and I started out with a little, small drilling rig when I was 17 and he was 15. It was a great experience, and I will never forget it. But the offshore situation, of course, is a much bigger challenge.

□ 2220

But I guess my conviction is that this administration, when this tragedy took place, they were so busy trying to fix blame rather than fixing the problem.

Now, the ironic part about it is they'd like to try to pretend that there's some debate on who's to blame, and there isn't. All of us in this Chamber, all of us in this Congress recognize that BP is to blame for this tragedy. BP has said they are to blame for this tragedy.

And what President Obama should have done when this occurred, he should have immediately met with the only industry in the world that could deal with the problem of this nature. You can't call in the Air Force to lob heavy bombs at it. You've got to go to the industry that knows how to deal with these things. He should have called all the experts to say: Here's the deal. First of all, we're going to hold you accountable. It's going to happen. We know you're at fault. You're going to be accountable. But right now, our job is to plug this blowout, and we're going to do whatever it takes to do that. We're going to work with everyone. We're going to work together, and we're going to make it happen, and we're going to make sure that you're doing the best you can. We're going to allow help from all over the world to help us. We're going to try to make sure that we protect our shoreline. In the meantime, we're going to draw off as much oil as we can.

But instead, instead, this President is out looking over the horizon to and fro to find somebody's rear end to kick. That is his answer to the problem.

And I just find it amazing, because the moratorium that they talk about, not only does that not plug the hole. You know, it's kind of like bringing a person into the emergency room and he's bleeding to death, and he again is out trying to find somebody's rear to kick instead of trying to fix the patient.

And this moratorium, not only does it not fix the leak, not only is it something that will destroy jobs and hurt the economy, but if all you cared about was the pollution that was the problem here, this moratorium is going to mean that about a third of the oil that we produce out of the gulf—that's about how much—we produce about 42 percent or somewhere in that neighborhood of our own oil in this country, maybe around 40 percent, and about a third of that comes from the gulf. And if we don't produce that, that means we've got to bring in more tankers. We've got to buy more oil from overseas.

And what this administration overlooks, very characteristically, is that they forgot that 7 of 10 of the last major spills in this country, 7 out of 10, were from tankers. And so what we're going to do is bring more tankers over and increase the empirical chances of us having greater spills. And, ultimately, the money that we pay for that, a lot of it comes from Middle Eastern oil. A lot of that money finds its way into terrorist coffers, and they may bring something over to this country that will really be a cataclysm. And this administration seems blind to all of that, and I just find it astonishing the lack of priority.

Mr. AKIN. Gentleman, you have illustrated the very point that I was trying to make. You instinctively think in terms of fixing the problem, not fixing blame.

And you're a member of the Armed Services Committee, along with myself, and I don't know if you were aware of it, but the military has basically a whole plan of what they call a fusion unit, and it's a management structure where, when you get into something like this, the President has complete authority to do this. He could pull on every resource of the United States. He puts together the smart people, puts somebody in charge of it, and they take a look and say, Here's how we're going to solve the problem. One, we're going to try this. If this doesn't work, here's plan two and here's plan three. We need these resources.

Foreign countries offered to help us. You put this thing together. You have somebody else that's taking care of State laws, environmental laws, making decisions.

When Governor Jindal says, Hey, we want to put a sandbar in front of our wetlands to stop the oil before it gets in, you take a look at that and you get back to him within 24 hours or 12 hours and decide whether it's a good plan or not, and you have the right people, the

best people available in place to analyze that, make a decision and move forward.

And instead, he waits a month to get a response from the Federal Government, builds the sand dam, and then they tell him to tear it down.

Mr. FRANKS of Arizona. Congressman, he waited 2 months before he met with BP. Two months.

Mr. AKIN. You're saying the President waited two months before he goes to meet with BP.

Mr. FRANKS of Arizona. And he should have been there at least within two days.

Mr. AKIN. Well, that's convenient, because then anything that doesn't work you can continue to blame BP. The problem is, there's all this oil all over the place, that little detail.

You know, I agree with you entirely. BP was wrong. What I'm not clear on, was it more of equipment or was it more human. I suspect from what I've heard, it seemed like it was more operator error than it was technology.

But, be that as it may, it seems to me that the only thing that eclipsed the foolishness and the incompetence of BP is the Federal Government response that's even worse.

Mr. FRANKS of Arizona. Well, it really is. And regardless of whose fault it was on the ground, regardless of whether it was a mistake made by the operator or by the driller or by one of those contractors there, the bottom line is that BP's the operator, so they're ultimately responsible. Again, everybody knows that. But this administration was focused on blame and political expediency rather than fixing the problem.

Mr. AKIN. Well, thank you gentlemen. I appreciate your joining me. Thank you, Mr. Speaker, for allowing us to talk about budgets, but also about the situation in the gulf.

God bless you. Thank you. Good night.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed and agreed to without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 5569. An act to extend the National Flood Insurance Program until September 30, 2010.

H.R. 5611. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

H.R. 5623. An act to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes.

H. Con. Res. 293. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 67. Concurrent resolution celebrating 130 years of United States-Romanian diplomatic relations, congratulating the Romanian people on their achievements as a great nation, and reaffirming the deep bonds of trust and values between the United States and Romania, a trusted and most valued ally.

The message also announced that pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, the Chair, on behalf of the President pro tempore, upon the recommendation of the Majority Leader, reappoints the following individual to the United States Commission on International Religious Freedom:

Dr. Don H. Argue of Washington.

TOPICS OF THE DAY

The SPEAKER pro tempore (Mr. CRITZ). Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the majority leader.

Mr. GARAMENDI. Mr. Speaker, thank you so very much for this opportunity.

I've been here for the better part of this last hour and I've heard some astounding, astounding accusations and things that are purported to be fact. And I'm just going, What in the world is happening here?

To think that the President of the United States is to blame for the blowout is the most extraordinary leap of logic you could possibly imagine. For the last 15 minutes, we've heard about the President didn't do this, the President didn't do that, the experts were not assembled.

That's just not true. If you knew what was going on, instead of just flapping your lips, you would know that, in fact, shortly, very shortly, within days and hours after this blowout occurred, the best minds in America were assembled in Houston and in Louisiana to deal with this.

The fact of the matter is there is a very, very good reason for the moratorium and, in fact, my colleagues on the Republican side here said the reason. They didn't know why this occurred. Was it human error? Was it a fact? Was it a problem on the rig? Was it a problem down at the bottom? They don't know. And, in fact, we don't know today, and that's why we have a moratorium. We have a moratorium because we don't know why this blowout occurred. We have pretty good evidence that the blowout preventer didn't work. We have pretty good evidence that the efforts of the various methods, the standard methods of dealing with the blowout didn't work. We don't know exactly why this well failed. And until we do know, we ought not be drilling in deep water because we certainly cannot afford another blowout.

Now, in 2008, in the Republican administration, two T–38 jets crashed within 2 weeks. The United States Air Force put every one of those T–38s on the ramp and said, You're not flying those airplanes until we know why they crashed. That's called a standdown. It's called a moratorium. So we have a moratorium.

BP's to blame for this. And I must tell you, I am just absolutely astounded by what the Republican Caucus put together that was actually announced by our colleague from Houston, Texas, the ranking member of the House committee, when he apologized to British Petroleum because the President demanded that British Petroleum put together a $20 billion trust fund to pay for the damage.

□ 2230

The Republican policy is to apologize to BP for the President forcing BP to do what was right, that is pay for the damages. That's just but one issue. I wasn't going to talk about this in great length, but I am just coming off listening to my Republican colleagues here. We have to deal with the facts as they really exist.

Joining me tonight is Congressman ELLISON from one of the great northern States in the Midwest. And I think he wants to pick up this issue and maybe carry it a little longer.

Mr. ELLISON. If the gentleman will yield, I do just want to take up this issue of the spill. It is an important issue. And you just mentioned the very frank and I believe honest comments of Representative BARTON, the ranking member of the Energy and Commerce Committee, in which he apologized to BP.

Some people might be thinking, you know, well, he apologized for his apology, so, you know, why don't we just drop it. But it doesn't start with Mr. BARTON, it doesn't end with Mr. BARTON. It actually started with the Republican Study Committee, which creates policy, agenda, and talking points for the Republican leadership. And that's headed by a gentleman who is a Member of this body named Congressman PRICE, TOM PRICE. He is the one, with the help of the committee itself, not just by himself, who released a statement calling the compensation fund that you referred to to help compensate small business people put out of business by this spill, and people who live on the gulf, people who suffered, a shakedown. So this term political shakedown emerges from the very leadership of the Republican caucus.

They say that President Obama is shaking down the British Petroleum, BP. And from that point, PRICE makes the statement, this is before BARTON ever does, but PRICE says, ''BP's reported willingness to go along with the

White House's new fund suggests that the Obama administration is hard at work exerting its brand of Chicago-style shakedown politics. These actions are emblematic of a politicization of our economy that has been borne out of this administration's drive for greater and greater power. It is the same mentality that believes an economic crisis or an environmental disaster is the best opportunity to pursue a failed liberal agenda.'' So this is where the whole shakedown conversation comes.

Then after that, Mr. BARTON, following the party line, doing what the Republican Study Committee has said to do, says, quote, ''I'm ashamed of what happened in the White House yesterday. I think it's a tragedy of the first proportion that a private corporation can be subjected to what I would characterize as a shakedown, in this case a $20 billion shakedown.'' Now, it goes on, but in this statement of apology from BARTON I never heard—and maybe I will leave it to the gentleman—any sort of apology or sympathy for the people who live on the gulf, who make a living there, who send their kids to school there, and who now see their economic life ruined.

Mr. GARAMENDI. If I recall correctly, it's not only the extraordinary economic damage, 11 people were killed in this blowout. Eleven men who were working on that, who had families, who were trying to earn a living were killed as a result of it.

Now, for BP, it wasn't their only accident. They have the worst safety record in the oil industry. So you are quite right, Congressman ELLISON, that the issue of where the Republican Party stands on this, it's not just one member speaking out of turn. It was in fact the ranking member of the committee speaking on the talking points developed by the Republican Study Committee, which is the policy development committee for the Republican caucus in this House.

Mr. ELLISON. If the gentleman would yield back.

Mr. GARAMENDI. Please.

Mr. ELLISON. It didn't stop after Mr. BARTON made his apology, which seemed sincere. After that, MICHELLE BACHMANN, our colleague, says to the BP president about the $20 billion escrow fund, she says, ''If I was the head of BP, I would let the signal get out there, 'We're not going to be chumps, and we're not going to be fleeced.' And they shouldn't be. They shouldn't have to be fleeced and made chumps to have to pay for the perpetual unemployment and all the rest.''

So I mean if you just contemplate that statement for a moment, here our friends on the other side of the aisle just got through talking about how it's BP's fault. That's what they say now. Right after the fund was developed by the President to make sure that victims of this, both economic and physical and others, had a basis of compensation, the Republican caucus's initial gut reaction, which is I think their most sincere reaction, is to say that it's a shakedown, it's to say we're not going to be chumps, it's to say that BP shouldn't have to pay unemployment.

I mean it didn't stop there. Let me add one more before I hand it back to you. Our good friend STEVE KING, Congressman KING from Iowa: ''I think JOE BARTON was spot on when he called it a shakedown.'' So then, no repentance, no remorse. Let me yield to the gentleman.

Mr. GARAMENDI. The thing here, if you would yield for a moment, is where do you stand? With whom do you stand? What side are you on? We just heard an extraordinary rendition of falsehoods, in my view, from the Republican side here that somehow this blowout, this BP accident was the fault of the Federal Government. Hello. Well, the regulations that they were so excoriating are absolutely necessary to prevent this kind of thing from happening.

In fact, the regulations that were relaxed during the George W. Bush administration allowed this company to proceed with minimum safety requirements. And we heard this talk about the governor of Louisiana, and a State that is heavily impacted and tragically impacted by this oil. What is their response plan? Pointing fingers at the Federal Government, which the governor is doing. And at the same time, what is the response plan for Louisiana? It's virtually nonexistent.

The State of California, where I come from, we have a heavy duty response program that goes back 20 years. We make the oil industry pay for it. Does Louisiana have such a program? No, they don't. But they are willing to point a finger. Let's take a look. What is this?

Mr. ELLISON. Well, if the gentleman would yield back, they do have a plan.

Mr. GARAMENDI. Really? What is it?

Mr. ELLISON. Their plan is the taxpayers can pay for it.

Mr. GARAMENDI. Ah, the taxpayers who they were so concerned about a moment ago. They don't want BP to pay; they want the American taxpayers to pay.

Mr. ELLISON. Right. The GOP-BP bailout is that the American taxpayers should pay for the expenses associated with BP's failure to observe its own regulations and the catastrophic consequences that it caused. So that their plan is the taxpayers can pay because heaven forbid we ask a privately held corporation to pay for its own damages.

Mr. GARAMENDI. Is this the corporation called BP that had a $58 billion profit last year?

Mr. ELLISON. If the gentleman would yield, yeah, BP is well heeled and doing fine based on the profits they have made. So I would yield back.

Mr. GARAMENDI. Quite possibly they are so well heeled and have such big profits because they cut so many corners that resulted in the death of I think 13 people at their oil refinery in Texas, and another 11 at their rig in the gulf, the Deep Horizon situation, and who knows how many else around the world. This is the company with the worst safety record because they cut corners. It gives them a fat profit. Now it's time for them to pay.

Mr. ELLISON. If the gentleman would yield; if you observed the safety rules and regulations that are designed to save lives and save our natural environment, it may take you a little more time, and yeah, it may cost you a little money. Maybe you won't have that enormous, exorbitant profit, but you will make good money, and people will be alive so that they can go home at the end of the day, and we will be able to have a Gulf of Mexico that bears some resemblance to the way the good Lord intended it to be.

□ 2240

Right behind you are graphic photographs. I mean, look at that bird right down at the bottom.

I yield back to the gentleman.

Mr. GARAMENDI. This mantra that started from the Republican Party, I think it was the Presidential candidate, if I recall correctly. It was called ''drill baby drill.'' And what we found out was that this drill baby drill results in ''spill baby spill.'' It is a terrible situation. It's not new, though; and it's not unusual.

In the last 17, 18 years in the Gulf of Mexico in these shallow water, deepwater drilling operations, there have been 38 blowouts. None as catastrophic as this. But this is not a new situation. In the Indian Ocean, west of Australia last year, there was a blowout of similar size by one of the international drilling oil companies. And it took them even longer—I think it was over 120 days, maybe a little longer than that—to drill a relief well to finally stop that blowout.

There was another major blowout on the Mexican side of the Gulf of Mexico several years back that resulted in a huge oil spill for a long time, and there was yet another off the coast of Brazil.

This is not new. But what is new is the extraordinary damage that's taken place and the irresponsibility of BP in this particular case where they cut corners, where they did the least that they thought they needed, instead of maximum, to be prepared; they did exactly the opposite. And now we're faced with this catastrophic event.

Our colleagues across the aisle were talking about nothing happening. In fact, numerous efforts have been made, unsuccessful to date. The capping, the effort to activate the blowout preventer, on and on and on. And hopefully in the next couple of weeks we will have one of the relief wells intersecting the existing well that blew out, and we can bring this thing to a stop.

However, we need to recognize that as long as we drill, we will run the risks. And as we run those risks, we also commit even a greater problem for

this planet, and this is as long as we can drill, we will be dependent upon oil, whether it is domestically produced or foreign produced.

This oil is not only contaminating the ocean and the beaches and the marshes; it's also contaminating our atmosphere, and that carbon doesn't disappear. And it also leads us to more dependence upon oil. It's time for us to break that addiction to oil.

Yes, use this catastrophic event to call our attention, to focus our minds on what we must do to break America's addiction to oil. This is not a new effort. We have been at this since the 1970s with the first oil crisis. We have yet to break it. In fact, we've continued the addiction. We must move away from this, and our energy policy must move us in a different direction.

I know you've spent a lot of time working on these issues, and let me put up another one. As horrible as this spill is, we need to understand what the oil industry is all about. The oil industry has been operating in America for about 140 years, maybe a hundred. Since the turn of the last century, 1900, it really got under way. And for a century now, the oil industry—well, let me just ask a question because this is what this asks. Which of these industries receives the most Federal subsidies? Read tax dollars. Subsidies are tax dollars. You want to talk about taxes, my Republican friends? Where do your tax dollars go? Well, let's find out.

It looks like solar panels, right? Okay. Do they get more? Do they get the most subsidies? How about windmills? Well, let's call them wind turbines, the modern word for them, wind turbines. This is an interesting one. It has been around for years. This is using the ocean, the waves and the ocean or the current in the ocean or even in the rivers. And this is an interesting one. This is really a brand-new one. And these are algae, algae-producing biodiesels. Or the oil industry.

Now, my question to you, Mr. ELLISON, is which of these receive the greatest subsidy, read tax dollars, from the public?

Mr. ELLISON. Do we need a drum roll first, Congressman GARAMENDI? I think we know. I'm just going to take a wild guess. The oil industry.

Mr. GARAMENDI. You are a brilliant legislator and a fine arbiter of the question. It turns out you're right. It is the oil industry.

And let's take a look at this.

Our tax dollars: Where do they go? Let's see here. This side is the oil industry, and this is from 2002 to 2008. So we got some numbers up here for fossil fuels between 2002 and 2008. This is the oil and a little bit of the coal: $72.5 billion of direct subsidies, our tax money, being taken out of our pocket and given to the oil industry—$72.5 billion in just 6 years.

So where does it go? Let's see here. Traditional fossil fuels. Oil and coal. There you have it.

Now, on the other side, renewable energy. Well, we have the corn ethanol industry, and they have received about $16.8 billion. And then the traditional renewables, these would be solar and wind and the like, about $12.2 billion. So taken together $29 billion for renewables in the same 6-year period that the oil industry received $72.5 billion.

Now the question of public policy is this: What if we flipped this over? What if we flipped this around and we took the $72.5 billion and spent it on renewables and we can continue a little bit of the subsidy if they really need it, which they really don't—not if you have $58 billion of profits. Doesn't seem to me they need much help. But, okay. We'll just flip it over, and they'll take $29 billion, and we give the renewable industry the $72 billion. What would happen?

Mr. ELLISON. We would be a lot healthier. We wouldn't be burning hydrocarbons and spewing them into the air. Our planet would be healthier. We would see ourselves, our technology, and our creativity would blossom as we subsidize these renewable sources of energy. It would be a good thing.

Mr. GARAMENDI. It would be a very, very good thing. And most economists who look at the international markets and the next great industries don't look to the 19th century energy industry, coal and oil, as being the growth industries and where the jobs will be created. Those economists and futurists who look at these things tell us that the great energy industries of the future are the energy industries of this century, the renewables of all kinds. All that we had up here and even more than I had on that little chart. That is where the jobs will come there.

And our policy ought to be to encourage those industries and those things, the wind turbines, the solar, even the nuclear systems and the rest, that they be built in America.

Mr. ELLISON. Let's not forget about the efficiency. The fact is there are a lot of jobs to be had by retrofitting buildings and conserving the energy that we already have. A lot of jobs, a lot of putting a lot of people back to work in making homes and buildings energy efficient. And you put that together with renewable energy, that is an employment driver. That is an economic driver. That is an environment driver.

Mr. GARAMENDI. Let's bring this issue that you just raised right back to this Chamber in the present moment.

We have voted here three times, I believe, on what are called programs for energy conservation. One of them was called cash for caulkers. We had the cash for clunkers, which really helped the auto industry. And we decided, well, let's try something, cash for caulkers, which is exactly what you talked about. It's about bringing about energy conservation. And in doing that, two good things happened: we're employing people. Taking our tax dollars. Get this back up here. We don't have conservation on here, but if we were to add conservation, taking our tax dollars instead of giving them to the coal and the oil companies, give it to men and women in the communities that are doing the insulation, doing the window caulking.

□ 2250

As that is done, homeowners and renters see their energy bills drop.

What happened on this floor when those bills came up? What is your memory of how the votes turned out?

Mr. ELLISON. Well, I don't remember any ringing endorsement from the party opposite.

Mr. GARAMENDI. My recollection is that the Democratic side said, Let's give people jobs. Let's use the public's tax money to employ people to do energy conservation. The Republicans, to a person, voted ''no.''

Whose side do you stand on? Are you going to take those tax dollars and continue to give them to the oil industry and to the coal industry or are you going to take those tax dollars and put people to work, achieve the energy conservation and allow homeowners and renters to see their energy bills go down?

The Republican Party made a very clear decision on who they stand with. They do not stand with the homeowner. They do not stand with those who could get the jobs. Instead, they voted ''no'' on those three conservation programs that would put people to work.

Mr. ELLISON. Well, they stand with BP against the residents of the gulf and the businesspeople there. They stand with the oil and gas companies, with their subsidies, as opposed to standing with the people who want a clean, green future. They consistently stand against progress. I mean the thing that I find so astounding is that they will come down to the House floor and continue to repeat these things.

Quite frankly, I am quite proud of President Obama for demanding that BP start an escrow fund so that we can have some relief for the people suffering such horrendous hardships on the gulf coast. I think it was an act of responsibility. It was what he should have done. The administration was responsive to this spill, and the administration did get engaged right away. The Congress is holding hearings right now to get to the bottom of what happened, to prevent it and to put policies in place to do something about it. Yet, all along the way, what we are getting are apologies to BP and, really, no help at all.

We are not discouraged, though. Congressman GARAMENDI, you know very well that we are stout of heart. Every time we get a chance to do something for this economy, for consumers, for the environment, the Democratic Caucus is counted on to do it.

Mr. GARAMENDI. You are quite correct.

I am going to go through a list of specific things to help the economy,

but before I go to that, I think we ought to set the stage here. There was a lot of talk in the previous hour about deficits and where the deficits came from.

Mr. ELLISON. Oh, brother.

Mr. GARAMENDI. Oh, brother.

Where did the deficits come from?

Well, first of all, let's understand that public policy doesn't change the moment a President comes into office. There is the continuity of the previous years' policies that stay in effect for a while until those are changed. Even then, it isn't an immediate night to day. It takes a while for the policies to go into effect. So the charts that were shown earlier are just plain disingenuous, if not outright false.

The George W. Bush administration came into office with a significant surplus that was created in the last 3 years of the Clinton administration. I think it was about a $500 million annual surplus that was projected to go on into the future. The George W. Bush administration, together with the Republican-controlled Congress and Senate, did four things that created the deficit that we have today, which the Republicans want to pin back onto Obama and the Democrats. Here are the four things they did:

First of all, they instituted one of the largest tax cuts ever in American history for the wealthiest 10 percent of Americans, not for the everyday workers—not for the people who are out earning salaries day by day or who are earning hourly wages—but for the wealthiest. That is fact one.

Fact two, the prescription drug benefit for seniors was not paid for, and they specifically put in a provision that prevents the Federal Government from negotiating prices with the pharmaceutical companies.

Fact three, two wars were started and paid for with borrowed money—a most unusual event. That is fact three.

Borrowing money, reducing taxes, starting two wars. Right now, those wars have cost us well over $1 trillion, nearly $1.1 trillion.

Fact four, the continuing escalation of health care costs, okay?

Those are the four reasons we have the deficit today. Let me give you a fifth reason.

The fifth reason is the crash of the American economy.

Those all happened during the George W. Bush administration, and they didn't stop the day Obama came into office. We are now changing those policies. For example, the health care reform, which not one Republican in this House voted for—not one—will, over its lifetime, actually reduce the deficit because it reins in the cost of medical care. In my view, it's not enough, but nonetheless, it does that.

Secondly, the other policies have been allowed to continue. Now, the tax policies of the Bush administration will expire. That will help. As for the prescription drug benefit, we are working on that. That was part of the health reform also. The wars continue. Fortunately, the Iraq war is winding down while the Afghan war escalates.

So we have to understand how we got to this place we are today.

How we got there were through the basic policies of the Clinton administration. It left a surplus, a continuing surplus, for the George W. Bush administration. Had they not changed the policies, it is estimated that, by the middle of this decade, we would have wiped out the American debt—period, gone, history—but, no, they changed the policies, and now we are saddled with this debt.

The crash. The crash of this economy was caused by reckless action on the part of Wall Street, by reckless, irresponsible action on the part of Wall Street, basically driven by the grossest greed you could possibly imagine. There were all kinds of inducements to homeowners to engage in mortgages they could in no way possibly pay.

I know that you are faced with this in your community. There was action taken on this floor not more than 5 hours ago—and we will be coming to that in just a moment—but share with us the experiences in your community about mortgages, about all of the problems of the housing industry, about the crash, and about what has happened in your community.

Mr. ELLISON. If the gentleman will yield, that is so right. When you look at this whole financial crash, it is a chain of events, and it starts out in the neighborhood.

There is something that we need to talk about, something called a ''yield spread premium.'' What that is is the amount of money that somebody selling a loan can get if somebody steers you from a loan you may qualify for to a high-cost loan. So there are a lot of people who might have qualified for prime loans but who were literally steered.

Then you had another development, something called a NINJA loan—no job, no assets. Yet you could get money to buy a house. Then there is something called a ''liar loan''—now, that is a curious thing to call a loan—because it was stated income. You could just write down whatever you said your income was, and there was no verification of that income. Then, after you got into these loans, they had terms and conditions, like prepayment penalties, so that, if you wanted to get out of this loan and get a fairer loan, you really couldn't do it unless you paid somebody off down the line.

So people got into these loans. They were being sold. The people who made those loans really didn't need to make sure they were well underwritten. It didn't matter if any of these folks could pay the money back, because they would simply sell that paper on the secondary market.

Now, what was the effect in the neighborhood? The effect in the neighborhood was, once the housing values began to flatten and decline, people couldn't pay them. Once they couldn't refinance because they had negative equity in their homes, they couldn't make the payments, and they ended up getting foreclosed upon. It happened in neighborhoods all across this country. California, your State, was hit hard as well as Florida and Arizona. Yet, even in my State of Minnesota, we were hit very hard. People started being foreclosed on, and short sales began to happen. Property values began to decline, and neighborhoods began to go in the wrong direction.

□ 2300

And so there was a lot of difficulty right there on the front line. The front line was foreclosure of homes, abandoned properties, high grass, dead dogs. Expenses to the local government. Because if you have a house where people are paying property taxes, that's coming into this local government. But if you have an abandoned property, that's an expense to the local government. More pressure on local government budgets, intense difficulty, tough times on Main Street.

I yield back to the gentleman.

Mr. GARAMENDI. The gentleman is absolutely right. I know I see this in my own district, and in fact in my own neighborhood and in the families of my staff. We have on my staff families who have lost their home; who have had to do the short sale; who got into these mortgages that they couldn't possibly pay. They had these readjustments. All of those things. Now what was causing that? It was Wall Street. Wall Street was making it happen by creating these collateralized debt obligations, by the fancy financial manipulations. And why were they doing this? So they could make a big profit. And they did.

Now, today, on this floor today we took up the Wall Street Reform Act and Consumer Protection Act. And it's very, very interesting how the Republican leader characterized the effort that the Democratic Members of this House and the Senate have made to address the excesses of Wall Street. This is the most substantial reform and adjustment of the horrendous Wall Street practices that took this country to the very edge of an extraordinary Depression. And yet our Republican colleague—let me just get this chart because it is so interesting.

Mr. ELLISON. If the gentleman will yield while you're getting the chart. You know, Mr. Speaker, Congressman, you would have thought that America didn't lose 2.8 million homes to foreclosure last year, listening to the Republicans. You have would have thought that Lehman Brothers and Bear Stearns and Freddie and Fannie and all these huge Wall Street titans didn't go down the tubes and cause a depressed market and hurt the economy. You would have thought that we didn't have 10 percent unemployment. You would have thought that there was nothing but responsible behavior, and all of a sudden the Democratic Caucus

is just trying to take over the banking system. We were really in a magical world here on the House floor. But, thank goodness the House Democrats, led by BARNEY FRANK and many others, were putting the things in place to preserve our economy.

Mr. GARAMENDI. You said something that caused me to pull up a chart that I wasn't going to use. The financial meltdown nearly bankrupted the world. Not just America, but the entire world's economy came very, very close to a total meltdown. What it meant to mom and pop back home, what it meant to their 401(k)s that instantly became 201(k)s was this: $15 trillion of wealth destroyed in the last 18 months of the Bush administration. Say whatever they want on that side but the fact is that's what happened. What's happened since then is we put into effect the American Recovery and Reinvestment Act, and we're beginning to see the stock market come back, we're beginning to see the wealth return. The fundamental problem still remains in the housing industry, and that we have to address.

Once again, all of the legislation dealing with the mortgage markets, all of the effort to try to rebuild the housing industry has been done by the Democratic side. We have had no help from the Republicans. Just say ''no'' is their mantra. The result is that we push forward with great difficulty. The Senate is a major problem for us because you have the power of one senator over there that can stop things. But, nonetheless, we pushed forward with an effort to try to restore the housing markets with various plans and mortgages. And today it's time for us to come to what happened today.

Today, on the floor of the United States Congress, the most far-reaching, most important revamp of the financial industry in this Nation's history since 1936 took place, and it was a vote on the Wall Street Reform and Consumer Protection Act. In that very important piece of legislation there are several sections that deal directly with the housing market, outlawing—outlawing, making illegal the kind of liar loans, the kinds of revamp and mortgages that were the genesis of the problems. Also, in the housing market, holding brokers responsible. Holding them accountable. Holding the banking industry accountable for what it does and setting up a consumer protection agency.

Now, this is something I understand. I was the insurance commissioner in the State of California, elected statewide twice—1991 to 1995, and again 2003 to 2007—and I built a consumer protection agency. It's absolutely essential. The capitalistic market is driven by profit motives. Now, wise companies understand they've got to take care of consumers. But the profit motive drove this Nation and this world right to the edge. You need a countervailing power. And the consumer protection agency in this bill would do it by setting out a series of regulations to protect consumers and allow consumers to speak out, to get assistance, and to get help. It didn't exist—only in the insurance marketplace—which was regulated previously by the individual States. But not in the financial and banking markets.

Now when the Senate acts, which hopefully they will do in the next couple of days, we will have a bill going to the President that will be the most important reform of the financial markets in more than 80 years now. It has to be done. Otherwise, we're going to slip right back to where we were. This is not big government. This is wise government. This is the kind of government that we need to set the boundaries.

Think of it this way, Mr. ELLISON. NFL football. Now you play that in Minnesota, don't you? What's that team in Minnesota?

Mr. ELLISON. The Minnesota Vikings.

Mr. GARAMENDI. The Packers.

Mr. ELLISON. The Packers, they're next door.

Mr. GARAMENDI. Okay. We've got the Packers playing the Vikings. They do that on occasion, don't they? Imagine that if the sidelines were erased and imagine if the referees were put back in the locker room. What would happen?

Mr. ELLISON. I think you would have a lot of injured players. You'd have a really funny outcome. People wouldn't trust the outcome. Maybe teams would stop playing because they would believe that the rules didn't matter any more. And certainly you would give an incentive to the biggest cheap shot artists on the field, the people who are willing to do the dirtiest things—the clipping, all of those things—they would prevail.

Mr. GARAMENDI. I played football for the University of California in a bygone era, and of course we would never engage in such a thing if the referees weren't there. But that's the analogy of exactly what happened in Wall Street. The regulators were absent during the Bush administration. They simply left the playing field. The referees left the playing field. They put the rule books aside and it was Katie bar the door, because anything was allowed.

This bill that we voted on today puts tough new regulations in place, regulates this market, and puts in place the referees, strengthens the Securities Exchange Commission.

Mr. ELLISON, please.

Mr. ELLISON. I was just going to say, as an old football player yourself, didn't good refereeing make for a more competitive game? Didn't that allow competition to really flourish? You could find out who the better team was if you had a well-regulated football game. Is that right?

Mr. GARAMENDI. Absolutely true. Similarly, we have a well-regulated financial market, which we will when this bill is finally is signed, then we will. The point that I want to make is this, and that's why I brought this thing up: Where do you stand? Where do the Democrats stand? We clearly voted today for a major overhaul of the banking industry, the financial industry, and the mortgage markets, to put in place strict rules and regulations. That's where we stand—to protect consumers with the consumer protection bill.

Where do the Republicans stand? Well, why don't we just quote the Republican minority leader, whose name I won't mention, but let's just say he represents the Republicans in this House. He is their leader.

□ 2310

So in an interview with a newspaper in Pittsburgh, Pennsylvania, he said that this bill was a nuclear weapon to kill an ant. I have got the exact quote here. Maybe I should just read that. I don't want to misquote him because what he said was so outrageous.

Let's see. Oh, that's the Social Security which we ought to come to here in a moment. And Social Security, just touching on it, he said, ''We ought to raise the Social Security age to 70 so we can finance the Afghan war.'' Oh, wait a minute. Did you really mean that, Mr. Leader?

He said, ''This is killing an ant with a nuclear weapon,'' when referring to the Wall Street Reform and Consumer Protection bill. ''Killing an ant with a nuclear weapon.'' Well, I'm sorry, but it is a clear indication of where the Republicans stand. They're clearly standing with the big banks. And on the Senate side, in the last 2 days, the financial regulation to pay for this was going to be paid for by the big banks. But the Republicans in the Senate said, No, no, no, no, no. You can't make the banks pay for the regulation. You can't make the NFL football team pay for the referees. No, no, no, you can't do that. What you've got to do is to make the taxpayers pay for regulating the banks.

Whose side are you on here? It's perfectly clear, when you look at all of these, whose side you are on. When the minority leader, the Republican leader, says, The effort to rein in Wall Street and protect consumers is killing an ant with a nuclear weapon, well, I'm sorry. Wall Street is not an ant. The five, six biggest banks control about 70 percent of all of the financial markets. These are not ants. These are gigantic anteaters, and we're the ants that they're eating. So we've got to get this straight: Whose side are you on?

The financial meltdown, the biggest downturn since the Great Depression, 8 million jobs lost. It's not an ant. This is my neighbor who lost his job. This is the homeowner who lost their home, and this is the unemployed person that's begging for our help in continuing the unemployment insurance because this economy has not yet turned around. These are very, very serious things.

There are a couple of other things we really ought to get here. And if you can work with me on this, we talked earlier a little bit about health care reform. It's not Big Government. In fact, health care reform is exactly very similar to the reform in Massachusetts which was authored by a Republican Governor who went around this Nation taking great credit for it until it became a national model. This is really insurance reform. It's not a takeover of the health care industry, not at all. And it's not anywhere even close to socialized medicine.

In fact, the public option is not in the legislation at all. It is a reform of the insurance marketplace. It's the kind of reforms that allow my 23-year-old daughter to stay on my health insurance rather than becoming uninsured. It's the kind of reform that allows the young baby that's born with an illness to be able to get insurance. It's the kind of reform for a 50-year-old individual who has lost their job to be able to buy an insurance policy at a reasonable rate. It's the kind of reform that ends the discrimination that every single woman in this Nation faces when it comes to getting insurance. If you were a woman in America prior to this health care reform, you had a preexisting condition that could, and probably would, keep you from buying a policy.

Those discriminatory actions by the insurance companies are over as a result of this reform.

Mr. ELLISON. Well, as a woman, you certainly would pay a lot more than a man would of comparable age and condition. The fact is that there's a string between all of the things that we've talked to tonight. We started out talking about the oil spill. We moved on to talk about financial reform. Now we're delving into health care, but there's a string connecting them all. One is that the Democratic Caucus is consistently on the side of the consumer, of the investor, of the small business person. And the party opposite, the other caucus, is consistently on the side of the corporate giant, the huge well-moneyed lobbyist, and the people who stand to gain from the status quo. This is a consistent stream.

And so you continually ask the question, Congressman GARAMENDI, Whose side are you on? This is a fair question. The question must be answered that the Democratic Caucus is on the side of the people. The party opposite is on the side of the powerful, the well-to-do, the large giant corporate entities. And this is something that I think Americans have got to try to put their hands around, that there is a party who is going to be the one to say, We're going to restrain Wall Street; we're going to make them play by the rules; we're going to enhance the functioning of the marketplace by making sure that there are referees on the field and not in the locker room.

And this string is a consistency. It ties us together as a consistent, coherent theme and a message, that the Democratic Caucus is on the side of the American people.

Mr. GARAMENDI. Thank you so very, very much for making that clear. You go through all of these pieces of legislation, and the Democratic Caucus is there. On the other side of the aisle, on the Republican side, they're standing with Big Oil, big banks consistently, and the big health insurance industry.

Now, let me make this point perhaps more clear, and that is, the Republican minority leader not only said that we ought to take on this issue of Wall Street reform as though it was some sort of a nuclear weapon killing an ant. He also talked about health care, and he said that if the Republicans take control of the Congress after this next election, if they win enough seats after this next election, they are going to do everything they possibly can to stop the Patients' Bill of Rights and other health reforms.

They are out to repeal the reform that Americans desperately need so they can get affordable health insurance. They want to kill those reforms. They want to turn back women's opportunity to get an insurance policy and say, We don't care whether you have a preexisting condition; you are at the mercy of the health insurance company. If they deny you, that's your problem. You shouldn't have gotten sick in the first place. If you are a 23-year-old, you will lose the ability to be on your parents' benefits.

That's what the Republican Caucus wants to do is to repeal all of the efforts of consumers and to build into this system a method of keeping us healthy.

So, okay, whose side are you on? There is a string here. There is a logic to all of this. One more thing—and I couldn't believe this when I heard this, and it just came, I guess, in the last day or two. Now, Social Security is an insurance policy. You and I pay into Social Security. As Members of Congress, a certain percentage of our pay goes for Social Security, and so it is with every other person in America who is working legally. They are paying into Social Security.

Mr. BOEHNER, the Republican leader, has said that what he wants to do is to increase the retirement age from 65 to 70 and use the savings to finance the Iraq and Afghanistan wars. And I'm going, Excuse me, wait a minute. That's my insurance policy. That's my mother's insurance policy. That is the insurance policy of the working men and women out there, and you want to take it away to finance the Afghan war. I don't think so.

But that's once more sign, a signpost—we're following a path here—a signpost of where the Republicans stand. Big business, ending Social Security; and in fact, their budget, put out by the Republican Study Committee, their budget called for the end of Medicare, the privatization of Medicare, Medicaid and Social Security.

□ 2320

That's their policy. If that's what the public wants, then those folks are going to win this election and they're going to come and they're going to control this House and they're going to try to do it. I think this would be a serious problem for every American. Medicare, Social Security privatized? I don't think so.

Mr. ELLISON. Well, if the gentleman will yield, I want to say that, in my opinion, Social Security is one of the greatest pieces of legislation this country has ever seen, and so is Medicare. These programs are very important because they signal that we really are in this thing together and that we're not going to let our seniors descend to the level where they're eating dog food or making choices between medication and a meal. But it's going to require an aware population to get it, that, you know, there are real things at stake here, big things at stake here.

And the question keeps being asked: Who's side are you on?

Why don't you go through some of those critical things?

Mr. GARAMENDI. Let's just go through this. Who's side are you on? Democrats supporting jobs and bills. We talked about the Cash for Caulkers and other programs and the jobs bill, every single one of them opposed. No jobs bills.

Unemployment insurance. People are losing their unemployment insurance because of the Republican Party. What are they going to do? The economy hasn't come back. They're going to lose their jobs. They're going to lose their home. We're going to start another downward spiral.

We talked about the health care effort. Not one Republican voted for the health care bill. Excuse me. One in this House. One Republican voted for the health care bill.

Wall Street. We talked about Wall Street reform. Republicans vote against it; the Democrats vote for it.

We talk about the Consumer Protection Agency. The Republicans are opposed to it; the Democrats support it.

We talk about small business reforms which are in this bill and in other bills. The Republicans consistently vote against small business, the increase of the Small Business Administration.

We can go back through the major bills that this House has voted on. The American Recovery Act, known as the stimulus bill, Republicans voted against it.

You look at the energy and climate to break our addiction to oil. Democrats vote for it; Republicans vote against it.

You look at the Wall Street reform and the Consumer Protection Act. Democrats vote for it; Republicans consistently and in en bloc vote against it.

You talk about the gulf oil spill, the Deepwater Horizon oil spill. The Republicans blame the government and want to apologize rather than the instigator of the problem, BP.

On Social Security, the Republican leader wants to extend the age to 70 in order to get Social Security.

You talk about health care reform. We've discussed that already. The Republicans vote against it. They want to repeal it. They get into power in this House, they're going to repeal the reforms.

And unemployment and jobs, every single jobs bill they vote against. Every effort we have made to put people to work, whether it was in transportation—and that is in the American Recovery Act—or in the current jobs bills, keeping teachers employed, we want to employ teachers. They talk about the next generation, yes. But you don't educate that next generation, we're in trouble.

All of these things add up and it is, as you say, there's a string, there's a path, there are road signs here. Who's side are you on?

The Republicans have consistently sided with Big Oil, big health insurance companies. It's time for us to recognize the difference.

Mr. ELLISON. Well, I just want to say the gentleman, I think, is absolutely right. And I just want to say this as I think we're coming down to the final moments.

Mr. GARAMENDI. We are.

Mr. ELLISON. Look, the Republicans had their chance, and we are still reaping the bitter fruit of what their leadership has brought this country. They had 12 years between 1994 and 2006 in the Congress, and then they had 6 years with a Republican President. In that time, they did nothing about reforming Wall Street, though they had two Houses and the Presidency. They didn't do anything about reining in these banks. They didn't do anything about reforming regulation. They did nothing on health care.

And now they have the audacity to want to say, We want the wheel back. Yeah, we drove the car into a ditch, but we want the wheel back. We want to drive again. And you know what? It just can't happen.

I yield back to the gentleman.

Mr. GARAMENDI. The final point is this: In the 8 years of the George W. Bush administration, about a million net jobs were created. In the last 8 months to 9 months, more jobs have been created than in the entire George W. Bush administration. Now, that's a fact. Read it any way you want.

We're on the right road here. We want to continue that path.

Mr. ELLISON, thank you so very much. And it's good to know that the Packers are your team.

Mr. ELLISON. No, the Vikings. I like the Packers, but more, I like the Vikings.

Mr. GARAMENDI. But remember, in an NFL football game, you need a referee, and on Wall Street, you need a referee also.

ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for half the time remaining before midnight.

Mr. GOHMERT. Mr. Speaker, well, we heard from CBO, the Congressional Budget Office, rather interesting. Got a nice quote. Director Elmendorf announced that, in part of his statement he said, the gloomy, long-term picture is not an argument for rejecting additional spending now to bolster the economic recovery. Indeed, he said, ''Enacting cuts in spending or increases in taxes now would probably slow the recovery.''

If you read the charge for CBO, it's a little bit gray. But when you have an organization that can't seem to get right what the projections are for the costs, when you can't get the costs right for what is requested, as we saw with the health care bill, as we saw with so many things they projected, they have been hundreds of millions, billions, hundreds of billions of dollars off over time, and yet the Director's going to come in and tell us that enacting spending cuts are going—well, they could jeopardize, possibly slow the recovery.

And it's been great to hear my colleagues talk about all the jobs that have been created. We know, for example, in the last month 431,000 jobs, new jobs have been created by this administration. And you really do have to give the administration credit for most of the jobs that were created last month, because when we got the numbers, of the 431,000 jobs, 411,000 of them were census workers. Great news. Unfortunately, those jobs are going to be gone just in a matter of a very few months. So there's 411,000 jobs.

And it's true, President Bush took office after the 2000 census had been completed so he didn't get to create 411,000 jobs in 1 month, as this administration has, for census workers. Unfortunately for him, the economy experienced the most incredible blow at a time coming off the dot-com bubble of the late nineties. The economy was hurting, and then 9/11 happened. And if it had not been for the tax cuts, we would have been surely in the midst of a great depression, perhaps like the 1930s. So the tax cuts helped stimulate the economy, helped get things going in a good way.

The problem is that once the Republicans not only had the House and Senate, like they did from 1995 to 2000, not only did they balance the budget—and the President doesn't do that. The Congress has to do that. But not only did they balance the budget in the Republican Congress, but they also reformed welfare, and for the first time since the beginning of welfare, after a welfare reform that the Congress did, and I think President Clinton vetoed it and then once they had the votes to override the veto the second time he didn't, he went ahead and signed it. Now he's quite proud of it because, out of that welfare reform, the fact is—and I saw this on the chart that was presented back in 2005 at Harvard, of all places.

□ 2330

I got the impression many of them were shocked. But when you looked at single women's income since welfare came into existence, when adjusted for inflation, their income was flatlined over that 30-year period. After welfare reform, they were pushed, basically pushed out of the rut, out of the rutted mess that the Federal Government had created for them and not allowed them out of. The welfare reform actually pushed them toward reaching their God-given potential. And so for the first time since welfare had been created in the 1960s, single women's income, when adjusted for inflation, started going up. And it continued.

But now, after Republicans got both the White House, and House, and Congress, they found out it was kind of fun to spend when you had a President that wouldn't veto anything. And then you had a President that was sending over requests for more money than conservative Republicans really were comfortable with, and they would compromise, and it would still be more money than both should have spent.

There is apparently this giddiness that occurs when one party has the White House, House, and Senate like we have seen the last year-and-a-half. And even in the House and Senate in 2007 and 2008 we saw a great giddiness and just runaway spending like the country had never faced until the last year-and-a-half. And so when I hear about all these great jobs that are being created, more jobs in the last year-and-a-half than were created in the whole 8 years, I think they forgot to say what the President and Vice President always include, created and saved. Because when you say you saved a job, that means it's impossible to ever prove that. And it's impossible to disprove that.

You know, it's like that old story about the guy who says, ''What is your job?'' He says, ''I keep elephants from running in this house.'' He says, ''Well, there aren't any elephants around here.'' ''That's right, I'm doing a great job, aren't I?''

Well, it's the same kind of deal. You know, they've saved, probably can take credit for saving every job in America if they want to, and I am sure at some point they will get to based upon the claims that are being made these days. But it's an interesting time.

And what we've also seen today was the passage of the financial deform bill. I was hoping for reform, but that's not what we got. And I know so many of my colleagues across the aisle have good hearts, good minds, and the best of intentions. But as we saw with TARP, many people on both sides of the aisle, and what we have seen since then, since this President took office, when this President says let's get this bill passed, then they can basically come up with 2,000 pages that only foolish idiots like me would try to read.

And so what they're left with, if you don't try to get through the boring

reading is, you get the talking points. So well-meaning people, not believing that anybody would possibly give them talking points that weren't 100 percent accurate, come to the floor, and with the best of intentions, meaning well, read the talking points and say things like this will end the massive bailouts. Bless their hearts. They don't realize if they would read specific provisions of this bill they will find out it does just the opposite.

This financial deform bill that was passed today creates a systemic risk council. Let me tell you how systemic risk should be taken care of. Goldman Sachs gets greedy, runs their cart in a ditch, AIG gets greedy and sells insurance called credit default swaps and they get their cart in a ditch, we have something called bankruptcy. You don't have to liquidate. Gosh, don't do that, because most of the departments at AIG, it sounds like were quite liquid. They were doing well. Just start splitting it up, selling it off. Then it will never be too big to fail again. But that's not what happened.

We've bailed out Goldman Sachs to the point that since this administration took office and cut all these contracts with Goldman Sachs, they had their highest profit year in the whole history of the country. While the country was hurting, they had record profits. And much of it has to be credited to this government. I am sure people meant well, but that's not the kind of financial reform we need when we got this financial deform bill today.

That financial deform bill today allows and creates this systemic risk council. They are going to get to pick the winners and losers. Washington, of all places, is going to get to decide you are too important to fail, you are too important to fail, you are too important to fail. We're going to pick the winners and losers. I don't like that when that's done from Washington, when Washington says, hey, down in your district, none of us live there, but here's who you need to elect. You know, why don't you let the district, why don't you let the people there in the district decide. Washington gets around to saying this is the business we think is too important to fail. You know, it's insane.

And the health care bill that was passed, the ObamaCare bill, it had all kinds of stuff in there that was going to let the government get their two cents in and take over control of so many aspects, not just the health care. I mean they ordered things for restaurants, and machines, and all kinds of stuff in it. It wasn't about health care. It was about GRE, government running everything. And so that's what this financial bill is about.

And then also we find out today in our Natural Resources hearing, Mr. SALAZAR, and I know this will be a shock to my former freshman classmate Member of Congress Bobby Jindal, but I am reading from Secretary Salazar's testimony today in our hearing, and I've got to get word to Mr. Jindal, Governor Jindal. He said, and I am quoting, ''Secretary Napolitano, Director Browner, and myself, frankly, we were in the gulf coast probably within—been down there 10 times there in Houston since it started. But we made a call from the command center''—I guess that's in Houston—''to Secretary Gates and to the White House that essentially gave the authorization to the States to move forward with the Coast Guard within a few days after this incident occurred. So it is for me, frankly, surprising that you do not have the governors of these States moving forward with the deployment of these National Guard troops.''

Oh, that's great. With all the failures of this Department of Interior, the Secretary has the nerve to come in and blame the governors of those States that have tried to play by the rules and say, look, we understand your law that you have from Washington, we have to get your permission, so please, how about giving us permission? And then he comes in here today and says, I'm frankly surprised they didn't move forward with their National Guard troops.

Give me a break. What kind of gall does it take to come into a committee, oh, gee, I don't know why the governors didn't do more. I've been to Houston 10 times. How about getting out there where the rubber meets the road? Or even better, when you were sending—when the Secretary, Mr. Speaker, was sending two inspectors to the offshore rigs to inspect, and we find out their only check and balance was to say we'll send them out in pairs. The last two that went out there were a father and son unionized team. And we don't know, the director couldn't tell us in committee, he said that's under investigation. You don't get to see what the investigation is here in Congress, but that's under investigation.

□ 2340

We'll get back to you on that after we've done what we want to do.

I tell you, it's just unbelievable what's gone on. And then we hear, gee, these things that the public is so outraged about, Washington doing, we're probably going to wait until a lame duck session when the public may vote people out that they're mad at because they're wanting to do things, and then they can just pass it because they won't care because they will have already been voted out of office.

I'm telling you, Mr. Speaker, that is the wrong thing to do. It is wrong morally, ethically. It's just wrong. If people get voted out of office because they were thinking about doing something, talking about doing something, they should not come in here and do it after they've been voted out.

And then we have all of this indignation from the northeast about some of the things going on in the gulf, and then low and behold, gosh, news here. I didn't notice it when it came through. Here's an article from February 2, 2010. Coast Guard's been busy and not just with the gulf coast. This was February 2, 2010. ''U.S. Coast Guard officials say they've developed a security plan to allow the safe passage of tankers carrying liquefied natural gas from Yemen through the Port of Boston.''

Then it goes on to quote Coast Guard Captain John Healey and to quote Coast Guard Commandant Thad Allen, if that rings a bell. He's saying that it could include additional screening of the crew, extra inspections on the ship.

And then it goes on to say: ''One of the top concerns for security officials is making sure no stowaways manage to board the tankers at the port in Yemen,'' where terrorists seem to be going and coming from these days so often, or during the voyage.

''That's really the key here, to ensure that we have a security force on board ship that's checking the ship while it's loading and while it's in Yemeni waters to guarantee that no one who's not authorized gets aboard the ship.''

Because they're saying, see, the contract used to be with countries that were completely friendly who had never sent a terrorist here or a terrorist to be trained in other areas or allowed Yemen to be, or their country to be, a place of safety for terrorists that wanted to destroy our country or from which an attack on one of our U.S. ships happened. We had a contract that had liquefied natural gas from other countries. The fact is if we allowed the gas to be produced from this country, we have over 100 years' worth of natural gas if it were allowed to be produced.

But, no, we're going to risk bringing in a tanker from Yemen. Not just a tanker. This says the contract's for 20 years to bring tankers with natural gas loaded into Boston Harbor. Think about an explosion on that ship. That's what the article points out. You talk about a terrorist attack. Man, we're gonna bring in the bomb from Yemen where the terrorists have been located so often.

And then it turns out people on Capitol Hill have been getting calls that raised a question about it, is this really a good idea. They get a call, look, we're trying to build up Yemen. We're trying to help this country that's supporting our enemies so maybe they'll like us better. Let me tell you, I got a U.N. voting accountability bill. I filed it all three sessions. I'm hopeful we'll get it to the floor. We're going to file for a discharge petition to require it to be brought to the floor.

It's very simple. It says any country—every country is its own sovereign. They can do what it wants. But any country that votes against us in more than half of the contested votes in the U.N., they're just getting no financial assistance from us. As I have been quoted before saying, you don't have to pay people to hate you. They'll hate you for free. So why are we pouring billions and billions of dollars into

countries hoping eventually they're going to like us. They're not. You don't buy friendliness.

The SPEAKER pro tempore. The gentleman from Texas is recognized for the remainder of the time until midnight.

Mr. GOHMERT. You can't buy friendship. Didn't people learn that on the playground? You can give somebody your sandwich, you can give somebody your lunch money and hope that they leave you alone, but all they do is keep coming back for more sandwiches or more money. You can't buy love and affection because you are looked at as a John, not as a lover. It's tragic, but that's what we're doing: trying to buy love and affection from people that hate us. It doesn't work.

So here we've got this natural gas contract supposedly going on for the next 20 years. And we have over 100 years of natural gas that's already been found in this country. There's no massive oil spills that come from that.

A wonderful Democrat friend across the aisle did some of his growing up over in Longview, Texas, has a bill to start getting cars, put that incentive out there, get cars on to natural gas. That will be a huge help because we have so much natural gas in this country that it will eliminate so much of our dependence on foreign oil. So Dan's got a good bill.

And yet the answer apparently from this administration is we're going to buy—not use our own natural gas—we're going to buy it from Yemen hoping they'll like us better. Maybe they won't try to blow up our ships and be a safe haven for terrorists who want to blow up our country.

But that's what we're looking at. It isn't good. It's rather tragic.

A lot more I could say about that, but I just could not get over the gall of the Secretary of the Interior to come in here and demean those Governors. But the message should go out to Governors all over the areas potentially affected by the oil spill in the gulf created by British Petroleum, who, if it were in the old days, ought to be horsewhipped, those who are responsible. We'll find out for sure exactly what happened. And when we do—it sounds like we're getting word as to what happened. There were corners being cut right and left.

The safety record of BP compared to the other oil companies was abysmal. But when we find out that they were the best friends that this administration had in the oil business and they were the best friends for our Democrat Senators down the aisle, down the Hall here, we find out that their lobbyists are mostly close friends of this administration and our Democratic friends down the Hall here, they realize heck, they should have had their back covered. They were close enough. They were supporting the climate, actually the global warming bill, now called climate change bill because turns out the planet's not warming. But that's a whole other subject. But is it so hard to understand why they thought their back was covered?

While the Deepwater Horizon rig was sinking in the gulf after the explosion, Senator KERRY was still getting hold of British Petroleum. Some of the articles we found. He was still getting hold of them hoping they'll stay on board with the climate change bill.

The administration, of course, would not want to jump on their big oil company friends. Their support in the elections, it was so helpful. Their support for, like, even the gas hike, the gas tax hike that is being proposed. Some of the things nobody else in the industry would support it would seem. BP was their buddy.

So it makes sense that the administration wouldn't immediately want to jump on BP. They're hoping that BP wasn't lying to them, that they will get this thing under control and it will be all right. Then they come through here and push through their global warming bill and get that done, the crap-and-trade bill that is going to create, as former chairman of Energy and Commerce, former Chairman DINGELL, had indicated this is not only a tax, it is a great big tax, which apparently may have had something to do with him losing his chairmanship

Anyway, let's think about what we're doing because it has dramatic effects across the country.

□ 2350

Of course, we know we are also telling Israel not to—or apparently this administration has been telling Israel, Just lay off. Let them build the illegal Palestinian settlements. Don't try to defend yourself. Get ready to give away more land. We are putting on all this pressure. Don't defend yourself even though Iran is developing—now we know—enough uranium for two bombs. Of course, one would be enough to wipe out much of Israel, but don't defend yourself. We're putting all that pressure on them. That doesn't make sense.

Why would we do that to our best ally in the Middle East, to one of the best friends this country could have in the whole world, to one of the few—maybe sometimes the only one—that truly stands up with us like 95 percent of the time in the U.N. more than most anybody else? Yet we're turning our backs on them, and we're telling them not to protect their own country. Don't stand for what is going to help Israel stand? Why would they do that?

Then we start seeing things that help it make sense, like with this sign. Now, down in Arizona, it turns out we've got a wilderness area down in Arizona that the park police can go in but not with any mechanized vehicles or mechanical equipment that is motorized. Also, the Border Patrol can't go there. The only people who can go there with impunity are people illegally going through, and that is why this warning sign says: Active drug and human smuggling area.

It is like the city that spends more to put up a sign that says there is a bump in the road than it would cost them just to fix the bump. Don't put up a sign. Fix the problem. This is the United States. Why are we just saying, Hey, look. Here is a sign. There is active drug and human smuggling in this area. They are coming through with mechanized vehicles and with all kinds of motorized things they may be using. They are violent. It says visitors may encounter armed criminals and smuggling vehicles traveling at high rates of speed. That is because only the illegals can come through here using vehicles, because we don't let the Border Patrol in there with vehicles, and we know law enforcement gets shot.

Then it starts to make sense. Oh, okay. We're just trying to avoid being hypocrites as a nation. We are telling Israel not to defend itself, to let people overrun them and to let those rockets fly constantly. Don't bother to check the ships that come in, the flotillas that come into the Gaza Strip. Just let the rockets keep flying. We are able to say that without being hypocrites because that's what we're doing. We're not protecting ourselves.

We say, Look, Israel. Get over it. We are letting ourselves be overrun. We're letting people come in illegally armed. We've let them take over part of the United States and we're not doing anything about it, so we're not being hypocritical when we say, Don't protect yourself, Israel. We're doing the same thing, see?

That will make Israel feel better to know that we are not protecting ourselves. We have just turned over part of the United States of America to armed criminals who are illegally in this country.

The truth is neither one of those is a good idea. The truth is Israel should defend itself. They should be able to stop the rockets that are attacking them from coming into areas. They should be able to stop illegal settlements. They should be able to do all of the things that are necessary for a nation to protect and preserve its national integrity.

We lost a Senator this week. My time is running short, so I want to get through as much of this incredible speech as I can. I want it understood this was a speech given by Senator ROBERT BYRD, in 1962, after the Supreme Court decision to eliminate prayer in schools. This is from the official record. As time will permit, I will read Senator ROBERT BYRD's speech from 1962.

You know, one of the things I love about America is, for the most part, it is a very forgiving country. A man who had been part of the Ku Klux Klan later was repentant. He was very sorry for being part of that organization, and he changed his ways and was completely embraced by his colleagues. This is Senator BYRD's speech from 1962:

''Mr. President, Thomas Jefferson expressed the will of the American majority in 1776 when he included in the Declaration of Independence the statement

that 'all men are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.'

''Little could Mr. Jefferson suspect, when penned that line, that the time would come when the Nation's highest court would rule that a nondenominational prayer to the Creator, if offered by schoolchildren in the public schools of America during class periods, is unconstitutional.

''The June 25 Supreme Court decision is sufficiently appalling to disturb the God-fearing people of America and to make us all reflect upon the extraordinary nature of the times. For what, indeed, can we expect to happen next if this is to be the way things are going? Following the French Revolution, the atheist revolutionists hired a chorus girl to enter a church as the 'Goddess of Reason' and thereby defile the name of the Almighty. Following the Russian Revolution, the Bolshevik Government established a giant museum, dedicated to the promotion of atheistic beliefs.''

I've been in that museum. I was sick to the point of nauseam, but back to ROBERT BYRD's speech.

''The American people were shocked by both moves. So it was in those days. But what about today? Can it be that we, too, are ready now to embrace the foul conception of atheism?

''It is hard to believe, but, then, what are the facts of the matter? Are we not in consequence of the Supreme Court ruling on schoolroom prayer, actually limited in teaching our children the value of God? And is this not, in fact, a first step on the road to promoting atheistic belief?''

As I turn the page of Mr. BYRD's speech on the Senate floor, let me parenthetically note that ROBERT BYRD's Christian beliefs are what caused him to disavow his membership and to ask forgiveness for his membership to the KKK. It went to the heart and soul of the man, and that is why he came to the floor in 1962 and gave this speech. Continuing on:

''In reading through the Court decision on school prayer, I am astonished by the empty arguments set forth by the majority as opposed to the lucid opinion recorded by Mr. Justice Potter Stewart, the lone dissenter. In answering the arguments of the majority, Justice Stewart did not see fit to engage in debate over matters of ancient history. As he put it:

'' 'What is relevant to the issue here is not the history of an established church in 16th century England or in 18th century America but the history of the religious traditions of our people, reflected in countless practices of the institutions and officials of our government.'

''To that, I would say, 'Amen.'

''So this, indeed, the crux of the issue—the religious traditions of our people.

''Wherever one may go in this great national city, he is constantly reminded of the strong spiritual awareness of our forefathers who wrote the Federal Constitution, who built the schools and churches, who hewed the forests, dredged the rivers and the harbors, fought the savages, and created a republic.

''In no other place in the United States are there so many and such varied official evidences of deep and abiding faith in God on the part of government as there are in Washington.

''Let us speak briefly on some of the reminders in Washington that reaffirm the proposition that our country is founded on religious principles. The continuance of freedom depends on our restoring the same spiritual consciousness to the mainstream of American life today that made possible these monuments and tributes of the past.

''A visitor entering Washington by train sees the words of Christ prominently inscribed above the main arch leading into Union Station. Here at the very entrance to the seat of the Government of the United States are the words: 'The truth shall make you free.' John 8:32.

''Nearby is another inscription cut into enduring stone, the words from the Eighth Psalm of the Old Testament: 'Thou hast put all things under his feet.'

''A third inscription reiterates the spiritual theme: 'Let all the end thou aimest at be thy country's, thy God's and truth's.'

''All three inscriptions acknowledge the dependence of our Republic upon the guiding hand of Almighty God.

''On Capitol Hill.

''Throughout the majestic Capital City, similar inscriptions testify to the religious faith of our forefathers. In the capital, we find prominently displayed for all of us to see the quotation from the Book of Proverbs, 4:7:

'' 'Wisdom is the principal thing: Therefore, get wisdom, and with all thy getting, get understanding.'

''The visitor to the Library of Congress may see a quotation from the Old Testament which reminds each American of his responsibility to his Maker. It reads, 'What doth the Lord require of thee but to do justify and love mercy and to walk humbly with God?' Micah 6:8.

''Another scriptural quotation prominently displayed in the lawmakers' library preserves the Psalmist acknowledgment that all nature reflects the order and beauty of the Creator.

'' 'The heavens declare the glory of God, and the firmament showeth His handiwork.' Psalms 19:1.

''Underneath the statue of history in the Library of Congress are Tennyson's prophetic lines:

'' 'One God, one law, one element, and one far-off divine event to which the whole creation moves.'

''Additional proof that American national life is God-centered comes from this Library of Congress inscription: 'The light shineth in the darkness, and the darkness comprehendeth not.' John 1:5.

''On the east hall of the second floor of the Library of Congress, an anonymous inscription assures all Americans that they do not work alone—'for a web begun, God sends thread.' ''

I realize that my time is expiring at this moment. There is much, much more in this wonderful speech by the now late Senator ROBERT BYRD, and I will not stop in future sessions here on the floor until I have finished this wonderful speech by ROBERT BYRD.

Though, for tonight, since I believe in playing by the rules, the rules require me to yield back. I do now yield back the balance of my time.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Ms. SUTTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table, and, under the rule, referred as follows:

S. Con. Res. 67. Concurrent resolution celebrating 130 years of United States-Romanian diplomatic relations, congratulating the Romanian people on their achievements as a great nation, and reaffirming the deep bonds of trust and values between the United States and Romania, a trusted and most valued ally; to the Committee on Foreign Affairs.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The Speaker announced her signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 33. Joint resolution to provide for the reconsideration and revision of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until tomorrow, Thursday, July 1, 2010, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8177. A letter from the Under Secretary, Department of Defense, transmitting the Department's 2010 Report to Congress on Sustainable Ranges, pursuant to Section 366 of the National Defense Authorization Act for Fiscal Year 2003; to the Committee on Armed Services.

8178. A letter from the Assistant Secretary, Department of Defense, transmitting the National Guard Youth Challenge Program Annual Report for Fiscal Year 2009, pursuant to 32 U.S.C. 509(k); to the Committee on Armed Services.

8179. A letter from the Under Secretary, Department of Defense, transmitting authorization of 14 officers to wear the authorized insignia of the grade of major general and brigadier general, as appropriate; to the Committee on Armed Services.

8180. A letter from the Chair, Congressional Oversight Panel, transmitting the Panel's monthly report pursuant to Section 125(b)(1) of the Emergency Economic Stabilization Act of 2008, Pub. L. 110-343; to the Committee on Financial Services.

8181. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Supension of Community Eligibility [Docket ID: FEMA-2010-0003] [Internal Agency Docket No. FEMA-8133] received June 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8182. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report on the Community Services Block Grant Program Report and the Community Services Block Grant Performance Measurement Report for Fiscal Year 2007, pursuant to Section 680 of the Community Services Block Grant Act of 1981 as amended; to the Committee on Education and Labor.

8183. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Adoption of Amendment to the Class Exemption for the Release of Claims and Extensions of Credit in Connection With Litigation (PTE 2003-39) [Application No. D-11337] received June 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8184. A letter from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting the Administration's report entitled, ''Annual Energy Outlook 2010''; to the Committee on Energy and Commerce.

8185. A letter from the Secretary, Department of Health and Human Services, transmitting Report to Congress: Tobacco Prevention and Control Activities in the United States, 2005-2007, pursuant to Public Law 98-474, section 3(c); to the Committee on Energy and Commerce.

8186. A letter from the Division Chief, CPD, WCB, Federal Communications Commission, transmitting the Commission's final rule — Local Number Portability Porting Interval and Validation Requirements [WC Docket No.: 07-244] Telephone Number Portability [CC Docket No.: 95-116] received June 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8187. A letter from the Chair, Commission on International Religious Freedom, transmitting the Commission's 2010 Annual Report covering the period April 2009 through March 2010, pursuant to 22 U.S.C. 6412 Public Law 105-292 section 102; to the Committee on Foreign Affairs.

8188. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

8189. A letter from the President, Asia Foundation, transmitting the Foundation's 2009 Annual Report and Project List; to the Committee on Foreign Affairs.

8190. A letter from the Members, Broadcasting Board of Governors, transmitting the Board's semiannual report from the office of the Inspector General for the period October 1, 2009 through March 31, 2010, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

8191. A letter from the Director, Environmental Protection Agency, transmitting the Agency's annual report for FY 2009 prepared 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.

8192. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Aquisition Regulation; FAR Case 2009-025, Disclosure and Consistency of Cost Accounting Practices for Contracts Awarded to Foreign Concerns [FAC 2005-42; FAR Case 2009-025; Item IX; Docket 2010-0087, Sequence 1] (RIN: 9000-AL58) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8193. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2009-013, Nonavailable Articles [FAC 2005-42; FAR Case 2009-013; Item VIII; Docket 2009-0026; Sequence 1] (RIN: 9000-AL40) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8194. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-42; Small Entity Compliance Guide [Docket FAR 2010-0077, Sequence 4] received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8195. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-42; Introduction [Docket FAR 2010-0076, Sequence 4] received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8196. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2009-012, American Recovery and Reinvestment Act (the Recovery Act) of 2009—Whistleblower Protections [FAC 2005-42; FAR Case 2009-012; Item I; Docket 2009-0009, Sequence 1] (RIN: 9000-AL19) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8197. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2005-040, Electronic Subcontracting Reporting System (eSRS) [FAC 2005-42; FAR Case 2005-040; Item II; Docket 2008-0001, Sequence 26] (RIN: 9000-AK95) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8198. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2009-010, American Recovery and Reinvestment Act of 2009 (the Recovery Act) — Publicizing Contract Actions [FAC 2005-42; FAR Case 2009-010; Item III; Docket 2008-0010, Sequence 1] (RIN: 9000-AL24) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8199. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2008-003, Public Disclosure of Justification and Approval Documents for Noncompetitive Contracts — Section 844 of the National Defense Authorization Act for Fiscal Year 2008 [FAC 2005-42; FAR Case 2005-003; Item IV; Docket 2008-0001, Sequence 27] (RIN: 9000-AL13) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8200. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2008-007, Additional Requirements for Market Research [FAC 2005-42; FAR Case 2008-007; Item V; Docket 2010-0086, Sequence 1] (RIN: 9000-AL50) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8201. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2009-014, New Designated Country-Taiwan [FAC 2005-42; FAR Case 2009-014; Item VII; Docket 2009-0027, Sequence 1] (RIN: 9000-AL34) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8202. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2009-011, American Recovery and Reinvestment Act of 2009 (Recovery Act) — GAO/IG Access [FAC 2005-42; FAR Case 2009-011; Item VI; Docket 2009-0012, Sequence 1] (RIN: 9000-AL20) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8203. A letter from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8204. A letter from the Chairman, Pension Benefit Gauranty Corporation, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2009 through September 30, 2010, pursuant to Section 5(b) of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

8205. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Reductions to Trip Limits for Five Groundfish Stocks [Docket No.: 0910051338-0151-02] (RIN: 0648-XW52) received June 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8206. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United

States; Northeast Multispecies Fishery; Revisions to Framework Adjustment 44 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements: Updated Annual Catch Limits for Sectors and the Common Pool for Fishing Year 2010 [Docket No.: 0910051338-0167-03] (RIN: 0648-AY29) received June 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8207. A letter from the Attorney General, Department of Justice, transmitting letter advising of the Department's decision not to petition the Supreme Court to review the case SpeechNow.org v. FEC, Nos. 08-5223 and 09-5342 (D.C. Cir), pursuant to 28 U.S.C. 530D; to the Committee on the Judiciary.

8208. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; GA 8 Airvan (Pty) Ltd Models GA8 and GA8-TC320 Airplanes [Docket No.: FAA-2010-0463; Directorate Identifier 2010-CE-021-AD; Amendment 39-16280; AD 2010-10-01] (RIN: 2120-AA64) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8209. A letter from the General Counsel, National Mediation Board, transmitting the Board's final rule — Representation Election Procedure [Docket No.: C-6964] (RIN: 3140-ZA00) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8210. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Research Credit — Intra-Group Receipts from Foreign Affiliates (UIL NO.: 41.51-11) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8211. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Interest and Penalty Suspension Provisions Under Section 6404(g) of the Internal Revenue Code [TD 9488] (RIN: 1545-BE07) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8212. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Built-in Gains and Losses under Section 382(h) [TD 9487] (RIN: 1545-BG03) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8213. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Request for Comments: Modification to the Regulations Under Section 382 Regarding the Treatment of Shareholders Who Are Not 5-Percent Shareholders [Notice 2010-49] received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8214. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 382(I)(3)(C) [Notice 2010-50] received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8215. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Indoor Tanning Services; Cosmetic Services; Excise Taxes [TD 9486] (RIN: 1545-BJ41) received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8216. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Prevention of Over-Withholding and U.S. Tax Avoidance With Respect to Certain Substitute Divided Payments [Notice 2010-46] received June 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERLMUTTER: Committee on Rules. House Resolution 1490. Resolution providing for consideration of the conference report to accompany the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes (Rept. 111–518). Referred to the House Calendar.

Mr. CARDOZA: Committee on Rules. House Resolution 1495. Resolution providing for consideration of the bill (H.R. 5618) to continue Federal unemployment programs, and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 111–519). Referred to the House Calendar.

Mr. CARDOZA: Committee on Rules. House Resolution 1496. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 111–520). Referred to the House Calendar.

Mr. CONYERS: Committee on the Judiciary. H.R. 5503. A bill to revise laws regarding liability in certain civil actions arising from maritime incidents, and for other purposes; with an amendment (Rept. 111–521, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 5503 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

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. BUYER:

H.R. 5641. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts for the transfer of veterans to non-Department adult foster homes for veterans who are unable to live independently; to the Committee on Veterans' Affairs.

By Mr. FILNER (for himself and Mr. BUYER):

H.R. 5642. A bill to codify increases in the rates of pension for disabled veterans and surviving spouses and children that were effective as of December 1, 2009; to the Committee on Veterans' Affairs.

By Mr. DEFAZIO (for himself, Mr. CAMPBELL, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Mr. HINCHEY, Mr. MORAN of Virginia, Mr. MCGOVERN, Mrs. MALONEY, Ms. MCCOLLUM, Mr. TIERNEY, Mr. SMITH of Washington, and Mr. KUCINICH):

H.R. 5643. A bill to amend the Toxic Substances Control Act to prohibit the use, production, sale, importation, or exportation of the poison sodium fluoroacetate (known as ''Compound 1080'') and to prohibit the use of sodium cyanide for predator control; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mr. HOLT, Mr. QUIGLEY, Ms. LEE of California, Mr. HINCHEY, Mr. WELCH, Ms. SCHAKOWSKY, Mr. MORAN of Virginia, Ms. GIFFORDS, Ms. PINGREE of Maine, Mr. CARNAHAN, Mr. COHEN, Mr. TONKO, Mr. POLIS, and Mr. MCDERMOTT):

H.R. 5644. A bill to amend the Internal Revenue Code of 1986 to repeal fossil fuel subsidies for large oil companies; to the Committee on Ways and Means.

By Mr. NUNES (for himself, Mr. MCCARTHY of California, Mr. HERGER, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. ROGERS of Kentucky, Mr. BURTON of Indiana, Mr. LEWIS of California, Mr. MICA, Mr. DUNCAN, Mr. HUNTER, and Mr. REHBERG):

H.R. 5645. A bill to require the Director of National Drug Control Policy to develop a Federal Lands Counterdrug Strategy and to provide for enhanced penalties for certain drug offenses on Federal lands; to the Committee on the Judiciary, and in addition to the Committees on Natural Resources, Agriculture, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN:

H.R. 5646. A bill to designate the FAA Air Control Tower located at Memphis International Airport as the Freedom Tower; to the Committee on Transportation and Infrastructure.

By Mr. HELLER:

H.R. 5647. A bill to provide a temporary extension of unemployment insurance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Appropriations, Education and Labor, the Budget, Oversight and Government Reform, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 5648. A bill to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees; to the Committee on Veterans' Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUCHER (for himself and Mr. SMITH of Texas):

H.R. 5649. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on the Judiciary.

By Mr. BRADY of Texas (for himself, Mr. ORTIZ, Mr. DEUTCH, Mr. YOUNG of Florida, Mr. REICHERT, Mr. DANIEL E. LUNGREN of California, Mr. GRAVES of Missouri, Mrs. BLACKBURN, Mr. BUCHANAN, Mr. SCALISE, Mr. OLSON, Ms. JENKINS, and Mrs. CAPITO):

H.R. 5650. A bill to extend the National Flood Insurance Program to May 31, 2011; to the Committee on Financial Services.

By Ms. HERSETH SANDLIN:

H.R. 5651. A bill to designate the Federal building and United States courthouse located at 515 9th Street in Rapid City, South Dakota, as the ''Andrew W. Bogue Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mrs. MALONEY (for herself, Mr. GRIJALVA, Mrs. CAPPS, Mr. MORAN of Virginia, Mr. MCGOVERN, Mr. FARR, Ms. LEE of California, Ms. BALDWIN, Ms. MOORE of Wisconsin, Mrs. DAVIS of California, Ms. SCHAKOWSKY, and Mr. KUCINICH):

H.R. 5652. A bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services; to the Committee on Energy and Commerce.

By Mr. MCCLINTOCK (for himself and Ms. MATSUI):

H.R. 5653. A bill to authorize the Secretary of the Interior to acquire the Gold Hill Ranch in Coloma, California; to the Committee on Natural Resources.

By Mr. MCDERMOTT (for himself, Mr. ISRAEL, Mr. LANGEVIN, Mr. CONNOLLY of Virginia, Mr. HIMES, Ms. SUTTON, Mr. HINCHEY, Mr. BLUMENAUER, and Mr. LEWIS of Georgia):

H.R. 5654. A bill to amend the Workforce Investment Act of 1998 to provide oil spill relief employment, and for other purposes to the Committee on Education and Labor, 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. MEEK of Florida (for himself, Mr. BOYD, Ms. CORRINE BROWN of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. BUCHANAN, Ms. CASTOR of Florida, Mr. CRENSHAW, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. GRAYSON, Mr. HASTINGS of Florida, Mr. KLEIN of Florida, Ms. KOSMAS, Mr. MACK, Mr. MICA, Mr. MILLER of Florida, Mr. POSEY, Mr. PUTNAM, Mr. ROONEY, Ms. ROS-LEHTINEN, and Ms. WASSERMAN SCHULTZ):

H.R. 5655. A bill to designate the Little River Branch facility of the United States Postal Service located at 140 NE 84th Street in Miami, Florida, as the ''Jesse J. McCrary, Jr. Post Office''; to the Committee on Oversight and Government Reform.

By Ms. MOORE of Wisconsin (for herself, Mr. STARK, Mr. CONYERS, Mr. MEEKS of New York, Mr. FILNER, Ms. KILPATRICK of Michigan, Ms. LEE of California, Mr. SERRANO, Mr. HASTINGS of Florida, Mr. CLAY, Ms. FUDGE, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. OLVER, Ms. WATSON, Mr. BRADY of Pennsylvania, and Mr. DAVIS of Illinois):

H.R. 5656. A bill to amend the American Recovery and Reinvestment Act of 2009 to extend the period for which certain nutrition assistance may be provided under the Food and Nutrition Act of 2008; to the Committee on Agriculture.

By Mr. QUIGLEY:

H.R. 5657. A bill to amend the Outer Continental Shelf Lands Act to ensure that protection of the marine and coastal environment is of primary importance in making areas of the outer Continental Shelf available for leasing, exploration, and development rather than expeditious development of oil and gas resources, to prohibit oil and gas leasing, exploration, and development in important ecological areas of the outer Continental Shelf, and for other purposes; to the Committee on Natural Resources.

By Mr. EHLERS (for himself and Mr. DICKS):

H. Con. Res. 292. Concurrent resolution supporting the goals and ideals of National Aerospace Week, and for other purposes; to the Committee on Science and Technology.

By Mr. PERLMUTTER:

H. Con. Res. 293. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. PERRIELLO (for himself, Mr. SHULER, Mr. BOUCHER, Mr. CONNOLLY of Virginia, Mr. GOODLATTE, Mr. MORAN of Virginia, Mr. NYE, Mr. WITTMAN, Mr. WOLF, Mr. PRICE of North Carolina, Mr. MILLER of North Carolina, Mr. KISSELL, Ms. FOXX, Mr. MCHENRY, Mr. COBLE, and Mr. MCINTYRE):

H. Con. Res. 294. Concurrent resolution commemorating the 75th Anniversary of the Blue Ridge Parkway; to the Committee on Natural Resources.

By Mr. KING of New York:

H. Res. 1489. A resolution calling for an independent international investigation of the April 10, 2010, plane crash in Russia that killed Poland's president Lech Kaczynski and 95 other individuals; to the Committee on Foreign Affairs.

By Mr. WILSON of South Carolina (for himself, Mr. INGLIS, Mr. CONAWAY, Ms. ROS-LEHTINEN, Mr. DUNCAN, Mr. CANTOR, Ms. FOXX, Mr. BROWN of South Carolina, Mr. BARRETT of South Carolina, Mr. SPRATT, Ms. BORDALLO, Mr. INSLEE, Mr. ROE of Tennessee, and Mr. WESTMORELAND):

H. Res. 1491. A resolution congratulating the University of South Carolina Gamecocks on winning the 2010 NCAA Division I College World Series; to the Committee on Education and Labor.

By Mr. SPRATT:

H. Res. 1492. A resolution providing for budget enforcement for fiscal year 2011; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SPRATT:

H. Res. 1493. A resolution providing for budget enforcement for fiscal year 2011; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SUTTON (for herself, Mr. POMEROY, Mr. VAN HOLLEN, Mr. PLATTS, Mr. PETRI, Mr. CHAFFETZ, Mr. RYAN of Ohio, Mr. WILSON of Ohio, Mr. LUETKEMEYER, Mr. KIRK, and Mr. SPACE):

H. Res. 1494. A resolution congratulating the champion, finalists, and all other participants in the 83rd Annual Scripps National Spelling Bee; to the Committee on Oversight and Government Reform.

By Mr. ROSKAM (for himself and Mr. QUIGLEY):

H. Res. 1497. A resolution condemning the inclusion of inflammatory and inaccurate content in Iranian textbooks that is aimed at indoctrinating and radicalizing students with anti-Israeli, anti-Semitic, and anti-Western sentiment and at restricting the rights of women; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 39: Mr. LEVIN.
H.R. 197: Mr. HODES.
H.R. 208: Mr. PASTOR of Arizona and Mr. SCHOCK.
H.R. 213: Mr. DJOU.
H.R. 235: Mr. BONNER.
H.R. 268: Mrs. MILLER of Michigan and Mr. TIAHRT.
H.R. 305: Mr. MCMAHON.
H.R. 571: Ms. ROS-LEHTINEN.
H.R. 613: Mr. MANZULLO.
H.R. 678: Mr. LYNCH.
H.R. 734: Mr. CLEAVER.
H.R. 745: Mr. ALTMIRE.
H.R. 795: Mr. SPRATT and Mr. MEEK of Florida.
H.R. 840: Mr. ACKERMAN.
H.R. 1074: Mr. HODES.
H.R. 1079: Mr. MAFFEI.
H.R. 1189: Mr. ARCURI.
H.R. 1526: Mrs. BIGGERT.
H.R. 1529: Mr. BLUMENAUER.
H.R. 1646: Mr. HEINRICH.
H.R. 1689: Mr. CRITZ.
H.R. 1691: Mr. CRITZ.
H.R. 1806: Mr. JOHNSON of Georgia, Mr. HIMES, and Ms. GIFFORDS.
H.R. 2000: Mr. HODES, Mr. HIMES, Mr. HASTINGS of Florida, Mr. MEEKS of New York, Mr. DELAHUNT, Mr. LANGEVIN, Mr. HALL of New York, Mr. LARSON of Connecticut, Mr. HOLDEN, and Mr. JOHNSON of Illinois.
H.R. 2103: Ms. HERSETH SANDLIN.
H.R. 2104: Mr. HOLDEN.
H.R. 2159: Ms. FUDGE and Ms. CHU.
H.R. 2256: Mr. MOORE of Kansas, Mr. TEAGUE, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CAPUANO, and Mr. CLAY.
H.R. 2381: Mr. TIERNEY.
H.R. 2579: Mr. CARSON of Indiana and Mr. RYAN of Ohio.
H.R. 2866: Mr. WOLF.
H.R. 2910: Mr. TIBERI.
H.R. 3286: Mr. GEORGE MILLER of California and Mr. GONZALEZ.
H.R. 3307: Mr. KINGSTON.
H.R. 3310: Mr. WILSON of South Carolina.
H.R. 3470: Ms. MCCOLLUM.
H.R. 3586: Mr. GUTHRIE.
H.R. 3630: Mr. CONNOLLY of Virginia.
H.R. 3646: Mr. PRICE of North Carolina.
H.R. 3729: Mr. HONDA, Mr. CONNOLLY of Virginia, and Mr. MOORE of Kansas.
H.R. 3734: Ms. MATSUI.
H.R. 3753: Ms. CHU.
H.R. 3781: Mr. MURPHY of New York.
H.R. 3813: Ms. CORRINE BROWN of Florida.
H.R. 4148: Ms. PINGREE of Maine.
H.R. 4190: Mr. CONNOLLY of Virginia.
H.R. 4195: Ms. NORTON, Mr. TIERNEY, and Mr. PRICE of North Carolina.
H.R. 4306: Ms. WASSERMAN SCHULTZ.
H.R. 4337: Mr. TIBERI.
H.R. 4427: Mr. COLE.
H.R. 4466: Mr. ISSA and Mr. CONNOLLY of Virginia.
H.R. 4469: Mr. RYAN of Ohio, Mr. SHUSTER, Mrs. MCMORRIS RODGERS, Mrs. SCHMIDT, Mr. WITTMAN, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 4541: Mr. MICA.
H.R. 4594: Mrs. BIGGERT, Mr. MARKEY of Massachusetts, and Ms. KOSMAS.
H.R. 4678: Mr. TIM MURPHY of Pennsylvania.
H.R. 4684: Mr. NEUGEBAUER.
H.R. 4689: Ms. LINDA T. SÁNCHEZ of California.
H.R. 4693: Mr. CHANDLER, Mr. HOLT, Ms. LORETTA SANCHEZ of California, and Mr. WITTMAN.
H.R. 4745: Mr. RODRIGUEZ.
H.R. 4751: Ms. MARKEY of Colorado.
H.R. 4755: Mr. PAULSEN.
H.R. 4756: Mr. DELAHUNT.
H.R. 4764: Mr. HALL of New York, Mr. CALVERT, Mr. TEAGUE, and Mr. SCHOCK.

H.R. 4846: Mr. ISRAEL.
H.R. 4914: Mr. MICHAUD and Ms. ESHOO.
H.R. 4925: Mrs. MALONEY.
H.R. 4947: Mr. CHANDLER and Mr. COLE.
H.R. 4986: Mr. BRADY of Pennsylvania and Ms. CHU.
H.R. 5016: Mr. RADANOVICH, Mr. ROHRABACHER, and Mr. BARRETT of South Carolina.
H.R. 5029: Mr. BARRETT of South Carolina.
H.R. 5032: Mr. MCGOVERN.
H.R. 5034: Mr. ROSKAM and Mr. PAYNE.
H.R. 5040: Mr. MCGOVERN, Mr. SCHAUER, Mr. BARTLETT, Ms. JACKSON LEE of Texas, and Mr. SNYDER.
H.R. 5044: Mr. QUIGLEY.
H.R. 5081: Mr. REICHERT and Mr. JOHNSON of Georgia.
H.R. 5097: Mr. CASTLE.
H.R. 5106: Mr. LEE of New York.
H.R. 5111: Mr. BURTON of Indiana, Mr. GUTHRIE, Mr. TURNER, and Mr. CRITZ.
H.R. 5121: Mr. BLUMENAUER and Mr. PRICE of North Carolina.
H.R. 5137: Mr. PITTS.
H.R. 5211: Ms. MOORE of Wisconsin and Mr. CONNOLLY of Virginia.
H.R. 5268: Ms. HERSETH SANDLIN.
H.R. 5300: Mrs. NAPOLITANO.
H.R. 5385: Ms. Markey of Colorado.
H.R. 5400: Mr. MEEK of Florida.
H.R. 5426: Mr. CAMP and Mr. SIMPSON.
H.R. 5430: Mr. SABLAN.
H.R. 5431: Mr. SABLAN.
H.R. 5434: Mr. BRADY of Pennsylvania, Mr. HODES, and Ms. ESHOO.
H.R. 5460: Ms. WATSON and Mr. FALEOMAVAEGA.
H.R. 5462: Ms. SLAUGHTER and Mr. BARROW.
H.R. 5471: Ms. MOORE of Wisconsin.
H.R. 5482: Mr. CONNOLLY of Virginia and Mr. WHITFIELD.
H.R. 5503: Mr. HOLT, Mr. PAYNE, Mrs. MALONEY, Mr. SHERMAN, and Ms. HIRONO.
H.R. 5510: Mr. GRIJALVA, Mr. STARK, and Mr. KUCINICH.
H.R. 5527: Mr. RAHALL.
H.R. 5529: Ms. GINNY BROWN-WAITE of Florida, Mr. CONNOLLY of Virginia, Mr. DJOU, and Mr. BISHOP of Georgia.
H.R. 5530: Mr. SABLAN.
H.R. 5537: Mr. SABLAN.
H.R. 5538: Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. ISSA, and Mr. PITTS.
H.R. 5540: Mr. BARTON of Texas, Mr. PITTS, Ms. FALLIN, and Mr. BARTLETT.
H.R. 5541: Mr. BARTON of Texas, Mr. SAM JOHNSON of Texas, Mr. PITTS, Ms. FALLIN, and Mr. BARTLETT.
H.R. 5542: Mr. SAM JOHNSON of Texas, Mr. BARTON of Texas, Mr. POE of Texas, Mr. BARTLETT, Mr. OLSON, Mr. SHADEGG, Mr. FRANKS of Arizona, Mr. LAMBORN, Mr. COFFMAN of Colorado, Mr. PRICE of Georgia, Mr. GINGREY of Georgia, Ms. FALLIN, Mr. FLAKE, and Mr. CULBERSON.
H.R. 5561: Mr. HONDA.
H.R. 5564: Mr. LEE of New York, Mr. MARCHANT, and Mr. ARCURI.
H.R. 5566: Mr. MATHESON.
H.R. 5568: Mr. SPACE, Mr. ARCURI, and Mr. MCNERNEY.
H.R. 5605: Mr. SHUSTER.
H.R. 5606: Mr. SHUSTER.
H.R. 5610: Ms. ZOE LOFGREN of California.
H.R. 5614: Mr. CULBERSON.
H.R. 5615: Mr. CALVERT and Mr. ROHRABACHER.
H.R. 5616: Mrs. MALONEY, Mr. DRIEHAUS, Ms. NORTON, Ms. CHU, Mr. CUELLAR, and Mr. DAVIS of Illinois.
H.R. 5628: Mr. COURTNEY.
H.R. 5636: Mr. MOORE of Kansas.
H.J. Res. 61: Mr. MAFFEI.
H.J. Res. 81: Mr. MEEK of Florida and Mr. STARK.
H. Con. Res. 226: Ms. ZOE LOFGREN of California, Mr. ROONEY, Mrs. MALONEY, Mr. LARSON of Connecticut, Mr. WESTMORELAND, Mr. ISSA, Ms. CHU, and Ms. DELAURO.
H. Con. Res. 259: Mr. MORAN of Virginia and Mr. MCMAHON.
H. Con. Res. 266: Mr. BISHOP of New York and Mr. THOMPSON of Pennsylvania.
H. Con. Res. 281: Mr. OLSON.
H. Con. Res. 283: Mr. GINGREY of Georgia, Mr. LAMBORN, Mr. SABLAN, and Mr. RAHALL.
H. Con. Res. 290: Mr. SABLAN.
H. Res. 111: Mr. MCINTYRE and Mr. ROGERS of Michigan.
H. Res. 527: Mr. INGLIS, Mr. DELAHUNT, Mr. SKELTON, Mr. MEEK of Florida, Ms. FOXX, Mr. TOWNS, and Mr. MCMAHON.
H. Res. 528: Mr. INGLIS, Mr. DELAHUNT, Mr. SKELTON, Mr. MEEK of Florida, Ms. FOXX, Mr. TOWNS, and Mr. MCMAHON.
H. Res. 637: Mr. BISHOP of Utah, Mrs. LUMMIS, Mr. POSEY, Mr. GINGREY of Georgia, Mr. WESTMORELAND, and Mrs. MYRICK.
H. Res. 1026: Mr. HOEKSTRA.
H. Res. 1064: Mr. PRICE of North Carolina.
H. Res. 1226: Mr. GARY G. MILLER of California.
H. Res. 1245: Mr. GARY G. MILLER of California.
H. Res. 1273: Mr. CALVERT.
H. Res. 1311: Mrs. BLACKBURN.
H. Res. 1326: Mr. SHERMAN, Mrs. HALVORSON, Mr. SIRES, and Mr. PENCE.
H. Res. 1342: Mr. GENE GREEN of Texas.
H. Res. 1378: Mr. GOHMERT, Ms. NORTON, Mr. BERRY, and Mr. BARRETT of South Carolina.
H. Res. 1379: Ms. SPEIER and Mr. MCGOVERN.
H. Res. 1401: Mr. BOOZMAN, Mr. RAHALL, Mrs. NAPOLITANO, Ms. TITUS, Mr. TONKO, Ms. NORTON, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. BOCCIERI, Mr. EHLERS, Mr. DOYLE, Ms. FALLIN, Mr. PETRI, Mr. COBLE, Mr. TIM MURPHY of Pennsylvania, Mr. SCHOCK, Mr. ARCURI, Mr. ROSS, and Mr. HINCHEY.
H. Res. 1402: Mr. DELAHUNT.
H. Res. 1412: Mr. SNYDER.
H. Res. 1420: Mr. COHEN, Mr. KIRK, and Mr. DELAHUNT.
H. Res. 1431: Mr. LATTA, Mr. MCCLINTOCK, Mr. CLEAVER, and Mr. FRANKS of Arizona.
H. Res. 1433: Mr. LATHAM, Mr. BARROW, Mrs. MCCARTHY of New York, Mr. YOUNG of Florida, Mr. EHLERS, and Ms. MATSUI.
H. Res. 1452: Ms. EDWARDS of Maryland.
H. Res. 1471: Mr. LATTA.
H. Res. 1474: Mr. OBERSTAR and Mr. SABLAN.
H. Res. 1483: Mr. BARROW, Mr. TAYLOR, Mr. WHITFIELD, Mr. INGLIS, Mr. LARSON of Connecticut, Mr. LEWIS of California, Mr. GARAMENDI, Mr. BARRETT of South Carolina, Mr. CARTER, Mr. CAO, Mr. ORTIZ, Mrs. KIRKPATRICK of Arizona, Mr. CONAWAY, Mr. HARPER, Mr. GALLEGLY, Mr. DAVIS of Kentucky, Ms. BORDALLO, Mr. HUNTER, Mr. COHEN, Mr. BISHOP of Georgia, Ms. RICHARDSON, Mrs. EMERSON, Mr. MARSHALL, Mr. MCINTYRE, Mr. LANCE, Mr. FORBES, Mr. MILLER of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. SCOTT of Georgia, Mr. BRADY of Pennsylvania, Mr. MCKEON, Mr. SNYDER, Mr. LANGEVIN, Mr. TURNER, Mr. REICHERT, Ms. WASSERMAN SCHULTZ, Mr. THORNBERRY, Mr. HINCHEY, Mr. BUYER, and Mr. FORTENBERRY.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, WEDNESDAY, JUNE 30, 2010 No. 100

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MARK BEGICH, a Senator from the State of Alaska.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal and blessed God, in the midst of our days of labor, we are grateful for opportunities to pray.

As our lawmakers grapple with pressing issues, give them the wisdom to seek Your guidance and to depend upon Your direction. Respond to their petition by undergirding them with Your enabling might, empowering them to exercise responsible stewardship of their influence by striving to be lights in a dark world. Open their ears and hearts this day to hear Your voice and obey Your commands, strengthening them to make their utmost contribution to healing a hurting world.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK BEGICH 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. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 30, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. BEGICH 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, if any, the Senate will turn to a period of morning business for 2 hours, with Senators during that period of time allowed to speak for up to 10 minutes. Following morning business, the Senate will proceed to executive session and will debate the nomination of GEN David Petraeus. There will be up to 20 minutes for debate prior to a vote on confirmation of the nomination. Senators should expect that vote to occur around noon today.

As a reminder to all Senators, last evening I filed cloture on unemployment insurance and the home buyer tax credit extension. That vote would occur tomorrow unless we arrange, by unanimous consent, sometime today to do this. I will work with the Republican leader on an agreement that would let us vote on that issue today if the minority is so determined.

We will also be able to resume consideration of the small business jobs bill this afternoon. We will consider amendments. Rollcall votes are expected to occur throughout the afternoon and into the evening.

I say to Democratic Senators, we were looking yesterday for an amendment, but none was available. So I agreed to have something happen in the interim and let the Republicans offer amendments if we have none ready or offered. I hope we will also be able to resume consideration of this matter and make headway. It is extremely important that we do that.

On unemployment compensation, we really need to do this. I have had a number of conversations with Senators from individual States about how difficult it is for them to have these long-term unemployed no longer having anyplace to go for help, and there are newspaper articles about people who are desperate throughout America. So I hope we can do something on that.

We have here, and I will call for it in a little bit, the reading of the bill we got from the House of Representatives dealing with extending the first-time home buyer tax credit. That will allow the paperwork to be completed. There is significant support on the other side for this, and I would hope we could do this by consent. If not, it will be part of the vote we have on unemployment compensation. There is no effort to do anything other than to get these two matters passed. So I would hope my friends on the other side of the aisle would consider just letting us do the home buyers assistance, the thing that passed the House. It is paid for. It has been agreed to by Democrats and Republicans. It passed the House last night with 400 votes—400 votes. So I would hope we could get that done by consent. It is the end of the month today, and we should get this done. I hope we can do that.

As many people are aware, Senator BYRD will lay in repose in the Senate Chamber from 10 a.m. until 4 p.m. tomorrow. The family will be in the Chamber from 10 a.m. until 12 noon. Members are encouraged to pay their respects to the family from 10:15 a.m. until 12 noon.

Senate staff with floor privileges and a congressional ID are invited to pay respects from the Senate floor and should enter the Chamber through the north door of the Capitol. Members of the public and Senate staff without floor privileges are invited to pay tribute to Senator BYRD from the Senate

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

galleries from 10:15 a.m. until 3:45 p.m. The public and staff without floor privileges should enter via the Capitol Visitor Center.

MEASURE PLACED ON THE CALENDAR—H.R. 5623

Mr. REID. Mr. President, as I indicated, H.R. 5623, the Homebuyer Assistance and Improvement Act, is at the desk. I believe it is due for a second reading.

The ACTING PRESIDENT pro tempore. The Senator is correct. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 5623) to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes.

Mr. REID. Mr. President, I would at this time object to any further proceedings.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

CAP AND TRADE

Mr. MCCONNELL. Mr. President, yesterday, President Obama invited a group of Senators down to the White House to talk about the kind of energy bill he would like Congress to pass sometime this summer.

The first thing we heard about this meeting is that the President said it was not a meeting about the oilspill. Let me say that again. The President said the purpose of this meeting was not to discuss the ongoing crisis in the Gulf of Mexico, where up to 60,000 barrels of oil are spewing into the gulf waters each and every day, and which have been for 72 days now.

Senator ALEXANDER had to raise the issue himself, only to be dismissed by the President. Well, I am sure that will be of great comfort to the people of the gulf coast. When the President called Senators to the White House to talk about energy, I am sure most people in the gulf thought the crisis down there would at least be a topic of discussion. Evidently, they were wrong.

The second thing we heard about the meeting is that the President made what was described as a ''very passionate'' argument in favor of ''putting a price on carbon.'' This, of course, is code for the new national energy tax commonly referred to around here as cap and trade.

This is what the meeting was really about. And those of us who said that this is also what the President was talking about in his Oval Office speech a couple weeks ago were right: when the President urged Americans to view the gulf oilspill as a reason to embrace his vision of energy consumption in this country, he was talking about giving government vast new powers over industry and over the everyday lives of Americans through a new national energy tax.

In other words, at a moment when the American people were hoping to hear about what the White House was doing to fix the oil leak in the gulf, the President was using that moment to prepare the ground for yet another piece of legislation that would expand the reach of government, and which would do absolutely nothing to solve the crisis at hand.

The leak still is not fixed. For more than 2 months, this pipe has gushed oil into the gulf, polluting our waters and our beaches, wreaking havoc on the lives and livelihoods of millions along the gulf. I think it is most people's view that the left-wing wish-list can wait. Fixing this immediate problem should be the top priority right now.

One of the President's senior advisers said the other day that when the President was elected, he had to deal with problems that had been put off for too long. But the administration needs to solve the most urgent problems first, and the most urgent problem is not a new national energy tax, it is the crisis in the gulf.

Former President Clinton had it right the other day. He said the Federal Government's position on this issue ought to be very straightforward. The most important thing, he said, is to fix the leak. The second most important thing is to keep oil away from the shores. The third most important thing is to minimize the damage from the oil that reaches the shores. And the fourth most important thing is to find out who did what wrong, at BP and in the Federal Government, and to hold them accountable.

But the first thing is to fix the leak.

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, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Illinois.

ADDRESSING THE ISSUES

Mr. DURBIN. In response to the Republican leader's speech, I have three words: Drill, baby, drill. That was the chant we heard across the United States from the Republican side of the aisle during the last Presidential campaign. The notion was that if we just started drilling in every direction, we could solve America's energy problems. It was an irresponsible chant, failing to address the most fundamental issue of our time: the future of America's national energy picture.

What you heard this morning from the Republican leader is a return to the subject but ignoring the past. What we know is this: We know we have become more and more dependent on foreign oil. It costs us, as a Nation, $1 billion a day that we are sending overseas to other countries to buy their oil to sustain our economy. This dependence, unfortunately, leads to commitments we have to make—military commitments, political commitments, economic commitments—because of this dependence on foreign oil.

The second reality is this: We understand there is a new, emerging energy technology in the 21st century. It is an energy technology based on efficiency, economy, and the reduction of costs. There are other countries in the world that are taking the lead in this area, not the least of which is the nation of China.

I recently heard from MICHAEL BENNET of Colorado, who spoke to us at a Democratic Senate luncheon. He came up with a statistic which in many ways is hard to believe but equally scary, and here is what it is: The largest export of the United States of America of any product is in the aircraft industry. Look at Boeing. Look at all of the aircraft we are exporting around the world. It is our major export. Yet if you compare our major export to the export by China—by China—of energy technology to the world, they are now at 50 percent of the value of our annual aircraft exports. China has decided that the future of the world is based on new, clean energy technology, and they are doing something about it. They don't come to their leadership and squabble, at least not in a public fashion; they get focused—focused on creating businesses and jobs and being ready to compete in the 21st century.

The third premise of our energy policy goes to something on which the Senator from Kentucky may or may not agree with me. I happen to believe the activities of humans on this Earth make a difference when it comes to the planet. I happen to believe when we look at glacial melt around the world, it reflects the fact that the world is changing. Ever so gradually, it is getting warmer. As the Earth increases its temperature, it changes weather patterns, the currents of the oceans, the land we live on, the crops we grow, and our future. Some people don't accept that. Some don't see a connection. They don't believe any of the carbon released into the atmosphere creates a problem. I have met many of them. Some are people who in good faith don't come to the same conclusion I reach. I respect them, but I respectfully think they are wrong.

What have we learned from the gulf crisis? We have learned a lot. Yesterday I had one of the vice presidents of BP America in my office. I talked to him about how we have reached this point. I said: When we have reached the point where we are drilling deep, going after the tough, deep oil to fuel our economy and its needs, we are engendering more problems and more challenges than before. Had there been a spill of oil in downstate Illinois or in Alaska or Texas, it would have been terrible, but it could have been contained much more quickly than this gusher of oil coming from the floor of the Gulf of Mexico. As we explore in new areas, tougher, more challenging areas, we run greater risk. That is a reality.

I take exception to the remarks of the Senator from Kentucky who suggested this administration is not doing everything in its power to deal with this spill in the gulf. Let's look at what we have done. This President called in BP and made it clear that the cost of this damage will be borne by that oil company, not by the taxpayers. I was pleasantly surprised when the Governor of Mississippi, Haley Barbour, a man who in the past was as passionate in his beliefs as I am in my Democratic beliefs, came out and praised President Obama for sitting down with BP and getting a commitment of $20 billion in a fund to deal with the economic losses associated with this spill. BP has bought commercials that most of us have seen saying: We will pay for this, all of it. I don't know if the Senator from Kentucky thinks that is unimportant. I believe it is important.

Secondly, I am as troubled by the continuing spill as anyone. I know the President feels that has to end and end immediately. But as the Senator from Kentucky knows, we don't have a U.S. department of deep sea drilling. It doesn't exist. What we are relying on is the private sector's capacity, technology, equipment, and expertise to find a way to cope with this problem. I am as frustrated as any American that on day 75 of this spill, it has not come to an end. But it continues. The President focuses on this every day, as does his Cabinet.

Yesterday we had a meeting with Interior Secretary Ken Salazar. The man has spent day after weary day devoting himself completely to this. Carol Browner, an environmental assistant in the White House, was there talking about the massive commitment which we have made. She was asked pointblank: Are you providing the booms, the things they spread out in the water to stop the flow and spread of this oil, are you supplying all of the booms requested by all of the States in the Gulf of Mexico?

She said: We are supplying not only 100 percent of their requests but over 100 percent of their requests, and we are going to continue to manufacture and secure this boom to protect our shoreline. She said: Of course, we haven't done everything right, but when we see a problem, we move on it quickly to try to solve it.

We are talking about the commitment of thousands of vessels to skim the surface of the gulf and to try to salvage as much of this oil as possible. It is a massive national commitment by our government, by the private sector. The suggestion of the Senator from Kentucky that the President is not focused on it is not accurate nor fair.

I believe we need to focus on energy. We need to be honest about the future when it comes to energy. If we accept the premise that we will continue to be dependent on foreign oil indefinitely, that we will spend a billion dollars a day, sending it to many countries which not only disagree with us in terms of our values but turn around and spend our dollars against us to foster and to be patrons to terrorism, if we accept that, then we will do nothing about a national energy policy. If we accept the premise that we should do nothing about clean energy technology and all the potential for business and jobs it creates, that America is going to take a back seat to China and other countries, then we will do nothing about the national energy policy. If we accept the premise that there is no global warming and we should not lose a moment's sleep worrying about it, then we will do nothing about a national energy policy.

That is what we hear from the other side of the aisle, do nothing, say no. Over and over throughout this congressional session, the response of Senate Republicans has been say no. When we tackled the tough and controversial issue of containing health care costs, runaway costs that are affecting every business, every family and every level of government, Republicans said: No, we will not engage. We will not be part of that conversation.

When we went after Wall Street reform and said: After this recession, we have learned lessons; we will not allow these titans on Wall Street to repeat their mistakes and kill more jobs in the future, all but four Republicans said: No, we are not interested in that conversation. We don't want to be part of that effort.

Now we find again, in one of the most telling and important issues of the moment, unemployment compensation for the hundreds of thousands of Americans out of work, Republicans have said, no, we will not lend a helping hand to the people of America out of work.

I look at the numbers of those who are unemployed across the country, who will lose their benefits because Republicans continue to say no. I look at States such as Kentucky, the home State of the Republican leader, where 22,600 Kentucky families had their unemployment cut off because Senator MCCONNELL and his colleagues voted no when it came to extending unemployment benefits. In my State of Illinois, 80,000 families had their unemployment cut off this month because Republicans said no. One of my friends who is a woman out of work, with a family, called me over the weekend at home. We keep in touch. She said: Let me tell you, Senator, what it means. They are cutting off the utilities. I don't know what to do. Three kids in the house and a grandson, and they are cutting off my utilities.

That is the real world of the real votes cast by the other side of the aisle.

This morning the New York Times had an editorial which I want to make reference to. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 30, 2010]

WHO WILL FIGHT FOR THE UNEMPLOYED?

Without doubt, the two biggest threats to the economy are unemployment and the dire financial condition of the states, yet lawmakers have failed to deal intelligently with either one.

Federal unemployment benefits began to expire nearly a month ago. Since then, 1.2 million jobless workers have been cut off. The House passed a six-month extension as part of a broader spending bill in May, but the Senate, despite three attempts, has not been able to pass a similar bill. The majority leader, Harry Reid, said he was ready to give up after the third try last week when all of the Senate's Republicans and a lone Democrat, Ben Nelson of Nebraska, blocked the bill.

Meanwhile, the states face a collective budget hole of some $112 billion, but neither the House nor the Senate has a plan to help. The House stripped a provision for $24 billion in state fiscal aid from its earlier spending bill. The Senate included state aid in its ill-fated bill to extend unemployment benefits; when that bill failed, the promise of aid vanished as well.

As a result, 30 states that had counted on the money to help balance their budgets will be forced to raise taxes even higher and to cut spending even deeper in the budget year that begins on July 1. That will only worsen unemployment, both among government workers and the states' private contractors. Worsening unemployment means slower growth, or worse, renewed recession.

So if lawmakers are wondering why consumer confidence and the stock market are tanking (the Standard & Poor's 500-stock index hit a new low for the year on Tuesday), they need look no further than a mirror.

The situation cries out for policies to support economic growth—specifically jobless benefits and fiscal aid to states. But instead of delivering, Congressional Republicans and many Democrats have been asserting that the nation must act instead to cut the deficit. The debate has little to do with economic reality and everything to do with political posturing. A lot of lawmakers have concluded that the best way to keep their jobs is to pander to the nation's new populist mood and play off the fears of the very Americans whose economic well-being Congress is threatening.

Deficits matter, but not more than economic recovery, and not more urgently than the economic survival of millions of Americans. A sane approach would couple near-term federal spending with a credible plan for deficit reduction—a mix of tax increases

and spending cuts—as the economic recovery takes hold.

But today's deficit hawks—many of whom eagerly participated in digging the deficit ever deeper during the George W. Bush years—are not interested in the sane approach. In the Senate, even as they blocked the extension of unemployment benefits, they succeeded in preserving a tax loophole that benefits wealthy money managers at private equity firms and other investment partnerships. They also derailed an effort to end widespread tax avoidance by owners of small businesses organized as S-corporations. If they are really so worried about the deficit, why balk at these evidently sensible ways to close tax loopholes and end tax avoidance?

House lawmakers made an effort on Tuesday to extend jobless benefits but failed to get the necessary votes, and it remains uncertain if an extension can pass both the House and Senate before Congress leaves town on Friday for a weeklong break. What's needed, and what's lacking, is leadership, both in Congress and from the White House, to set the terms of the debate—jobs before deficit reduction—and to fight for those terms, with failure not an option.

Mr. DURBIN. The New York Times editorial today reads: ''Who Will Fight for the Unemployed?''

I want to quote a few sentences from it:

Without doubt, the two biggest threats to the economy are unemployment and the dire financial condition of the states, yet lawmakers have failed to deal intelligently with either one.

Federal unemployment benefits began to expire nearly a month ago. Since then, 1.2 million jobless workers have been cut off. The House passed a six-month extension as part of a broader spending bill in May, but the Senate, despite three attempts, has not been able to pass a similar bill. The majority leader, HARRY REID, said he was ready to give up after the third try last week when all of the Senate's Republicans and a lone Democrat, BEN NELSON of Nebraska, blocked the bill.

Meanwhile, the states face a collective budget hole of some $112 billion, but neither the House nor the Senate has a plan to help. The House stripped a provision for $24 billion in state fiscal aid from its earlier spending bill. The Senate included state aid in its ill-fated bill to extend unemployment benefits; when that bill failed, the promise of aid vanished as well.

As a result, 30 states that had counted on the money to help balance their budgets will be forced to raise taxes even higher and to cut spending even deeper in the budget year that begins on July 1. That will only worsen unemployment, both among government workers and the states' private contractors. Worsening unemployment means slower growth, or worse, renewed recession.

I might add a comment here. This morning's newspapers, the Washington Post and the New York Times, at least the ones I have seen, and the Chicago papers as well, question what the reaction of our economy is going to be. They looked at the stock market yesterday. One day does not make a trend, but there is a growing concern that we are sliding back into a recession because of the failure of Republicans to support not only the President's stimulus package but also to send unemployment benefits to those needy people across America. This is a repeat, unfortunately, of a chapter in American history when after the Great Depression, President Roosevelt initiated the New Deal and injected into our economy massive amounts of money to create jobs so people would go to work, earn a paycheck, and spend it for goods and services, breathing life back into a dying economy, trying to turn it around. After 4 years of that effort, President Roosevelt, at the urging of more conservative political leaders, said: We better start focusing now on the deficit. They started tapping the breaks on spending, and the unemployment rate shot up again, creating a follow-on to the Great Depression which was not relieved until the beginning of World War II.

Sadly, it appears we are about to repeat that historical mistake. We know Republicans continue to argue that because of our deficit, we should not worry about the recession or spending money to stimulate the creation of jobs. The money we send out to unemployed people is turned around immediately into the economy. These people are living hand to mouth. Every dollar they receive is spent. As it is spent at a business, it creates business profits and small business jobs. One thing leads to another as the multiplier takes that dollar, respends it many times in our economy and breathes life back into an economy which has been fraught with a recession. That is the reality of the need today. The failure to meet that need will guarantee the deficit continues and gets worse. It will be a self-fulfilling prophecy as Republicans turn down unemployment benefits, arguing that we can't afford it as a nation because of the deficit and, as a result, drive up unemployment in the country, driving up the very deficits they say they want to end. It is a lesson of history. Those who ignore history are likely and condemned to repeat it.

Returning to this New York Times editorial:

So if lawmakers are wondering why consumer confidence and the stock market are tanking (the Standard & Poor's 500-stock index hit a new low for the year on Tuesday), they need look no further than a mirror.

The situation cries out for policies to support economic growth—specifically jobless benefits and fiscal aid to states. But instead of delivering, Congressional Republicans and many Democrats have been asserting that the nation must act instead to cut the deficit. The debate has little to do with economic reality and everything to do with political posturing. A lot of lawmakers have concluded that the best way to keep their jobs is to pander to the nation's new populist mood and play off the fears of the very Americans whose economic well-being Congress is threatening.

Deficits matter, but not more than economic recovery, and not more urgently than the economic survival of millions of Americans. A sane approach would couple near-term federal spending with a credible plan for deficit reduction—a mix of tax increases and spending cuts—as the economic recovery takes hold.

This New York City editorial summarizes what I consider the situation. In a short period of time, after the memorial to our fallen colleague Senator BYRD, who served this Nation and West Virginia so well, we will probably have one vote tomorrow evening and then head back to our homes. For many people it will be a time of relaxation with family. For many Senators it is a rest that is needed after a lot of days spent in session in the Senate. As we return, in my home State, 80,000 families won't be celebrating the Fourth of July. They will be wondering how they are going to pay their utility bills and feed their families. For the rest of us who live in comfort, full-time employment, it may be a world removed. But for them, it is the world of reality they face every single day. Their life has become more complicated, and their burden is heavier because this Senate has failed to extend unemployment benefits.

Mr. President, 1.2 million Americans in the month of June will lose their unemployment benefits because not one single Republican would vote to help Americans who have lost their jobs through no fault of their own. Where they would find permission to spend money on so many other things, when it comes to investing in American families who have fallen on hard times, they turn a deaf ear. That, to me, is sad and unfortunate. We need to address many issues in this Congress. It troubles me that we would consider going home for anything near a holiday or a relief from our Senate duties and ignore the burdens facing Americans who are in unemployed status or who have trouble in their families because of this weak economy.

I sincerely hope a handful—three or four Republicans—will consider voting for unemployment benefits for those across America who are out of work. We come to the aid of the American family when people are in need. When there is a natural disaster, we are there. This is an economic disaster. It requires an emergency response. We should not leave Washington without dealing with it.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Alaska is recognized.

Mr. BEGICH. Mr. President, I say to the Senator from Illinois, I was presiding for about a half hour. I was not planning on speaking. I know my staff right now is getting very nervous that I am speaking on the floor of the Senate without their knowledge, but I do want to say a couple things.

I say to the Senator, one, he is absolutely right on unemployment benefits and what we need to do in the next day or so. But I want to go back to his first comment. I was at the meeting yesterday with the President, and I sat next to Senator ALEXANDER and heard the question on the oilspill issue. The comment from the Republican leader was that the President just brushed it aside. I am not here to defend the President. He can do his own job defending himself. But the point was, we

were doing everything in a very bipartisan way on the oilspill.

Tomorrow we have another briefing with the Coast Guard. We had a briefing yesterday. There is a committee meeting I am supposed to be at right now on some liability issues around the Deepwater and what is going on with offshore. There are meetings all over this place.

I know the Republican leader was not at the meeting, so I am sure he got the information secondhand. But I was. It was not brushed off. I think all of us, I do not care what State we are from—I am from an oil and gas State—believe in the development of oil and gas, but we are all concerned about the problems down in the gulf and the tragedy and the 11 lives that were lost there. So we are 100 percent committed in this body in a bipartisan way.

What I found amazing—and the Senator's point was we can do more than one thing in this body. I believe I can. I know everyone around me and around my caucus believes that. So we are going to work on the oilspill. Absolutely we want to cap it. But that is going on now. They are 16,000 feet down on a second drill, a relief drill. They are about 1,000 feet away. We know that is being worked on.

But the reality is, we have to have a comprehensive energy plan in this country. The fact is, if we want to talk about jobs and job creation in the future, that is a huge potential for us.

This debate, when we get to it—I know some want to make it cap and tax, cap and trade, cap and cap, cap and something. But the reality is, this is about a comprehensive energy plan. This is about creating a plan that gets us more secure for our national security. I say to the Senator, he talked about the amount of money we spend overseas going to countries that do not like us. They spend that money against us. It is in our best interests to develop a comprehensive plan, not using the excuses that have gone around this place for the last 40 years. We need to get busy and do it for the consumer, do it for our national security, do it for our economic security, and do it for the future of job creation in this economy.

So if we want to talk about the oilspill, absolutely. We will work double-time on that. We are doing it from every end of the Capitol and all across this country. As a matter of fact, today another report came out. A multinational effort, a multicountry effort from around the world has come to our assistance in the gulf. But we also need to be dealing with a comprehensive energy plan.

In Alaska, we are doing it. By 2025 we intend to have 50 percent of our energy produced by renewable energy. Even though we are dependent on oil and gas for the economic viability of our State, we recognize the diversity that has to happen: In Kodiak, AK, 10 years ago, zero; today, almost 85 percent renewable energy. The largest Coast Guard station in this country is in Kodiak, AK, which will be run by renewable energy: biofuels, hydro, wind energy.

We have to be real about this issue. I understand the politics of November is coming. Everyone wants to be for something, against something so they can figure out what constituencies they win or lose in an election. The people who will lose if we do not get a comprehensive energy plan is the public. It does not matter if we are Democrat or Republican, Green Party, Independent. You name it. We are going to be affected because we will continue to import from foreign sources that do not like us. We will continue to put our country at risk from a national security perspective, and we will not recognize that we are now No. 2, No. 3 when it comes to energy technology and China is beating us.

That is unacceptable for this country to be No. 2 or No. 3 on this issue. We should be No. 1. For people to come down wanting to pigeon-hole this and claim we do not have the capacity in the Senate to do more than one thing is unbelievable. We will work double-time on the oilspill. But we must work double-time on developing an energy policy that moves us to better security for our country, our economic security, and to make sure we see the future. The future is a new energy economy that creates new jobs in this country.

So I was not planning to speak, I say to the Senator from Illinois, but he sparked me. I get agitated sometimes when this body—not the Senator, obviously, but the Republican leader—when they want to just do one thing. It is like when a person gets a meal on a plate, and one person just likes to eat the corn first, complete it all, and then they move to the next thing. We have the capacity to do many things in this Senate. We have spent 40 years—from the last major embargo in 1974—twiddling our thumbs and doing small, little, special interest legislation for energy. Now let's do the right legislation for the American people and do it right for our national security.

So I will stop on my rant. My staff is probably sweating bullets right now. They had no idea I was going to be down here doing this. I am off to a committee hearing.

I thank the Chair.

Mr. DURBIN. Mr. President, if the Senator would yield briefly for a question, 21 years ago, I went up to Prince William Sound to see the Exxon Valdez spill. I say to the Senator, I know he knows, as a native of Alaska, firsthand how terrible these spills can be, the impact they can have in the short and long term. But I commend the Senator for his statement because we can do more than one thing if we are working together. If we are divided and at war politically, we do not accomplish much.

What the President wants us to do is deal with the gulf oilspill but also not ignore the need for a national energy policy that is going to make us stronger, create more jobs, and make us less dependent on foreign oil.

I thank the Senator from Alaska for his comments.

Mr. BEGICH. I thank the Senator for sparking me for the day.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Thank you, Mr. President.

While I will be speaking on the subject of Senator BYRD, I, too, want to join my colleague from Illinois in commending our Senator from Alaska on this issue and so many others. The Senator's staff does not have to worry. He speaks fluidly, eloquently, and without flaw. But, second, I think his courage on this issue has helped inspire our caucus to move forward.

We come from different States. For some States it is easier; for some States it is harder to take on this issue. Probably for Alaska it is one of the two or three hardest States to do it, and the Senator has done it with courage, with intelligence, with drive, and I think ultimately with success.

So I thank the Senator.

REMEMBERING SENATOR ROBERT C. BYRD

Mr. SCHUMER. Mr. President, it is with deep sadness that I rise to honor my colleague and friend, Senator ROBERT C. BYRD. I look at the simple eloquence of the roses and the black felt on his desk, and, sort of, he rises above that and hovers above us in just about everything we do.

The admiration that all of us in this body have for Senator BYRD is genuine and palpable. We miss him dearly, and I know I speak for the entire Senate when I say our thoughts and prayers are with Senator BYRD's family as they mourn his passing.

Mr. President, no one loved the Senate more than ROBERT BYRD. He devoted his life to this august institution and, in doing so, became an institution himself. He is a legend—a man who embodied the best ideals of this body. It is fitting that on this day we remember Senator BYRD the Senate is undertaking one of its most important constitutionally mandated responsibilities: the confirmation hearings for a Supreme Court Associate Justice.

Senator BYRD would remind us that we are in a process where the first branch of government is giving its advice and consent to a selection from the second branch of government in choosing someone to sit on the highest part of the third branch of government.

He loved the Constitution, he loved the Senate, he loved America, and he came from the bosom of America.

I am struck by the history of this moment. We read about the great Senators who served in this body—the Websters and the Clays, the LaFollettes and the Wagners. Well, I cannot help but feel privileged to have served, in my brief time—certainly compared to the Senators here—with a legend, with a man whose name will go down in history beside those men as

one of the great men in this body and one of the great men in history.

On Thursday, Mr. President, Senator BYRD will make one final visit to this Senate Chamber that he so loved. There could be no more appropriate way for us to say good-bye to him and honor him than to yield the Senate floor to him for one last time.

People asked, why not the Rotunda? It was not that he did not deserve tribute in the Rotunda, and, for sure, tens of thousands would have lined up. But this is the body he loved, and this is the body where his final day here should be.

I would like to share a few brief thoughts and reflect on Senator BYRD's service to the people of West Virginia and the Nation.

The most important thing we should all remember about ROBERT BYRD is his life story, for it embodies America, the best of America. It embodies the American dream. Because of his intelligence, his indefatigable energy, and up-by-the-bootstraps determination, he rose from a childhood marred by abject poverty to being three heartbeats away from the Presidency.

He made mistakes in his earlier career, which he freely admitted later. Who has not? But he just grew and grew and grew. That is what great men do: they grow larger and stronger and better as they go through life. That could certainly be said of Senator BYRD.

Unlike many of the great men who preceded him, Senator BYRD did not grow up as a member of a privileged class. He was an orphan, raised in the Appalachian coal towns of West Virginia. He graduated from high school at 16 as the valedictorian, but like so many Americans of his day, he was too poor and could not afford college.

So as a young Member of Congress, he worked his way through law school, and, at age 46, he earned the diploma—with honors—that had eluded him in his youth.

I remember his love of West Virginia. When I was new in this body, just learning it—and part of the way I learned it was by going to Senator BYRD's class on the rules of the Senate; legendary to each freshman class of his time—but one day I was just seated at my desk, and Senator BYRD rose to speak. It was a Friday afternoon. I believe it was in the springtime. Business was finished and everyone was rushing home. As you know, Mr. President, I usually rush home. I love to be in New York. But as I was getting ready to leave, Senator BYRD rose, and his speech captivated me.

For 45 minutes he gave a speech on the beauty of West Virginia in the springtime. The theme of the speech was to urge visitors from other States to come experience it. It was an amazing speech. It was almost like poetry. I am sure Senator BYRD probably did not have to sit and spend days preparing it. It just flowed off his lips, his love of West Virginia, combined with his eloquence. It is one of the speeches I will always remember in the Senate, and I am just lucky and glad I was here for that moment.

Then, speaking of my State of New York, Senator BYRD did not just touch West Virginia, he touched every State. Because he was here for so long, of course, he had such power but cared about each of the Members and their States.

The most striking moment I had with Senator BYRD occurred in the wake of 9/11. It was the day after that Senator Clinton and I went up to New York, and we saw the devastation. We could smell death in the air, see the anguished looks of people holding signs: Have you seen my husband? Have you seen my wife? The towers were gone, but people did not know who had survived and who had not. Most did not, of course.

Then the next call we got, as we came back, was from Senator BYRD. Senator BYRD said: Please come to my office. We went to his office on the first floor of the Capitol. He came to Senator Clinton and I and said: CHUCK, Hillary, I want you to consider me the third Senator from the great State of New York.

We knew we needed help, and we needed it fast. Even before we went to visit President Bush and asked him for the help that New York needed, Senator BYRD, on his own, invited us over and pledged his help. Like always, he lived up to his word, not just in the next days or weeks or months but years. I would go to him 3, 4 years later and say there is still this part of the promise made to New York that hasn't been fulfilled. There he was, and he did it. Without a doubt, the dear city I love, New York City, would not have been able to recover as quickly or as well without that man from the coal fields of West Virginia, Senator ROBERT C. BYRD, helping us. He showed a level of selflessness that is rarely seen, and I think I can speak on behalf of Secretary Clinton and the people of New York in telling Senator BYRD how grateful we are to him.

We all have so many memories of Senator BYRD, so many things. We only served together a little less than 12 years, 11½ years, but he was like a jewel. He had so many different facets that every one of us was touched by him in many ways.

So I relate my last strong memory of Senator BYRD. The Presiding Officer remembers as well because it was at a hearing of the Rules Committee where we are now having a series of hearings under the suggestion of the Presiding Officer and leadership to decide whether we should reform the filibuster rule and what we should do about it. Senator BYRD, frail at that point, about a month ago, came to our hearing room. He sat next to me and then gave one of the best orations I have heard in a committee. He was 92. He turned the pages of his speech himself. That wasn't so easy for him. It was clearly—knowing the way he thought and his way of speaking—written completely by him. It was an amazing statement. It was impassioned, erudite, balanced, and, as the Presiding Officer remembers, it electrified the room. It was an amazing tour de force. The man cared so much about the Senate. Despite the fact he was ailing, there he was because he loved the Senate. His remarks, if my colleagues read them, were balanced. He understood the problems, but he understood the traditions, and he tried, as usual, to weave the two together.

There are few Senators who could do that, in the more than 200-year history of this body, the way he could. There are also few Senators in this body who fought as hard for their States as Senator BYRD did. I certainly admire the people who are here who become national leaders but never forget where they came from. There is a tendency among some who come to Washington to sort of forget where they came from. Not Senator BYRD. All across West Virginia, men and women are able to realize the American dream because he fought for them. He was unrelenting and unapologetic in his desire to improve the lives of West Virginians by making generous investments in infrastructure and research. He brought that State into the future and afforded generations of West Virginians good-paying jobs, allowing them to provide for their families and have the dignity all Americans deserve.

Some of the more elite parts of the media would make fun of what he did, but I thought our colleague, Senator ROCKEFELLER, said it best. I am paraphrasing; I read this in the newspaper. He said Senator BYRD realized that until you get a road and a water system to these isolated towns, you couldn't open the door of the future for them, and he knew that. Senator BYRD relentlessly, in town after town after town, did that. He fought to increase access to health care and ensure the people had the right to vote, and he made sure every child in West Virginia had the right to live up to his God-given potential through a quality education.

Every one of us could go on and on about Senator BYRD's accomplishments, but I think what is even more important than accomplishments is who he was as a person. He was someone who knew where he stood but showed a profound willingness to evolve, and that is a sign of extraordinary character. It is all too easy for an elected official to plug his ears and say: Sorry, that is my position; that is the way it has always been, and that is the way it will always be. Not Senator BYRD. He was unafraid to take new arguments into consideration and expand his world view accordingly.

What also struck me about him was his fundamental humility, the best example of which is probably his relationship with my dear friend and mentor, Ted Kennedy, another legend in

this body who is so sorely missed. Ted somewhat unexpectedly ran against Senator BYRD to be the Democratic whip in 1969. Senator Kennedy won. Two years later there was a rematch and Senator BYRD became the whip. One would think after this kind of animus that the two of them would never come together, but in their lives in the Senate they established a deep meaningful bond, a tribute to both of them.

Senator Kennedy would tell me stories about Senator BYRD and some of the things he had done, serious and humorous. To me it is so profound that within a year we have lost the two giants among whom I was proud and lucky to serve.

I will never forget when Senator BYRD, sick as he was, was outside the steps of the Capitol to salute Ted Kennedy after he passed earlier this year. It was Senator BYRD who provided the crucial vote to fulfill Ted Kennedy's lifelong passion: Comprehensive health care reform. As every Senator sat at their desk for the final passage vote, the clerk called the roll. When Senator BYRD's name was called, he raised his voice as loud as he could and declared: ''Madam President, this is for my friend Ted Kennedy. Aye!''

Those two friends, those two legends today are together again in heaven, and I would love to be able to hear the conversations and reminiscences between them.

ROBERT BYRD will be remembered forever. He will be remembered as a man who loved this institution and guarded its history. He will be remembered as a man who always stood up for his State. He is a man who will be remembered as someone who lived the American dream and fought to make that dream a reality for countless others. Perhaps most of all, he will be remembered as a loving father, grandfather, and husband.

Today the Senate mourns, the people of West Virginia mourn, the Nation mourns.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWNBACK. 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. BROWNBACK. Mr. President, I rise to speak about Senator BYRD, as many of my colleagues have, and make a few comments about an extraordinary individual. Just the sheer numbers are very impressive. He was married for 68 years, elected to 9 terms, had more than 20,000 days of service in the Senate, approaching 19,000 rollcall votes cast, and had a 97-percent attendance record.

Senator BYRD was the majority leader from 1977 to 1981, and again from 1987 to 1989. He was President pro tempore four different times when his party was in the majority. The Senator from West Virginia was known for his defense of the Constitution and the institutional prerogatives of the Senate. He was the author of five books, and he was an avid fiddler. The first place I ever saw Senator BYRD was playing the fiddle on television. Boy, he could play. It was impressive to see somebody of his stature playing an instrument so brilliantly.

In his biographical statement on his Web site, I found a statement that I want to expand and build off of. It says:

> In every corner of West Virginia, the people of the Mountain State know that there is one man on whom they can always depend: U.S. Senator Robert C. Byrd. He has always remained true to his faith and his family, while working to build a better future for his state and his country.

His remaining true to his faith and family was at the core of Senator BYRD and his longevity, and at the core of his service.

While he spoke often and wrote well about the institutional prerogatives of the Senate better than anybody in the history of this body, it is that his life centered around his core, remaining true to his faith and his family. He was married for 68 years to his spouse, Erma, who stayed by his side constantly, and of whom he would speak often.

Senator BYRD and I would speak about his faith on the floor frequently. He was a man of deep faith and a man of strong convictions, and that was his centerpiece. He would often speak on this floor about his faith.

I think what you saw in Senator BYRD in that statement about his faith and his family is a cultural requirement for the United States. This is a nation of strong faith, a nation that values family. At the core of this country is that cultural need and necessity, and the leaders of the country need to have at their core a strong bearing within them, and that is a part of their service. That was a big part of Senator BYRD's service. His comments reflected the way he lived. Often people say that the way you live speaks louder than any words you say. That is what I found with Senator BYRD. The way he lived was speaking louder than any words.

It was the Senator's commitment within his family and his willingness to live that and his faith that spoke louder than any of his words. When we would talk about these things, you could see that they were at the depth of his soul and being. Whether we agreed or disagreed on a number of things—and there were many disagreements I had with him on policy issues, no question about that—you could never challenge his core convictions. His faith and commitment to his family were things that were obvious by the way he lived. You could have this sort of gentlemanly debate about topics that would come up, but you could never question or challenge the character and heart and soul of that.

What I found most endearing was Senator BYRD's commitment to faith and family. He will be greatly missed in this body. His treatise on the Senate that he gave to all new Members—and to me as a new Member coming into the Senate—I started it and got through a portion, not all of it, but it was excellently written, well presented, and certainly a good education as to what we should do in preserving the constitutional integrity that the Founders intended for this body to be. He, of course, was the greatest defender of it.

Others have spoken more eloquently about Senator BYRD, but I don't think any eloquence could match the eloquence with which he lived his life—particularly toward his faith and his family. That is what we should recognize the most.

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. HARKIN. 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. HARKIN. Mr. President, with the passing of our colleague, ROBERT BYRD, a mighty oak in the forest of Senate history has fallen. There are flowers on his desk, but there is a tremendous void in our midst.

As we all know, Senator BYRD was the longest serving Senator in the history of this body. But what was most remarkable about ROBERT C. BYRD was not his longevity but his unique stature and accomplishment in the Senate. No individual in our long history has been a more tenacious champion of the traditions, prerogatives, and rules of this body.

Senator BYRD was very fond of noting how many Presidents he had served under. He always answered, ''None.'' As he explained it, he had never served under any President but he had served with 11 Presidents as a proud member of a separate and coequal branch of government.

Likewise, no individual has had greater reverence for the Constitution and for our Founders' vision for an assertive, independent legislative branch. As the ''Almanac of American Politics'' says in its profile of Senator BYRD:

> He may come closer to the kind of Senator the Founding Fathers had in mind than any other.

For so many years, if anyone on the Senate floor needed to look up something in the Constitution, we knew where to turn. Senator BYRD always carried a copy in his left breast pocket, directly over his heart.

It was Senator BYRD's reverence for the Constitution that led to what I consider to be arguably his finest hour in the Senate—his outspoken opposition to the rush to war in Iraq in 2002

and his fierce warning to his fellow Senators that we would regret surrendering our power on this war to the President. Senator BYRD's speeches at that time opposing the invasion became a sensation around this country and on the Internet. A white-haired Senator, well into his eighties, became an icon and a folk hero to young people in universities all across America. Why? Because when President Bush was at the peak of his popularity and power, Senator BYRD dared to say that the emperor—any President—has no clothes when it comes to declaring war. Senator BYRD said the reason given for the invasion—Iraq's alleged weapons of mass destruction—was trumped up, and he predicted the war would be a colossal mistake.

I remember those impassioned speeches he gave at that time. If only we had taken the advice of the wise Senator from West Virginia, how many young American lives—over 3,000—would not have been lost, perhaps 10 times that many injured, carrying the wounds and scars of that war for the remainder of their lives, not to mention the nearly $1 trillion spent out of our Treasury for that war in Iraq.

Later, in his outstanding book, ''Losing America''—I recommend this book to every young person. I see our pages sitting here. Pick up that book by ROBERT C. BYRD. It is called ''Losing America.'' He just wrote it about 5 or 6 years ago. It became an instant bestseller. It is a great book. In that book, ''Losing America,'' Senator BYRD decried the Senate's willingness to cave in to the President. He did not care about whether the President was a Democrat or Republican. He said cave in to any President—it is readiness, as he put it, ''to salute the emperor.'' He referred back to his earlier book he had written on the Roman Senate, noting that it was ''the progressive decline of the already supine [Roman] Senate'' that led to the decline of the Roman Republic, and he warned that the same could happen in America.

I have always had a special affinity for Senator BYRD because we were both the sons of coal miners, both raised in humble circumstances. I will miss seeing ROBERT BYRD at his desk or in the well and going up to express my best wishes and converse with him. He would always grab my hand; he would look at me and say: We have coal miners' blood running in our veins. We were the only two sons of coal miners to serve in the Senate, at least at this time. He always said that to me. I am going to miss that.

In reading about the Senator's early years—lifting himself out of poverty before running for the West Virginia Legislature in 1946—I was reminded of Thomas Edison's remark that ''opportunity is missed by most people because it is dressed in overalls and looks like work.'' In his early days, ROBERT BYRD was dressed in overalls, and he worked. But he made his opportunities. He made his own opportunities with that relentless work, his self-education, and striving always.

I will always appreciate the way he tutored me in the ways of the Senate when I arrived in this body in 1985. I was assigned to the Appropriations Committee, one of the few freshman Senators to ever get that assignment. I will not go into how all that happened, but I can remember going to visit Senator BYRD—who then, of course, was the ranking minority member, when I first came to the Senate, on the Appropriations Committee—to ask for his guidance and his willingness to work with me and to instruct me on how to be a good member of the Appropriations Committee. For the next 25 years, he was either the chair of the committee or the ranking member. So I was privileged to learn at the elbow of a master appropriator and legislator.

During his more than 58 years in Congress, Senator BYRD witnessed astonishing changes, when you think about it. Our population during his service grew by more than 125 million. He served for 25 percent of the time we have been a republic. There has been an explosion of new technologies. America grew more prosperous, more diverse, more powerful. But across those nearly six decades of rapid change, there was one constant: Senator BYRD's tireless service to his country; his passion for bringing new opportunities to the people of West Virginia; his dedication to this branch of government, the U.S. Congress, and to this House of Congress, the U.S. Senate.

ROBERT BYRD was a person of many accomplishments with a rich legacy. In my brief time today, I wish to speak of one area of his advocacy which I have had ample opportunity to observe in my capacity both as the longtime chair or ranking member of the Appropriations subcommittee for education and as a longtime member and now chair of the Committee on Health, Education, Labor, and Pensions.

During all these years, Senator BYRD was passionately committed to improving public education in the United States and expanding access to higher education, especially for those of modest means.

As we all know, as I said, he was raised in the hardscrabble coalfields of southern West Virginia. His family was poor, but they were rich in faith and values. His adoptive parents nurtured in ROBERT BYRD a lifelong passion for education and learning. He was valedictorian of his high school class but too poor, too underprivileged to go to college right away. Again, keep in mind, those were the days before Pell grants and guaranteed loans or even Byrd scholarships. He worked as a shipyard welder, later as a butcher in a coal company town. It took him 12 years to save up enough money to start college. As we all know, he was a U.S. Senator when he earned his law degree. No other Member before or since has ever started and finished law school while a Member of Congress.

But degrees do not begin to tell the story of the education of ROBERT C. BYRD. He was the ultimate lifetime learner. As I told him once, it was as though he had been enrolled during the last seven decades in the ROBERT C. BYRD school of continuing education. That always brought a smile on that one. I guarantee no one could ever get a better, more thorough education at any one of our universities.

Senator BYRD's erudition bore fruit in no less than nine books that he wrote and published over the last two decades. We know he wrote the book on the Senate, a masterful, four-volume history of this institution that has become a classic. What my colleagues may not know is he also authored a highly respected history of the Roman Senate.

There are some who joked—and I am sure he would not mind me saying this because we said it to him many times in the past—there are some who think ROBERT C. BYRD served in the Roman Senate. I can tell you, that part of the Byrd legacy and legend just is not so. We always said that. It always brought a smile, and he always chuckled when we talked about that. He was an expert on the Roman Senate. He knew it, and he knew who served in the Roman Senate and how it worked to bring down the Roman Empire.

I have talked at length about Senator BYRD's education because this explains why he was so passionate about ensuring every American has access to a quality public education, both K–12 and higher education. Coming from a poor background, Senator BYRD believed that a cardinal responsibility of government is to provide a ladder of opportunity so that everyone, no matter how humble a background, has a shot at the American dream. Obviously, the most important rungs on that ladder of opportunity involve education, beginning with quality public schools, including access to college and other forms of higher education.

During my quarter century now in this body, no one has fought harder for public education than Senator ROBERT BYRD. As long-time chairman, ranking member and, most recently, the senior member of the Appropriations Committee, he was the champion of education at every turn—fighting to reduce class sizes, improve teacher training, bringing new technologies into the classroom, boosting access to higher education.

In 1985, my first year here in the Senate, he created the only national merit-based college scholarship program funded through the U.S. Department of Education. Congress later named it in his honor. The Robert C. Byrd Honors Scholars Program is a federally funded, State-administered scholarship program that rewards high school seniors who have exhibited exceptional academic excellence. Currently, there are more than 25,000 Byrd Scholars across the United States eligible for a $6,000 grant during 4 years in college.

I can remember speaking with him about this and the funding of it, and he reminisced more than once with me about how he was valedictorian of his class, and that he so wanted to go on to higher education but, because of his economic circumstances and where he lived, it wasn't available. So he wanted to make sure that young men and women today who exhibit that great excellence in academic performance were not denied the opportunity to go to college simply because of the circumstances of their birth.

Senator BYRD has something in common with Winston Churchill. Both were prolific writers, and both were major players in the events they chronicled in their writings.

Senator BYRD was also a great student of literature, and he loved to recite long poems from memory. I could never understand how he could remember all of the poetry he would recite here on the floor, in a committee meeting, or sometimes in a meeting when a subject would come up and he would remember a poem that perfectly fit the temper of what people were talking about.

I am sure Senator BYRD knew ''The Canterbury Tales,'' a lot of it probably by heart. In ''The Canterbury Tales,'' describing the Clerk of Oxford, Chaucer might just as well have been describing ROBERT C. BYRD. Chaucer wrote:

> Filled with moral virtue was his speech;
> And gladly would he learn and gladly teach.

''Filled with moral virtue was his speech; And gladly would he learn and gladly teach.'' Senator BYRD's speeches were a wonder to behold, full of eloquence and erudition and moral virtue. Senator BYRD never stopped learning and he never stopped teaching. Americans for generations to come will continue to learn from his writings and his example.

Senator ROBERT C. BYRD was a great Senator, a great American, a loving and wonderful family man. He has both written our Nation's history and has left his mark on it. The United States of America has lost a patriotic son. We have lost a wonderful friend and a mentor. Tomorrow, here in the hallowed Chamber of the U.S. Senate, which he so loved and served for so many years, ROBERT C. BYRD will lie in state. We would do well to honor his memory by making a renewed commitment to making the U.S. Senate work and to work for all of the people of this country. May he rest in peace with his beloved Erma, and may the Senate always remember and honor his lifetime of service.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that after I speak, Senator FEINSTEIN be permitted to speak.

The PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

SCIENCE EDUCATION IN DELAWARE

Mr. KAUFMAN. Mr. President, I spoke about Senator BYRD yesterday. One of the ways you measure anyone is by their friends. The manner in which Senator HARKIN just spoke about Senator BYRD shows what a great man Senator BYRD was, to have a friend as thoughtful and as caring as Senator HARKIN. They are both a credit to the Senate.

As we continue another school year, I wanted to take an opportunity to commend the excellent science instruction taking place in my State of Delaware. The science educators and leaders in the State have been working for 15 years to create a world-class science program encompassing standards and curriculum, professional development, and science material kits. I am honored to say that I believe world class is exactly the way to describe the science instruction Delaware students receive.

This is not something that happened overnight. It is a process that began in 1995, when a statewide survey was sent out to gather data on the status of science teaching and learning in Delaware. The results, unfortunately, showed that not much science was taught or being learned in Delaware schools. Consequently, several school districts banded together to form the Delaware Science Coalition. The coalition received extraordinary support from the DuPont Company in the form of time, money, and volunteer services. The group wrote and received a National Science Foundation grant, which allowed the districts to have an out-of-classroom science specialist provide science professional development for all teachers, assemble science materials, develop assessments, and meet as a group. Within 3 years, all school districts except one had joined the Delaware Science Coalition.

Today, the science coalition has come a long way. They have a statewide kindergarten through grade 11 science curriculum in place and have plans for a grade 12 curriculum. They have professional development for all science teachers in grades K through 11. They have cost-effective, kit-based science materials. They have assessments that are modeled after international science tests. They also have a systematic and comprehensive approach to reform that includes leadership from the State, district, and classroom, as well as corporate, community, and university-based partners.

Beyond all these coordinated measures, perhaps the most impressive example of how far the coalition has come is seen in the warehouse at the John W. Collette Education Resource Center in Dover. It is truly impressive. To get an idea of what it looks like, you have to think about what it is like to be inside a Home Depot or a Lowes—a warehouse with rows and rows of supplies and forklifts running about. This is what the science materials center looks like at the Collette Center, except the industrial shelving and forklifts are transporting boxes filled with science materials to use in classrooms across the State. Science curricula and materials kits for grades K through 8 include resources developed by the National Science Resource Center, University of California-Berkeley, and homegrown and hybrid units developed with the aid of Delaware's very own teachers. These units are coordinated to introduce life, physical, and Earth science concepts each year and gradually increase in complexity from one level to the next.

All districts share materials, and kits rotate through two or three teachers per year. In order to obtain the materials, a teacher must attend professional development coordinated by the Collette Center. Then the warehouse sends out the kit, teachers and students use it, it is picked up weeks later, it is refurbished, and then sent out to another teacher. By sharing materials, costs are kept to an absolute minimum.

The Collette Center is a remarkable resource for the teachers and students in Delaware. It is unique in that it is the only science program in the country that provides a curriculum aligned to standards, an intensive professional development effort, and a materials support service for public school districts and charter schools throughout the entire State. To create this all-encompassing system, the Science Coalition has at times worked closely with the National Science Resource Center or NSRC. The NSRC is a joint operation of the Smithsonian Institution and the National Academies. I think Sally Goetz Shuler, the executive director of the NSRC, summed up Delaware's accomplishments best when she said:

> During the past decade, the NSRC has showcased Delaware as a model to dozens of other U.S. States, countries, and national organizations, including the National Governors Association, the Council of Chief State School Officers, and the James B. Hunt Institute for Educational Leadership and Policy. Hundreds of leaders have visited the John W. Collette Education Resource Center in Dover, as well as many of [Delaware's] classrooms. While small, your State has been and will continue to be instrumental in catalyzing other states and countries to transform their science programs.

That is from Sally Goetz Shuler, the executive director of the NSRC. That is a powerful statement, and one with which I wholeheartedly agree.

By the way, my colleague, Senator CARPER, who has just come on the floor, has also visited the Collette Resource Center in Dover.

Delaware's science program is very impressive and the work is paying off for Delaware's students. When the new science standards and assessments were first implemented in 2001, only 42 percent of eighth grade students met or exceeded the standards. By 2009, 60 percent of the eighth graders met or exceeded the standards. Similar achievement gains have been illustrated at the

fourth, sixth, and eleventh grades as well. This is an incredible achievement and I am confident Delaware's science teachers and leaders will continue to build on this accomplishment.

Congratulations to Delaware for continuing to lead the way in science education.

Mr. President, I yield the floor to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

REMEMBERING SENATOR ROBERT C. BYRD

Mrs. FEINSTEIN. Mr. President, I rise today to join my colleagues in mourning the loss of one of the Senate's legendary Members—ROBERT C. BYRD, the honorable senior Senator from the great State of West Virginia.

It wasn't too long ago that I looked right over there and I saw a desk draped in black with roses and it was one titan of the Senate—Senator Ted Kennedy. Today, I look down here and I see a desk draped in black with white roses and it is a second titan of the Senate.

I had the privilege of serving with Senator BYRD on the Appropriations Committee for some 16 years. I have had occasion to watch him. He could be very tough, he could be very caring, and he could have that twinkle in his eye. He could depart from the present text into Greek tragedy; into old Roman speaking. He had an incredibly curious mind. I think he is going to be greatly missed from this body.

I think of him representing the State of West Virginia for 51 years and serving 6 years in the House of Representatives. During all those 57 years, he served with the kind of devotion and passion that he showed in his last year here in the Senate, when he was very troubled by declining health. He has truly left an indelible imprint on the State of West Virginia and on this body. No one has ever shown more determination or greater love for the United States Senate than ROBERT C. BYRD. His tenure has been legendary.

He held a number of key leadership positions, including secretary of the Senate Democratic Caucus, Senate majority whip, twice as Senate majority leader, the Senate's minority leader, and three times as chairman of the Senate Appropriations Committee.

During the period of 1989 to 2010, Senator BYRD was President pro tempore of the Senate—the most senior Democrat and third in the line of Presidential succession; also as President pro tempore emeritus when the Democrats were in the minority.

Senator BYRD cast more rollcall votes than any other Member of this institution—18,689 in total. That is truly remarkable. Just think about how many of this Nation's laws he helped shape.

He was a veritable expert on the inner workings of the Senate. There was no one who was more well versed in this institution's intricate rules, protocols, and customs than ROBERT BYRD. He literally wrote one of the most comprehensive books on the Senate. He knew Riddick's ''Rules of Procedure,'' virtually all 1,600 pages.

Many of us in the Senate have also spoken of his ardent devotion and consummate knowledge of the Constitution of the United States. His well-worn, treasured copy of this document was kept in his vest pocket, and year after year I would see him pull it out. The only thing that would change is that his hand, as the years went on, shook a little bit more. But his devotion to that document did not.

He was a staunch defender of the prerogatives of the three equal branches of government, and he was very quick to note that he served alongside, not under, 11 Presidents.

When he first joined the House of Representatives in 1952, Dwight Eisenhower was President. His tenure in Congress then followed alongside the Presidencies of John F. Kennedy, Lyndon B. Johnson, Richard M. Nixon, Gerald A. Ford, James Carter, Ronald Reagan, George H.W. Bush, William J. Clinton, George W. Bush, and finally Barack Obama. That is an amazing list of people to have served with.

BOB BYRD was not only one of the Senate's famous power brokers, but I think his fondness for classical history, music, and poetry has impacted every one of us. As I said, he frequently interspersed his Senate remarks with passages from ancient Roman history, philosophy, and often poetic verse. It used to amaze me how, late at night, he could move from his set text and repeat some poem, word for word, verse after verse.

The nine decades of ROBERT BYRD's lifetime witnessed great change both at the personal level and at the national level. He lived to see and strongly support the inauguration of our country's first African-American President—something I know meant a great deal to him. He was not always on the right side of the civil rights issue at every stage of his life, but he became a champion for equality, a lion for progress. His transformation was truly inspirational.

Senator BYRD was born into very humble beginnings in 1917. He grew up during the Great Depression. He was the adopted son of a coal mining family in a small town in southern West Virginia. He was the valedictorian of his high school class but was not able to afford college at the time. This impoverished childhood might have hindered others, might have stopped a weaker person, but not the indomitable ROBERT BYRD. His inner thirst for knowledge propelled him throughout his epic career. In fact, he managed to find time during his tenure in the Senate to finally fulfill his bachelor's degree from Marshall University in 1994, at the tender age of 77. That shows something, I think. He previously received a law degree from American University's Washington College of Law in 1963.

The loss of his beloved wife Erma Byrd in 2006, I think, was a dramatic blow to him. I had occasion to talk with him during that time, and there was no question that this was a great love, that it was an enduring love, and that it was a lifetime commitment. I discussed with him how he provided, day after day, week after week, and month after month, the personal care to his wife as she became more infirm and came toward the end of her life. This truly was a major gift of love.

One thing I have learned in my lifetime, there are so many people who, in the end-of-life crises, are not able to give with love to their spouse. This was a man who could do that. I think that develops his importance as you look at life and people in general.

Once again, I offer my sincerest condolences to his two daughters Mona Faterni and Marjorie Moore, his grandchildren and great-grandchildren, and to the people of West Virginia.

This Nation—not only West Virginia, but all of us—owe Senator ROBERT BYRD a great debt of gratitude for his service.

I know I will very much miss that indomitable spirit, that insightful guidance, and the intense commitment to the Senate.

This man will be missed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. CARPER. Mr. President, I am pleased to follow my colleague, Senator FEINSTEIN, in tribute to ROBERT BYRD, whom I always called Leader and who always called me Governor. He was our leader. He was a leader for a long time and will always be that in a very real sense to many of us.

I was born in Beckley, WV, just about a dozen miles or so from a community called Sophia, which is where ROBERT and Erma BYRD once ran a little mom-and-pop supermarket back in the late 1930s, early 1940s. I think he was the butcher. He ran that supermarket and later on, I think, in World War II, he was a welder during the war. As we know, in the late 1940s he had the opportunity to run for the West Virginia Legislature and ran. He was a great fiddler and went around his community, his district, playing the fiddle. He always called himself a hillbilly.

Ironically, I was down in the central part of our State just about a month ago and had a chance to attend a picnic for senior citizens, a cookout. A lot of people were there. I was sitting at different tables and walking around. I was sitting at this one table, and I learned this lady sitting to my left was from West Virginia.

I said: Where are you from?

She said: Sophia.

I said: That's right outside of Beckley, where I was born.

She said: Yes, I knew ROBERT and Erma BYRD when they ran that mom-and-pop supermarket.

I said: You're kidding.

She said: No, I did.

I asked her to share some thoughts with me about it, and she did.

Two weeks later I was back in the Senate and Senator BYRD was coming in in a wheelchair. In the last part of his life he lost the ability to walk. He never lost his voice, never lost his mind either. But he came in, and I stopped to say hello to him, see how he was doing, and I said: Leader, I just met a woman over in Delaware the other day who knew you from your little supermarket in Sophia, WV.

I told him about it, and he smiled. He said: Do you remember her name? Do you remember her name?

Ironically, I could not remember it. But if I had, he would have. He was amazing.

Some people think the reason he got elected to office so many times, in the legislature and the U.S. House of Representatives and in the Senate, was because he was so good at, frankly, looking out for West Virginia economically, making sure they were not left behind. He was also a pretty good politician. He was good at names.

I remember once, when we had a funeral for my mom who died about 4 years ago, and we had a celebration of her life just outside of Beckley. We had it in the home, a very large home of a family who had 19 kids. One of them married my cousin, Dan Patton. Some people have a dining room; they had like a banquet hall for their meals. We were all gathered in this banquet hall, paying tribute to my mom, reflecting on her memory, and I was walking around the house afterwards, and I came across a CONGRESSIONAL RECORD tribute on the wall of this house. It was a tribute from ROBERT BYRD honoring this family. I was just blown away. I couldn't wait to get back to the Senate the next week and say to Senator BYRD: You will never guess whose house I was in.

I told him the name of the house, the family, and he said: I remember that guy. He is a barber. They have 19 kids.

This guy was just amazing. I used to call him on his birthday. I used to call him not just on his birthday but when he and Erma had an anniversary. I would call him on Christmas and other special occasions just to see how he was doing and let him know I was thinking about him.

I think it was his 90th birthday, and I called him and I said: Leader, I think it is your birthday today.

He said: Yes, it is.

I said: How old are you, anyway?

I knew.

He said: Well, I'm 90.

I said: I just hope when I am 90 I can just sit up and take nourishment.

Mr. President, he said: I hope you can, too.

He was amazing.

He and JOE BIDEN share the same birthday. Sometimes I would call Senator BYRD on his birthday and say: Leader? He said: Governor, is that you?

I said: That's me. I always get this confused, who is older, you or BIDEN?

He said: I still got him by a couple of years, but he is catching up on me.

I guess now he will really have a chance to catch up.

I came here as a freshman Senator. I had been in the House, and a Governor before. I came in as a freshman in 2001. I was about the age of the pages down here. I remember Senator BYRD really took a bunch of us under his wing. He became sort of my mentor. I think the fact we had this West Virginia connection made it even more special for me, and I think maybe for him.

He taught us how to preside. He explained to us the rules of the Senate. He knew the rules better than anybody else and he was able to work the rules, use the rules to get things done—or not, to keep things from getting done. Boy, he was good. He taught us how to behave in the Senate, and he did that—not just for us but for people who had been here for 20, 30, 40 years. If they were acting up, making too much noise on the Senate floor, he would stop them dead in their tracks.

He once said to me the most important role for the Presiding Officer, Mr. President—he said the most important role of the Presiding Officer is to keep order. That is what he said. He said: If you can keep order, the rest is pretty easy. I always remembered that.

He presented to me my Golden Gavel. The Presiding Officer has a Golden Gavel. You get it after presiding so many hours in the Senate. But I was very honored to receive mine from Senator BYRD.

When I got here in 2001 I think he was 83, an age when most people are ready to sit back and take it easy. He was just picking up speed. As Senator FEINSTEIN said, he could take to the Senate floor without a note, give a speech on just about any subject, throw in all kinds of anecdotes with respect to ancient Rome and Greek mythology, recite poems and stuff.

I once said to him: How do you remember all those poems?

He would say: I just make them up.

He was just kidding. He actually was able to remember them. I sometimes have a hard time remembering where I am supposed be for my next meeting.

He was from West Virginia, the southern part of West Virginia. As others have said, his views on race as a younger man and as a new person in the Senate were not the same views that he left with. He matured, grew up.

He once said to me: The worst vote I ever cast, I actually voted against and spoke against the Civil Rights Act of 1964.

I think he sort of went to his grave regretting that. But I think he went to his grave having atoned, if you will, for that sin. He changed his views with respect to race. In part it was a matter of conscience—he was a person of deep faith—but I think also probably he changed, in part, because of the prodding and cajoling of, among others, one of his best friends, Senator Ted Kennedy.

As I said earlier, I loved to call him on special days. I would almost always call him when I was back in West Virginia, call him on my cell phone, call him at his home in McLean. It wasn't his birthday or anything and I would call him.

I would say: Leader?

He would say: Is that you, Governor?

I would say: Yes, I am driving down to West Virginia on the Virginia Turnpike heading toward Beckley.

He would say: No kidding.

I said: I am trying to remember which exit to get off of. The first one is Harper Road, then there is another one. The third one, I can't remember that. What is that?

He would say: That's my road, the Robert C. Byrd Drive exit.

I would always have a good time with him for that. Others have spoken about all the leadership roles he played here, all the votes he cast, all that he did. He did so much for West Virginia. I love to go back to West Virginia. I think the friendliest people I have ever met in my life are from West Virginia. It is kind of a hardscrabble place. They have come a long ways, in no small part because of his enormous help. He has been accused of trying to hijack Washington and move it to West Virginia and bring in all kinds of Federal agencies and jobs.

He was really trying to make sure West Virginia did not get left out, and I think thanks to his intervention, they did not.

He made life a lot better for the folks who live in West Virginia today, and who lived there for the last 58 years. He also made life better for a generation of Americans, maybe a couple of generations of Americans, in looking back, and maybe even looking forward as well. He is going to make their life better, looking forward, for the people in this country who need health care, the people in this country who need a decent place to live, a chance to buy a home, a chance to get an education, the opportunity to improve their station in life.

More than anybody I know, for a guy who was born, orphaned in North Carolina as an infant, who was traded off by his mom in her last will and testament—she wanted him to be raised by her sister who lived in West Virginia, and her sister took this young man in. His name was not ROBERT BYRD. But she took in her nephew. She and her husband raised ROBERT BYRD in tough situations, hardscrabble situations, and he sort of raised himself by the bootstraps and worked hard all of his life to make something of his life and to serve as a model for us in the end, and a model for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

GENERAL DAVID PETRAEUS

Mrs. HUTCHISON. Mr. President, I rise today to voice my strong support

for GEN David Petraeus to be confirmed as our Nation's top military commander in Afghanistan. I want to say I have had a great experience with General Petraeus and also watching him from afar. When he introduced the concept of the counterinsurgency in Iraq, and embedding our troops with Iraqi troops to try to train the Iraqi troops to do the security for Iraq as we were leaving, I had grave concerns about embedding our troops and the counterinsurgency, because I feared for the safety of our troops and troop protection. I did not want to publicly ask questions of his judgment or disagree with him, but I did ask him to come see me and explain this to me so I would feel more comfortable, which he did. He came to my office. He walked me through it. He gave me confidence that it could work.

Then later, when he was in Iraq, and I was taking one of the trips I have made to Iraq, the first place that General Petraeus sent me to see was the Iraqi police station with our embedded troops. He never said a word to me about my questioning of how it would work, but he sent me in.

Later that night I was able to have dinner with him and Ambassador Crocker. I said: I know why you sent me to the police station, because I had questioned how you were going to protect our troops. I became a complete believer in General Petraeus and certainly how they do protect our troops as we are also teaching the foreign forces to take on their own security.

So I do have complete confidence in this man. What I do not have confidence in is the mission he is being given, because I sense a mixed message. I sense a mixed message from the President, and a division in what our Members of the Senate are saying, even as they questioned General Petraeus yesterday.

Here is my concern. We know you cannot set a hard and fast deadline and say, our troops are leaving no matter what the conditions are, and gain the confidence of the people on the ground that you are going to see the mission through.

It seems our mission should be clear, that we are going to prepare the Afghans for the security of their country, and also assure that the Taliban and al-Qaida cannot get a stronghold that would allow the export of terrorism to America and other freedom-loving countries in the world. That should be the clear mission.

I believe that is the mission General Petraeus understands, and I think that is what President Obama is saying. But my concern is this questioning of General Petraeus by members of the Armed Services Committee about the withdrawal date.

The President has said firmly the withdrawal is going to be July of next year. General Petraeus is very careful in every answer that he makes to say, conditions on the ground will dictate when we withdraw. July is the date. We acknowledge that, he says. But it will also depend on conditions on the ground.

I hope we will have a united view in the Senate, a united view in the House of Representatives, and the President acknowledging that we must have the confidence of the people on the ground in Afghanistan and also the confidence of the enemy, the Taliban, and al-Qaida, that we are not going to leave in July if there are not conditions on the ground for the Afghans to repel the evil forces of the Taliban and al-Qaida.

As we vote today on the confirmation of General Petraeus, I am voting for this general because I believe in him. I believe in his creativity. I believe in his judgment. I want to make sure he has everything he needs to do the job we are asking him to do. He has proven he can do the tough jobs.

He changed the atmosphere in Iraq and he did it the right way. He protected our forces as he was doing it. So we must assure that we give him the same level of confidence and support in Afghanistan to do the job there, because it is clear that the place where al-Qaida and the Taliban are operating from is that area of Pakistan and Afghanistan, and we cannot allow them to strengthen their efforts to be able to export terrorism to our country again.

At the same time, we have got to make sure there is not a bull's-eye on the back of our troops in Afghanistan because the enemy thinks we are leaving no matter what. Conditions on the ground are the prerequisite. I hope the President has given General Petraeus the level of confidence that I feel in him, and that I think our Senate will show to him today to do the job as he sees fit, because he is going to have the boots on the ground in Afghanistan.

I have been to Afghanistan, as have most of my colleagues. I know how tough it is, the terrain, the type of government they have had throughout their centuries, and it is not adaptable easily to our concept of governance. So we have to work within a framework that is very difficult both geographically as well as in the governance structure.

I am voting for General Petraeus today because I know this man can do the job. I hope the President will give him the free rein to do the job we are asking him to do, and, in the process, protect our troops and protect him as they are doing this very tough job with everything he asks us to provide to him to finish this job and make the Afghan people say—give them the ability to create their governance in a way that works for them and to protect the people of the United States from any further terrorist attack.

That is when we will be able to say ''mission accomplished.'' And General Petraeus can do this job. We must give him the backup so he can be successful.

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. LEVIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF DAVID H. PETRAEUS TO BE GENERAL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of David H. Petraeus, Department of the Army, to be General.

The PRESIDING OFFICER. Under the previous order, there will now be 20 minutes for debate with respect to the nomination, with the time equally divided and controlled between the Senator from Michigan, Mr. LEVIN, and the Senator from Arizona, Mr. MCCAIN, or their designees.

The Senator from Michigan.

Mr. LEVIN. Mr. President, I yield myself 8 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. LEVIN. The Senate will soon vote on the nomination of GEN David Petraeus, who is once again stepping forward to render invaluable service to our Nation, as he has so often in the past. Certainly the events that bring General Petraeus to this moment were unforeseen. But we can be certain that when confirmed, he will bring highly experienced leadership and a profound understanding of the President's strategy in Afghanistan which he helped shape as Commander of the U.S. Central Command.

General Petraeus confirmed yesterday before the Armed Services Committee that he fully supports the President's strategy. That strategy includes a surge of U.S. combat troops who will be in place later this year.

That strategy includes a counterinsurgency campaign focused on securing the safety of Afghanistan's population and pursuing the insurgents who threaten that safety. The President's strategy, which General Petraeus supports, includes the setting of a July 2011 date to begin reductions of U.S. combat troops as a way of focusing the attention of the Afghan Government and military on preparing Afghan forces to take greater responsibility for the security of their own people. I have long believed that focusing on building the capacity of the Afghan security forces to secure their nation's future is

critical to the success of our mission in Afghanistan. General Petraeus agrees. He told our committee yesterday:

We want Afghan ownership of Afghan problems, whether it's security problems, political problems, economic problems, you name it.

That is what the Afghans want as well. That is what we were told. A number of us were there a year ago in Afghanistan when 100 or so elders gathered at a shura in southern Afghanistan. When we asked them what they wanted the United States to do, they told us we should train and equip the Afghan Army to provide for their country's security and then depart. And the 1,600 delegates to Afghanistan's Consultative Peace Jirga, which occurred at the beginning of June, adopted a resolution calling on the international community to ''expedite'' the training and equipping of the Afghan security forces so they can gain the capacity ''to provide security for their own country and people.''

The Afghan Army fields about 120,000 troops, including 70,000 combat troops. They should, wherever possible, be leading the fight against the insurgents. The Afghan Army enjoys the support of the Afghan people. That means that Afghan troops leading the fight would be the Taliban's worst nightmare. It would demonstrate that insurgent propaganda, which portrays us as out for domination and for our own ends, is a lie. If the Afghan people are to see this as their fight, it should be a fight led by their own soldiers with our support and not the other way around.

I wish to read an exchange from yesterday's hearing on this issue. I asked General Petraeus the following question:

The urgent increase in the size and capability of the Afghan army and having Afghan forces leading operations more and more is bad news for the Taliban. Now, I've described that as the Taliban's worst nightmare, because their propaganda that they are fighting against foreign forces who want to control Afghanistan will ring more and more hollow with the Afghan population [if] the Afghan army, which has the support of the Afghan people, [is] leading the effort to defeat the insurgents.

Then I asked General Petraeus: Is that something you would generally agree with? His answer was that he agreed with that statement.

I am also encouraged that General Petraeus committed at our hearing to a review of deployments by the Afghan Army to see how more Afghan troops might be deployed to the south where operations are the most intense and to ensure that Afghan leaders are leading operations in the south wherever possible.

General Petraeus also reiterated to the committee his support for the July 2011 date to begin reductions of U.S. combat troops. As he put it:

I saw [setting that date] most importantly as the message of urgency to complement the message of enormous additional commitment.

As the Presiding Officer well knows because he is an esteemed member of our committee, General Petraeus literally wrote the book on counterinsurgency. He led the effort to write our military's manual on counterinsurgency. As commander of U.S. forces in Iraq and the U.S. Central Command, he has served his country with great distinction at a time of great need. We are fortunate that once again he has answered his Nation's call, and we are grateful for the sacrifices he, his wife Holly, and his family are willing to once again accept.

I strongly support his nomination. His nomination was unanimously supported by the Armed Services Committee yesterday. I hope our colleagues will give General Petraeus an overwhelming vote of support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. McCAIN. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Arizona has 10 minutes.

Mr. McCAIN. I thank the Chair.

Mr. President, I rise to speak on behalf of the nomination of GEN David Petraeus to be Commander of the International Security Assistance Force in Afghanistan, and Commander of U.S. Forces-Afghanistan. General Petraeus is quite simply one of the finest military leaders our country has ever produced. And we are all grateful for his willingness to answer the call of service in yet another critical mission—a mission that will once again take him far away from his family, especially his beloved wife Holly, whose support and sacrifice over many decades, both for General Petraeus and for our men and women in uniform, can never be overstated. General Petraeus is an American hero, and I urge my colleagues to confirm his nomination.

Before I go further, let me say a word of praise for another American hero: GEN Stanley McChrystal. He is a man of unrivaled integrity, and what is most impressive about his long record of military excellence is how much of it remains cloaked in silence. Few understand fully how General McChrystal systematically dismantled al-Qaida in Iraq, or how he began to turn around our failing war in Afghanistan. These achievements, and others like them, are the true measure of Stanley McChrystal, and they will earn him an honored place in our history.

We are calling on General Petraeus at a critical moment for the war in Afghanistan. I agree with the President that success in Afghanistan is ''a vital national interest,'' and I support his decision to adopt a counterinsurgency strategy, backed by more troops and civilian resources. This is the only viable path to true success—which I would define as an Afghanistan that is increasingly capable of governing itself, securing its people, sustaining its own development, and never again serving as a base for attacks against America and our allies. In short, the same results we are slowly seeing emerge today in Iraq, thanks in large part to the work of General Petraeus and the forces he commanded.

Before heading out to Iraq 3 years ago, General Petraeus told the Armed Services Committee that the mission was ''hard but not hopeless.'' I would characterize our mission in Afghanistan the same way. Afghanistan is not a lost cause. Afghans do not want the Taliban back. They are good fighters, and they want a government that works for them, and works well. And for those who think the Karzai government is not an adequate partner, I would remind them that, in 2007, the Maliki government in Iraq was not only corrupt; it was collapsed and complicit in sectarian violence. A weak and compromised local partner is to be expected in counterinsurgency. That is why there is an insurgency. The challenge is to support and push our partners to perform better. That is what we are doing in Iraq, and that is what we can do in Afghanistan. But we need to make it clear that, as long as success in Afghanistan is possible, we will stay there to achieve it.

I appreciate the President's statement last week that July 2011 is simply a date to ''begin a transition phase'' to greater Afghan responsibility. And for those who doubt the President's desire and commitment to succeed in Afghanistan, his nomination of General Petraeus to run this war should cause them to think twice. I know that General Petraeus will do everything in his power to help us succeed in Afghanistan. I know that if he believes he needs something he does not have, or if he thinks that changes should be made to our war effort, he will not hesitate to offer his best professional military advice to the President and to Congress. I am encouraged that this is the man the President has given his confidence. And I believe this should be an opportunity for the Senate to join together, on a broad bipartisan basis, not just to support the nomination of General Petraeus, but to demonstrate to the Americans we represent, as well as to our friends and allies abroad, that we are fully committed to the success of our mission in Afghanistan.

We must give General Petraeus every opportunity to succeed in his new command. And I believe that means stating clearly that the withdrawal of U.S. forces from Afghanistan must be determined solely by conditions on the ground. What we are trying to do in Afghanistan, as in any counterinsurgency, is win the loyalty of the population—to convince people who may dislike the insurgency, but who may also distrust their government, that they should line up with us against the Taliban and al-Qaida. We are asking them to take a huge risk, and they will be far less willing to take that risk if they think we will begin leaving in a year. In a news report yesterday, one U.S. marine described the effect of the

July 2011 date on the Afghans she encounters: ''That's why they won't work with us,'' she said. ''They say you'll leave in 2011, and the Taliban will chop their heads off.''

In addition to being harmful, the July 2011 withdrawal date increasingly looks unrealistic. That date was based on assumptions made back in December about how much progress we could achieve in Afghanistan, and how quickly we could achieve it. But war never works out the way we assume. Secretary Gates said last week, ''I believe we are making some progress. [But] it is slower and harder than we anticipated.'' I agree. Marjah is largely cleared of the Taliban, but the holding and building is not going as well as planned. Our operation in Kandahar is getting off to a slower and more difficult start than expected. The performance of the Afghan government over the past 7 months is not as even or as rapid as we had hoped. Some of our key allies plan to withdraw their forces soon, and it looks increasingly unlikely that NATO will meet its pledge of 10,000 troops.

None of this is to say that we are failing, or that we will fail, in Afghanistan. It just means that we need to give our strategy the necessary time to succeed. This is all the more essential now with General Petraeus assuming command, pending his confirmation. He has proved that he can lead our forces to success. He has proved that he can work effectively with local partners in counterinsurgency. He has proved that he is an ideal partner for our many allies and friends, who are so critical to success in Afghanistan. In short, David Petraeus has proved that he is a winner, and we need to give him every opportunity and remove every obstacle so that he can help the United States and our allies to win in Afghanistan.

General Petraeus has my full support, and I urge my colleagues to vote to confirm his nomination so he can take up his new mission as soon as possible.

I yield back the remainder of my time.

Mr. FEINGOLD Mr. President, it is my general policy to defer to Presidents on executive branch nominations. General Petraeus is clearly qualified for this position and, accordingly, I will vote in favor of his confirmation. But regardless of who is in command, the President's current strategy in Afghanistan is counterproductive. We should set a flexible timetable for responsibly drawing down U.S. troops, not just a start date, so that we can pursue a sustainable, global campaign against al-Qaida and its affiliates.

Mr. REID. Mr. President, with 100,000 troops fighting on the front lines of our battle against terrorists in Afghanistan, the stakes could not be higher. That's why I was pleased that President Obama chose a proven leader for our forces in Afghanistan in GEN David Petraeus.

General Petraeus is the right choice to lead this mission in Afghanistan. He has demonstrated that he can effectively carry out a counterinsurgency strategy and prepare local forces to take over the U.S. combat mission.

The resounding bipartisan support that General Petraeus received in the Armed Services Committee and on the Senate floor sends the right message to our forces on the ground in Afghanistan, our allies who share our mission of defeating terrorism and the enemies who seek to harm us.

It says that we are committed to success in Afghanistan and we will continue to take the fight to the Taliban. And it also says that we will continue to work to transfer responsibility to Afghan forces—with the recognition that our commitment in Afghanistan is not open-ended.

As our Commander in Chief, President Obama must have a military and civilian team that has his full confidence, and with General Petraeus' confirmation, he now has that team in place.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, is there any time remaining?

The PRESIDING OFFICER. There is 3 minutes.

Mr. LEVIN. Mr. President, first of all, let me say I very much join Senator MCCAIN's comment about General McChrystal. I spoke about his heroics yesterday, his integrity yesterday at the Armed Services Committee in my statement, and I reiterate them today. General McChrystal is someone who has the deep respect of all who know him. And while fate took a strange bounce in his life, he has the strength and integrity of character that he is going to be able to deal with it very well.

We all want success in Afghanistan, and setting a date, as the President has done and General Petraeus supports, to begin reductions of our forces is critical to that success, because it is the Afghans who must succeed, with our support. It is the Afghan Army that must grow and get stronger because it is that way where the people will be supportive of this effort, where they will take the risks if they know the Afghan Army is large. They know already it is on their side. They will take the risks to tell that army where the bad guys are, where the insurgents are, and not be afraid.

General Petraeus was asked yesterday whether he backs the President's approach with respect to a deadline, and his answer was clear: ''Not only did I say that I supported it, I said that I agree with it.''

President Obama has made a decision. General Petraeus is very much a part of that decision. He agrees with that decision that we need to begin reductions in July of 2011 of our troops as a way of sending a powerful message to the Afghan leadership about their responsibility to provide security for their own country. And when they do take the lead—whether it is in operations in Kandahar or elsewhere—that is the way the people will rally behind the government, will rally against the hated Taliban.

The Taliban has no love among the people of Afghanistan. The Afghan Army does, and it is that army which must take the lead for the sake of success in Afghanistan. That is what setting this date is all about. That is why General Petraeus supports setting that date, not for withdrawal of all of our troops but for the beginning of reductions of our troops, as that powerful signal about what is at stake here and what the Government of Afghanistan must do to achieve success for them and for us.

A few final words about the July 2011 date set by the President for the beginning of reductions in our combat presence in Afghanistan. That decision also made clear that the pace of those reductions would be dependent on circumstances at the time, and that the United States would continue a strong strategic commitment to Afghanistan.

That July 2011 date imparts a necessary sense of urgency to Afghan leaders about the need to take on principal responsibility for their country's security. We saw in Iraq the importance of setting dates as a way of spurring action. President Bush in November 2008 decided to move all U.S. forces out of Iraqi cities and towns by June 2009 and to withdraw all U.S. forces from Iraq by the end of December 2011. That decision helped focus the Iraqi Government and military on the need to take principal responsibility for the security of their country. The Afghans' success, and ours, depends on that happening in Afghanistan as well.

We have already seen a positive effect of setting the July 2011 date to begin reductions of our troops. Lieutenant General Caldwell, who commands our training efforts in Afghanistan, told us that when President Obama announced the date, the Afghan leadership made a greater effort to reach out to the local leaders and elders, resulting in a surge in recruits for the Afghan army.

General Petraeus has said he agrees with the President's policy setting that July 2011 date, and told me that if he ceases to agree he will so advise his Commander in Chief, which he, of course, has a responsibility to do as a military commander.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, this is not the time for debate over strategy. I would point out that no one follows an uncertain trumpet, and for us to assume the Afghan people will now rally to the side of democracy and freedom, when they think we are leaving and unable to sustain a counterinsurgency on their own, is the same kind of thinking that opposed the surge in Iraq, the

same kind of thinking that would have doomed us to failure, the same kind of rhetoric that was voiced during our debate on Iraq 3 years ago. They were wrong then; they are wrong now.

I would hope they would have learned the lesson of our success in Iraq: that we must show our friends and allies alike that we will be there to complete the mission; not as a young soldier said the other day: that they fear the Americans are leaving and the Taliban will cut their heads off.

It is a fundamental of warfare that you have to see the mission through to completion or failure. To announce a date of withdrawal is to announce a date for defeat.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I would also now reclaim the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LEVIN. Mr. President, I ask unanimous consent for 30 seconds to respond.

Mr. McCAIN. I object.

The PRESIDING OFFICER. Objection is heard.

The question is, Will the Senate advise and consent to the nomination of GEN David H. Petraeus to be General?

Mr. McCAIN. 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.

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 203 Ex.]

YEAS—99

Akaka	Ensign	McConnell
Alexander	Enzi	Menendez
Barrasso	Feingold	Merkley
Baucus	Feinstein	Mikulski
Bayh	Franken	Murkowski
Begich	Gillibrand	Murray
Bennet	Graham	Nelson (NE)
Bennett	Grassley	Nelson (FL)
Bingaman	Gregg	Pryor
Bond	Hagan	Reed
Boxer	Harkin	Reid
Brown (MA)	Hatch	Risch
Brown (OH)	Hutchison	Roberts
Brownback	Inhofe	Rockefeller
Bunning	Inouye	Sanders
Burr	Isakson	Schumer
Burris	Johanns	Sessions
Cantwell	Johnson	Shaheen
Cardin	Kaufman	Shelby
Carper	Kerry	Snowe
Casey	Klobuchar	Specter
Chambliss	Kohl	Stabenow
Coburn	Kyl	Tester
Cochran	Landrieu	Thune
Collins	Lautenberg	Udall (CO)
Conrad	Leahy	Udall (NM)
Corker	LeMieux	Vitter
Cornyn	Levin	Voinovich
Crapo	Lieberman	Warner
DeMint	Lincoln	Webb
Dodd	Lugar	Whitehouse
Dorgan	McCain	Wicker
Durbin	McCaskill	Wyden

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

AMERICAN JOBS AND CLOSING TAX LOOPHOLES ACT OF 2010

Mr. DeMINT. Mr. President, what is the pending business?

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

Motion to concur in the House amendment to the Senate amendment with an amendment to H.R. 4213, an act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 4425 (to the amendment of the House to the amendment of the Senate to the bill), in the nature of a substitute.

Reid amendment No. 4426 (to amendment No. 4425), to change the enactment date.

Reid motion to refer in the amendment of the House to the amendment of the Senate to the bill to the Committee on Finance, with instructions, Reid amendment No.4427, to provide for a study.

Reid amendment No. 4428 (to the instructions (amendment No. 4427) of the motion to refer), of a perfecting nature.

Reid amendment No. 4429 (to amendment No. 4428), of a perfecting nature.

The PRESIDING OFFICER. The Senator from South Carolina.

CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA

Mr. DeMINT. Mr. President, I rise today to congratulate the University of South Carolina men's baseball team for making history by winning the NCAA College World Series last night.

Whit Merrifield's clutch hit in the 11th inning brought home the winning run and gave USC its first ever national championship for any men's team at the university.

In spite of losing their first game in Omaha, the team persevered through multiple elimination games. They were motivated by the courageous spirit of one young fan, Bayler Teal, who at age 7 may have been the biggest Gamecock fan in America. He suffered from a rare form of cancer and died last Thursday during the Gamecock's come-from-behind victory over Oklahoma. He wore his Gamecock ball cap the day he died.

Fortunately, Bayler's parents and 5-year-old brother were able to be in Omaha last night to see the Gamecocks win the final game of the College World Series.

So today I join all South Carolinians and Gamcocks fans everywhere to congratulate the players, Coach Ray Tanner, and his staff for an outstanding victory.

Now all America knows that USC means the University of South Carolina. Go Gamecocks.

FIRST-TIME HOME BUYER TAX CREDIT

Mr. President, I want to speak in objection to the majority's latest attempt to secretly push through another extension of the first-time home buyer tax credit—the third time the Senate has modified or extended this credit since July of 2008, when it was originally included in the majority's Housing and Economic Recovery Act.

Home buyer tax credits have several flaws, and I opposed them in the past because I believe they are a temporary infusion of capital into the marketplace and simply increase the government's grip on our Nation's economic growth.

As often happens when the government becomes involved in attempting to grow a portion of the Nation's economy, we only create a bubble that will eventually burst. As the National Association of Realtors said in late April, shortly before the expiring of the tax credit on April 30:

It is time for the housing market to stand on its own feet.

It is time for the government to stop picking winners and losers in the housing market based on arbitrary dates and arbitrary qualifications. For the people who haven't closed on their homes by today, it is not that they won't get their house; it is only that they won't get a taxpayer subsidy for having bought a house now rather than later. This taxpayer subsidy has been funded by their neighbor, who may not have had the opportunity to buy on the government time line.

We have watched this majority push through big spending bills and targeted government credits. What we have learned is that government spending does not grow economic prosperity; rather, government spending grows deficits. It creates economic bubbles. Without a doubt, it increases taxes.

For 18 months, this majority has created a false sense of hope for consumers and markets while increasing taxes on small businesses and the most productive and hard-working Americans. Rather than creating tax equality and predictability for all Americans, this Congress has tried to force taxpayers to subsidize the purchasing of cars, homes, and even appliances.

We know what works. When American businesses have the predictability of low tax rates, they in turn invest in job creation and create real economic growth.

The enormous amount of spending this Congress has taken on is unsustainable and will eventually lead to the highest tax increases in our Nation's history.

This bill is no different. I ask my colleagues, how many times do we need to extend this home buyer tax credit? What do we tell the people who bought their homes just before it started, and the ones who bought their homes right after it expired? Do we say their mortgage rates will be higher for the whole time they own their home, and their

taxes will be paying for their neighbor's home, who happened to buy in the government's window of opportunity?

The nonpartisan Tax Policy Center has called the home buyer credit ''Washington's worst tax policy idea.'' They have estimated that the $12.6 billion already spent on this program through February created ''close to zero'' jobs and that at least 85 percent of these buyers would have likely purchased a home anyway.

Also, the Treasury Department's inspector general found the home buyer credit has been riddled with fraud and chronicled over 14,000 instances of false claims. This is typical of government programs. The report ''found as many as 67 taxpayers using the same home to claim the credit''—the same home. It also found that over 1,000 prisoners received credit for homes they claimed to buy while in jail.

How is it fair to subsidize Americans who purchased their first home only because they purchased it on the government's timetable?

With this latest extension of the credit, the majority is not only cutting defense spending to fund the credits, but now it is admitting that taxing Americans at the highest rates in history isn't enough. Now they are going to tax foreign visitors to pay for buying our homes in America.

My hope is that my colleagues will use the recess next week to finally listen to the millions of Americans who are tired of this Congress choosing winners and losers. They are tired of the excessive spending, and they are fearful of tax increases yet to come. They are telling us very clearly: Stop spending, stop borrowing, stop adding to the debt, and stop the government takeovers.

Most of all, they agree on one thing: This Congress needs to get out of the way and let America get back to work.

UNANIMOUS-CONSENT REQUEST—H.R. 3371

Mr. President, I will now speak on the status of the Federal Aviation Administration legislation and, hopefully, move the process along a great deal. At the end of this, I will offer a unanimous consent request.

As many Senators will remember, early last year a small commuter plane crashed just outside Buffalo, NY. The accident killed all 49 people onboard and one person on the ground.

In the months following the crash, the Senate Commerce Committee and its aviation subcommittee held a number of hearings to get a better understanding of what exactly went wrong during Flight 3407 and what Congress could do to help fix it.

I thank Senator DORGAN in particular for his leadership on this issue. From those lessons we have learned and during the drafting of the FAA reauthorization, our colleagues in the House worked with us, and we were able to craft a number of important reforms that formed the safety section of both the House and the Senate reauthorization bills.

Let me take a moment to outline some of them: an FAA pilots records database. Had we had a database like the one we have in this bill, it would be very likely that the pilot of Flight 3407 would not have been allowed to fly that day.

Increased hourly requirements for copilots: If we had these requirements, the copilot on Flight 3407 would have had more experience, and we may have averted a disaster.

There are a number of improvements in the House bill, including enhanced mentoring for pilots, increased utilization of safety management programs, better crew management initiatives, as well as clearer responses to NTSB safety recommendations. All of these reforms will go a long way to improving aviation safety.

Sadly, we have yet to get this legislation across the finish line that would implement these reforms. Parochial politics, political payoffs, and backroom deals are keeping these important safety measures from passing.

Some Members are trying to cut special deals for special flights to their States. Numerous Members are looking to impose new taxes on travelers already burdened by too much taxation. Some Congressmen are trying to cut a special deal for their buddies in the labor unions. All of these things are beside the point and are exactly what aviation policy should not be about.

Since last October, the Senate has had a bill sitting before us that will immediately implement the reforms that the families of Flight 3407 have been calling for. They have waited too long. The fights over FedEx, taxes, and special flights aren't going to go away anytime soon. If we let them, these controversial issues will continue to hold up the safety provisions on which we all agree.

Let's say that enough is enough; it is time to pass the safety improvements and let the rest of the FAA stand on its own.

Madam President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of H.R. 3371 and the Senate proceed to its immediate consideration; that the bill be read the third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER (Mrs. HAGAN). Is there objection?

Mr. DORGAN. Madam President, I object.

The PRESIDING OFFICER. Objection is heard. The Senator from North Dakota is recognized.

Mr. DORGAN. Madam President, might I inquire of the Senator, we have been trying to move a 30-day extension of existing authorities for the FAA, which is essential and very necessary. Is the Senator holding that up? We have had objection from his side, and my information is that the objection was the Senator's. Is that accurate?

Mr. DEMINT. Madam President, I very much support the extension, but I have asked that this safety provision be moved along with it so that we can get this done instead of continuing to allow it to be held hostage to political interests on the bill.

I would be supportive of a unanimous consent request that would extend the FAA authorization 30 days if it included my request for the safety provisions of the bill.

Mr. DORGAN. Madam President, I think this will be extended 30 days. Failure to extend the current authority for the FAA for the next 30 days while we finish the conference report will mean that 4,000 people at FAA will be furloughed, laid off. Don't tell me that promotes aviation safety. That is the worst possible thing we can do—to decide that we are not going to extend current authorities, and after July 4, 4,000 people will be furloughed at FAA.

With respect to what my colleague has just done, without consultation with anybody else, he decided to come to the floor of the Senate and talk about ''special deals'' and ''new taxes'' and so on.

Let me describe where we are. We have tried to keep the Senator's staff and him involved so that he understands where we are. In the event there is missing information, let me explain where we are.

No. 1, we passed an FAA reauthorization bill that includes modernization of the air traffic control system, very substantial safety provisions, far more than what the Senator suggests we adopt today.

As the Senator knows because he is ranking member on the subcommittee, we held a good number of hearings on the subject of the Colgan crash and the safety provisions that need to be done as a result of it. The things the Senator raises on the floor today include most of what I have suggested, among other things. I appreciate the cooperation the Senator offered when he was at the hearings we held on these safety issues.

But following the passage of this bill by the Commerce Committee, we have not been able to appoint conferees in this Chamber. That is symbolic of how dysfunctional the Chamber is these days because we have objections even to appointing conferees. Notwithstanding the objections, Senator ROCKEFELLER and I have been working with the House, and we have kept the Senator involved, trying to narrow down most of the provisions that differ between the House and Senate. There are 6 or 8 or perhaps 10 significant differences we are working on now, and the Senator mentioned a couple: the issue of the perimeter rule, slots at Washington National Airport, a FedEx issue, passenger facilities charge, and other issues.

I believe there is almost no dispute at all about the majority of the safety provisions that both the House and the Senate will include in the bill when it is complete. We had hoped it would be complete this week. That is not going to be the case.

Shortly after we return, I fully expect to have a conference report on the floor of the Senate that will include all of these safety provisions and more, I should say—many more—because, as the Senator knows, I chaired the hearings that helped develop these very procedures.

It would have been nice to have gotten some notice about what the Senator chose to do today. I do not think it is appropriate to try to leverage an extension for 30 days for the current authorization of FAA, which, if not extended, will result in 4,000 people being furloughed at the FAA. To try to leverage passing a portion of the FAA reauthorization bill that we are now negotiating with the House and we are very close to concluding does not make any sense to me.

No one cares more about these safety issues than I do. I can speak at length—and perhaps I will—about the Colgan crash. I understand what happened in that cockpit. I read all the transcription. I read all the information available about it. I sat for hour after hour in hearings. What happened there is an enormous tragedy. Some of the things that caused it, in my judgment, will be remedied and can be remedied and some of it is already remedied as a result of the action by the new FAA Administrator.

I simply want to say to the Senator from South Carolina that I think it is very important that we extend for 30 days the current authority of the FAA and avoid the furloughs his objections would entail. If there is any way to quickly and immediately and dramatically injure safety in the skies in this country, it would be to decide to have that kind of furlough.

I did ask unanimous consent for a 30-day extension. I will do so again this afternoon and hope that my colleague will not object to it. I have worked with my colleague all along the way on these safety issues. I wish perhaps he would have consulted us in terms of coming to the floor today at 12:45 p.m. as a ranking member of a subcommittee and saying: I am going to take this on myself and do this, for whatever reasons he described.

Mr. DEMINT. Will the Senator yield?

Mr. DORGAN. I will be happy to yield without losing the floor, if the Senator has a question.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Madam President, we have been promised for months that this bill, the FAA reauthorization, which the Senator from North Dakota and I approve, would go through. The families of flight 3407 have been here constantly. As the Senator knows, one of those families is from my hometown. They have waited long enough. There is no reason that we need to hold these safety provisions hostage to passing a whole bill that is bogged down in political fights.

I ask unanimous consent to amend my unanimous consent request to include the 30-day reauthorization of FAA. There are none of these provisions the Senator objects to. If there are additional safety provisions that can be in the final bill, we can do that. But nothing in my request compromises what the Senator from North Dakota wants to accomplish. I ask unanimous consent to amend my UC to call up and pass H.R. 5611.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Dakota.

Mr. DORGAN. Why don't we stop this sort of thing? It is unbelievable to me how dysfunctional this place is. I say to my colleague, we have worked on this issue for months and months. I wish it had been done in January, but it was not. But we are very close to getting this done the right way. We have a couple things we have to do together, and I hope we would not be debating this. We need to extend the authorities for the FAA—and do it now—for 30 days. I expect—and the Senator knows me because I have had conversations with Senator KYL, the No. 2 person on his side. We all had conversations with the Senator from South Carolina and his staff. He knows we have been involved in finalizing at long last just the few remaining issues in order to get a conference report to the floor of the Senate.

I have talked with and met with the families of the victims on the Colgan flight many times. I do not know that anybody here has done much more than I have done to reach out to them, to hold hearings, to listen to them, to compliment them, to say to them: Because of what you are doing as families of victims, other people are going to have their lives saved because of aviation safety. I do not take a backseat to anybody in my interest and concern about that and what I have done about that.

I have not had the families of the victims come to me to say: Let's decide to object to extending for 30 days the FAA reauthorization or, by the way, let's decide to take this legislation apart and pull part of it out and leave some of the safety provisions outside the Senator's amendment.

What the Senator is suggesting is that we should pass legislation that came to us from the Senate with an amendment of his that takes a portion of the bill out that he decided he wants out.

This bill, by the way, passed the Senate 93 to 0. The Senator was not there that day, so he did not vote. But 93 Senators voted, and no Senators voted against it. We can get this done, but we are not going to get this done by coming to the floor without consulting anybody; let's take a portion of it and add it to a House provision and threaten to have the FAA not have their authority extended and they can furlough 4,000 people in the coming weeks—that is not, in my judgment, a thoughtful way to proceed.

My hope is that perhaps we, in a rational moment, can just decide: Let's do the right thing. We are in conference with the House—not a formal conference but a substantial number of meetings have gone on. We have another one at 5 o'clock this afternoon. My hope would be that the Senator from South Carolina would agree that there is the right way and the wrong way to do this business. We will get all those safety provisions done and more—much, much more—and we will not leave any safety provisions behind that were in the legislation that passed the Senate 93 to 0. It is going to take another week or so beyond July 4, and we will have this done.

Madam President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of H.R. 3371 and the Senate proceed to its immediate consideration; that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

Let me say that this is the 30-day extension of the FAA reauthorization bill.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Let me withdraw that request.

Mr. DEMINT. I object.

The PRESIDING OFFICER. The Senator may withdraw his request.

Mr. DORGAN. 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. DEMINT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the call of the roll.

Mr. DORGAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Madam President, I just told my colleague that the unanimous consent request I intend to read is a unanimous consent request that will extend for 30 days the existing authorities of the FAA. The House has passed it, has sent it to us, and is now awaiting action by the Senate. I personally do not intend to support amending it and sending it back to the House. I believe we ought to do what we should always do; that is, try to make things work, and the way to make things work is to give the FAA the extended authority they need while we finish the negotiations with the House.

I indicated that we have a meeting this afternoon. Senator ROCKEFELLER and I have a meeting with the House counterparts this afternoon on these issues. We have had staff working for a long period of time. We are down to very narrow, in my judgment, or at least a few narrow differences that I believe we can resolve. It would be a shame, in my judgment, if we do not, just as a matter of courtesy, decide, yes, this is the right thing to do while we try to negotiate these final areas in that legislation.

This issue of safety, I indicated to my colleague—I guess the Senator was absent when the Senate voted on the bill itself. It passed 93 to 0. The Senator from South Carolina has been at the hearings. My colleagues have been at the hearings I have called on safety. The crafting of the provisions on safety are provisions I largely crafted in consultation with my colleague.

It seems to me to be Byzantine to be standing here and having my colleague come to the floor offering this without consultation with anybody. It does not make sense to do it this way. Let's finish this the way Congress should finish its work: negotiate with the House. We can do that in the next week or two, get a conference report, bring it here, and have a vote on it, and it will include all the safety provisions my colleague wants, which I helped create, and many more. That is the right way to legislate.

The wrong way to legislate would be for us to decide we are going to threaten to not extend the reauthorization of the FAA and have about 4,000 people laid off sometime over the Fourth of July weekend. These are people who work at the airports division, engineering facilities, and equipment division. It makes no sense to do this.

Madam President, I ask unanimous consent—this is H.R. 5611, the FAA extension bill for 30 days—I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5611, which was received from the House.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. Reserving the right to object, Madam President, I assure the Senator I am in complete support not only of the 30-day extension but the bill he and I passed out of the Senate. Believe me, I was here for that and very much support it. If the Senator's colleagues will accept it the way we passed it through the Senate, it would be done today. But because of this holdup, what I consider safety provisions being held up unnecessarily for political reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Dakota.

Mr. DORGAN. Madam President, let me make a point very clearly. A number of the provisions dealing with safety that relate to the Colgan air crash are being implemented already by the FAA. Let me make that point, No. 1.

No. 2, in order to successfully do what we really need to do to promote aviation safety, we need to get the bill passed that promotes modernization of the air traffic control system. That is critically important. We are losing ground on those issues. We need to be able to move airplanes around this country and the world with GPS capability. It allows them to fly more direct routes, with a much greater margin of safety for passengers. The modernization of the system is critically important. We worked long and hard on that issue.

This comprehensive bill includes air traffic control modernization, safety provisions, and so many other provisions that are important.

My colleague, who is the ranking member on the subcommittee that helped produce this bill, knows and I know that we have to have a 30-day extension. That has to be done and will be done this week. I cannot believe my colleague would go home and decide: I don't care who is laid off. I will tell my colleagues how to quickly diminish safety in the skies, and that is to do that, to behave like that. That is a nonstarter, in my judgment.

It is also the case that we are not going to have somebody come to the floor without consultation and pull this provision, that provision, or the next provision out of the bill and say: By the way, I want unanimous consent to get this done. That is not serious legislating. It just is not. Everybody knows that.

It is time for us to start working together. This place is pretty dysfunctional these days. This is exhibit A as to why it is dysfunctional. My hope is that in the next couple of days, we can reach an understanding to fix some of the issues that affect the Senator.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

UNANIMOUS-CONSENT REQUEST—S. 3462

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 3462, a bill to provide subpoena power to the national commission on the British Petroleum oilspill in the Gulf of Mexico, and that the Senate then proceed to its consideration; that the bill be read three times, passed, and the motion to reconsider be laid upon the table; that any statements relating to the measure be printed in the RECORD, with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. Madam President, on behalf of other Members of the Republican conference, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Hampshire.

UNANIMOUS-CONSENT REQUEST—H.R. 5481

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 442, H.R. 5481, a bill to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling; that the bill be read a third time and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

This is legislation that passed the House 420 to 1.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. Madam President, on behalf of other members of the Republican Conference, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I think we are witnessing exhibit B to Senator DORGAN's exhibit A about what the problems are in this Chamber.

I don't understand what is so objectionable. In the House, 169 Republicans voted in favor of giving the Presidential commission subpoena power. They understand how important that is because this commission begins their investigation in the next few weeks. This should not be a partisan issue. I don't understand why my colleagues on the other side of the aisle are turning this into a partisan issue.

I find it unbelievable that after everything the people of the gulf region have endured, and that this entire country has witnessed for over 2 months now, that anyone is still standing with the oil company that caused this disaster instead of the victims who are suffering from it.

We recently learned that while BP was publicly telling us that the Deepwater Horizon rig was leaking an estimated 5,000 barrels of oil a day, internal BP documents showed, in a worst-case scenario, up to 100,000 barrels of oil could actually leak into the Gulf of Mexico. What that says to me is that we need to make sure when we are investigating this oilspill, whether it be with employees of BP or anyone else, that they are being straight with the American people. That is what subpoena power would do. If we want to get to the bottom of what happened so we can stop it from happening again, the Presidential commission needs the authority to compel people to provide documents and to testify under oath.

The full devastation of this catastrophic spill is far from being known, but surely we know now that it will be one of the worst, if not the worst, economic and environmental disasters in American history. We need to make sure this never happens again. The Presidential commission needs subpoena power to get the job done for the American people. The House moved quickly to pass this legislation and the Senate should now pass this important legislation also. I can't understand why anyone is objecting to this.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I want to rise in support of what my distinguished colleague from New Hampshire is trying to accomplish here,

which is simply to give the oilspill commission the subpoena power it needs to be able to do its job—to bring those individuals before it who might be reticent to come forth.

What we have seen here on the floor—and what we have seen in the last few minutes—is a whole process that I hope the American people understand is a clear contrast between who stands on their side and who stands on the side of special interests. How is it possible that Members of this Chamber find it difficult to even proceed, when the House of Representatives, in a near unanimous vote, could say that the subpoena power is necessary for the commission to be able to get to the bottom of what happened? The House voted unanimously, save for one vote. Yet we cannot even proceed.

This isn't rocket science. It is common sense to most Americans. We need to fully learn the lessons of this disaster with a thorough investigation, not to protect oil companies from having their negligence exposed. We need to get answers from BP and Transocean and Halliburton and everyone else, including the Federal agencies, not to give apologies to them, as I have seen Republicans suggest that we should apologize to BP for making sure the residents of the gulf region are held whole. We need to know the truth, and the commission needs subpoena power to get the truth. So who are you protecting? What are we hiding here?

In addition to holding information and blocking data collection, BP has seemingly misrepresented the magnitude of the spill. We need the truth. Let's go through a little bit of remembering a very short period of time how this Congress and the American people were deceived. That is why there is a need for subpoena power, to get to the truth and to bring people to testify under oath.

We were told after the Deepwater Horizon burst into flames and then sank onto the ocean floor that there was no spill. Anybody remember that? Can you believe it? The next day, they estimated that an absurdly low flow rate of 1,000 barrels per day was taking place. Then, on May 20, BP said they were siphoning off 5,000 barrels of oil a day from what they claimed was a 5,000-barrel-a-day spill—meaning that they were capturing all of it. Can you believe it?

Then, video feed released under pressure from Congress on May 21 showed a very different story, with a heavy flow of oil still spilling from the well. In response, only after that pressure and that video feed could be measured, the company adjusted their siphon estimate down from 5,000 to 2,200 barrels a day to explain why oil was still flowing. We now know that what the video actually showed was a much heavier flow rate. Only recently have experts begun to have access to some of the data they need to make more credible estimates.

On June 15, the Federal Government officially estimated that the flow may be as high as 60,000 barrels a day, which means that an estimated 3 million barrels have been spilled so far. Three million barrels. That would amount to more than 13 Exxon Valdez spills, which took place in Alaska.

The point of all of this is that we need the truth. That is what Senator SHAHEEN is trying to accomplish—subpoena power for the commission so they can bring in all the parties they need to make sure we get to the truth. We need someone to swear under oath that they are telling us, in fact, the truth about what happened and how much oil is spilling every day into the gulf.

Common sense and good judgment demand that we pass the legislation and move quickly to get to that truth. I can't understand, when I hear so many of my colleagues talk about truth and honesty and transparency, that they can oppose the very effort to give the subpoena powers that get us there. It is a sad day.

While I have the floor, let me briefly say that something good did happen today as it relates to this process, and I want to thank Senator BOXER, the chair of the Environment and Public Works Committee, Senator LAUTENBERG, and the very supportive members of that committee, for passing my Big Oil Bailout Prevention bill out of committee today so that we can get an up-or-down vote on the floor to hold big oil fully liable for the economic and environmental damage they have caused. Frankly, it is time we have a vote, after so many Republican objections, to this commonsense legislation. The bill that the committee passed is simple and common sense. It asserts that we want to protect those families, those taxpayers—and all of us as taxpayers—not oil company profits. It asserts that oil companies should bear the burden of the economic damages that their spill causes, not taxpayers.

As we see the images and read the stories from the gulf coast night after night, it could not be clearer that coastal families and taxpayers are the ones who need protection, not oil companies. With action such as this one in the committee today, we have a lot of momentum going right now. I think the American people have shown clearly they want oil companies held fully accountable, and we are working to do just that. I think we are developing a head of steam.

It seems that the only people who consistently work to protect oil companies instead of coastal families right now are the oil companies themselves and some colleagues who seem to, no matter what, oppose, oppose, oppose either having subpoena power to get to the truth or lifting the liability cap so that the oil industry will be held responsible.

Four times my Republican colleagues have blocked the Big Oil Bailout Prevention Act from passing quickly by unanimous consent here on the Senate Floor, even though there is a fierce urgency of doing so now. All but one in the committee today voted in favor of the poison pill amendment that would have gutted the bill. And they have blocked, as I have said, the attempts of my colleague from New Hampshire to give the commission all the tools necessary to do a full investigation.

So I say to them, if they continue to stand in the way of our efforts to hold oil companies fully accountable, they are going to get run over by public opinion. I hope that now the committee has acted, we can use this as an opportunity to finally hold big oil accountable, and in doing so, to send a message to the industry that they are going to have to be extremely careful; that they cannot cut corners; that they cannot go cheap as they drill—to the extent that we are going to allow drilling to take place. We cannot risk the kind of environmental disaster we now have in the gulf. By the way, 11 lives were lost on that day on that rig. We must guard against a future generation facing this kind of environmental degradation. That is what is at stake here. That is what is at stake here.

It is incomprehensible to me that we cannot get our colleagues on the other side of the aisle to join us in this effort.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. BROWN of Massachusetts. I thank the Chair.

(The remarks of Mr. BROWN of Massachusetts pertaining to the introduction of S. 3551 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DODD. If I may, before my colleague speaks—I will yield to him right away.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Before my neighbor from Massachusetts leaves the floor, let me commend him for his comments here without getting into details of the bill he has offered but, more importantly, the general thrust of what he has expressed. As he is a newly arriving Member of this body and may be here for many years, I am wrapping up three decades of service. But I hope people will listen to what he has to say.

People come to the Chamber and to this institution with the idea of getting things done for our country. That is so critically important. What he has suggested, what I have heard others talk about today, is making this institution functional so we can actually come to terms. It is not easy. We represent different constituencies and different interests. But if the spirit expressed by Senator SCOTT BROWN of Massachusetts in these brief remarks he has made this morning can carry forward in all the debates and discussions we have, we will find a lot more solutions. I want to say thank you.

Mr. BURRIS. I thank the distinguished Senator from Connecticut, who

has certainly been an inspiration to me in this body, and an inspiration to all of us. I will be leaving with him, although I certainly did not come with him. But he has been an inspiration to all of us. He knows what my—I will not say publicly, but I thought the Senator would have made a heck of a Supreme Court Justice.

Madam President, as a public servant, I have long been a strong advocate for American small businesses—especially disadvantaged and minority-owned businesses.

And even before I sought elected office, when I was a banker, I worked hard every day to spur investment on Main Street.

I fought to make capital available to small businesses, so entrepreneurs and innovators could create jobs and bring prosperity to local communities.

But in today's harsh economic climate, many of these businesses are finding it harder than ever to stay afloat.

Credit has largely dried up, and capital investment is difficult to come by.

And even as our economy begins to inch along the road to recovery, small and disadvantaged businesses continue to lag behind.

I believe we need to do better.

I believe we need to place small businesses at the very center of our response to this economic crisis. They are uniquely positioned to create well-paying jobs and generate growth at a local level—so it is time to make them a priority again. Because, if this Congress fails to take action, if we neglect to pass the Small Business Lending Act, and fall short of our commitment to America's innovators and entrepreneurs, then I fear that our Nation will slip into a jobless recovery, and disadvantaged businesses will continue to suffer the full effects of this great recession.

I recognize that government cannot directly create jobs in the same way that the private sector can. But few can deny that government has an important role to play in setting America back on the road to recovery.

Our job is to support and encourage responsible practices, impose common sense regulations, and help to direct investment to the areas that need it most. That is why I believe we need to pay special attention to the disadvantaged and minority-owned small businesses that have borne the brunt of this crisis.

Under current law, the Small Business Administration provides key support to these entities through its 8–A program. This initiative offers technical assistance, training, and contracting opportunities to small businesses that meet specific criteria. I am a strong supporter of this program, which has helped to keep disadvantaged businesses viable, and made sure everyone has the chance to share in economic prosperity. Since its inception, 8–A has made a difference in countless communities, and eased some of the worst effects of this crisis for those who stood to suffer the most. Yet, despite its success, this program's impact has been artificially limited, because only a small number of businesses are eligible for this kind of support.

As we cast about for a solution to our economic troubles, I believe we should leave no stone unturned.

At various times since the onset of the recession, both Democrats and Republicans have come to the table with constructive ideas. Many of these have been passed into law—and I think they have made a real difference. But we must not find false security in early reports of success.

We have made progress—but the situation remains fragile. There is still much more to be done. That is why I have introduced an amendment that would improve and expand the 8–A program.

This measure would increase the continued eligibility amount, from $750,000 to $2.5 million, so more small businesses could benefit from this assistance.

It is no secret that minority-owned businesses, particularly those in poor or urban areas, have been hit hardest by the current economic downturn, so as we look to our recovery, these are the areas we should target for our strongest support.

By expanding the existing 8–A program, we can increase its economic impact, without having to reinvent the wheel. We can rely on a proven initiative to inject new life into disadvantaged areas.

I ask my colleagues to support my amendment, as well as the underlying bill as a whole.

On behalf of small and minority-owned businesses, I ask for their assistance in these troubled times.

Our economic future may be uncertain, but with my proposal and the Small Business Lending Act, we have the rare opportunity to influence that future.

Let's pass these measures, to guarantee some degree of relief for the people who continue to suffer the most. Let's renew our investments in America's small businesses, and rely on them to drive our economic recovery.

Let's do so today. Let's do it now, for tomorrow may be too late.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Madam President, I should have noted, I will be leaving with my friend and colleague from Illinois as well. He has been a wonderful addition to this institution. He has done a very fine job representing the people of Illinois. I regret we didn't get to serve more years together, that he didn't get a chance to come here earlier. He made a good contribution in the short time we have been here. Had the Senator been here longer, I think he would have made a significant contribution over the years. I thank the Senator for the time he has served and the manner in which he served as well.

WALL STREET REFORM

I rise this afternoon to spend a few minutes to talk about a most important piece of legislation facing this body and, more importantly, our country, and that is the Wall Street reform bill. In fact, the Presiding Officer has had a deep interest in the subject matter and in her previous life actually worked in the area of financial services. She not only brings an interest from the State of North Carolina, one of the fine States that has a significant involvement in the financial services of our country, but has also a knowledge about these institutions, how they work, and how the financial system works. I am very grateful to her for her thoughts and suggestions as we have been through this rather long journey over the last couple of years in the wake of the financial crisis that befell our Nation most dramatically in the fall of 2008.

I think all of our colleagues here know what is at stake. We do not need to spend a lot of time talking about the circumstances over the last couple of years. We know it, and more importantly, and more poignantly, our constituents know it, because they are living it.

All of us have jobs here. We are fairly well compensated, to put it mildly, by any standard. We have good health care. We own our homes or are not worried about whether we can afford the rent in the places we live—whatever the circumstances. We are in some ways insulated from the day-to-day agonies our fellow citizens go through and have gone through over these last couple of years.

But I also have a deep appreciation of the fact that my colleagues, despite not personally going through these terrible times as their constituents are, understand the importance of this issue. I am deeply grateful to each and every Member of this Chamber over the last 2 years and almost everyone in this Chamber has been involved in this debate or discussion to one degree or another. The fact is we have come as far as we have in this bill because there is that interest and because there is that concern that we need to address the architecture, the financial structures of our Nation so as to avoid the kind of problems we have seen our Nation go through over these last several years.

Again, the numbers have been repeated so often I am almost hesitant to repeat them this afternoon. Certainly we will know better tomorrow. I guess the unemployment numbers will come out again.

But well over 8½ million jobs have been lost. Frankly, I think that number is an underestimation of what has happened. Some people have found part-time work, falling back in and out of it. But the number, 8.4 million, is used. It is certainly no less than that and, I suspect, as I said, far more than that.

Seven million of our fellow citizens have had their homes fall into foreclosure. Every time I say that sentence it seems it is so brief to cite the number. But imagine, as we must, that moment when, despite all of your efforts, that dream house you have acquired for your family, because of a lost job, the lost retirement, the closed business, all of a sudden that which you had hoped and dreamed for that has brought stability to your family, a great sense of joy and hope, dreams fulfilled, is all of a sudden closed, foreclosed, lost.

Imagine coming home that night when all of the efforts to hold on to that home are gone and facing your family and telling them the house you have lived in—where you have played, you have eaten, you have dreamt, you have laughed, you have cried, you have done all of the things that building enshrines in the American family—is no longer yours. For 7 million of our fellow citizens that night has happened. Many more face the prospect of that occurring in the months ahead, despite the efforts to get our economy moving again. Retirement incomes, of course, have vanished in a flash, watching the markets decline. Literally years of building security for those retirement years, to contribute to a child's higher education costs, to blunt the costs of a health tragedy to hit your family, all of those rainy days that retirement or savings account can provide to weather those storms have been eliminated.

So there has been a shocking loss of wealth in our Nation as well. Trillions of dollars are gone, incomes that will never be made up. As I mentioned, lost home values, even if you have been able to hold on to your home, home values, on average, have declined about 30 percent. So that equity you might have built up in that dream house, where you have raised your family over the last 10, 15, 20 years, you paid one price for it maybe 20 years ago and had the full expectation that property value, while it may not skyrocket, would increase in value over the years.

So as you became that empty nester as your kids went on to college or marriage or jobs on their own, the hope that you would be able to sell that home to another hopeful buyer and come out of it with some equity that would then provide for that security that you needed to contribute to your family's well being has been totally gone in many cases, even if you have held on to your home.

Well, the bill I briefly want to talk about does not do anything about what has happened. I would love to tell you if we passed this bill that you could get your job back; that passing this financial reform bill would give you your job back. I would love to be able to tell you that when we pass this bill you would get your home back or that somehow you would be able to magically replenish that retirement account or savings account.

This bill does not do any of those things. All this bill does is to say that when the next crisis comes—and surely it will as night follows dawn, as tomorrow follows today we will have another economic crisis. I never suggested this bill was going to stop that. What I hope we are able to do with this bill is minimize the effects of that crisis when it occurs so that it does not metastasize. That may be the best word to use in this case, much as a cancer does.

When an economic crisis hits, if you are able to handle it when it happens, much as you are able to handle a cancer when you discover it before it contaminates your entire body—the crisis that will happen if we can control it, identify it early enough, begin to address the problems that it poses, then we might avoid the kind of catastrophic effect this present economic catastrophe has caused, the most significant in almost 100 years, since the Great Depression more than 80 years ago.

So I want to briefly talk about not only the process we have gone through over the past year and a half, but also what this bill is trying to do. Let me be the first to acknowledge and admit that it does not do everything I would like it to do. I am not overly enthusiastic about every provision in this bill. There are measures that I objected to that are in the bill.

But we serve in a body of our fellow colleagues, the 100 of us who serve here, who work with those who work down the hall from this Chamber where 435 of our colleagues serve, with an administration and regulators, not to mention financial institutions and their employees and all that are involved in the financial network of our Nation, all are impacted and affected by this bill. So it is difficult to try to fashion a piece of legislation that accommodates the various interests and allows us to move forward. But that is what we have tried to do.

Process is important. I will not dwell on this point, but as someone who has spent three decades of my life at this very desk—and it is the only desk I have ever sat at since the day I arrived. This desk was planted over in that far corner as the 100th Senator in the body up until I—some 20 years ago when, through seniority, you get to move your desk around. I ended up in this seat, this spot about 20 years ago, next to this remarkable man whose life we are going to celebrate and are celebrating those days, ROBERT C. BYRD. He has been my seatmate for the last two decades.

As I said the other day, I was an 8-year-old child sitting in the galleries of the other body watching my father, on January 3, 1953, and a 35-year-old new Congressman from West Virginia be sworn in as newly minted Members of Congress. Some 6 years later, I sat in that gallery up here, in the family gallery, watching my father be sworn in as a Senator from Connecticut, along with a new Senator from West Virginia named ROBERT C. BYRD, never imagining, as a 7- or 8-year-old or as a 14-year-old, that I would spend 20 years of my life at a desk next to the man who has served longer than any other human being in the history of our Nation.

Process meant a lot to ROBERT C. BYRD. The Constitution meant a great deal. I carry with me, and every day I have for 20 years, the Constitution that ROBERT C. BYRD gave me and autographed to me. It is rather threadbare and worn today, but he revered this document. He could absolutely quote it verbatim. He gave me a copy, as he did to all new Members when they arrive, and the importance of understanding the role of this body in our constitutional framework.

He was such a great advocate of the civility and the respect for each other as we try to fashion answers to our Nation's problems. We have been through two major bills in the last Congress. There have been a lot of other bills to consider, but the health care debate and the financial reform debate, I would argue, are the two largest in this Congress, and they are two models of how an institution can operate.

Even though I am glad we prevailed with the health care debate and are going to finally end up dealing with cost and access to our health care system and making it more available to people as a result of our actions taken, it was not a pretty process. Anyone who watched it, let alone those of us who were involved in it, certainly would have preferred that we arrive at the conclusion in a manner differently than what we went through. Maybe not everyone would agree with that. I feel that way.

The second model, if you will, is the one we just went through on financial reform, which was about as open a process as you could ever have. We went through literally months of listening in our committee, the Banking Committee which I chair, to hundreds—and I am not exaggerating—hundreds of experts who came and briefed us either formally or informally, literally dozens and dozens of formal hearings to dissect what had happened, how we got into this mess, who caused it, how was it caused, and what steps we should be taking to see to it this problem, another economic crisis, would not explode as broadly as this one has.

I invited my colleagues, Democrats and Republicans, to be involved in all of those meetings, to see to it that they would be present, even at White House meetings, to talk about what we needed to do. We laid out our first ideas together a year and a half ago, even before marking up anything close to a bill.

I presented our first discussion draft of this legislation in November of last year, and it was a discussion draft. After that draft was put forward, I assigned bipartisan working groups to attack the major issues in the bill. In March of this year, I unveiled a new bill that incorporated many of the bipartisan ideas that the working groups

had produced. In fact, what I asked to be done in our committee, in the Banking Committee, was divide up the labor between Democrats and Republicans on certain large, complicated subject matters. And to their credit, they worked very hard. It did not always come up with a final answer in various areas, but they contributed significantly to the product we now have before us in the form of a conference committee report coming to this body, coming to the Senate.

So I am grateful to RICHARD SHELBY, who is not supportive of the bill, but was my ranking member and was the chairman of the Banking Committee for 4 years before I took over the chairmanship in January of 2007.

I will not go down the list and mention all of the members, but the committee members worked very hard. Even though we ended up disagreeing with what we finally produced, I am grateful to them for the efforts they put into the legislation. Beyond that, I have worked every day to keep my colleagues informed every step of the process, at least I have tried to, and if not them directly, their staffs, so there was that sense of inclusion, the model that everyone ought to be able to have a role and participate in the debate of a significant bill.

So the point I am making is, this bill was the product of collaboration of many of my colleagues before the debate even began on the floor of the Senate. On this floor, the debate lasted almost a month, one of the longest debates in many years in the Congress of the United States. Nearly 50 votes were cast by Democrats and Republicans over a 4-week period.

One of the many that passed was the very second one, I think. Senator BOXER of California offered the first amendment that said taxpayers should never again be asked to pay for a bailout of a financial institution. I think that passed unanimously. Then Senator SHELBY and I offered an amendment where we reached a bipartisan agreement on measures to end all bailouts of financial institutions once and for all, one of the most contentious areas of the bill.

From that point forward, over the next 4 weeks, with almost 60 amendments back and forth, we ended up passing the legislation by the thinnest of margins, overcoming the procedural votes we needed to in order to reach financial passage of the bill.

The last time the Banking Committee held a conference on any legislation was 7 years ago. So I took my committee product, the Senate product, and we went to what is called a conference. The House had passed its bill in December. We had passed our bill in May. So what normally has happened in the past is they never meet, or if they do meet they met in closed-door sessions to work out the differences. Then they would come back with a product.

The last time the Banking Committee had been to a conference with the House of Representatives on any bill was more than 7 years ago. Those meetings were held mostly in private; the public was never even invited into the room, let alone the press, to observe and to cover the event. We changed all of that. Our conference committee, the 42 members of both Chambers who met, again, for a 2-week period, almost 70 hours that we met, we considered 180 amendments in 70 hours. And 54 amendments were offered by Senators, 34 of which were offered by my Republican colleagues in the conference, 20 by the Democrats.

So combined, between the number of amendments we debated on the floor of the Senate and the number of amendments we debated in conference as Senators—forget the House Members and their amendments—there were over 100 amendments by Democrats and Republicans to the financial reform bill. C–SPAN and the press sat there and watched every minute of the conference and covered every second, gavel to gavel, of the proceedings that went on for almost 70 hours over a 2-week period. My point is, this model of conducting our business, listening to each other, debating and deciding what ought to be in this bill, stands in stark contrast to how we went through the health care debate.

What is the point I am trying to make? If at the end of this process it appears as though we still face a procedural objection to going forward, what difference did it make, then, which course we followed if at the end of the process it did not make any difference?

The motion to invoke cloture is a strange phrase that I suspect most Americans do not have the vaguest idea of its meaning, or very few do. It sounds like something a doctor may do if you are ill, to get a cloture or something. That is what I thought it was when I first arrived here.

Briefly, cloture is a method by which you end a filibuster. In this Chamber, under our rules, we respect the rights of the minority, including a minority of one.

Members can talk as long as they can stand up, under most circumstances, and continue. ROBERT C. BYRD, in fact, held one of the records. It wasn't the record—Strom Thurmond holds the record, a former Senator I served with from South Carolina—but ROBERT C. BYRD conducted a filibuster for more than 14 hours. We can do that in this Chamber. But if we want to end the filibuster, we have to invoke cloture. That takes 60 votes—more than a simple majority—to say: We have had enough debate. The process has been fair. It is now time to vote. So we invoke cloture. If we don't think the process has been fair, that we haven't been given a chance to express ourselves, that we have been denied the opportunity to offer amendments or contribute to the debate, then we vote against invoking cloture.

There have certainly been many circumstances when that has been warranted, but I don't know how anyone could make a case that a filibuster on procedural grounds is warranted on this financial reform bill such as we have been through. I don't know what else I could have done to make every Member of this Chamber feel more included in the debate on the reform of Wall Street. If there is something else I could have done to say to a Member: You would have had additional rights or opportunities, I would like to hear it. I don't think I could have. You can't spend 4 weeks in this Chamber through almost 60 amendments, 54 more in a conference, virtually allowing unlimited debate on almost anything that came up, and tell me you think you have been denied the opportunity to fully vent your feelings, to be heard, to offer your ideas and thoughts.

As a departing suggestion of one about to leave in 5 or 6 months, there ought to be some value to the process we have gone through. I have heard this morning already concerns expressed because the institution, in the minds of some, is dysfunctional. I don't want to believe that. I want to believe it is still a functional institution. But if, at the end, this process of what I have tried to lead on the banking bill causes people to believe that it doesn't make any difference, we are still going to vote for procedural roadblocks to this bill because we don't like some of the provisions in it or don't like the bill, then I do despair in some ways for whether this institution can ever function. If, at the end of all of that, we end up with the same kinds of procedural roadblocks as we had on the health care debate, where I would argue there was more legitimacy to invoking those procedural roadblocks, then I think the institution is in a lot more trouble than I would like to believe. I mention the process because it ought to be important to people, seeing to it that we have a chance to go forward.

At the end of that conference, we came up not only with the compromises necessary for a bill but also how to offset the cost of this bill. The House rules require that we demonstrate that the cost of the bill to the overall Treasury of the United States is not going to leave it in deeper debt than would otherwise be the case. We had to come up with offsetting costs for the bill.

The first proposal was not met warmly. It was assessments on large institutions primarily. But there were strong objections expressed, and two or three of our colleagues, who have been very helpful on this bill in offering ideas that would strengthen the bill and made significant contributions, expressed their concerns to me that this was an unacceptable offset, in their minds. So I took the extraordinary step of reconvening the conference. We met yesterday to change the offsets. We did so by two things. One we kept the same, and that was by making permanent the insurance fund in the Federal Deposit Insurance Corporation,

making it permanent at $250,000. That requires an assessment increase in order to meet those obligations. That was already in the bill. The Congressional Budget Office scores that as providing about $8.5 billion in revenues over the next 10 years. That was there.

The second piece we did is end TARP. That is something all of us have wanted to see since the inception of the program. Can we bring this thing to a close? Under our alternative offset, we end TARP immediately, except for its current obligations. The Congressional Budget Office—and I will provide letters from the CBO confirming these numbers—scored that at about $11 billion over 10 years in savings. That money goes into deficit reduction. This is an offset; it is not a pay-for. What do I mean by that? If the budget of our Nation was $100 and the cost of a program was $10, you would have to make up that $10. It doesn't go directly to pay for those programs, but it provides the offset for the cost of those programs.

The third piece of this to make up the difference was by increasing the reserve ratio at the FDIC, which was supported by the chairperson of the FDIC, to go from 1.15 percent to 1.35 percent but to hold harmless all financial institutions or banks that have assets under $10 billion and to do that not over 4 or 5 years but over the next 10 years until 2020. That provides an additional $5.7 billion.

The CBO has thus scored the entire bill as providing an additional $3.2 billion in deficit reduction because the amounts we will be bringing in exceed the cost of the bill.

So, for my colleagues, ending TARP and complying with what the Chairman of the FDIC has said is a far better suggestion.

I would be remiss at this juncture if I did not specifically thank my colleagues from Maine, SUSAN M. COLLINS and OLYMPIA J. SNOWE. It was Ms. COLLINS who said this is a better idea to look at as an offset. I am grateful to her, as I am to her colleague from Maine and my colleague from Massachusetts, Senator BROWN, who expressed his concerns about the assessment approach. Again, I will let them speak for themselves on these matters.

But it is important that colleagues know that, going back to a few moments ago talking about process, it was at the suggestion of Democrats and Republicans that changes were made to the bill, including the extraordinary step yesterday of opening the conference. There are those who wanted me to go forward anyway with it. Why would I do that if, in fact, Members have said: I can't be supportive under the present circumstances. The opportunity to make a correction in the bill and therefore come up with a better idea that was more acceptable to more of our colleagues seemed the appropriate step to take. That is exactly what we did. That is how we have offset the cost of this bill.

I will provide additional data. If I have misspoken on the numbers, I will correct my own statement for the record. But I believe I am approximately correct.

Again, none of this is easy. I know there is a temptation at times like this for emotions to rise, passions to find expression. I have great respect for all of my colleagues in the efforts they made. There are moments of frustration when you are trying to pass a major bill, seeking cooperation from your colleagues to get the job done. But this is a complicated piece of legislation. More than 2,000 pages are included in the bill. There are provisions that are not ones I would write myself, but this is the legislative process.

I introduced a bill last November, the one I would have preferred, but in the months since, many Members have had their opportunities to make changes. Some changes I liked; some I didn't. But it should not be that because you don't like one or two or several provisions of a bill, that ought to become more important than the total impact of what you are trying to achieve. There are those who don't like the bill, any part of it at all or very few parts of it. Again, I understand that. Those people are going to vote no. But when someone tells me there is one provision or two they don't like and as a result they are going to vote against everything, that I don't understand, candidly.

We have had our debate. We voted on hundreds of individual provisions between the House and this body. There will be procedural votes. I have made my case that at some point, a process that is as open as this one has been, as inclusive as this one has been, as hospitable as I could possibly make it, as civil as I could possibly make it—if the procedural roadblocks are no different than the legislation that was conducted without any civility, without any of the cooperation and inclusiveness of this, then what is the lesson? What is the lesson for the next major bill if, in fact, going through all of that gets you no further in the process than what we have been through?

This bill doesn't bring back your home, your job, your retirement income. What it does do is to try to see to it that the next crisis will not cause the deep problems this one has.

Let me briefly identify the two or three or four things that are major in the bill. In the absence of these, if we defeat the bill, all of this is gone and we are right back to September of 2008, right back where we were when this body voted, with less than 40 days to go before a national election, to ask the American taxpayer to write a $700 billion check to bail out and stabilize financial institutions. If you reject this effort we have been involved in for almost 2 years in the week when we come back, then we are exactly where we were in the fall of 2008, with all of the vulnerabilities we saw our country experience as a result of not reforming the structures to our financial system.

This bill will end taxpayer bailouts by making it tough for companies to engage in the kind of irresponsible behavior that threatened the economy. It sets up a way to shut down the giant, dangerous companies that failed, through bankruptcy or through a resolution mechanism that lays all of the cost and pain on them, not on the American taxpayer. That is a major achievement.

We also include for the first time institutions that are financial institutions that have operated in the shadow economy of the Nation—no regulation, no one moderating their behavior. This bill brings them all in. They will now be regulated and controlled, so they can't engage in the kind of wildcat behavior that brought our Nation to the point we have been.

The bill creates a consumer financial services protection bureau. I get people acting as if this was the most radical idea in America. If you buy a faulty product—a toaster, a car, a television set—and it is a crummy product, you have a place to go to get some sort of redress. In fact, they are required to recall the products under the Consumer Product Safety Commission and others. If you get a crummy mortgage, a crummy insurance policy, you get a crummy piece of stock because someone lied about it, where do you go? Whom do you call? You get a lawyer—I guess that is the answer—if you have the resources. This bill sets up, for the first time in our history, a place where the average consumer of financial services might be able to get a redress of their grievances.

I know people are acting as if this is some wild socialistic idea, some crazy leftwing notion, after what the country has been through, that we could end up having a place where the average American citizen, who wants to have faith and trust in our economic system, can go to get some relief. God forbid they are treated as they have been in too many instances in the past. That is part of this bill.

This bill will create an advanced warning system. Instead of one set of eyes that, frankly, were closed most of the time, we now have what we call sort of a risk assessment council made up of the various Federal agencies that have prudential responsibility over financial institutions to be meeting and looking at what is going on in the economy, not only here in our Nation but abroad as well. Are there things occurring within companies, within interconnected companies, within countries that could pose a financial risk to our Nation? Spotting them early enough to put a stop to them, to break them up, as a last resort, or to insist that certain things be done to avoid these metastasizing events that have contaminated every aspect of our life because no one stood up early enough to stop them when they first spotted them.

The bill further brings transparency and accountability to the derivatives

market, a $600 trillion—that is not misspeaking; that is not a million, not a billion—a $600 trillion market. It is a phenomenal market. Basically, it has been unregulated and out of control.

We have central clearing exchange trading with new margin and capital requirements for large bank dealers and major swap participants. These safeguards will ensure taxpayers are not left on the hook for Wall Street's bets, particularly with depositors' money, as we saw happen, or an AIG circumstance.

The bill has the so-called Volcker rule to prohibit banking organizations from engaging in proprietary trading and strictly limiting their sponsorship and investment in hedge funds and private equity funds. Again, if they want to risk their own money, that is one thing. Risking your money ought to be something else. We have expanded the Volcker rule, with balance to it. We don't totally eliminate the ability of a bank to hedge on things that are critically important for them. We believe it is an important rule. Without it, we are right back where we were before.

The bill brings transparency to the Federal Reserve. I thank BERNIE SANDERS of Vermont and others who have insisted on greater auditing and accountability out of the Federal Reserve System which under our bill will bring transparency to it with audits of the so-called 13(3) emergency lending that took place during the financial crisis, and a requirement that the Fed disclose who these so-called counterparties are and information about the amounts they are putting at risk and, in turn, for the American taxpayer, setting conditions on how that money can be used, putting real limitations on it, and giving this body, the Congress of the United States, a chance to respond if, in fact, they exceed their authority.

Further, the bill limits the emergency Fed lending through 13(3) so it can no longer be used to prop up an individual company, as they did with AIG.

The bill requires people to have skin in the game, requiring companies that sell products like asset-backed securities to retain at least 5 percent of the credit risk, so there is no longer an incentive to sell garbage and junk loans to people who could never pay them back thus exposing our economy and our country to further abuse.

These are all things in the bill. If we scrap it, we are right back without any of these protections. I will tell you, it will be a generation before the Congress comes back to deal with these issues again because in the absence of the crisis we have been in, we would not have gotten to this. The crisis gave us an opportunity to respond. These were not new issues. These issues had been lingering around. But the financial resources behind many of these operations are totally resistant to the changes we are talking about because there is too much money to be made for them and too much risk for the American consumer to absorb, and it was not going to have the same kind of concerns and interests brought to the bargaining table when these issues and this legislation was drafted.

The bill gives shareholders, the owners of public companies, a say on executive pay and so-called golden parachutes. We require public companies to take back compensation awarded based on phony financial statements. Shouldn't the owners of public companies have some say in these matters?

Further, the bill encourages whistleblowers with a new program at the Securities and Exchange Commission to encourage people to report securities violations. Ask the victims of Bernie Madoff whether that kind of provision might have made a difference, when we had the whistleblowers writing and begging the Securities and Exchange Commission to take note of what was happening with the Madoff scam. No one was willing to do a darn thing about it. Literally thousands of people were wiped out because no one bothered to listen to a whistleblower who identified the problem.

This bill changes that. It is not to say there will not be additional scam artists. I promise you, there will. But instead of denying the existence of a whistleblower standing up and telling a regulatory body their responsibilities, this bill requires them to take note and to act.

Additionally, because of the size and the complexity of this bill, it is almost certain there will have to be a bill with technical corrections in the future.

So when we take the sum total—obviously, I am describing five or six provisions in a 2,000-page bill—we have a product that I think restores financial security and trust. Let me mention just this point on trust because there is no financial number I could put on trust. But it may be the most important element of all. Put aside all of those individual provisions and titles of the bill, the one thing that has been so severely damaged that is the most important to restore is the trust of the American people in our financial system. Today that trust has been shattered by what has happened.

In the absence of people trusting that the financial system is fair and equitable, then I think we are in deeper trouble than any fix I can write into a bill. People understand when they deposit a paycheck in a bank, there is an assumption of risk that ought to be very little. When they buy an insurance policy, it is a different assumption of risk. When they buy a stock, there is an even further assumption of risk. There are no guarantees it is going to give a great return. In fact, it may fail.

But we ought to be able to trust the system; that it is not going to deceive us and defraud us; that it is not going to send people out to lure us into situations they know we cannot afford and they know they can sell off quickly and make a fast buck on. That trust in our financial structure, which was so important for so long, has been severely damaged over what has occurred in these last several years.

More than any other provision of this bill, more than anything else any of us can write into a piece of legislation, is whether we are going to regain the confidence and the optimism and the trust of that hard-working American family to believe that when they deposit that paycheck, there is not going to be someone investing in a hedge fund or some risky venture with their money—that is prohibited in this bill—or when they buy a stock there is not going to be someone out there who is actually scamming them in a kiting system which ruins them forever and their families, or when they get a mortgage on a home there is someone not sitting across the table promising to be their financial adviser when they are anything but in the process.

That trust has been so severely hurt that our hope is, more than anything else I have written into this bill, we will be able to bring us back to where Americans feel confidence and trust in our country's financial systems again. So nothing less than that is at stake.

This is a fundamental overhaul of the way our financial system is regulated. It is the greatest change to occur since the reforms which were invoked after the Great Depression of the 1930s.

Beyond that, of course, it is important that what we have done could be harmonized with other nations. The American President, Barack Obama, went to Toronto a few days ago to a meeting of the G20. The conservative Prime Minister of Canada pointed to this legislation and said: This is an opportunity for America to lead in helping the rest of the world to harmonize its rules on financial services. Defeat this bill and someone else will set the ground rules, and we will have to harmonize with them.

If my colleagues think that is a better result, to let the European Union or someone else write what the standards are going to be, then have it and defeat the bill. But if my colleagues believe it is better for the United States to lead and provide the guidelines and the structures that the rest of the world can rally around, then get behind us and support this effort because nothing less than that is at risk, as well, in this legislation.

So no one is going to get everything they want in this bill. I certainly did not. No one ever does. I have never seen a bill in 30 years that ended up becoming the prerogative of one small group. This has been a collective effort—a truly inclusive, collective effort. Over 100 amendments have been offered and considered by my fellow colleagues to this bill in this Chamber in the most open process in decades. It is the only time I have ever seen a conference conducted with the public viewing every single second of it, with 42 Members from the House and Senate

participating almost 70 hours in a 2-week period, not to mention the month we spent on the floor of this Chamber.

So I have done everything I know how to do in trying to accommodate my colleagues to make this as fair and as balanced and as thoughtful as we possibly could. But now is the time to act.

I wanted to take a few minutes today before we, tomorrow, participate in the solemn ceremony of celebrating the life of ROBERT C. BYRD in this Chamber. It will be a historic moment. I know it was a desire of his when he was alive that at the time of his passing he be recognized in this Chamber. Then, on Friday, many of us will travel to his home State of West Virginia, which he served so remarkably well over the 58 years of his service, to participate at his funeral services. Then we will be gone for a week over the Fourth of July break. Shortly after we come back, based on the schedule set by the majority leader and the minority leader, we will vote on the financial reform package and bill.

So today I wanted to take a few closing minutes to say to my colleagues, I do not know what else I could have done to make this more inclusive, to provide more balance and sense to all of this, to respond to the concerns my colleagues have raised in what we have done.

I urge you, I plead with you to give us the vote on this bill and to understand the process we have gone through and to set a template to say that a process followed by which everyone gets a chance to participate ought to be the model of how the Senate conducts its business. I hope my colleagues will not underestimate the value and importance of that approach we have taken with this bill.

I have taken a long time, and I apologize to my colleagues. But I wanted to explain the process of what we have done in conference. Again, I thank the majority leader. The majority leader does not get thanked enough. He is the captain of our Senate, as the majority leader was under Howard Baker and Bob Dole and Bill Frist and Tom Daschle and George Mitchell and ROBERT C. BYRD. Without his willingness to make sure we are here to conduct that debate, it would not happen.

So I would be terribly remiss, at the conclusion of these remarks, if I did not express a special thank-you to HARRY REID of Nevada, the majority leader, for making it possible and being supportive of this open process we have been through. Without his willingness to allow that to happen, it would not have happened. I am deeply grateful to him and his staff and others for making it possible for us to come to the moment we are in; that is, to vote for this important piece of legislation.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Wyoming is recognized.

HEALTH CARE

Mr. BARRASSO. Mr. President, I come to the floor today, as I have each week since the health care bill became signed into law, to visit with Members of this Chamber about experiences I have had, having practiced medicine in Casper, WY, since 1983. For a long time, I was an orthopedic surgeon taking care of families across the Cowboy State. I come today, as I have week after week, to offer a doctor's second opinion about the health care law because it seems every week since this bill has become law there is some new, unintended consequence, some new development, some new sharing of information that the American people seem to say: That is not what I want for my health care. It is not what I want for my family.

During the debate of the health care bill, it was the Speaker of the House, NANCY PELOSI, who said: First you must pass the bill to find out what is in it. Well, as the American people continue to learn about what is in this new health care law, they continue to be disappointed with so many broken promises that were made by Members on the Democratic side of this body and by the President of the United States.

The initial goal of the health care bill, which is now law, was to lower the cost of care, to increase the quality of care, and increase the access to care. Yet in the weeks that have gone by—and the President of the United States had a press conference last week, 90 days into the process—it seems to me this law is going to be bad for patients, those who need medical care in this country; it is going to be bad for payers, the patients who pay for their care, the businesses that pay for the insurance, the taxpayers who are going to be burdened additionally; and it is bad for providers, the nurses and the doctors who try to take care of these patients.

So as I look at this, it seems to me this health care law is going to result in higher costs for patients and less access and less quality. That is why across the board still a majority of Americans want this bill repealed, want the law repealed and replaced because, basically and fundamentally, they do not believe this was a law that was passed for them. They believe it was a law that was passed for somebody else. They think, as a result, they are going to end up paying more and getting less.

That is why today I come to the Senate floor to talk about an additional broken promise and why the American people continue to be so very skeptical about this new health care law.

We have heard the promises in the past by the President. He said: If you like your health care plan, you will be able to keep your health care plan. Period. He said: No one will take it away. Period.

Last week I came to the floor to talk about the fact that over half of the people in this country who receive health care through where they work—half of them—will lose the coverage they have, and it may be within the next 4 years. Those are not my statistics. That is the report that came right out of the White House just a little over a week ago.

So the public is skeptical. I come to you as someone who has worked with preventive medicine, who has worked as the medical director of Wyoming Health Fairs that have provided low-cost health screenings for people all across the Cowboy State, where thousands of people show up at health fairs on weekends to learn what their blood sugar is and how to help get that down; to help people with diabetes, where they get to learn what their cholesterol levels are and how to get that better controlled, to learn if they have thyroid problems and do screenings for cancer as well.

So people all across this country are concerned with their care and the quality of their care and the cost of their care.

The President has made a number of promises, and there is another one he made that I wish to talk about today, and that is a promise the President made to small businesses. On May 7, President Obama, on his monthly job numbers, said:

> Four million small businesses recently received a postcard in their mailbox telling them that they are eligible for a health care tax cut this year.

That is what the President said. He said:

> Four million small businesses recently received a postcard in their mailbox telling them that they are eligible for a health care tax cut this year.

He went on to say:

> It's worth perhaps tens of thousands of dollars to each of these companies.

Well, on face value, that sounds pretty good. Small business owners all across the country would welcome that sort of help. Yet I wish to bring to the floor today an article written by one small business owner, Charles Arp. The title of his column is ''ObamaCare's Broken Promise: One Company's Experience.''

I talked with Mr. Arp yesterday by phone. He is in Illinois. He said this is absolutely what has happened to his business, and he knows I am going to be sharing it on the floor of the Senate today, because he has concerns. He got that postcard. He was at first encouraged by the President's words, the President's promise, but, again, it is another broken promise to the American people. This is a letter dated June 18 of this year. He says:

> A few months after the passage of President Obama's health care overhaul, a postcard arrived which led me to believe there may be a benefit coming to my small firm. The mailing from the Treasury Department touted a generous 35 percent tax credit to firms with less than 25 full-time employees averaging less than $50,000 per year in wages, a category which includes my company. In fact, I thought we were right in the sweet

spot, with 17 full-time employees averaging slightly more than $42,000 per year.

Well, small business needs relief. He goes on to explain about his company:

I manage Pinney Printing Company in Sterling, Illinois. I am the president of the firm which our family has owned for 100 years. Health care expenses are a major obstacle to Pinney's long-term prosperity. Each year in May, our policy renews and we are faced with double-digit premium increases—20 to 40 percent in recent years.

Some of the increase is absorbed by the company, and some gets passed on to the employees through higher premiums, deductibles, and copays. We have experimented with self-funding and high-deductible health plans. Last year we were forced to downgrade to an HMO plan.

We are nearing the end of our rope, so I was hopeful to learn there could be some benefit for us in the new law.

And what small business owner wouldn't?

He goes on to say:

Postcard in hand, I did a quick calculation and figured our tax credit should be about $28,000. That is 35 percent of the $80,000 we expect to spend this year on employee health care premiums. I phoned our health insurance broker and inquired whether anything special had to be done, not wanting to be excluded by some technicality. He reported there was no special requirement—more good news.

Aha, the next section: ''Barrier to Tax Credit.'' He said:

But there was a problem. A few weeks later I received an e-mail with a link to the National Federation of Independent Business's online calculator. This is a calculator designed to help firms determine their qualifications for the tax credit. I plugged in our numbers, and pressed ''update'' to yield a calculation of . . . zero-zip, nada!

Double-checking, I tried again and again, finally concluded that the 35 percent tax credit will be available only to firms with ten or fewer employees averaging $25,000 or less per year. Increasing either factor—either the number of employees or the average salary—greatly diminishes the magnitude of the tax credit. Increasing both factors yields a parabolic reduction in the result.

Being in the graphic arts industry, I decided to create a chart diagramming the limits of this ''generous'' tax break.

I have the chart here.

He goes on:

Not one to give up easily, I continued my pursuit—

because he had the postcard, of course.

He said:

Surely, there was some benefit in this for me, after years and years of paying the toll for big-government programs and receiving nothing.

The vague language on the postcard instructed readers to learn more at www.irs.gov. There it said to exclude owners, those having a stake of 5 percent or more, from all the input values. I eagerly entered new numbers—subtracting myself, my annual premium, and my salary. This brought our head count down to 16 employees and dropped the average salary to $40,000.

I entered the numbers, and the NFIB calculator displayed the same result—another big goose egg.

He goes on:

Talk about unintended consequences! My firm would have to reduce its workforce and cut employee wages to benefit from this newly enacted Patient Protection and Affordable Care Act. Is this what the objective should be?

I would never consider taking such an action. Most of the employees have worked at Pinney for twenty years or more. It did get me thinking, though: Maybe we could divide Pinney Printing Company into two smaller firms. While I'm no expert at gaming the government, like some people, it's certainly a possibility many will consider.

I feel foolish now, after getting my hopes up for a government solution to our problem. Our firm is running out of affordable options.

It is my belief that health insurance should be decoupled from employment and bought by individuals and families in the same way automobile insurance is purchased. It is my fear that ObamaCare is a step in the wrong direction and matters will get worse, not better, for Pinney Printing Company and others like us.

So there you have it. It is a heartfelt letter written by someone who got the postcard from the IRS, from the President, listened to the President's statement that said you will be eligible, but what he found out, as did many small business owners all around the country who received this postcard, is that it doesn't apply to them, and if they want to make it apply to them, what they are going to need to do is actually fire employees and lower the wages of the other employees. It makes no sense at all, and that is why I talked to Mr. Arp yesterday, the owner of the company, who said he found this deceiving.

So that is why I come week after week to the Senate floor to say it is time to repeal this legislation and replace it with legislation that delivers more personal responsibility, puts patients in charge; a patient-centered health care plan that allows Americans to buy insurance across State lines; one that gives individuals the same tax relief as the big companies when they buy their own personal health insurance; one that provides individual incentives like the people who attend the Wyoming health fairs—people who take responsibility for their health and who try to find and detect problems early to get down the cost of care. We need to replace it with something that deals with lawsuit abuse and the expense of unnecessary tests due to doctors practicing defensive medicine. We need one that allows small businesses to join together to find less expensive insurance to their employees.

These are the things I will continue to work on. These are the things I will continue to come to the Senate floor and share with the Members of this body and the American public. Today, that is why I offer this second opinion, and another reason to repeal and replace this health care law.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. ENSIGN. Mr. President, I wish to talk about the extension of unemployment benefits in the larger context of our national debt.

Allow me the opportunity to throw out a few numbers which I then will explain in a few minutes: $30 billion, $200 billion, $13 trillion, $114,000, and 60 percent of GDP. To many Americans, these numbers are just that—numbers with no real meaning to them. Unfortunately, the same can be said for many here in the Senate as well. These are just simple numbers without consequence.

Nothing can be further from the truth. These five numbers are markers along the road to fiscal catastrophe that we are heading down at full speed. These five numbers together are symbols of the great threat to the stability of our country, both today and in the future.

So the $30 billion number. Fourteen percent of Nevadans are unemployed at this point. People are hurting across my State. We lead the country in unemployment. Well, a lot has been said on the issue of extending unemployment benefits, and while this issue has become one of political fodder and partisanship, the facts on this issue have been left out in favor of high-strung rhetoric and political opportunity.

Let me take a moment to explain to my constituents the real debate on this issue. I, along with my Republican colleagues, believe that extending these benefits for the unemployed should be a top priority here in the Senate. I think both sides of the aisle agree on that. I know we could pay to extend these benefits now by cutting spending in other areas and redirecting some stimulus funds which have had little impact on the economy in my State and across the country.

Despite what some of my other colleagues may say here on the floor, there is no debate on extending the benefits for those who have fallen victim to OUR downturned economy. The debate on this issue actually lies with the fact that those on the other side of the aisle want to take the easy way out, and they want to avoid paying for this important legislation because it is tough to make cuts. Instead, we are going to add another $30 billion on to our record-breaking national debt. I know that $30 billion is just another number to those on the other side of the aisle, but it is one that could easily be paid for now by adhering to their own policy of pay-go. Each time the Senate has proceeded to vote on extending unemployment benefits, Members in this body have had two options: One, the Democratic option of extending these benefits and putting the debt—adding the debt on to our children and our grandchildren. On the other side, they have had the Republican option of not only extending these vital unemployment benefits but also paying for them at the same time by reducing spending in other areas. The other side of the aisle has voted against these commonsense proposals each time—six times, to be exact.

Let me make that more clear. Democrats have voted against paying for the unemployment extension six times. Unfortunately, this isn't the first time

those on the other side of the aisle have gone against their own pay-go policy, but it is the first time they have hurt thousands of Americans in doing so.

I mentioned the number of $200 billion earlier. This is the number that represents the amount of spending that has violated the Democrats' own pay-as-you-go policy. Four months ago, there was a signing ceremony down at the Rose Garden with the President. The Democrats decided to heed the warnings of many here, including myself, who said that we were literally bankrupting the future of our country with the amount of national debt we were passing down to our children and our grandchildren. So they came up with a policy that would mandate paying for spending proposals now rather than later. However, there were a few caveats to this new fiscal responsibility proposal, one of which allowed for emergency funding to be exempt. What we have witnessed in the last 4 months has truly been a genius way of skirting this pay-as-you-go policy. They have deemed a grotesque amount of domestic spending as ''emergency spending'' when, in fact, it is not an emergency.

They have done this most recently with unemployment benefits. It is hard to argue that funding that we knew would expire to be an emergency, but they have tried to do so anyway. The real sticking point here is that if we are to deem every spending measure that comes to the floor of this body as an emergency, then we are only speeding up our path to fiscal ruin, ensuring that our record-breaking national debt continues to be just that—record breaking.

Another number: $13 trillion. That is our national debt today that we have reached. It is a new milestone. But it is not one that I think many are celebrating. Our national debt broke into a new stratosphere when it crossed the $13 trillion threshold—truly an astounding number. But this gets much worse over the next 10 years under the President's own budget. The debt that will be added by 2019 will be three times the amount that was rung up over the first 232 years of this country's history. So take all of the Presidents before President Obama, all the way through George W. Bush, and add the total debt they added to this country, and we are going to triple that in the 10 years from 2009 to 2019.

Just like an average family, when they delay payment on a purchase and charge it to their credit card, they are borrowing money from the bank, with interest added to the amount they need to pay back. The United States, when borrowing money, is charging it on our national credit card, so it is the same situation. However, our country isn't borrowing the money from a bank; we are borrowing it from China, Russia, and Saudi Arabia.

Each time the majority deems a spending bill as an emergency funding bill, we delay paying the cost for this legislation. We are adding on to this national credit card bill with interest we pay to China, Russia, Saudi Arabia, and many others. At any point, these countries could decide to up our interest rate to such a level that, when we attempt to start paying down our debt, we are only able to pay off the interest we owe on our credit card, not the actual debt. Further, should our economic situation continue to decline, these countries could revoke our borrowing privileges altogether. If that happens, this would be catastrophic for the economy of the United States.

I mentioned $114,000 earlier. When President Obama first took office, a child born in the United States was born with $85,000 of debt on his or her back. In a very short period of time, that child born in the United States today now has $114,000 of debt on his or her back. That amount is going to continue to rise because of how fast we are adding to the national debt. Going even farther into the future, should President Obama receive a second term and our spending levels stay at a high level, as they are now, a child born in the United States will owe $196,000. As they are born, that is how much debt they will have—$196,000 for every child born in the United States.

I have spoken a lot over the past year about the future of our country and what this debt burden will actually mean. A new child owing that much money means they won't be able to pay for college, buy a house, start a small business, raise a family, and maybe retire someday.

So this isn't just an abstract number; we actually owe these countries the money we have borrowed from them, with interest. We have to pay that money back. Whether these countries demand payment 5 years from now or later, we still have to pay it back.

I mentioned 60 percent—60 percent of GDP. Let me remind you of this final number, what it means. It is a critical milestone on the path to fiscal ruin. Most of us remember the images we saw on the nightly news of the riots breaking out across Greece when it was revealed that the government was beyond bankrupt and was no longer able to guarantee services throughout their country.

Historically, our Federal debt has been around 35 percent of GDP. Since the Democrats have taken control of Congress, this debt has skyrocketed.

The tipping point is what Greece found when they had so much debt on their books that people realized they were going to be unable to pay it back. The tipping point where the world community realized that they should be charging a lot more to lend Greece money was when Greece exceeded 60 percent of GDP. The United States passed that magic number this year. Sixty percent was the tipping point for Greece. How far behind them do you think we really are? The United States passed that 60 percent part of GDP this year with the help of the health care bill—the $200 billion that should have been offset with pay-go, the stimulus bill, and last year's appropriations bills, which had large increases in each one of them.

The country of Greece is foreshadowing the possible fate of the United States if we don't take responsibility for the fiscal mess we have created. We have lived this year through instant-gratification policies, and not only is the future of our country in jeopardy, so are the next 10 years, the next 5 years, and this year.

Mr. President, $30 billion represents the amount of money the Democrats want to add to our national debt to extend unemployment benefits; $200 billion represents the amount of money that has been deemed as emergency to get around the pay-go rules; and $13 trillion represents the recordbreaking national debt we have reached just this year. The $114,000 I mentioned is the amount each child born today in the United States has as debt on their back. Sixty percent of GDP is the tipping point of economic collapse that puts the United States one step closer to Greece. To many in this body, these are just numbers. I think we all have to face the reality that these numbers represent markers on a path to fiscal ruin if we don't turn it around. We are heading dangerously close to fiscal catastrophe, and our country literally stands at a crossroads. We have to draw a line in the sand and stop borrowing money for legislation when the option to pay for it stands only one vote away.

Extending unemployment benefits isn't a partisan issue, and neither is our country's impending fiscal crisis. The Senate needs to extend these benefits by paying for them now, and we can take the first step and move the country in the right direction toward fiscal responsibility and economic recovery.

Why are we not reducing unnecessary and wasteful government spending to pay for these unemployment extension benefits? Senator COBURN's office has identified almost $4.4 billion in savings over 10 years from reducing unnecessary printing and publishing costs of government documents. Add up the savings from these cuts and this kind of wasteful spending, and it could pay for unemployment extension for a short time.

How about redirecting some of the unused stimulus funds? The stimulus bill was supposed to be an immediate stimulus. Some of the money has still not been paid out or obligated. How about, instead of just adding to the debt, we take that money and pay for and offset spending for the unemployment benefits?

I don't understand the absolute refusal by the other side to extend unemployment benefits in a fiscally responsible way. For example, the small business lending bill, which the Senate is set to consider, contains a number of offsets for improving tax collections

and changing the tax rules on retirement accounts. The so-called Medicare doc fix was recently signed into law by the President. This was completely offset by changes in Medicare billing and antifraud provisions and changes in pension rules.

I don't necessarily agree with some of the offsets the other side of the aisle has used, but the point is that the debate on the floor regarding paying for any piece of legislation should not rest with whether we pay for new legislation but how we should pay for it. This is a debate we owe to the American people, our future generations, for the continued prosperity of our great Nation.

We will soon be voting on a bill that will extend unemployment insurance benefits. The other side of the aisle will have one that extends those unemployment benefits, but it will just be adding to the national debt. The Republican side will be offering an alternative that will be completely offset. I hope this Chamber finally gets its fiscal house in order and extends those very important unemployment benefits that need to be given to folks who are struggling in America, but let's do it in a fiscally responsible way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

(The remarks of Mr. WEBB are printed in today's RECORD under ''Morning Business.'')

POST 9/11 GI BILL

Mr. WEBB. Mr. President, today marks the 1-year anniversary of the implementation of the post-9/11 GI bill, landmark legislation I was privileged to introduce on my first day in office. The idea was to provide those who have served since 9/11 with the most comprehensive educational benefits since World War II. We did that. We began with a simple concept even before I decided to run for the Senate, and that was, if we keep calling these people the ''next greatest generation,'' we should, as a Nation, express our appreciation in a proper way—by giving them the same types of educational benefits those who came back from World War II received: pay their tuition, buy their books, and give them a monthly stipend. It was a formula that worked magnificently for those who served during World War II, where 7.8 million of those veterans, because of the GI bill, were able to have a first-class future and make an imprint on the future of our country.

We worked very hard in my office, with a lot of staff, pushing this legislation. We eventually achieved the key cosponsorship of three other Senators, including Senators John Warner, my former senior Senator, a Republican from Virginia; Chuck Hagel, of Nebraska, now departed, another Republican; and FRANK LAUTENBERG, of New Jersey, a fellow Democrat. So we approached this in a way that we were trying to show a balance. We had two World War II veterans, two Vietnam veterans, two Republicans and two Democrats. We wanted to strip the politics out of the issue.

Along with our colleagues on this side and also in the House and the cooperation of the leading veterans service groups and the higher education community and, quite frankly, despite the continued opposition of the previous administration, which for some reason opposed this legislation all the way to the day before they signed it, we were able to get this bill through.

I am so proud of the fact of having accomplished that goal 2 years ago. The bill was signed into law 1 year ago today. This bill went into effect for those who have served this Nation so honorably and so well since 9/11. I can report to this body that as of today, in this first year of implementation alone, more than 550,000 veterans have applied to receive this benefit, and more than 267,000 veterans are now attending classes using the post-9/11 GI bill. That is more than a quarter of a million young men and women who otherwise might not have had the opportunity for a truly first-class future.

As my fellow Senators know, I am someone who grew up in the military. I was privileged to serve as an officer in the U.S. Marine Corps. I am very proud of my son who served as a marine in Iraq and my son-in-law who also served as a marine in Iraq and Afghanistan and continues to serve, and so many of my friends and compatriots over the years. I understand what it means to be a proper steward in this body toward those who have given this type of service. That is our duty, and this GI bill shows a sense of responsibility and the desire of the leadership of this country to see those who serve be able to move forward in their lives after their service and continue to provide great contributions to our country.

When I ran for office—also I should point out—I spoke about the need to reclaim economic fairness in this country, particularly in times as we see right now where our economic health is in danger. The health of our society overall is measured by how working people are able to make it through different barriers and achieve alongside people who have had greater advantages. This bill today does that, just as it did after World War II.

We should remember, as we look at the implementation of this GI bill, what it did for those who served in World War II, very few of whom ever thought they would be able to have a college education once they went into the military during those dark and troubled times.

For every dollar through taxes that was put into that World War II GI bill, our country received $7 in tax remunerations because those people were able to go forward and have a truly first-class future. This is what we are doing now.

We have never erred as a country when we have made sustained investments in higher education for our people, particularly when it comes to veterans. This is not simply an advantage for this country, it is an obligation we have.

I want to, on this day, remember the contributions of other people in this body and in the House of Representatives in coming together to pass this legislation. I thank the American Legion, the Veterans of Foreign Wars, the Iraq and Afghanistan Veterans of America, the Military Officers Association of America, the American Council on Education, the National Association of Independent Colleges and Universities, and many others, including nearly 60 Senators and more than 300 Members of the House who signed on as cosponsors to this landmark effort.

We can all take pride today in saying we have been able to provide a proper investment in the future of those since 9/11 who have given so much to this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

(The remarks of Mr. REED are printed in today's RECORD under ''Morning Business.'')

Mr. REED. I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

(The remarks of Ms. LANDRIEU are printed in today's RECORD under ''Morning Business.'')

Ms. LANDRIEU. Mr. President, I would like to talk about the underlying bill that we are actually on today, which is the extenders package.

The Democrats negotiated in very good faith with the Republican Party to try to figure out a way to get tax credits, tax cuts to businesses that we all need to make sure continue in terms of research and development. These are credits they have relied on to keep not only their businesses open but keep them hiring. There is a long list. They have been well explained on the floor. They are all very popular with both sides of the aisle. They have been negotiated over and over.

The Democrats have, in good faith, argued or debated with the Republicans that we need to get these extended for the purpose of stimulating our economic growth. But we have said there is one that we are not going to pay for because, A, we don't have to pay for it; and, B, because it is an emergency. So everything in the extenders package is paid for. Every single item is paid for. Although some people don't like the pay-fors, every single item to extend a tax credit—not new spending on the part of the Federal Government through bureaucracy but tax credits—is paid for except for the unemployment benefits because it is an emergency.

With 15 million people out of work, it is an emergency. For anyone on that side to come to the floor and say Democrats are big spenders and we can't pay for anything and we don't know how to run the government, we

have put a great package together. But there is one thing that is not paid for, and that is unemployment because it is an emergency. That is what this debate is about, whether they are going to vote for it. If they don't want to vote for it, it is completely at their feet that people in America today, who have no benefits, will not get them for the Fourth of July. They will not get them as we celebrate the birthday of our country. If they are not going to get them, it will be because the Republican Party decided that we, as a Congress, are going to have to find a way to pay for unemployment benefits, when they never paid for even 1 year of any war they helped lead us into when their party was in charge.

So I hope the leadership over here holds the line. We are going to pass the extenders package the way it was presented. They can continue to vote no on it. That is their choice. But everything in this bill—many things very important to the State of Louisiana, such as flood insurance—is paid for and is now being held up; for example, the placed-in-service date which keeps four or five of our major housing projects from being built. When I say housing, I mean neighborhoods, really, being rebuilt. That is being held up because this side is trying to make an issue of finding a way to pay for unemployment benefits when it is clearly an emergency, clearly qualifies as an emergency, and in the past was always clarified that way. That is what part of this argument is about.

As one of the managers of the small business bill, which we are moving to, I am very hopeful and will make sure that the extenders debate stays separate from the small business debate. Now that the extenders bill has been set aside, we have another bill we believe we can move forward with more bipartisan support for, and I want to thank the Republican Senators who helped to move this bill to the floor: Senators GRASSLEY, VOINOVICH, SNOWE, COLLINS, LEMIEUX, LUGAR, BOND, and BROWN of Massachusetts. These eight Senators have negotiated in extremely good faith with both the Finance Committee and the Small Business Committee to bring a package to the floor that will actually help create, we hope, millions of jobs in our country.

I want to make one editorial comment before I speak about the small businesses, and as a Senator from Louisiana, I feel compelled to do so.

I have helped to manage and craft, along with my committee members—and I am very proud of the small business piece of this bill. There are three pieces. There is the finance piece, there is a small business package, and then there is a treasury piece. I will discuss all of them briefly in just a moment.

We have worked hard over this year trying to come up with some things that the government could do that wouldn't cost that much money but could spur growth in small business. As the Presiding Officer knows, it is not the big businesses that are creating jobs. They are still laying off people or are putting in efficiencies, which means holding the line. Even as they get more contracts, they are not hiring because it is not what big business does. They have enough cushion to hold what they have, but small businesses are affected immediately by contractions and expansions. They can't afford to hold three or four people on their payroll without a contract, so they let them go. But the minute they get a new contract, they will hire them back. They are immediately tied to the daily, weekly, and monthly jolts in this economy.

That is why we see that 65 percent of all new jobs created since 1993 have been by small business. When we want to look out from 2009 to the year we are in, 2010, and to 2011 and 2012, which the country is depending on us to do, we should focus our attention where the jobs can be created. Mr. President, that is in small business. So that is what we are here this week and next week to do, and these eight Senators have said yes, basically, to small business in America. The package isn't going to be what all ten of these Senators would write if they could write it themselves, but they understand this is a good package. It is a worthy package to pass—the small business, the finance, and the treasury package—to get small business moving again.

I feel compelled to comment, before explaining some of the pieces of this bill, that it is concerning to me that while we are on the Senate floor talking about a small business package, back home in Louisiana and in Mississippi, Alabama, and Texas, because of events almost beyond the control of any of us here, we are facing a real economic challenge with the oilspill in the gulf and the subsequent moratorium that was laid down by the administration on deepwater drilling. I have to say right now there are, in fact, about 50,000 to 60,000 jobs immediately at risk while that issue is being worked out. So while I am here on the Senate floor to help create millions of new jobs—and I believe this bill will do that—we also want to be mindful of not losing the jobs we have in trying to come up with some very quick, appropriate responses to the BP spill—the Deepwater Horizon spill—and the call for safety in the gulf. We need to be getting our people back to work.

I spent all morning in the Energy Committee on that subject, and I am proud to be leading and helping with some suggestions in that regard. But I have to say I want all the Members of Congress, both Democrats and Republicans, to understand there is an economic calamity brewing in the gulf that needs our immediate attention. We can do more than one thing at a time here, so we are going to continue to move forward on the small business bill because small business in Louisiana will be helped, as well as those in Mississippi, Alabama, Florida, Texas, and small businesses all over this country.

There are a couple of important components in this overall bill. Again, I thank the members of my committee who voted these items out 17 to 1 and 18 to 0. Senator SNOWE, the ranking member, did a magnificent job of working with the Republicans on our committee. We had many hearings and several markups. In the underlying bill, one of the most important provisions is the Small Business Jobs Creation Access to Capital Act. It increases 7(a) loans from $2 million to $5 million, 504 loans from $1.5 million to $5 million, and microloans from $35,000 to $50,000. If I had my way, I would like to see that go up to $100,000. Why? Because small businesses need access to capital. They must have access to grow.

If we want small businesses to be able to grow, they have to be able to expand by borrowing more money at relatively low interest rates on favorable terms, and then they can start hiring people to get the jobs necessary to, A, end the recession; and, B, as Senator STABENOW has said so beautifully all week, to start paying the deficit down.

What the Republican Party doesn't understand is that one way to pay the deficit down—not the only way but one way to chip away at it—is to get more people working so they can pay the taxes to the local, State, and Federal Government and we can then take that tax money and apply it to deficit reduction. Yes, we have to cut spending. Yes, we have to stop giving out tax cuts we cannot afford. They never want to do the tax cut piece, and they do not do the cutting piece well either most of the time. But what they need to understand is that creating jobs, both private sector and public sector jobs, where it is appropriate, generates taxes to the local, State, and Federal governments. Then we can begin chipping away at the deficit—a deficit they left, by the way.

When the last administration came in—when President Bush came into office—he was handed a surplus. We handed him a surplus of $5.1 trillion and said: Mr. President, here is a world at peace and here is $5.1 trillion in surplus; the economy is creating jobs.

When he left office 8 years later, he handed the next President a deficit twice that big, with Wall Street in collapse, two wars that hadn't been paid for, and a mess here at home—and they want to ask why we haven't fixed all that in a year and a half? It is quite humorous to me. I know President Obama is smart and good—though I don't agree with him on everything—but I don't think any human being could fix the mess they left in just a year and a half.

We have been plodding along trying to fix different pieces of it, but it hasn't been pretty. All of it isn't working, but we are trying. Most of it is working. That is what the American people expect of us. They do not expect

us to get it 100 percent right every day, but they do expect us to move forward; to say, yes, we will try not to say no and not to lecture Democrats about deficits they created.

Having gotten that off my chest, I want to say here we are in our small business package. I am very proud that eight of these Republican Senators joined us to get on the discussion on the small business bill. This is going to do a lot of good for a lot of people in many places, let me say, not just New York and not just Wall Street. This is a Main Street bill. This is about creating jobs in little towns in Oregon as well as little towns in Louisiana, small towns in Washington State and Maine. That is what this is about.

The second piece is the export piece. This is a very exciting chart to me. I am maybe not as good as KENT CONRAD is with charts, Senator CONRAD, but I like this one very much. This chart shows the potential of small business in America. Just think about this. We have so many, millions and millions of small businesses, but less than 1 percent of them today are exporting. This is tragic, if you think about it. If we can get a few percentage points, up to 3 percent, 4 percent, 5 percent of small businesses in America exporting their products, using the Internet, using favorable tax provisions that will help—that are in this underlying bill—using new support and technological support from the Small Business Administration, from volunteer organizations such as SCORE, university-based technical support programs that can go to our small businesses and say: You sold 50,000 pairs of shoes last year but you sold them all down the road. We can help you sell them to China or sell them to India. Think about the possibility of that. And it is real.

That is what this bill does. Senator SNOWE has done a tremendous amount of work. I am extremely proud of her work on the export portion of this bill. Again, large businesses, percent of firms that do not export, 58 percent. This number could be increased. But the exciting opportunity is small business. But sometimes they are intimidated, as you can imagine. They don't know how to negotiate with foreign governments. Some of the things we are going to do in this bill will help them move that number up and they are going to be able to grow.

Third, the contracting piece. I know some people on both sides of the aisle believe government is too big. Sometimes I agree with that and think it is too. We have to shape it, make sure it is efficient and effective and muscular, not flabby and big but bold and muscular, so it can do things it needs to do that the private sector can't do. But one of the things all governments do is spend a lot of money, and it is not just money to hire their own employees, it is spending money for the private sector. We contract out a lot of our work. When the Government has a job to do, we do not always do it with government employees; we contract it out. I do not have the exact numbers in front of me but it is billions and billions of dollars. We are the largest—if you put us in terms of a corporation—the largest corporation, potentially, maybe in the world. So the contracting provision we have in this bill says: OK, Federal Government, if you were a business, if you could contract with more small businesses, meet your small business contracting goals, then we could create a lot of jobs in America because it is, again, the small businesses that are creating these jobs.

If you give a big company a government contract, they might absorb it into their infrastructure. They are so big, they have millions of employees, or hundreds of thousands. But you give a contract to a small business, you know what happens? They might have five employees. If they get a very nice size contract from the government, they will hire 10 people to implement that contract and they will do it right away. So we have some contracting provisions in this bill that I am, again, very proud of. They have broad bipartisan support.

In addition, in this bill, which is paid for, is an additional $50 million for the Small Business Community Partnership Relief Act which gives $50 million in addition to women business centers, microloan intermediaries. It weighs or reduces the non-Federal share of funding so that for 1 year States all over this country can start enhancing and improving their Women Business Owners' Center, their Minority Business Centers, the centers that are in universities all over the country. I am sorry I do not have a map to show what the Secretary or Administrator of the SBA fondly calls our bone structure, because it is a great structure in the country. It is not just isolated little offices of the SBA.

If you can imagine, so many of our universities have small business development centers and SCORE chapters, which is retired business executives, senior executives who volunteer to help younger businesses. There are hundreds of these chapters around the country.

If you could imagine a map of the United States, you could see, if I could show where these centers are, there are centers at universities and SCORE chapters and community banks, almost within a few miles of any citizen. Any citizen could find a SCORE chapter or a university or a local bank. This bill is sending funding and help to all of those places. Again, not just on K Street here. There are lots of jobs on K Street. In fact, there are so many buildings going up on K Street, I am amazed how many. It never stops. There are lots of buildings going up, maybe, on Wall Street—lots of office space. But where I represent, there are empty spaces. There are lots of vacancy signs.

This bill is trying to push out money, not to the Federal Government but to our universities, to our private sector partners to help them tweak—help support small businesses to help small businesses grow. I am very proud of that piece. The job impact analysis was something Senator SNOWE wanted. We worked with her. On everything we do, this is going to be a way to say, in this bill, how many jobs will actually be created, to record them so we can be accountable to the American people for that. I am happy she put that in the bill.

Going back to the 7(a) loan program, this is the major loan program of the SBA. As you can see, it has been sort of a happy and sad situation here over the last couple of years since 2008.

When Congress acts and puts money in this program, loans to small business go way up. When we dilly-dally and cannot agree and the program expires, loans go way down. When we get our act together again, it goes up. I wish this chart did not look like this. I wish it looked straight up, like this. Right now it is down beneath where it was before the stimulus act was passed. It has fallen below the ARRA average of $172 million. It is down to $154 million.

We need to get it back up. When we initially announced that the Small Business Administration was expanding the amount you could borrow, reducing the fees so you did not have to pay as much, and giving you a 95-percent guarantee rate, those loans are good loans. Small businesses need them, particularly because credit card companies are not lending the way they used to or charging you too much for the money they do give you. Credit lines are drying up. This is the core of the small business bill. I hope we will see this number go straight up.

Banks all over our country want this program. Many of them—not every bank participates, but I would say about 1,000 or 1,200 out of the 5,000 banks participate in this program, and they are very excited about getting this funding back in place so they can begin to loan money again to small business.

There are many other things we can do and should do. One of the amendments I have filed—I wish I could have gotten this in the base bill, but even as the chairman of the committee you can't get everything you want in the base bill. So I have agreed to offer one of these as an amendment.

I am very proud to have Senator COCHRAN's support, Senator WICKER's support, Senator VITTER's support. It is a bipartisan amendment. What it would do is provide in the small business bill interest loan relief for the gulf coast outstanding disaster loans from Katrina and Wilma, Gustav and Ike, from Alabama, Florida, Louisiana, Mississippi, and Texas.

There are 13,207 loans. I will take a moment to try to explain it. I will try to wrap up in about 5 minutes.

There are currently today 13,207 small business loans that were taken out by businesses all along the gulf

coast. Some of these loans are to fishermen whose boats were destroyed and they had just bought the new boat or fixed their net from some of these hurricanes. They were just getting back into the water. The water was coming back, the marsh was coming back after Katrina and Rita, and then all of a sudden the Horizon BP disaster happened.

The same people who were affected by these hurricanes and who may be affected by hurricanes in this season—which unfortunately promises to be a very difficult one—these are the businesses that are struggling to pay these loans on top of the economic disaster they are experiencing. So I am asking the Senate to please give some forgiveness—in the loan forgiveness, but give some special help to this group of loans. What we are asking in the amendment is 3 years of an interest rate reduction; not loan forgiveness, so the taxpayers will be paid back the full principal amount of all the loans these individuals and businesses have made. But if we could give them a little interest relief—let me give a specific example.

I actually took Karen Mills, our Administrator of the SBA, to Louisiana on several occasions to impress upon her the seriousness of this situation. I took her to see the Bergerons, who run a gas station in Lakeview. This entire neighborhood was destroyed, 8,000 families. Three of my brothers and sisters lived in this neighborhood, with four children each. They lost everything, their homes, their clothes, everything was completely destroyed. That was true of their 8,000 other neighbors. This gas station—the Bergerons came back. They operated one of the most successful gas stations in this neighborhood. In order for people to be able to rebuild their house, because they had fled to higher ground hundreds of miles away, families would drive long distances after work to come and gut their homes in Lakeview and try to rebuild their homes. But when they went to go back, there was no gas station for them to fill up their car so they could get back to where they were living until they could get home.

So the Bergerons, like a lot of what I call the pioneer businesses—the hardware stores, the gas stations—said you know, I have been here 40 years. Mr. Bergeron is in his 70s, still very active, but he said I am going to go back and open my gas station. So he went to the SBA and got a loan. The problem was, he did a great thing, but his business came back so slowly. But without his business no one in the neighborhood could come back because there was no place to get gasoline. He is paying on his loan $1,000 a month. If this passes, his note will go down to about $400 a month. It will give him a little bit of relief because right now in his same neighborhood he has a lot of people who work in the fishery industry or the seafood industry or the oil and gas industry, so some of his customers cannot come and get as much gas as they want to because they are being affected now by this Deepwater Horizon.

I am begging the Members of the Senate to please help this particular group. I wish we could afford to do for everyone in America but not everybody in America right now is on the gulf coast. But these 13,207 people are and we need to give them a little breathing room. That is one of my amendments.

I am going to yield the floor after I make a comment on a nominee. But that is one of the amendments I am going to ask the Senate, when we get an opportunity to offer amendments, to please give us a chance to help these small businesses. It is a temporary relief for them, but I think it is something they deserve and will help this region that has now been hit again.

NOMINATION OF WINSLOW SARGEANT

Mr. President, at this time I want to talk for a minute about Winslow Sargeant.

He is a gentleman who has been recommended by the President to serve at the SBA, in the advocacy position at the SBA. He comes highly regarded and highly recommended. He has a Ph.D. from the University of Wisconsin in Madison in electrical engineering and a background as a very successful small business owner. He is managing director of Venture Investors, a Midwest venture capital country with a concentration in starting up health care technology companies.

Dr. Sargeant has a great deal of support from a wide variety of individuals and businesses that I will submit for the RECORD.

With more than 80 percent of job losses coming from small firms, I believe this is someone who should be in the Office of Advocacy. For some reason, he is being held up by the other side.

I understand there are nominations being held up on both sides of the aisle, but I wanted to ask unanimous consent that the Senate proceed to executive session to consider—I am going to wait and ask for unanimous consent. I am not going to wait long, but I will continue talking for a few minutes. I will wait for a few minutes, but at some point I am going to ask for unanimous consent that he be moved ahead because here we are on a small business bill, and here is the man whom the President has nominated, who obviously is well credentialed, has tremendous support, who is being held up. We do not really understand why he is being held up, so I would like to know, and in just a few minutes, I am going to ask for him to go by unanimous consent.

In the meantime, I will speak about one other potential amendment to the underlying bill. This amendment is coming from Senator BOXER, and I am so excited that she came up with this idea and this amendment. I think it has a lot of potential, and I think many Members might support it.

Senator BOXER called to my attention that there are many small businesses that operate out of their homes, and if you think about it, there are many people who operate their business out of their homes but particularly women who are trying to raise children, they are still the primary caregiver—not the only caregiver, but in most homes the women are trying to balance being a good wife and a good mother and also contributing to the bottom line of their family income. So a lot of them might be running small businesses out of their homes.

Well, it has come to our attention that in order to take the tax deduction that is rightfully there for anyone, man or woman, who works out of their home—it has come to my attention through Senator BOXER that it is not really very easy to take that deduction. In fact, it is so complicated, to my knowledge, that many people don't take it. Think about that.

If we are really supportive of family values, of people being flexible; if we don't like spending a lot of gasoline traveling back and forth to work and we are kind of trying to encourage people to stay at home and work if they can—many women who are very well credentialed because the government spent a lot of money on our universities getting them the degrees they need, are home raising three, four, five kids, and they can't travel a long time to work, so they set up a business in their home. Senator BOXER's amendment would help them by simplifying this deduction.

I am hoping Senator BOXER will come at some time to the floor over the next couple of days—I am sure she will—and explain the details of this, but I think it would be an excellent provision to add to the small business bill because again, remember, this underlying bill is cutting taxes for small businesses, specifically cutting taxes for small businesses; it is supporting the small business programs to create more of them, both in our country and their export potential; and then it is giving—the third leg of the stool—$30 billion to banks in America, voluntarily. It is not TARP-like, nothing about TARP; it is $30 billion to small banks in Oregon, Louisiana, and other places to be able to then take that money and lend it to small businesses. That is the essence of this bill.

I am very hopeful we can add a couple of amendments to an already very good small business package. So I am hoping Senator BOXER will come at some point and explain this amendment.

My colleagues are here to speak, I guess, on either the extenders package or the small business package. I see the Senator from Ohio, who has been very supportive of small business. Of course, Ohio is one of the States that has been hardest hit, and Michigan has been very hard hit in the underlying economy. So I am very happy to have, hopefully, their support on the underlying bill.

But one more comment about the moratorium. And I started off by saying I am proud to be the chair of the Small Business Committee advocating for small businesses in the country. I think the small business package, the finance and treasury package that we have on the floor will deliver to the American people how to, in a very fiscally responsible way, help us create the jobs we need. But one of the points—and I am going to be very brief because I see the minority leader here, but at the same time I want to say again that the moratorium on the gulf coast—and the Senator from Kentucky will, I believe, agree with me on this point—the moratorium on the gulf coast is really hurting many small businesses now.

I know we have to get this drilling safer and it has to be very safe. The people of my State want that. The people of the gulf coast want that. But we hope sometime in the next few weeks to clarify or fix or modify this. The Federal judge, as you know, has ruled that the moratorium is lifted, because the Federal judge did not agree with the actions taken by this administration, nor do I. So while we are debating a small business bill, I am very hopeful that as soon as this small business package can pass, we can get on to getting more people back to work along the gulf coast who have been affected by both the moratorium and this bill.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

I ask unanimous consent for Winslow Sargeant to be Chief Counsel for Advocacy, Small Business Administration; that the nomination be confirmed, the motion to reconsider be laid upon the table, and any statements relating to the nominee be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume its regular legislative session.

The PRESIDING OFFICER (Mr. MERKLEY.) Is there objection?

Mr. MCCONNELL. Mr. President, on behalf of Senator SNOWE, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, it is unfortunate to watch what just happened again in this institution. The chair of the Small Business Committee, who is serving her State, is an incredible advocate for her State, is serving this country well, wants this government to be able to govern. And you see one after another after another where the President of the United States has dozens and dozens and dozens of appointees, noncontroversial. My guess is, when this nominee finally comes to a vote—I don't know this for sure, but my guess is there will be very few ''no'' votes. We have seen this with Federal judges, we have seen it with U.S. attorneys, we have seen it with U.S. marshals, and we have seen it with Under Secretaries and Assistant Secretaries and all kinds of commission nominees.

We have never seen anything like this in this country where one party has consistently and persistently blocked nominee after nominee after nominee. I mean, if your goal in government—if you come to the Senate and your goal is to block anything from happening, the Senate rules serve you pretty well. But if you want to move this country forward and put party aside, we would not see this kind of thing happen over and over.

So I commend Senator LANDRIEU for her work on the floor today, her passionate advocacy for small business, and her work generally in fighting for her State. But I was disturbed to watch what just happened. If it were the only time, I guess I wouldn't be judging of it much, but it is not.

I come to the floor to talk about the unemployment insurance bill. I know Senator LANDRIEU, in her State, and the Presiding Officer, Senator MERKLEY, in his State of Oregon, have people all over who have seen their unemployment run out. I just don't get it.

I know some of the opponents, some of the people who have voted no on unemployment compensation extension think it is welfare. I have heard some of them say: Well, these people don't really want to work. Why should we give them something for nothing?

Well, these are people who deserve unemployment. They have earned the unemployment. They deserve the unemployment insurance. They have earned it. Again, it is not called unemployment welfare; it is called unemployment insurance. You pay in when you are working; you get out when you are not. So it is a lot like car insurance and health insurance. I don't want to collect on my car insurance premium. I don't want to collect on it. I don't want to ever have an accident that hurts somebody or damages a car. I have been in an accident like that. I don't want that to happen again. I don't want to have to cash in any of my health insurance. I don't want to be sick. I don't want my children to be sick. I don't want to be unemployed so I have to draw unemployment compensation. Most Americans don't want to be.

I just wonder about some of my friends on the other side of the aisle who think about this—they really think it is welfare. I just ask my colleagues on the other side of the aisle to put themselves in another place. I know virtually all of us get out enough that we meet people who are unemployed occasionally, and I know we are pretty isolated here too often. But, you know, a lot of us meet people who are unemployed, people who have lost their insurance. These people sometimes have lost their homes. But I think it is important that we think about what that means and try to personalize it, try to think about a husband and wife—one is working part time, not making much money, the other one lost their job, and then they lost their insurance because they can't afford the payment for COBRA.

COBRA is a bit of a cruel hoax. COBRA is the program where you can keep your insurance after you lose your job, but you have to pay your part as the employee and then you have to pay the employer premium. And if you lost your job, how could you? Well, we have subsidized that. We have actually under the Recovery Act, as the Presiding Officer knows in his work on this bill in the Health, Education, Labor, and Pensions Committee, helped people to pay that COBRA so they can keep their insurance.

But put yourself in the place—since we can't seem to get the Republicans to go along with that, either, now—put yourself in the place of that family. The husband has lost his job. The wife, who was making only a little bit of money, is struggling. They lost their insurance. Someone gets a little sick. They have these bills run up. They are getting 2 or 3 months behind on their mortgage. They have to sit down with their family. They have to sit down with their teenage kids and say: You know dad lost his job. You know mom cannot find more than part-time work. You know we do not have insurance anymore. You know Jimmy got sick. Well, we are behind on our house payments. We are going to have to move. We are going to have to sell our house. We are going to get foreclosed on.

You have to explain to your kids that they are not going to have a room to sleep in—separate rooms—anymore. They are going to have to give away some of the stuff they have around the house or try to sell it. They are going to have to go to a new school.

What new school, dad?

Well, I don't know what school district we are going to move to.

I just wish my colleagues, when they cast these ''no'' votes on unemployment insurance and cast these ''no'' votes on the extension of COBRA to help people keep health care, that they would think about what it means to an individual family.

I mean, these are all numbers. I can give you some great numbers here. I can give you these numbers: The number of Americans who will lose their unemployment benefits: 1.3 million by the end of this week; 1.7 million by the end of next week; 2.1 million by the end of our congressional recess next week; 3.2 million by the end of July. These are pretty troubling numbers, but forget the numbers. I am going to read from some letters of people in Ohio that will explain better than I can what this means to individual Ohioans or individual Oregonians or individual Floridians or Louisianians or Kentuckians.

And if you want to make it an economic argument, make it an economic argument. Forget about the human faces for a minute. Make it an economic argument. If people are not getting their unemployment insurance, it means they are not spending money in

the community. You know what has happened when people receive unemployment benefits. The first 6 months following the passage of the Recovery Act, unemployment insurance pumped $19 billion into the local economy. If we hadn't done that in this recession President Obama inherited a year and a half ago when we were losing 700,000 jobs a month, we would have been losing 800,000 or 900,000 because this $19 billion wouldn't have been pumped into the economy—grocery stores, going in and buying clothes for the kids, getting medicine, stopping at the drugstore—all of the things that keep economic activity generating in a community and provide jobs.

The first half of this year, $6 billion went in benefits to the States. It would have meant layoffs of librarians and mental health counselors and teachers and police officers and firefighters and people who are cleaning the streets and picking up garbage. There would have been more layoffs, more unemployment, less economic activity.

So it is pretty clear, if you want to look at the economics of this and listen to one of Senator MCCAIN's chief economic advisers who said that nothing more than a dollar in unemployment has a greater multiplying effect than that. That means for every dollar in unemployment compensation, it generates a lot of economic activity. That dollar isn't pocketed. That dollar is spent by the unemployed worker to take care of his or her family's needs. It is the best thing for the economy to pump unemployment compensation into the economy.

Yet time after time over the last several weeks Republicans have opposed extending unemployment benefits. Of all things to draw the line on. I hear the arguments over and over. They say we can't keep adding to the national debt. I was in the House of Representatives when they ran up the budget deficit, when George Bush and the Republicans ran up the debt. In 2000, when President Clinton left the White House, we had a budget surplus projected to be trillions of dollars in the years ahead.

What happened? War with Iraq, hundreds of billions of dollars to pay for the war charged to our grandchildren; tax cuts for the rich, hundreds of billions of dollars, charged to the grandchildren; a giveaway to the drug and insurance industries in the name of Medicare privatization, charged to the grandchildren. They don't mind spending us into deficit for two wars, for tax cuts for the rich, and for a giveaway to the drug and insurance companies. But now that it is time to give about $300 a week to workers who have lost jobs and to help them keep their insurance, they say we can't afford it. They don't want to run up the budget deficit. What does that say about values and about us as a country?

I don't get it. No matter how irrational or how much they want to play to the crowd and say: I am standing up against big government, they didn't stand up for taxpayers to pay for the wars, tax cuts for the rich, and bailouts for drug companies and insurance companies. All of a sudden they are standing up for taxpayers when it comes to funding unemployment benefits and health care benefits for those workers who lost their jobs and lost health insurance.

I will close with reading four letters from people around my State. I get hundreds of these. I know the Senator from Oregon gets them from Portland and all over his State. I get them from all over my State. I will start with Mark from Wood County, just south of Toledo, home of one of the great universities in our country, Bowling Green.

Mark writes:

> I send out on average 5 resumes a week, yet I almost never hear back from employers. I have had only one interview, though I didn't get the job.
>
> I am not lazy. I want to work and I am trying to find work.
>
> I didn't quit my job, my employer quit on me and everyone else they laid off.
>
> We need unemployment benefits extended, please don't turn your back on us.

These are millions of people around the country. What Mark says is what most of them would say: Please don't turn your back on us.

Jennifer from Geauga County, southeast of Cleveland, writes:

> I am a single mother of three beautiful girls. I am also an experienced architect. But late last year, I was laid off from a large engineering firm in Northeast Ohio.
>
> I have been desperately seeking a job for the last six months, but my industry has still not recovered.
>
> What do I do now? I have been working 20 years in my field. I am already four months behind on my mortgage.
>
> Where do I even get the money to pay for it and the other expenses to care for my family?
>
> What do I do?

These are not people who don't want to work. I am sickened by some of my colleagues who think this is welfare, who think these people really don't want to work. Jennifer is a woman with three children, a professional, an architect. She has been working 20 years in her field.

All of these people are required to send out resumes week after week. They are required to make calls and try to find jobs. They can't find them because of the economy President Obama inherited a year and a half ago—again, 700,000 jobs we were losing a month when the President took office. My State was lucky enough in April to have a bigger job gain than any State in the country, 37,000 jobs. But that is not nearly enough to make up for the hundreds of thousands of jobs lost because of this economy, because of bad trade policy, because of outsourcing of jobs, because of all that has happened with the financial crisis.

Jill from Franklin County writes:

> I am very disappointed the Senate has not passed an extension for those of us still facing unemployment.
>
> I have been out of work for six months, even though I have a Master's Degree.
>
> I have never lived beyond my means, but without the small check I get from unemployment, I will be losing my home at the end of July.
>
> Please find a way to pass this bill. Please help us.

I was not making it up when I said if somebody loses their job, they lose their insurance. Then they too often lose their home because a bunch of Republicans want to vote no on the extension of unemployment benefits, crying: We have to cut spending.

I am sorry to say it over and over, but when I hear them say we can't afford it, when they didn't say that when it was tax cuts for the rich, paying for the war, or bailing out the drug companies and the insurance companies in the name of Medicare privatization—they only want to do it when it is unemployed workers. That is wrong.

The last letter I will read is from Amy from Perry County, a small rural county southeast of Columbus:

> My husband is trying very hard to find a job. For the government not to pass extensions is beyond me.
>
> I am a nurse and work two jobs to help make up the difference of my husband's lost wages.
>
> Our hard working American citizens who helped build this country are now in need of this country's help.
>
> Please urge other Senators to vote this bill through.

I couldn't say it better than Jennifer and Mark and Amy and Jill. They are all typical, hard-working Americans who have done the right thing. Some are very well educated, all are hard-working. Many have gone back to school to improve themselves. This is the economy they have inherited because of a whole bunch of bad policy decisions in the last 10 years. They are the ones paying for it. That is just not right.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

GULF OILSPILL

Mr. LEMIEUX. Mr. President, I have come to the floor today to talk about the tragedy affecting my State as well as other States that border the gulf. We are into this crisis now 72 days. On the worst days, there is as much as 60,000 barrels of oil spewing into the gulf. That is more than 4 million barrels of oil. That comes out to about 180 million gallons of oil that has gone into the Gulf of Mexico. We know British Petroleum is at fault. We know they are responsible for paying for the cleanup. But that is just half of the story. The other half is that the Federal Government has a responsibility in times of crises to step up, to manage the crisis, to do everything possible to bring all available resources to address the crisis, to keep the oil from washing up on our beaches in Florida, from getting into our coastal waterways and estuaries.

This is not a Republican issue. This is not a Democratic issue. This is an issue of doing the job those who wanted to be elected to these positions in the

executive branch now own. When you are the President, you don't get to pick which crisis comes. You don't get to say: I don't choose to address this problem or not address that one. When you are the President, your administration is responsible for trying to solve the problems that happen on your watch. This oilspill has happened on this administration's watch.

I want the President to succeed. All Americans do. But the truth is, this administration is failing in keeping this oil off our shores. Why do I say that? I don't say that without some reservation because it is a serious charge. The facts speak for themselves. We have 2,000 skimmers in the United States. These are ships equipped to suck up oil off of the top of the water, bring it into the ship so it can be removed from the area that has been polluted. We got this document last week from the Coast Guard. Admiral Allen, with whom I met with the President weeks ago, said there were 2,000 skimmers.

I said to the President: Mr. President, if there are 2,000 skimmers, why aren't those skimmers in the gulf? At that time there were 24 skimmers off the coast of Florida. Today we believe there are about 84. Florida says 84. The Feds say 130. Since this started, we couldn't get a straight answer or one that reconciled between the State and the Feds. The good news is, it has gone up to 84 from 24. But it is still a mere fraction of what it could be.

We are told there are 400-some skimmers in the gulf. Around the country, there are 2,000; 1,600 or so in the continental United States.

Why are all those skimmers not in the gulf? This is something I have been calling for for weeks. Between Texas and South Carolina there are 850. Why aren't they skimming up the oil? When I raised this issue with the President, he and Admiral Allen said: Those skimmers need to be in other places in case there is an oilspill. That is like me saying that we can't send a fire truck to your house that is on fire because we may need it for another fire. That is not a lot of solace to you if your house is burning down, not a lot of solace to the people of the gulf when this oil is washing up onshore, ruining their lives, keeping them from working, hurting the ecosystem and the environment they love.

Something has happened that is good news. The day after I met with the President, along with our Governor and other State and local officials, on day 57 of the crisis, on day 58 Rear Admiral Watson issued a memo, June 16, 2010.

I ask unanimous consent that this be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

From: J.A. Watson, RADM
FOSC BP Deepwater Horizon Oil Spill
To: NIC
Subj: FOSC Determination under 46 U.S.C. §55113 Concerning Oil Spill Response Vessels Capable of Skimming Oil

1. Pursuant to my authority contained in 46 U.S.C. §55113, I have determined that an adequate number of oil spill response vessels (OSRVs), as defined by 46 U.S.C. §2101(20a), documented under the laws of the United States and capable of skimming oil cannot be employed in a timely manner to recover the oil released from the BP Deepwater Horizon spill.

2. Oil currently discharges into the Gulf of Mexico at unprecedented levels. There are simply not enough U.S. OSRVs capable of skimming oil available to keep up with the pace at which oil flows from the well. Until the flow is stopped, therefore, it is my opinion that domestic and foreign OSRVs capable of skimming oil are needed to provide adequate and timely protection to the Gulf Coast.

3. This determination applies only to OSRVs capable of skimming. No foreign OSRV may avail itself of any privileges conveyed by this determination unless its country has accorded to vessels of the U.S. the same privileges.

4. Respectfully request that U.S. Customs and Border Protection be notified of this determination.

Mr. LeMIEUX. This is a four-bullet point paragraph document. It reads in part:

Pursuant to my authority, I have determined that an adequate number of oil spill response vessels (OSRVs), as defined by 46 U.S.C. §2101(20a), documented under the laws of the United States and capable of skimming oil cannot be employed in a timely manner to recover the oil released from the BP Deepwater Horizon spill.

Oil currently discharges into the Gulf of Mexico at unprecedented levels. There are simply not enough U.S. OSRVs capable of skimming oil available to keep up with the pace at which oil flows from the well. Until the flow is stopped, therefore, it is my opinion that domestic and foreign OSRVs capable of skimming oil are needed to provide adequate and timely protection to the Gulf Coast.

That is the day after we raised this issue with the President. It comes on day 58. It should not have taken 58 days to figure out they didn't have enough equipment, but better late than never.

Monday of this week, the EPA and Coast Guard, on day 70, issued an order releasing these skimmers to come to the gulf from whatever legal requirements keep them where they are, including releasing Navy skimmers. That is good too. Now it is day 70, but it is still progress. I am hoping, and what I am seeing is that these skimmers will come to the gulf soon. We are tracking the skimmers. We got a list of these 2,000. We are calling folks in different places where the skimmers are, different ports around the Southeast and the Mid-Atlantic. We are going to check with them and say: Are your skimmers on the way? We need the help.

I was in Pensacola Monday. I have been down there four or five times since the incident began. The oil on the beach is profound. It breaks one's heart to see it. It is a splattering of oil and muck and scum on the beaches. In some places I found what I would call tar rocks about the size of grapefruit that have washed ashore. Who knows what is happening down below the water, how far these plumes of oil go, what it is doing to marine life, to the turtles, to the porpoises, to the fish, what that is going to mean for the people of the gulf coast who rely upon fishing and the seafood industry, what it will mean for our health.

When you stand on the beach, you can smell the oil. The people of my State are heartbroken. I can see it in their faces and hear it in their voices.

I talked to one woman who works at the pier. I asked her: Are people coming to the beach.

She said: People are coming who don't often come. People are coming who want to say goodbye, want to see the beach one last time.

That is like having a loved one who is in the hospital on their deathbed, going to see the beach one last time.

We have these skimmers, these 2,000. Hopefully they are on the way. That is progress. That is the domestic side of this issue.

The other side is foreign skimmers. We have been hearing from the beginning that foreign countries have been offering assistance, reaching out to us the way we help the world because of the goodness of our hearts as Americans when the world has problems. When there is a typhoon in Southeast Asia or an earthquake in Haiti or Chile, the first country there to respond because of the goodness of our people is the United States. We provide help and relief, military sometimes. Other countries have also offered to help us in this, our time of need, sometimes for free. Sometimes those companies want to get paid. Nonetheless, they have offered to help.

In fact, there have been 64 offers, according to the U.S. State Department's document of June 29, 2010. We have accepted 7 out of 64. Let me read some of these to you.

On June 23, Canada offered skimmers. That is under consideration. On May 13, the European Maritime Safety Agency, still under consideration; on June 22, Japan, under consideration. On April 30, Norway; some have been accepted, other offers are under consideration. On May 2, the Republic of Korea offered skimmers—May 2—under consideration; on June 23, Turkey; on June 22, Qatar; on May 10, the UAE, the United Arab Emirates, under consideration. Mr. President, 64 offers, 57 under consideration.

Now, the State Department said yesterday they will accept 22 offers of assistance from 12 countries. Good. Good. It is day 72. Why wasn't it done sooner? I have come to the floor before and shown a picture of a ship called the Swan that was offered on May 6 from a Dutch company. The Swan had the capacity of soaking in thousands of pounds of oil and water, and we never got back to them.

We now have the opportunity to bring another ship into our effort. The Swan was a huge ship. As shown in this picture I have in the Chamber, this is A Whale—appropriately named. It is reported to be the largest skimmer in the world. I met with the folks who own

the ship yesterday, Taiwanese folks. They have no approval yet to use this ship, but they still steamed this ship from Taiwan to the gulf—it is just getting there now—on their own dime. Imagine what it costs to sail this ship, 300 yards long, bigger than an aircraft carrier. It is the largest oil skimmer ever devised. It is at least 250 times that of these modified fishing boats we are using for skimming. It has a capability to draw as much as 500,000 barrels of oily water per 8- to 10-hour cycle, and it does not have to stop. It puts the ship next to it, which it offloads the oily water to, and it can keep going 24 hours a day.

By the way, storms are not a problem either because it is so big. It does not rock in the waves of a storm. So you hear these concerns now with our Tropical Storm Alex in the gulf that certain ships are going to have to stop their efforts. If this ship is allowed to work, it does not have to stop, according to what the owners told me. It is being tested by the Coast Guard either today or tomorrow.

Let's hope we use this incredible resource and ones like it because when this oil washes up onshore, when we have failed to respond to the offers of assistance from foreign countries, it is not just oil that is washing up onshore, it is failure. We need every resource, domestic and foreign alike, in the gulf, and we needed them yesterday. In fact, we needed them 50 days ago. It should not have taken this long to marshal this response.

I just watched the President of the United States on television. He is in Racine, WI. He gave a speech, a very political speech. He likes to blame the Republicans for everything that has gone wrong in the country. It is all our fault. Well, let me take issue with him on this one point. This is his job. He may not want to be in charge of the United States of America and be the President when we have the worst oil-spill we have ever had, but that is part of the job. It is not Thad Allen's job to run this. It is not Janet Napolitano's job. It is not Ken Salazar's job. It is not Jane Lubchenco's job or any other folks who work in the administration. It is the job of the President of the United States.

When he ran for President, he said President Bush's response to Katrina was halfhearted and it was half measures. I am not sure he would want this same standard applied to him right now. I know it is fun to give a political speech, but the people in the Gulf of Mexico are suffering, and they need help and they need a President who is on the job managing through problems.

Mr. President, being from Florida, we have had a lot of crises in the past several years with hurricanes. In 2004, in 2005, we had 9 or 10 hurricanes come through Florida that devastated us. I got to watch a chief executive officer of our State, our Governor at the time, Jeb Bush, when I was in the Attorney General's Office, manage through problems, overcome obstacles, work 12, 14, 16 hours a day to make things happen, to get results.

That is what it takes, and there is no one like the chief executive officer to overcome those obstacles. That is what we need from the President of the United States in this situation. I do not want to see him in Wisconsin giving a political speech. I want to see him in Florida getting these skimmers there, overcoming obstacles, solving problems, managing through this crisis, so we can protect our beaches, protect our estuaries, and protect the way of life for the people of Florida, Alabama, Mississippi, and Louisiana.

This crisis is not over. It may not be on your television as much as it was, but the oil is still spewing out of this well. We hope these relief wells work. We hope they can stop the oil from leaking in the Gulf of Mexico at an unprecedented rate. We still do not know how much is leaking. We hope BP is capturing at least half of that oil now, maybe a little bit more, but we do not know.

But every day that goes by that oil leaks in the Gulf of Mexico and washes up on the shore of my State—when I stand on the beach in Pensacola and I cannot see a single skimmer, I wonder where our Federal Government is. We need help. We need some urgency. We need some purpose. I am glad they signed the order this week to let those skimmers come. I am glad we are finally starting to accept foreign skimmers—72 days into the crisis. But I will continue to come to the floor every day until that oil wellhead stops leaking to talk about this issue and bring light and attention to it, to make sure this government is doing everything it can, marshaling every resource possible to keep that oil from coming on our beaches and into our coastal waterways.

I will close with this: In Florida, people love the water. It is the reason most people come to Florida. It is not just because of the great way of life. It is not just because of the great climate. It is because of the water. Ninety percent of the people of our State live within 10 miles of the ocean. We have more recreational boaters than any other State in the country. We have more coastline than any other State in the country save Alaska. The water is a way of life to people in Florida.

I have had grown men, men I have known and respected my whole life—not men you would consider emotional or soft—talk about the situation of this oil crisis with me and start to break down and cry. It is that much of an issue for the people of Florida. I want to see our Federal Government rise to the task and do everything possible to solve this problem.

With that, Mr. President, I see my colleague is here and I yield the floor to him.

The PRESIDING OFFICER (Mr. BURRIS). The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I am sorry I was not here on the floor—but I was watching in my office—when my colleague from Ohio, Senator BROWN, made his recent statement on the Senate floor. I think Senator BROWN pointed out very poignantly what is happening to so many people in our country today who have exhausted their unemployment insurance benefits. I would like to follow up on the comments made by Senator BROWN to reinforce what he said just a few minutes ago on the Senate floor and the dire straits that so many people find themselves in going into the Fourth of July holiday.

Recently, a national group of business economists released its 2010 economic outlook, predicting that America's economy is ''on track'' toward recovery. Well, this is encouraging news. It indicates we are moving in the right direction under President Obama's leadership. But we also know the recovery is very fragile.

For example, last week, we learned that sales of new homes plummeted 33 percent in May, to the least level in 40 years. Let me repeat that. Home sales in May fell to the least level in 40 years. Banks are still reluctant to lend to small businesses. It is not that they do not have money. According to a new Federal Reserve report, U.S. companies are hoarding an all-time high sum of $1.84 trillion in cash, but they remain largely unwilling to invest, hire, and expand.

U.S. companies are hoarding an all-time high sum—$1.84 trillion in cash—but they are not investing, they are not hiring, and they are not expanding. So the threat of this double-dip recession is very real.

These economic warning signs are not just abstract facts and figures. They have very real consequences for families across the country. That is what my friend from Ohio was talking about earlier. The unemployment report for May was very disappointing. By the official numbers, there are 15 million hard-working people who have lost their jobs through no fault of their own, and they are struggling to find work. Those are the official numbers—the official numbers. Many experts in this field agree that the real numbers are far higher.

So when you count the people who have become so discouraged that they have stopped looking for work, or who are working part time involuntarily because they cannot get full time work, the number of unemployed workers is far higher, like about 30 million people.

So as shown on this chart, here is sort of the official figure of 15 million. But that is just people who are right now on the unemployment rolls who are actively looking for work. We have enough data to show that people have been out of work for so long—they have hunted for so long, and they are discouraged; they are not looking right now actively—they are not counted as

unemployed. The young people who have not had jobs for the first time, who are out of school but have not had jobs for the first time, they are not counted as unemployed. People who are working makeshift jobs for bits and pieces here and there, part-time, who one time had a full-time job, they are not counted either. When we add all those up, our real unemployment in this country is right around 30 million people.

The official figures will say there are five unemployed workers for every available job. That is not true. It is more like 10 workers. Job openings in America: 2.69 million. That is how many jobs are in America right now that are open—at least last month anyway. There are 30 million people out there after those 2.69 million jobs; not 1 in 5, but 1 in 10, a little over 1 in 10. It is little wonder that the average spell of unemployment in this country has skyrocketed to 34 weeks, far higher than in previous recessions. This chart shows that—here is the recession of 1980, 10 weeks; in July of 1981, 14 weeks; in July of 1990, 12 weeks; March of 2001, the recession, 13 weeks. These are the unemployment spells we had during those recessions. We are now up to 34 weeks and counting. Compare that to the recessions of the past. It is a small wonder that a lot of people say this is not a recession, this is a depression. People don't want to say it, but in many ways, we are on the edge of a depression.

As a result, a record number of Americans is facing long-term unemployment; 6.8 million Americans out of work for more than half a year, by official numbers alone. That is the highest number of long-term unemployed we have had since we started keeping track in 1948. Let me repeat that. The number of Americans out of work for more than half a year is the highest—the highest—since we have kept track of this since 1948. The families of these long-term unemployed are hanging on by a thread. Their savings are gone. Unemployment benefits are the only lifeline they have to pay the rent and put food on the table.

Again, I know I am not the only Member of this body whose office has been flooded with heartbreaking stories of families back home struggling to make ends meet. We heard a number of those stories from Senator BROWN from Ohio. These are people trying their hardest, doing everything they can to find work, but the jobs aren't there.

I heard from a community college professor from Sioux City who was laid off due to budget cuts. She has applied for dozens of jobs, many far below her skill level. She is often told she is overqualified. She has exhausted her unemployment benefits. She and her sons, one of whom is a special needs child, are on Medicaid and they have applied for food stamps.

I heard from a worker in Des Moines who has been in the insurance industry for many years. She was laid off almost a year ago and has struggled to find work. Her benefits were cut off last week. Here is what she writes. She says:

> My concern is that my family cannot survive without the unemployment benefits. We have depleted our savings just to save the house and not get behind on the bills. I know there are others far worse off. Please help pass the emergency unemployment insurance extension.

I heard from a schoolteacher in northern Iowa who was laid off in October of 2008. She recently ran out of unemployment benefits and had to apply for welfare. She writes:

> I have not felt so humiliated in 20 years. I have been a productive and hard-working woman since I was 13, but now I feel insignificant. Please do not misunderstand. I have been trying to find full-time employment, but to no avail.

Again, these are hard-working people trying their best, who never imagined they would be in need of Federal assistance. They paid into the unemployment insurance system while they were working. Their employers paid in. They ought to be able to count on it when times get tough. To me, it is a matter of fundamental fairness and human decency.

Yet, in the face of so many families in crisis, an extension—a short-term extension—of unemployment insurance is being needlessly, and I would even say cruelly, obstructed here in the Senate. Time and again we have tried to pass an extension of unemployment benefits and time and time again that effort has been blocked by Members on the other side of this aisle. As a result of this political gamesmanship, as of the end of last week—at the end of last week—1,350,000 Americans exhausted their unemployment benefits because of the lapse in this program. By the end of this week, that will go up to 1,720,000 who will be cut off because we won't extend it here. By July 10, 2.14 million—2,140,000 Americans will have their unemployment benefits cut off.

Blocking this bill may be a political game for some over here in the minority party, but it is not a game to millions of Americans who have lost their lifeline. For them, the obstruction of this bill is a personal and family crisis of the first magnitude.

Imagine: We are about to go out of here in a couple of days for 10 days, 12 days, something like that, to celebrate our Nation's birthday, the Fourth of July weekend. I am sure Senators will be with their families; Congress men and women will be with their families, and all of our staffs. We all have jobs. We have good jobs that pay us well. We have good benefits—health benefits, retirement benefits—as does our staff, Republican staff and Democratic staff. Republican Senators and Democratic Senators, we have good pay. We will have a good Fourth of July with our families. We will watch the fireworks and have hot dogs and hamburgers, listen to patriotic speeches, maybe make a few ourselves. How about all these people? How about these people? How about these families? What are they thinking about on the Fourth of July? They have lost their benefits. They don't know where to turn. What are they going to be celebrating? What are they going to think about their country? What are they going to think about this Congress, that turns its back on these people?

There is no reason why we can't extend the unemployment insurance benefits, none whatsoever. I think that is what we have to be thinking about.

Another thing that I think hits pretty hard, I have heard political candidates out on the stump who want to take a place in the Senate, or maybe in the House of Representatives, out there talking about how we shouldn't extend these benefits because this encourages people not to go to work; it sort of encourages laziness. Well, I think that is insulting and illogical. As I said, there are 30 million people out of work looking for 2 million jobs. They say, Well, but if you give them these unemployment benefits, it makes them lazy. They won't go to work.

The numbers vary from State to State, but the unemployment benefit nationwide is about $300 a week, below the poverty line. So here is the average income for a family of four on unemployment benefits: It is about $15,600. It is more in some States, less in other States. That is an average. So what is the poverty line for a family of four? It is $22,000. That is below the poverty line. They are telling me people don't want to go to work? These are people who had work. They are not out of work because they walked off the job; they are out of work because they were cut off of work. In some States, benefits are smaller. For example, in Mississippi, the weekly maximum benefit is $235 a week. Again, that is thousands of dollars less than the annual salary of a full-time minimum wage worker. Again, I can't imagine anyone who had the alternative to make more money and to have a full-time job would say, No, I want to stay on unemployment benefits. That is insulting. It is insulting.

I have also heard my colleagues object to this benefit extension on the grounds that providing these benefits is too expensive. It will add to the deficit. I understand the concern, and we are all concerned about the deficit of this country. But, it doesn't hold water when we are sitting in the midst of an economic crisis. We are about to pass a supplemental appropriations bill here sometime soon, probably after we get back from the Fourth of July break. It has about $37 billion in there in military aid to Iraq and Afghanistan. We are building infrastructure projects over there. We are putting people to work there. We are continuing to lose a lot of American lives, young Americans getting injured and killed, and that is adding to the deficit. Yet we are not paying for that. That is adding to the deficit.

It seems to me if we are trying to look ahead and trying to protect the people of this country, we want to get people back to work. We want to get the economy going again. We need to get the recovery up and running. Unemployment benefits cost money, yes, but think about it this way. That money is spent here in America. It is not spent overseas and it is not spent someplace else. It is spent here.

What do people do when they get unemployment insurance benefits? What do they do with that money? Do they put it in a shoe box? Do they bury it in a hole in the ground? No. They go out and they spend it. They spend it on food and clothes and the necessities of life: housing, rent, utilities. That money spins around in the economy. That is why the economists all agree that one of the—this is from moodyseconomy.com. The biggest boost for the economy in terms of benefits from the government, the biggest bang for the buck, so to speak, are food stamps. That is because poor people who get food stamps spend it right away on food. Not all, but most of the food is grown in this country and processed; not all of it, but most of it. So you get a big bang for the buck. For every dollar in food stamps, you get $1.73 in economic activity in this country—$1.73 for every dollar invested. Unemployment benefits, $1.63. Right next to food stamps, unemployment benefits. Infrastructure investments that so many of us talk about, very close on their heels: $1.59. If we want to put people to work, let's start doing infrastructure rebuilding in America. Rebuild our sewer and water systems, our highways, roads, bridges, rails, high speed. That is a great investment, plus it will put a lot of people to work too.

A whole lot of people say, Well, we have to extend the Bush tax cuts to get the economy going. Extending the Bush tax cuts is a 49-cent return on the dollar—not a very good investment, folks. Not very good.

So unemployment benefits, yes, they cost money. Yes, they do add to the deficit, but they provide for a lot of economic activity in this country—a lot more than extending a tax cut. For example, in Iowa alone, more than 3,700 jobs were saved or created in my State in 2009 thanks to the benefits of unemployment insurance. That is 3,700 jobs in my State alone because of unemployment benefits.

Again, under these circumstances, obstruction of an extension of unemployment benefits is inexplicable. How do you explain it? How do you explain something such as that to someone who is on their lifeline, has lost their benefits, or is on the verge of losing their benefits right now? It is like a person who is in the hospital with a serious infection. The doctor says, OK, here is a 15-day course of antibiotics. The patient goes home and says OK, 15 days, I have to take the antibiotics every day. But day 8 comes, day 9 comes, the patient feels better, they stop taking their antibiotics. The infection reasserts itself, the patient is right back in the hospital.

That is where we are in this economic recovery. We made the mistake once before; history shows this. In 1937, we were getting out of a depression, the public works projects and things President Franklin Roosevelt and the Democratic Congress put in place were getting us out of the recession. But then the so-called deficit hawks took over and began then to tighten down on the benefits and these programs. What happened? The Federal Reserve started tightening up the money, Congress slashed spending, the Fed tightened its policy, and the economy plunged back down into a depression.

That is why I used the analogy of someone in the hospital with a serious infection and they are prescribed 15 days of antibiotics, but after 5 to 7 days, they feel better and they stop, the infection then reasserts itself, and they are right back in the hospital. That is where we are now.

Well, quite frankly, there is an infection in our country. The infection is called a recession, a deep recession, a depression. Thirty million people are out of work. That is an infection. There is one thing that will help relieve that infection right now: the medicine of unemployment benefits.

Mr. DURBIN. Will the Senator yield for a question?

Mr. HARKIN. I am delighted to yield to the Senator.

Mr. DURBIN. Mr. President, I thank the Senator for bringing this issue and timely discussion to the floor.

We had a meeting today of the deficit commission—18 of us who have been charged with finding a way to deal with our Nation's deficit. Speaking to us was the Director of the CBO, Congressional Budget Office, Mr. Elmendorf, who talked about what we need to do. I asked him a question that went directly to the Senator's point: As we talk about reducing the deficit, isn't there a worry or concern that if we hit the brakes too soon, we can plunge even deeper into a recession, with more people out of work? He said yes. He said that you have to make sure we start moving forward, putting people to work, with the GDP growing; and once you have the economy stabilized and moving forward, with people paying taxes—which, incidentally, brings down the deficit—then you can talk about the long-term deficit fix. So I say to the Senator from Iowa, he really hit the nail on the head.

Our colleagues on the other side who refuse to support extending unemployment compensation benefits say: We want to take it from some other area of spending. Well, of course, that just reduces the stimulus to the American economy. So they are not helping things. What we need to do is help them.

I see the Senator from Iowa has 3,700 workers in Iowa affected by this. We have over 10,000 in the State of Illinois. In fact, it is 20,000 at this point. It will be 80,000 by the end of June, if I am not mistaken. At this point, these folks have reached a point of desperation.

I had a call over the weekend from a friend who is unemployed. She is the mother of three kids, with a grandchild in the house. They are cutting off her utilities because her unemployment check was cut off. That is the reality of life for people who have lost jobs through no fault of their own.

I thank the Senator for bringing up this issue. I will be embarrassed if we leave here for the Fourth of July break without taking on this unemployment issue and helping people across the Nation who are similarly situated.

I will ask the Senator a question since he yielded for that purpose. Does the Senator even possibly agree with what I have said?

Mr. HARKIN. Mr. President, I thank the Senator, who has been a champion of working people and families for all the many years I have known him, and that is many years now. I thank him for telling us about what the CBO said in the deficit commission.

I pointed out a couple of things earlier. The Senator is right on the mark in terms of economic activity, and that is why it is so important right now to get the economy moving again, to keep it moving. The biggest bang for the buck we get is food stamps. People spend those right away on food.

Second to that, for every dollar we put into unemployment benefits, it causes $1.63 of economic activity. That is not a bad return on the dollar. Well, down here on the chart, extending the Bush tax cuts, you only get 49 cents back. That is what my Republican friends say you need to do—more of these Bush tax cuts. That is dismal. Yet an infrastructure investment brings $1.59 cents. If you invest more in infrastructure—sewer and water, plants and highways, roads, bridges, high-speed rail—not only do you get a great return, you get a lot of people employed at the same time.

How can we leave here tomorrow or Friday, when we leave for 10 or 12 days, when we know this is what is happening? At the end of last week, 1,350,000 Americans lost their unemployment benefits. At the end of this week, it jumps up to 1,720,000. By July 10, before we come back, it will be 2,140,000 Americans who will lose their benefits. How can we go home and celebrate the Fourth of July with fireworks—the birthday of our Republic—and give patriotic speeches about how great we are, what a good country this is, when we are going to leave all these people out in the cold? What does that say about this body, about the Congress?

I will tell you, I say to all those families who have written me letters, contacted me by e-mail, and have come into my offices, telling me of your joblessness and your struggles: You are not forgotten. We are here fighting to try to get this done.

My Republican colleagues refuse to let us extend unemployment benefits—even for less than half a year, a short period of time. Well, we will do everything we can to get this done. For the sake of these families, our country, and for the sake of, yes, our economy, we can't leave here without extending these unemployment benefits.

I ask my Republican colleagues who have been blocking this to have a sense of humanity on this, a sense of compassion, of caring for these families. We all make good money around here. We get good pay and benefits, good retirement benefits. All our staffs are employed. Everybody here in this Chamber is employed. How about these people who are unemployed? You have to think about them before we close up shop and leave here this week.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. KERRY are located in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I begin by complimenting the senior Senator from Massachusetts for a remarkable tribute to the late Senator ROBERT BYRD. It was beautifully delivered, beautifully written. It captured the spirit of this wonderful Senator and highlighted just a few of the extraordinary accomplishments in his life. I was privileged to be on the floor to hear it delivered by the Senator from Massachusetts.

Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SMALL BUSINESS LENDING FUND ACT

Ms. LANDRIEU. Mr. President, I was here earlier today, following Senator BAUCUS's handling of a portion of the small business bill. I am pleased to share in that responsibility on a small business bill that is not immediately before the Senate because, remember, we came off it temporarily to talk about the unemployment measure that is pending about which Senator HARKIN just spoke.

I want to return to the small business bill because at some point, after a vote on the unemployment measure before the Senate, we will get back to a very important bill for you, Mr. President, and you have been a leader in this area, as well as many of us.

I want to speak for a moment about a couple of provisions of the small business bill. The bill itself has three major pieces to it. There is a piece that came out of the Small Business Committee about which I spent some time this morning talking, the elements of strengthening the SBA lending programs, expanding the limits for the amount of money that businesses can borrow. There is a piece that is coming out of the Finance Committee that is broadly supported. Senator BAUCUS and Senator GRASSLEY have done a great job. Basically, it is tax cuts relative to small businesses that can help them with tax provisions. Then there is a piece that has come from the Treasury, the White House, the leadership team, about small business lending.

I want to talk for a few minutes about a piece of the small business package, and then I want to talk about the bank investment program, the $30 billion program.

First of all, one of the most important aspects of the small business bill is the extension and the expansion of 7(a) loans. To put this in plain English, these are the loans that the Small Business Administration partners with banks to make what we call floor plan lending. It is any business that has inventory—maybe it is a tractor company or a manufactured home company or a boat, marine industry with a small business owner—and you have some of these in Illinois, I know, Mr. President, and I have many of them in Louisiana—that has to buy inventory and put it in their showrooms for when people come by and they look at the product.

Some people might go on the Internet these days. My son does this. He spends a lot of time looking for automobiles because he has not yet been given permission to purchase his first one. He is looking every night, bringing pictures to his mother and father, talking about the benefits.

People today go on the Internet. They look at all these products they want to buy—boats, tractors, for example. They do not usually push the button to buy these products on the Internet; they go down to their local dealer. They want to walk into a showroom. They want to look at the product. They heard about it, and they might have documents from the Internet. They go to their local small business, whether it is in some parts of Illinois or Louisiana down in Thibodeaux, Violet, Larose. They walk into that local marine operator and say: I have looked on the Internet, and this is the kind of boat I want to buy. Do you have one in stock? If we pass this bill, he might have one in stock. If we do not pass this bill, chances are he will not be able to make that sale. That is what the 7(a) lending program does.

I have a letter from the National Marine Manufacturers Association that says they have over thousands of members. They say that they believe if we pass this provision in this small business bill, it could affect over 350,000 jobs in America because that is how these small businesses operate.

Unlike a lot of businesses we talk about, these are not businesses in China or in India or in South Africa or in France. These are small businesses with American-made products in our own neighborhoods, almost in every neighborhood in America, that has an inventory, that is trying to sell something. When that purchase is made, tax dollars are generated, money changes hands, and our economy gets rolling again.

This 7(a) lending program is not to be underestimated. It is not just an old government program that does not work. This program will potentially leverage loans up to $5 million. The way the program works is the Federal Government backs 40 percent of the loan. The banks usually take the first 50 percent, and then there is another 10 percent. So when you add all of that up, because our portion can now go up to $5 million, it is basically a $5 million loan.

That is a lot of money for a small business to be able to purchase a number of tractors for their inventory or automobiles or RVs or jet skis. This is a big industry, Mr. President. You know it. You see it on Main Streets all over the country.

When we pass this bill, I want my colleagues to know that those voting for it can be very proud. For those of my colleagues voting no, they are going to have some explaining to do because the automobile dealers in their States, the marine manufacturers in their States are going to say why didn't you vote for a bill that would allow me to go to my local bank, borrow up to $5 million so I can put inventory in our showrooms so people in this town can come to my shop or my place of business and purchase that equipment?

This 7(a) loan program is very important. It came out of our committee with broad bipartisan support. I am pleased it is in the underlying bill.

I want to say one more word. I know there may be others on the floor to speak. In another section of this small business bill, in our attempt to get jobs created in America to bring this recession to an end, to get our people back to work—yes, we have to extend unemployment, but eventually—eventually, not now, but some time soon, not now because it is too soon, many economists say, but at some time, we are going to have to stop the emergency extension of unemployment and have a job for people to go back to because I agree with Senator HARKIN, most people—99.9 percent of people in America—men and women, Black and White, Hispanic or Asian, would rather work because it not only helps their family economically, but it is very rewarding to work, particularly at something one likes to do, and it is life affirming. People aren't interested, as some of my Republican colleagues want to say, in sitting home and collecting $215 a week. In some States, I think in Mississippi, it is $146 a week. Who wants to do that? How many mouths can you feed at $146 a week? Please, tell me.

Not many. I do the shopping in my family. That wouldn't cover 4 days' or 5 days' worth of groceries in my family, and I have only two children.

So I am not sure what people are talking about on the Republican side, that people would like to stay home and collect a real big check. People want to get back to work. But in order to help them get back to work, we are going to have to have some extraordinary measures to get banks—medium-sized banks, community banks—lending again.

I think the President and the Treasury have come up with quite an innovative program. It is $30 billion, and many Republican Senators voted for it—at least eight. I don't know what the others were thinking, but I would like to give them a couple of arguments to rethink their vote.

Some of them have said this is the TARP again. Remember what TARP stands for. TARP stands for Troubled Assets Relief Program. It is a program for troubled banks. The ''T'' stands for ''trouble.'' This $30 billion program we have come up with should be called the healthy bank provision because this is not for troubled banks; this is for healthy banks. These are banks that are not troubled. They are healthy banks.

This program will allow them to voluntarily—not mandatorily but voluntarily—ask the Treasury to infuse some capital through an investment in all of our banks. The banks will then take that money and, if they follow the guidelines of Treasury in terms of the program as it is outlined, and they start to lend the money to small businesses, they will get a benefit. They do not have to pay the Treasury back a dividend. They can pay the Treasury back a lower dividend on the investment the taxpayers have made in that bank.

So for my colleagues who say this is TARP II, they are absolutely dead wrong. There is not a ''T'' in this program for ''trouble.'' This is for banks that are healthy, and I am very excited to say that our community banks in Louisiana survived this meltdown because they didn't engage in some of this reckless behavior that some of the large banks participated in. Our community banks in Illinois and in Michigan and in Ohio—I know they had a little more trouble in the rust belt—but many of the community banks in the South did very well and were very smart about their lending. They never got into trouble.

So this $30 billion infusion from Treasury into preferred stock in these banks, investments structured this way, will encourage these small banks to make money the old-fashioned way—not on transaction costs, not on charging people extra for the balance they do or don't have in their checking accounts, but by getting back to old-fashioned banking: making money in your bank when you make good loans to businesses. When you are smart and you are looking at businesses in your community and you are lending them money, they are expanding and they pay you back the loan with interest. You lend them more money, and they pay you back the money you lent them with interest. They grow, the business grows, the bank grows, and the community grows.

Mr. President, I suggest in America that we get back to the old-fashioned way that banks should make money. The Presiding Officer did that successfully when he was in Illinois—lend money to small business. That is what the President's $30 billion does.

I hope Republicans who voted against this provision because they believe this is TARP II will actually read the bill. It is not very long. It is just a few pages. It is just a few pages. It is not a troubled bank program; it is a healthy bank program, and they should be for it because, as the chairman of the committee, I have received a letter from the association that represents the community banks. They said: Senator, we favor this provision. We want this to happen.

So for the taxpayers listening, don't be fooled by the arguments on the other side. That just gets back to we are the party of no. We are going to say no, no matter how good the idea is. This is a good idea for healthy banks that the bank association supports. I think we should be for it, and I am hoping we can vote for it when we get back.

One other point. Then I am going to cede the floor. Because of the great work Senator WARNER of Virginia and Senator LEVIN have done, they have convinced enough of us on both sides of the aisle, I hope, to add to this provision something we call the State small business credit access fund. So in addition to what President Obama came up with, he and his team, Senator WARNER and Senator LEVIN did a lot of work on this and explained it to many of us. Many of our colleagues were Governors before they got here, so they know something about this. Their job was to create jobs when they were Governors. Now, happy for us, they are Senators and they are still trying to create jobs. So they brought an idea to our committee which we looked at very carefully and said yes. Then they worked through Finance, and Finance said yes.

What this does is set aside $2 billion for State programs that are already established and that act in very different ways but are mission-driven organizations run by our Governors. These are Governors from different parties, so it is not a partisan program. We are going to give $2 billion out through these programs, and they will then turn around and lend money and make the master plans of economic development in the State of Virginia real.

It helps the State of Michigan, where they have some great small businesses, CARL LEVIN says. But he said to me: MARY, the problem is that they do not have the collateral they once had to get the loan because their collateral has depreciated. So the banks are not going to lend them the money because they do not have the collateral. So we have come up with a way to enhance their collateral to make it a good loan—not a risky loan but a good loan. So that is in here.

So for people who say government is not creative or not innovative or we are not trying to do the smart things, this is a smart bill. Besides being a healthy bank bill, it is a smart lending bill. In some of these instances, the Federal Government is actually going to make a profit. So I hope when we get back, when we are talking about small business, we can be enthusiastic in supporting the basically $32 billion lending program, the small business package, and the tax cuts that Senator BAUCUS and Senator GRASSLEY, with the help of Senator SNOWE, have put together for small businesses throughout the country. I hope we can stop fighting, stop saying no, and just say yes to job growth and creation in America for hard-working taxpayers and Americans who deserve our best effort on this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I support the comments of and the legislation by the Senator from Louisiana. I think it makes a great deal of sense to strengthen small businesses. They are, after all, the job generators in this country. So I appreciated her comments. We don't always agree on every issue around here, but I am a strong supporter of her work as chairman of the Small Business Committee and of the legislation she has described.

Mr. President, I wanted to come to the Senate floor briefly today because we are talking about extending unemployment compensation, unemployment benefits, to people who are out of work, and we are having a very difficult time doing that. These benefits are for people who worked on payrolls. They actually paid a little of their money in taxes to support an unemployment fund so if they lost their jobs they would be able to get some unemployment help. But in order to do that, this has to be extended by the Senate, and it has become increasingly difficult to extend unemployment compensation to those who are out of work.

I find that kind of inexplicable because for the folks at the top of the economic ladder, there is no problem in their getting what they want out of this Chamber. I noticed in the last 24 hours or so that one of my colleagues objected to something that was in the financial reform bill. He said: Well, you are going to impose a fee on the biggest banks. He said: I won't accept that. He said: If you do that, I won't vote for the bill. The biggest banks in the country shouldn't have to pay this fee.

I was thinking to myself: Why not? They drove the country into the ditch. They are the ones involved in the cesspool of greed, many of them, trading things on things they will get from people who never had it and making money on both sides, which created an

unbelievable orgy of speculation that ran the country right into the ditch. There is nothing wrong, it seems to me, with their having to pay a fee here or there.

But one of our colleagues said: I won't support that. All of a sudden, the conference committee got back together and said: How can we fluff up your pillow, big guy? Can we give you an aspirin, put you to sleep?

If you are at the top of this economic ladder in this Chamber, you can do just fine because somebody will make you comfortable. But what about the people at the bottom? What about the person who came home from work after 18 years on the job and said: Honey, I lost my job today. And they can't find another job? What about that family and that person? What about extending unemployment help for that person?

Things never change. Here is what Will Rogers said many years ago. He said:

> The unemployed here ain't eating regular, but we will get around to them as soon as everybody else gets fixed up OK.

Boy, if there was ever a description of the way things work these days, this is it. Old Will Rogers. And this description is as old as eight or nine decades, isn't it? The unemployed here ain't eating regular, but we don't have time yet. We will get to them after everybody else gets taken care of. And who gets taken care of first? The folks at the top of the economic ladder.

I wonder, I just wonder what would happen with a bill to extend unemployment benefits if the only Americans who were unemployed were investment bankers? Do you think that wouldn't have been passed in a nanosecond, just like that? But, no, the unemployed are people named Smith and Jones and Adams and Johnson. They are the ones somehow at the bottom of the economic ladder who don't seem to matter to some people.

My hope is this Congress will have the good sense to do the right thing. During tough times, we have something called a safety net—that is the unemployment compensation—that helps people when they are laid off, when they are out of work and are having trouble and can't find another job. It is our responsibility to extend that. That is what we should be doing.

As Will Rogers said: Everybody else gets help. In the last 24 hours, the folks at the top of the economic ladder got help—the biggest banks in the country. Why? Because somebody said they needed some comfort—a bedtime story, a fluffed pillow, an aspirin, some comfort. They got their comfort. But we are still waiting to see if the people who lost their jobs and who are at the bottom of the economic ladder will get the help they were promised. I hope so. We will have a vote on that and we will soon see.

ENERGY POLICY

Mr. President, I wanted to mention that yesterday a group of us went down to meet with the President on the subject of energy, and following that meeting a number of my colleagues spoke to the press. I did not. But because there were stories today about the representation of that meeting with the President, I thought I would at least offer my notion of what that meeting meant and what the consequences of it will or should be.

The meeting with the President, calling a number of Republicans and Democrats—about 10 or 12 of us—down to the White House, was to talk about energy and to simply try to evaluate what is achievable, what should be done with respect to energy. We know two things are making this country vulnerable: No. 1, we are way too dependent on foreign oil. We use one-fourth of the oil that is pulled out of this planet every morning. Every day we use one-fourth in this little place called the United States. Yet over 60 percent of that which we use comes from other countries. That leaves us far too vulnerable to others, and, by the way, some of whom are in very troubled parts of the world. We are far too vulnerable to others for our energy supplies. That is a fact.

The second something that is happening to this planet is called climate change. We don't necessarily know exactly what that is, but the wide consensus of scientists tells us we need to be concerned about it and we need to be taking actions to deal with it.

I appreciate the President's leadership on these issues and saying we need to move. We need to do some things here. But the discussion was, What is achievable?

What is achievable, in my judgment, from listening and participating in that meeting, is what I have always believed was achievable. The only thing achievable is that which will get 60 votes to come from the calendar of the Senate to the floor because it takes 60 votes on a motion to proceed to consider anything. I believe the only thing that can get 60 votes, based on not only the meeting yesterday but other discussions I have had, would be to bring the bill passed by the Energy Committee, which was bipartisan, to the floor of the Senate. That does not exclude anything else. That does not exclude anybody from offering climate change amendments, comprehensive climate change amendments. But we will never get to the floor unless we get to the floor with something that can get 60 votes, and I am convinced the only thing that can achieve that is the bipartisan Energy bill out of the committee.

The Energy bill itself is a bill that does reduce carbon. It does all the things I think it should do. Yes, it says we are going to continue to use the fossil energy—coal, oil, natural gas—but we are going to use that in a different way. We are going to decarbonize and take great pains to protect the planet as we do. We are going to build some nuclear. We are going to maximize renewables—solar and wind energy. We are going to do the biofuels, including biodiesel, ethanol, and geothermal. All of these sources of energy are important to our country's future.

All of these areas—conservation, including retrofitting buildings; the first ever renewable electric standard; building an interstate highway of transmission capability; high-voltage transmission so you can collect energy where the wind blows and the Sun shines and put it on a wire and send it to where it is needed in the load centers—all of that was part of the bill that was passed out of the Energy Committee 1 year ago this month. That is, in my judgment, what is achievable to get to the floor of the Senate, and then it is open for amendments. That does not exclude, by the way, any other amendments people wish to offer that can achieve the 60 votes, once it is on the floor, that can address climate change.

As I said before, there is something to climate change, as far as I am concerned. We would be fools not to recognize and fools not to address it. The question is not whether; it is when and how.

I said before that I would support capping carbon and I would support pricing carbon. I also said I will not support what is called cap and trade because I do not intend to give Wall Street a trillion-dollar carbon securities market to trade so they can tell us what the cost of our energy is going to be. But that aside, I really think it is important that we not end this year without doing an energy bill that advances this country's energy and national security.

Let me mention one additional item very quickly; that is, yesterday there was a hearing in the Armed Services Committee with respect to the nomination of General Petraeus to assume command in Afghanistan. I am not going to speak at length about this. I fully support General Petraeus and this nomination. I think the President has made an excellent choice. By the way, I don't think he had much choice but to replace General McChrystal, and replacing him with General Petraeus makes a great deal of sense to me.

I wish to say with respect to Afghanistan that I think it is long past the time for us to have a very significant discussion about Afghanistan. The President has indicated the potential withdrawal date beginning on July 1 of next year, 2011. But I think that even before that, we need to have a discussion in this country about what our role is in Afghanistan. What, in fact, is victory in Afghanistan? Are we fighting al-Qaida? Are we fighting terrorists in Afghanistan or are we fighting insurgents in Afghanistan? What about the Afghanistan Government and President Karzai? What is achievable?

Every day, we are sending young men and women to fight in a war, and many—I should not say ''many''—a number of them will lose their lives. We go on almost ''out of sight out of

mind,'' not thinking about it, not debating it nearly enough. What is it we are achieving? We have been at war for nearly 8 years, spending a great deal of money—lost treasure and lost lives. By the way, with respect to treasure, not a penny of it has been paid for.

I think it is time for us to have a good discussion in this country about what are we doing? How long will we do it? What is victory? What is achievable? Should we, in fact, be engaged in a long-term war against insurgents in that country? Where is al-Qaida? We know where it is in part: northern Pakistan. Where is al-Qaida? What is this—a war against terror or is it a war against insurgents?

My own view is that I think it is highly unlikely, no matter how long this country is in Afghanistan, that we will ever be successful in the rural tribal lands of Afghanistan. But my hope and my desire is to want the best for this country. I think the best will be achieved if we have a thoughtful, good, full, complete discussion as a nation about what our objectives are, how we achieve those objectives, and when, at last, at long, long last, we can bring troops home and be in a position where we are not saying America at this point is at war. We need to be addressing the terrorist threat across this planet, and that will take us a long while, but I think that is a very different circumstance than being engaged in the fight in Afghanistan as it currently exists.

I yield the floor. 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. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. LEVIN are printed in today's RECORD under ''Morning Business.'')

Mr. LEVIN. 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. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. COCHRAN are printed in today's RECORD under ''Morning Business.'')

Mr. COCHRAN. 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.

Ms. STABENOW. 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.

Ms. STABENOW. Mr. President, tomorrow evening, I think at about 5:30, we are going to have a vote that is going to immediately impact over 1 million people across the country, and millions more after that, if we do not extend unemployment benefits as we have done in every recession, Democratic or Republican President, throughout our history.

Anytime we have seen the unemployment rate, I believe at about 7.5 percent, above 7.5 percent or so, we have extended unemployment insurance benefits—insurance benefits—because you pay in and then when you are not working, you receive benefits. We have done that throughout our history for two reasons: No. 1, because we acknowledge what happens to a family when someone in the family loses their job, when the breadwinner can't bring home any bread; and No. 2, because we know it stimulates the economy. Every economist, from the right to the left, has agreed that the best way to stimulate the economy is to provide dollars to people who are forced to spend it, because they don't have a job. So someone who receives that $250 or $300 a week—it is not enough to do much on, but it is enough to pay the rent, enough to buy some food, enough to pay the electric bill; maybe get the kids some clothes, maybe put some gas in the car so they can continue to look for work. So we know it not only stimulates the economy, but it is the right thing to do from the standpoint of ethics, morals, values.

Tomorrow, we are going to have an opportunity to see whether there are 60 colleagues in the Senate who are willing to vote to stop a filibuster that has now gone on—I believe this is the ninth week—actually, 8 weeks on a jobs bill that included unemployment benefits extension—and then this week, the ninth week on the bill that we are focusing on, including unemployment benefits. It will also do something important for people who have used the first-time home buyer tax credit that runs out at the end of this month, which has been a great stimulus, another part of the Recovery Act that has been very important to the economy. It runs out, and we want people who haven't yet closed on their homes not to lose the ability to have a credit, so the bill will also include extending the home buyers credit implementation until October.

I understand there is a willingness and strong bipartisan support to help first-time home buyers but not to help the people who are out of work and probably are going to lose their houses, which I continue to not understand. I am grateful because I know we have at least one, maybe two Republican colleagues who will join with us to stop the filibuster. I am grateful for that. But we need at least three Republican colleagues to join with us in order to get this done tomorrow night.

We hear a lot of debate, a lot of discussion, a lot of arguments from the people who say: We are happy to extend unemployment benefits; we just want to pay for it.

That sounds great on the surface, unless you know the full history of how unemployment insurance works and the other kinds of decisions we make as a body. We have always funded unemployment benefit extensions through something called emergency spending. As I have said before, if 15 million people being out of work in America isn't an emergency, I don't know what is. That is more people than are affected by a hurricane or a flood or a tornado or an agricultural disaster. We have traditionally done this because it was the right thing to do as an emergency, but also because, again, we lose the economic stimulus, the economic benefit, if we don't do it that way.

For two reasons we have always done it this way. It is interesting that folks who argue passionately that we should not worry about the deficit if we are expanding the estate tax cut for the top 200 or 300 families in America, then deficits don't matter—or the top tax bracket, with the tax cuts under President Bush. Deficits don't matter to them. But, boy, they matter if we are talking about people who are out of work.

I talk to people every day in my State, people who have never been without a job in their lives. They are horrified they can't find a job. They are looking for a job every day. They want to work, but they are in an economy they didn't create, where right now there are five people looking for every one job. That is better than last year when it was six people looking for every one job. We know that because of what we have done with the Recovery Act, we are slowly coming out of the hole, but we have a long way to go yet.

Certainly, this isn't the time to filibuster jobs bills, whether it be small business or the jobs bill that we have been trying to pass in the last 8 weeks. It certainly isn't the time to say we are just tired of hearing about those people who are out of work; it is tiresome. Some people say that. They are tired of hearing about the unemployed.

Well, people in Michigan are tired of being unemployed. They want to work. They know how to work. They have worked their whole lives. It is not their fault that the crisis happened on Wall Street that dried up credit, that stopped manufacturers and small businesses from getting loans to be able to continue to do business. It is not their fault that they lost their savings or their 401(k)s or their pensions. It is not their fault we didn't enforce the trade laws in this country and lost 6 million manufacturing jobs under the previous administration because the focus was on cheap products rather than American jobs. That is not their fault.

It was not their fault that we continue to have tax incentives that promote jobs going overseas, which we want to do away with in the jobs bill. It is not their fault.

Mr. President, I want to read one e-mail out of the thousands I receive. I received it today. It is from Serena in Dearborn, MI. It says:

Senator Stabenow, the argument by the Republicans seems to be that they don't want to strap ''our children and grandchildren'' with the debts of their parents; however, I believe they are talking about their children and not mine. I say this because my children will be homeless and hungry in the next week or so.

A lot more damage is going to be done in the here and now than anyone realizes. If they are talking about the numbers of people being taken off unemployment insurance benefits, they are talking about families, not just adults. Families. I have two sons; where are we going to live, and how are we going to survive?

I wonder how many of these ''intelligent'' people went to college and paid for it all as they went and did not incur any debt? I am attending college currently and I am incurring debt because I plan, in the future, to be able to pay back the money with my new, better paying job. That is how most people have to do it, invest in the future and know that you are doing something not just for yourself but also for the country, become a positive influence on the society.

I don't know what I am going to do with my children, how I am going to pay my rent and utilities, have food to eat and gas to put into my car, so I can continue going to school and looking for work. I have never been without a job before.

Mr. President, that is a story that is repeated hundreds of thousands, in fact, unfortunately, millions of times across this country right now. People who are doing what we have asked them to do; they are caring for their children, many going back to school and trying to do a different career or upgrade their skills to give them something that gives them an edge in the job market to be able to get a job. But they are using unemployment benefits to keep them between being on the street and having a roof over their heads.

That is not some political rhetoric. That is what is happening to people. It doesn't have to happen to people. Serena, in Dearborn, MI, doesn't have to become homeless in a week or so. She doesn't have to, if we can come together and override this filibuster on unemployment benefits. We just need 60 people to support it in order to be able to get this done. I fear for Serena and for the tens of thousands of people in my State if we don't do this—and the millions who find themselves in a situation across the country.

We will never get out of deficit with over 15 million people out of work. This idea that suddenly now nothing matters but deficits ignores how we are going to get out of deficit. Back in the 1990s, when we actually balanced the budget, I was proud to do so. I think it was in 1997, when I was in the House under President Clinton. Part of what we did was focus on work, jobs, and education, and 22 million people got new jobs—22 million new jobs were created, and we came out of deficit. That is what we believe. That is what our Democratic majority believes, that you focus on work, you focus on small businesses getting capital, and manufacturers getting back to hiring people, and you focus on jobs. Then you lift us up out of deficit because people are working and buying things and paying their taxes, and they are part of the economy. It can't just be about a few people in our country.

We will not have a strong country if somehow the policies are only set for a privileged few. We have been different from other countries because we have had this strong middle class, which we are losing as a result of the policies, yes, in the last administration, and the deficits that were created, and we are losing it because we cannot get past filibusters now to move forward on a jobs agenda and help people who are out of work to be able to continue to live.

The Recovery Act that was put in place last year has worked, but there is much more to do. It stopped us from going over the cliff and began to turn things around. But there is much more to do. Somehow, just saying that, well, Wall Street is doing better—despite the ups and downs on Wall Street—and things are kind of doing OK now for those folks, so we are done ignores what is going on for way too many people in this country.

Mr. President, I think the latest poll I saw was that 47 percent of the people in my State have someone in their immediate family who has lost their job, and their family is impacted by that. That is astounding. We don't have the highest unemployment rate anymore; we have the second highest rate. I am sure that can be said of Nevada, Rhode Island, California, and around the country.

I strongly urge my colleagues to set aside the election politics, set aside whatever it is that has been getting in the way of getting this done, and be willing to look at what is happening for real families right now and how we can make sure that Serena isn't homeless with her two children in a couple of weeks and how millions of other Americans can be able to continue to care for their families while they look for work.

Then the most important thing we can do is partner with business, create the atmosphere and incentives to create that work. That is our job. I am laser-focused on that as well.

I see my distinguished friend from New Jersey. I will yield the floor to him and thank him for his passionate support for the people in this country who just want a fair shake. I thank the Presiding Officer, as well, for his passion and commitment to jobs and making sure we move our country forward by paying attention to the great middle class of this country, who need us to fight for them. That is what we are doing in the Senate.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant editor of the daily digest proceeded to call the roll.

Mr. LAUTENBERG. 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 remarks of Mr. LAUTENBERG are printed in today's RECORD under ''Morning Business.'')

Mr. LAUTENBERG. Mr. President, I yield the floor, and 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. GRAHAM. 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. GRAHAM. Mr. President, I rise to speak for a few minutes in two areas, if the Chair can let me know when 10 minutes has expired.

The ACTING PRESIDENT pro tempore. The Senator will be so notified.

(The remarks of Mr. GRAHAM are printed in today's RECORD under ''Morning Business.'')

Mr. GRAHAM. I yield the floor and 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. REID. 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. REID. Mr. President, I ask unanimous consent that the cloture vote on the motion to concur in the House amendment to the Senate amendment to H.R. 4213 with amendment No. 4425 occur at 8 o'clock tonight, and that any time until then be equally divided and controlled between the two leaders or their designees; that upon the conclusion of this vote, if cloture is not invoked, the majority leader be recognized to enter a motion to reconsider the vote by which cloture was not invoked; that upon the conclusion of this vote, the Senate then proceed en bloc to the consideration of Calendar No. 455, H.R. 5623, and H.R. 5569, which is at the desk; that the bills be read a third time, passed, and the motions to reconsider be laid upon the table en bloc; that any statements relating to these measures be printed in the RECORD with no intervening action or debate.

Does the Senator from Texas wish to speak?

Mrs. HUTCHISON. I would appreciate, Mr. Leader, if I could ask a question.

Mr. REID. We will have the vote start at about 3 after 8. Is that OK?

Mrs. HUTCHISON. That is fine.

Parliamentary inquiry.

Mr. REID. That will give the Senator time to talk.

Mrs. HUTCHISON. Is the flood insurance bill that was passed by the House that will extend flood insurance for those coastal State people in what the leader just read.

Mr. REID. Yes. I was able to work that out with Senator LANDRIEU a short time ago so we could do that now.

Mrs. HUTCHISON. I thank the Senator.

Mr. REID. OK. I was very anxious to get it done. So we can start the vote at 8 o'clock, if the Senator gets through speaking.

Mrs. HUTCHISON. I thank the leader very much.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Texas.

Mrs. HUTCHISON. Mr. President, in the couple minutes before the vote starts, I just want to say this is a huge move for the people of the gulf coast who have been trying to purchase flood insurance under the National Flood Insurance Program that lapsed June 1. The hardship is that, of course, we are going into hurricane season. Private insurance is not available on the coast for floods right now, so the Federal program is all there is.

People have not been able to close on housing contracts, on purchases of houses, because flood insurance is required and they have not been able to get it.

So Senator LANDRIEU, Senator VITTER, I, Senator CORNYN, Senator SESSIONS, Senator SHELBY, Senator NELSON, Senator LEMIEUX—everyone has been very concerned about this if we represent a border State—and Senator COCHRAN and Senator WICKER.

So we have been pressing, and I know there have been a lot of competing interests. But it is very important we are passing the bill that has passed the House already. It will be sent to the President, and the people of the gulf coast will once again be able to purchase that flood insurance, as we see a tropical storm moving toward our gulf coast as we speak. So it is certainly timely. It will certainly be a relief, and the extension will be until September 30. So the people who want to purchase insurance, which, of course, they need and will know they are covered, will be covered.

I thank the Chair. I thank the leader as well.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I originally said 8:03. I ask unanimous consent that the vote begin now.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 4213, the American Jobs and Closing Tax Loopholes Act, with a Reid amendment No. 4425.

Harry Reid, Max Baucus, Jack Reed, Edward E. Kaufman, John F. Kerry, Sheldon Whitehouse, Carl Levin, Roland W. Burris, Richard J. Durbin, Jeff Merkley, Benjamin L. Cardin, Christopher J. Dodd, John D. Rockefeller, IV, Barbara Boxer, Patty Murray, Robert P. Casey, Jr., Charles E. Schumer.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur with amendment No. 4425 in the House amendment to the Senate amendment to H.R. 4213, the American Workers, State, and Business Relief Act of 2010, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. BURRIS). Are there any other Senators in the Chamber desiring to vote?

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT), the Senator from Kansas (Mr. ROBERTS), and the Senator from Missouri (Mr. BOND).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted ''nay.''

The yeas and nays resulted—yeas 58, nays 38, as follows:

[Rollcall Vote No. 204 Leg.]

YEAS—58

Akaka	Franken	Murray
Baucus	Gillibrand	Nelson (FL)
Bayh	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Inouye	Rockefeller
Bingaman	Johnson	Sanders
Boxer	Kaufman	Schumer
Brown (OH)	Kerry	Shaheen
Burris	Klobuchar	Snowe
Cantwell	Kohl	Specter
Cardin	Landrieu	Stabenow
Carper	Lautenberg	Tester
Casey	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Conrad	Lieberman	Warner
Dodd	Lincoln	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	
Feinstein	Mikulski	

NAYS—38

Alexander	Cornyn	Johanns
Barrasso	Crapo	Kyl
Bennett	Ensign	LeMieux
Brown (MA)	Enzi	Lugar
Brownback	Graham	McCain
Bunning	Grassley	McConnell
Burr	Gregg	Murkowski
Chambliss	Hatch	Nelson (NE)
Coburn	Hutchison	Reid
Cochran	Inhofe	Risch
Corker	Isakson	
Sessions	Thune	Voinovich
Shelby	Vitter	Wicker

NOT VOTING—3

Bond	DeMint	Roberts

The PRESIDING OFFICER. On this vote, the yeas are 58, the nays are 38. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

HOMEBUYER ASSISTANCE AND IMPROVEMENT ACT OF 2010

NATIONAL FLOOD INSURANCE PROGRAM EXTENSION ACT OF 2010

The PRESIDING OFFICER. Under the previous order, H.R. 5623 and H.R. 5569 are passed en bloc, and the motions to reconsider are considered made and laid upon the table en bloc.

The bill (H.R. 5623) was ordered to be read a third time, was read the third time, and passed.

The bill (H.R. 5569) was ordered to be read a third time, was read the third time, and passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 802 to and including 808, 811, 900, 901, 903, 963, 965 to and including 992, and all nominations on the Secretary's desk in the Air Force, Marine Corps, and Navy; that the nominations be confirmed en bloc and motions to reconsider be laid on the table en bloc; that no further motions be in order and any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

BROADCASTING BOARD OF GOVERNORS

Victor H. Ashe, of Tennessee, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Walter Isaacson, of Louisiana, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

Walter Isaacson, of Louisiana, to be Chairman of the Broadcasting Board of Governors.

Michael Lynton, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

Susan McCue, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2011.

Dennis Mulhaupt, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2011.

S. Enders Wimbush, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Theodore Sedgwick, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Slovak Republic.

Michael P. Meehan, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Dana M. Perino, of the District of Columbia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

DEPARTMENT OF THE TREASURY

S. Leslie Ireland, of Massachusetts, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. David H. Petraeus

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. Raymond T. Odierno

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Francis H. Kearney, III

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Rex C. McMillian

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Alton L. Stocks

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) William A. Brown

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Elaine C. Wagner

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Colin G. Chinn

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Willie L. Metts
Capt. Jan E. Tighe

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Thomas H. Bond, Jr.

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Samuel J. Cox

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Michael S. Rogers

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) David G. Simpson

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) David A. Dunaway

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Terry J. Benedict
Rear Adm. (lh) Thomas J. Eccles

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. James H. Rodman, Jr.

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Victor M. Beck

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Gerald W. Clusen

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Bryan P. Cutchen

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Patricia E. Wolfe

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Donald R. Gintzig

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Steven M. Talson

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Lothrop S. Little

The following named officers for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Garry J. Bonelli
Rear Adm. (lh) Scott E. Sanders
Rear Adm. (lh) Robert O. Wray, Jr.

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Margaret A. Rykowski

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Gregory C. Horn

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Paula C. Brown

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Scott A. Weikert

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Captain Kelvin N. Dixon
Captain Martha E.G. Herb
Captain Brian L. Laroche
Captain John C. Sadler

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1519 AIR FORCE nominations (2990) beginning JEREMY C. AAMOLD, and ending PETER W. ZUMWALT, which nominations were received by the Senate and appeared in the Congressional Record of March 3, 2010.

PN1661 AIR FORCE nominations (125) beginning MARK J. AGUIAR, and ending MELINDA A. WILLIAMSON, which nominations were received by the Senate and appeared in the Congressional Record of April 21, 2010.

PN1664 AIR FORCE nominations (47) beginning VERONA BOUCHER, and ending JAMES A. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of April 21, 2010.

IN THE MARINE CORPS

PN1843 MARINE CORPS nominations (5) beginning ADAM M. KING, and ending JAMES D. VALENTINE, which nominations were received by the Senate and appeared in the Congressional Record of May 27, 2010.

IN THE NAVY

PN1688 NAVY nomination of Lynn A. Oschmann, which was received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1689 NAVY nomination of Diane C. Boettcher, which was received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1690 NAVY nominations (4) beginning STEPHEN J. LEPP, and ending MELANIE F. OBRIEN, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1691 NAVY nomination of Caroline M. Gaghan, which was received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1692 NAVY nominations (5) beginning DAVID W. HOWARD, and ending CARL R. TORRES, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1693 NAVY nominations (2) beginning KEVIN A. ASKIN, and ending CRAIG S. FEHRLE, which nominations were received

by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1694 NAVY nominations (3) beginning JOHN B. HOLT, and ending CHRISTOPHER R. STEARNS, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1695 NAVY nomination of Jeffrey S. Tandy, which was received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1696 NAVY nominations (3) beginning RUSSELL L. COONS, and ending SCOTT C. RYE, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1697 NAVY nominations (12) beginning KEVIN P. BENNETT, and ending PAUL F. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1698 NAVY nominations (15) beginning RICHARD A. BALZANO, and ending MARK J. WINTER, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1699 NAVY nominations (4) beginning JOHN T. ARCHER, and ending ANDREW D. MCDONALD, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1700 NAVY nominations (18) beginning STEVEN T. BELDY, and ending DAN A. STARLING, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1701 NAVY nominations (72) beginning JAMES D. BEARDSLEY, and ending CHRISTOPHER S. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of April 26, 2010.

PN1737 NAVY nominations (3) beginning LLOYD P. BROWN JR., and ending VINCENTIUS J. VANJOOLEN, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1738 NAVY nominations (19) beginning DANNY K. BUSCH, and ending MICHAEL ZIV, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1739 NAVY nominations (14) beginning WILLIAM S. DILLON, and ending MICHAEL J. VANGHEEM, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1740 NAVY nominations (5) beginning NORA A. BURGHARDT, and ending RICK T. TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1741 NAVY nominations (11) beginning BRUCE J. BLACK, and ending DAVID G. WIRTH, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1742 NAVY nominations (12) beginning CHAD F. ACEY, and ending STEVEN G. WELDON, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1743 NAVY nominations (21) beginning JAMES S. BIGGS, and ending HAROLD E. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1744 NAVY nominations (5) beginning RICHARD W. HAUPT, and ending JOSEPH A. SURETTE, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1745 NAVY nominations (5) beginning EDWARD A. BRADFIELD, and ending SCOTT E. ORGAN, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1746 NAVY nominations (4) beginning BRIAN D. CONNON, and ending ERIKA L. SAUER, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1747 NAVY nominations (4) beginning CONRADO K. ALEJO, and ending RICHARD D. JONES, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1748 NAVY nominations (9) beginning ERIC D. CHENEY, and ending CYNTHIA M. WOMBLE, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1749 NAVY nominations (169) beginning JAMES A. AIKEN, and ending THEODORE A. ZOBEL, which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

PN1787 NAVY nomination of James R. Peltier, which was received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1788 NAVY nominations (76) beginning JOSEPH C. AQUILINA, and ending WILLIAM M. WIKE, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1789 NAVY nominations (13) beginning STEPHEN G. ALFANO, and ending TERRY D. WEBB, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1790 NAVY nominations (27) beginning CHRISTOPHER A. BLOW, and ending LINDA D. YOUBERG, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1791 NAVY nominations (11) beginning JEFFREY A. FISCHER, and ending TRACY V. RIKER, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1792 NAVY nominations (25) beginning CATHERINE A. BAYNE, and ending MARY A. YONK, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1793 NAVY nominations (23) beginning JOHN D. BRUGHELLI, and ending POLLY S. WOLF, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1794 NAVY nominations (13) beginning BILLY M. APPLETON, and ending MIL A. YI, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1795 NAVY nominations (12) beginning ERIC M. AABY, and ending GEORGE N. SUTHER, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

PN1841 NAVY nomination of Axel L. Steiner, which was received by the Senate and appeared in the Congressional Record of May 27, 2010.

PN1842 NAVY nomination of Clifford R. Shearer, which was received by the Senate and appeared in the Congressional Record of May 27, 2010.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The PRESIDING OFFICER. The Republican leader is recognized.

UNANIMOUS CONSENT REQUEST—H.R. 4853

Mr. MCCONNELL. Mr. President, let me just say briefly, once again, the majority wants to make this debate about Republicans opposing something. Let me make it clear that we have offered ways of paying for these programs, and we have been eager to approve them. But we cannot support job-killing taxes and adding tens of billions to the already unsustainable national debt. So the only reason the unemployment extension has not passed is because our friends on the other side simply refuse to pass a bill that does not add to the debt. That is it. That is the only difference between what they have offered and what we have offered.

In a moment, I will offer a 2-month extension of the expired unemployment insurance benefits. This extension would be fully paid using the very same stimulus funds 57 Democrats, including my friend the majority leader, voted to redirect for these same purposes. Let me repeat that. We would pay for this extension with a Democrat-approved stimulus offset. This extension we will offer would cover the month of June, when benefits have lapsed, and it would cover next month, so we will have time to further debate these proposals.

If the Democrats object to extending these programs using their own stimulus offset to pay for them, then they will be saying loudly and clearly that their commitment to deficit spending trumps their desire to help the unemployed. So let's be clear about the principle that is really at stake here: Are Democrats willing to extend these programs without—without—adding to the debt? That is the real question in this debate.

Therefore, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4853; that all after the enacting clause be stricken and the McConnell amendment at the desk be agreed to; that the bill, as amended, be read a third time and passed, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. REID. Mr. President, reserving the right to object, my friend the Republican leader knows full well that everything in the so-called extenders package was paid for. It was paid for because it was the right thing to do. We, as a Congress—Democrats and Republicans—have always extended unemployment benefits because it is an emergency. President Reagan did it for almost 3 years. President Bush did it for a couple years. It has been going on on a bipartisan basis when times are tough in America.

This is only an excuse the Republicans have. We only needed one more Republican to get this done. And I so appreciate the two good Senators from Maine for recognizing that these people who are unemployed deserve this.

Mark Zandi, JOHN MCCAIN's chief economic adviser, said that for every $1 spent on someone who is unemployed with unemployment compensation, $1.61 is returned.

For people to talk about, there are jobs out there and that all they have to

do is go look for them—for every job in America, there are five people looking for that job. It is better than it was. Just a short time ago, it was one job for every six job applicants.

So I understand and I think the American people understand what the Republicans are doing, and I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. 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. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATIONS DISCHARGED

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Foreign Relations Committee be discharged en bloc of Foreign Service nominations beginning with Robin J. Brinkley Hadden and ending with Heather Louise Yorkson, which were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 24, 2010, PN1482, except for Hussein Waheed Iman; that the Senate proceed en bloc to their consideration; that the nominations be confirmed en bloc and the motions to reconsider be laid upon the table en bloc; that any statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

FOREIGN SERVICE

The following named persons of the agencies indicated for appointment as Foreign Service Officers of the classes stated.

For appointment as Foreign Service Officer of Class One, Consular Officer and Secretary in the Diplomatic Service of the United States of America,

AGENCY FOR INTERNATIONAL DEVELOPMENT

Robin J. Brinkley Hadden, of Maryland
Sharon Thams Carter, of Florida Haven G. Cruz-Hubbard, of California
Mary Pamela Foster, of Maryland Bruce Gelband, of Virginia
Mikaela Sawtelle Meredith, of Virginia
Leslie Ann Perry, of Colorado Roy Plucknett, of Virginia Gary Robbins, of Colorado
Sarah Wright, of the District of Columbia

DEPARTMENT OF STATE

Joseph Ambrose Kenny, Jr., of Maryland
Eric Khant, of Florida

For appointment as Foreign Service Officer of Class Two, Consular Officer and Secretary in the Diplomatic Service of the United States of America,

AGENCY FOR INTERNATIONAL DEVELOPMENT

Candace Harring Buzzard, of Washington
John Joseph Cardenas, of California
Holly Fluty Dempsey, of West Virginia
Peter William Duffy, of Massachusetts
Mustapha El Hamzaoui, of New Hampshire
Rebekah R. Eubanks, of Illinois
Christian William Hougen, of Virginia
Sheri-Nouane Bernadette Johnson, of New York
Jonathan T. Kamin, of Maryland
Karin A. Kolstrom, of Florida
William C. Maclaren, of Virginia
Veena Reddy, of California

DEPARTMENT OF STATE

Daniel G. Brown, of Missouri
Kevin A. Weishar, of Missouri

For appointment as Foreign Service Officer of Class Three, Consular Officer and Secretary in the Diplomatic Service of the United States of America,

AGENCY FOR INTERNATIONAL DEVELOPMENT

Randolph Henri Augustin, of Georgia
Shirley L. Baldwin, of Virginia
Michelle M. Barrett, of Michigan
James A. Berscheit, of Wyoming
David M. Bogran Schrewe, of Texas
Aaron S. Brownell, of Texas
Leslie-Ann A. Burnette, of California
Matthew Andrew Burton, of New Hampshire
Tamika Cameron, of Texas
Stanley A. Canton, of Maryland
James Christopher Carlson, of Colorado
Christina Eve Chappell, of Pennsylvania
Randy Chester, of Nevada
Blake A. Chrystal, of Oregon
Mary R. Cobb, of Ohio
Barry Collins, of New Hampshire
Ananta Hans Cook, of California
Bradley Cronk, of Florida
Walter Doetsch, of Texas
Myra Yumiko Emata-Stokes, of California
Lalarukh Faiz, of Virginia
Stephen Fitzpatrick, of New Hampshire
Karla Inez Fossand, of Minnesota
Melissa M. Francis, of Florida
Stephanie James Garvey, of Texas
Michael Glees, of California
Garret John Harries, of Minnesota
Angela Dawn Hogg, of California
Cory B. Johnston, of Maine
Taisha Mumtazi Jones, of the District of Columbia
Michael G. Junge, of Washington
Karen D. Klimowski, of California
Patrick J. Kollars, of South Dakota
Thomas J. Kress, of New York
Ronald Jay Kryk, of Texas
Christopher James La Fargue, of Louisiana
Philip Lamade, of Missouri
Dwaine Eriq Lee, of California
Alyssa Wilson Leggoe, of New Jersey
Jesse Adam Leggoe, of New Jersey
Ginger Edwards Longworth, of South Carolina
Leslie Marbury, of Georgia
Bruce Freeman McFarland, of Washington
Andrew Mckim, of California
Amy B. Meyer, of California
A. Aurelia Micko, of Florida
Tracy Jeanne Miller, of Oregon
Kerry Monaghan, of Texas
Diane B. Moore, of New York
Monique Mosolf, of Florida
Juniper M. Neill, of Alaska
Christopher D. O'Donnell, of Florida
Miriam Onivogui, of Georgia
Sean Joseph Osner, of Texas
Geoffrey Brooks Parish, of Texas
Jonathan Clayton Richter, of Florida
Michael Allan Ronning, of Minnesota
Michele A. Russell, of Virginia
Carl Andrew Seagrave, of the District of Columbia
Lorraine Sherman, of Florida
Cybill Sigler, of Texas
Robert J. Simmons, of the District of Columbia
R. Christian Smith, of Nevada
Poonam Smith-Sreen, of Florida
Francisco Ricardo Somarriba, of Florida
Sandra Anna Stajka, of Virginia
Jennifer J. Tikka, of Washington
Doanh Q. Van, of Washington
Caroll L. Vasquez, of Virginia
Jorge E. Velasco, of Maryland
Stephanie Ann Wilcock, of Washington
George Zarycky, of Virginia

DEPARTMENT OF STATE

Anthony P. Kujawa, of Maryland
Kristi J. Mietzner, of Virginia

For appointment as Foreign Service Officer of Class Four, Consular Officer and Secretary in the Diplomatic Service of the United States of America:

DEPARTMENT OF STATE

Jeffrey R. Allen, of the District of Columbia
Todd Anderson, of Kentucky
James D. Applegate, of Michigan
Maha Angelina Armush, of Texas
Chuka Asike, of Texas
William D. Baker, of Texas
Richard C. Blackwood, of Virginia
Stephanie Elizabeth Boscaino, of Texas
Thomas S. Brown, of Washington
Christienne Carroll, of California
Jeffrey John Cary, of the District of Columbia
Michael G. Cathey, of California
Perry Yang Chen, of Virginia
Christina M. Cheshier, of Arizona
Martha Ann Crunkleton, of Florida
Christopher P. Curran, of New Hampshire
Roberto Custodio, of Florida
Gregory D'Alesandro, of Maryland
Joye L. Davis-Kirchner, of Missouri
Anne B. Debevoise, of California
Jaffar A. Diab, of Massachusetts
Christopher R. Dilworth, of Virginia
David Joseph Drinkard, of Missouri
Marialice Burford Eperiam, of Illinois
Jason D. Evans, of Washington
Kathleen Fox, of California
Kathey-Lee Galvin, of Oregon
Corey Matthew Gonzalez, of the District of Columbia
Grant S. Guthrie, of California
Anaida K. Haas, of Alaska
Adam J. Hantman, of Maryland
Sara Ruth Harriger, of Alaska
James Holtsnider, of Iowa
Aaron D. Honn, of Texas
Ludovic L. Hood, of the District of Columbia
Erika Lorel Hosking, of Virginia
Charles L. Jarrett III, of Tennessee
Hormazd J. Kanga, of Kentucky
David Kristian Kvols, of Florida
Felicia D. Lynch, of Florida
Mika McBride, of Texas
Matthew C. McNeil, of Virginia
Karen N. Mims, of Pennsylvania
Judith H. Monson, of New York
Roshni Mona Nirody, of Alaska
Sheila Sophia O'Donnell, of Illinois
Juan Carlos Ospina, of Florida
Benjamin Nelson Reames, of Texas
Charles Wilson Ruark III, of Georgia
Sarah A. Schmidt, of Maine
Heidi E. Smith, of Michigan
Marc Alan Snider, of Illinois
Virgil B. Strohmeyer, of California
Adrienne Beck Taylor, of Virginia
Rebecca S. Phelps Thurmond, of Michigan
Andres Valdes, of Florida
Sovandara Yin, of Oregon
Madelina M. Young, of Florida

The following-named Members of the Foreign Service to be Consular Officers and Secretaries in the Diplomatic Service of the United States of America:

DEPARTMENT OF COMMERCE

Vince H. Suneja, of Virginia

DEPARTMENT OF STATE

Kristen E. Aanstoos, of Mississippi

Kathleen Elizabeth Abner, of Maryland
Hatim Nelson Ahmed, of Virginia
Zia Ahmed, of Massachusetts
Andrew R. Alberts, of Virginia
Syed Mujtaba Andrabi, of Washington
Alison Marie Ashwell, of Virginia
Mark David Aubrecht, of Washington
Michelle E. Azevedo, of the District of Columbia
Jari D. Barnett, of Oklahoma
Jacob Barrett, of Virginia
Jonathan M. Barrow, of Maryland
Carrie Lynn Basnight, of Kentucky
Amanda K. Beck, of California
Michelle Nicole Bennett, of California
Andrew Berdy, of New Jersey
Dustin Reeve Bickel, of Georgia
Ashwin E. Bijanki, of Virginia
Natalie Irene Bonjoc, of California
Steven R. Bonsall, of Virginia
Kathleen E. Borgess, of Virginia
Ariela Borgia, of Virginia
Michael D. Boven, of Michigan
Benjamin Kirk Bowman, of Colorado
Ryan G. Bradeen, of Maine
Diedre T. Bradshaw, of Virginia
Katie C. Brasic, of Virginia
Steven Arthur Connett Bremner, of Minnesota
Mary K. Brezin, of Colorado
Matthew McMahon Briggs, of the District of Columbia
Christopher M. Britton, of Maryland
Sarah A. Budds, of South Carolina
Evan J. Burns, of Pennsylvania
John Patrick Callan, of Washington
Joseph Christopher Carnes, of Ohio
Melanie Rose Carter, of Illinois
Christopher P. Casas, of Virginia
Chris M. Celestino, of the District of Columbia
Brian M. Charmatz, of Maryland
Christopher A. Chauncey, of Virginia
David R. Chee, of Virginia
Geoffrey Kamen Choy, of Virginia
Marjorie Christian, of Virginia
Heather L. Churchill, of Virginia
Melanie L. Clark, of Virginia
Amy Laurence Conroy, of the District of Columbia
Jason A. Cook, of Virginia
William R. Cook, of California
William T. Coombs, of Maryland
Emilio Cortes, of Virginia
Gregory Roy Cowan, of Texas
Christen Lane Decker, of New Hampshire
Jonathan Morris Dennehy, of Massachusetts
Phillip Anthony de Souza, of Maryland
Jill Wisniewski Dietrich, of the District of Columbia
Julia Sampson Dillard, of California
Noah A. Donadieu, of Pennsylvania
Melissa Ann Dorsey, of Illinois
James E. Duckett, of Virginia
Ruth Lillian Dowe, of New York
William Echols, of Washington
Jessica D. Eicher, of Colorado
Jeffrey Gordon Eisen, of Wisconsin
Howard E. Ennaco, of Virginia
Ronald L. Etter, of Virginia
Kathryn Lindsay Fisher, of Virginia
Howard A. Frey, of Virginia
Marc Brandon Gartner, of California
Casey Thomas Getz, of Virginia
Richard D. Gopaul, of Maryland
Mark Ostapovych Gul, of Virginia
Amanda Gunton, of New York
James J. Hamblin, of Virginia
Zennia D. Hancock, of New York
Christine L. Harper, of Alabama
Tara L. Harrison, of Utah
Jennifer M. Heath, of Virginia
Annaliese J. Heiligenstein, of Texas
Laura Heimann, of Virginia
James Michael Henry, of Massachusetts
Benjamin E. Hettinga, of Virginia
Michael D. Hight, of Virginia
Sirli Hill, of Virginia
Duane Martin Hillegas, of Maryland
Thomas Martin Hochstetler, of Virginia
Ellen M. Hoffman, of Virginia
Jennifer Holmes, of Utah
Jacqueline Philyaw Hoskins, of Virginia
Margo Marie Huennekens, of California
Christian Brian Hummel, of Virginia
William Hunt, Jr., of Maryland
Casey Iorg, of California
Jennifer J. Isakoff, of Virginia
Charles L. Jewell, Jr., of Virginia
Michael D. Johnstone, of Virginia
Alex Jones, of Wisconsin
John Boyce Jones, of Virginia
Leon V. Jones II, of Virginia
Lisa Kalajian, of New Jersey
Marjon E. Kamrani, of Ohio
Ji Hong Kang, of Virginia
Katherine A. Keegan, of Virginia
Kathryn Kane Keeley, of the District of Columbia
Alishia Kontor, of Virginia
Marc N. Kroeper, of Virginia
Klaudia G. Krueger, of Florida
Corinne M. Kuhar, of Virginia
Tammy L. Lake, of Florida
Kristina Law, of Virginia
Pui-Yung Law, of Virginia
Michael A. Leon, of Virginia
Steven Howard Lerda, of Virginia
John T. Lewis, of Virginia
Pierre Antoine Louis, of Florida
Mike Lurie, of Virginia
Matthew K. Maggard, of Virginia
Andrew J. Malandrino, of Virginia
Jeffrey M. Martin, of Rhode Island
Leonard Frederick Martin, of Maryland
Tracy L. Masuda, of Virginia
Billy F. McAllister, Jr., of Virginia
Bradley Thomas McGuire, of Virginia
William H. McHenry II, of Virginia
Charlotte I. McWilliams, of Texas
Candice R. Means, of Virginia
Henry Wyatt Measells IV, of Virginia
Michael A. Middleton, of Virginia
Amy J. Mills, of Virginia
Kyle G. Mills, of Virginia
Eric K. Montague, of Virginia
Grant Hanley Morrow, of Pennsylvania
David Jeffrey Mouritsen, of Utah
Peter D. Mucha, of Virginia
Amy P. Mullin, of Virginia
Paul W. Neville, of the District of Columbia
Albert Francisco Ofrecio, of California
Jung Oh, of Virginia
Stephanie Nicole Padgett, of Virginia
Benjamin Parsell, of the District of Columbia
Vikas C. Paruchuri, of Pennsylvania
Michael Pennell, of Tennessee
Severin J. Perez, of Virginia
Robert A. Perls, of New Mexico
Andrea Lyn Peterson, of the District of Columbia
Charles Saunders Port, of Virginia
Kern R. Provencio, of Virginia
Michael Joseph Pryor, of California
Michael G. Ramsey, of Virginia
Charles Anthony Raymond, of Virginia
Amy Nicole Reichert, of Colorado
Anthony S. Ridgeway, of Virginia
Edward Lewis Robinson III, of Maryland
Seth R. Rogers, of South Carolina
Jared D. Ross, of Maryland
Alison Roth, of Virginia
Craig Anthony Rychel, of the District of Columbia
Anne G. Saunders, of Virginia
Tamara L. Scott, of Maryland
Timothy James Scovin, of the District of Columbia
Elizabeth Sellen, of the District of Columbia
Michael R. Shaw, of Virginia
Roger Lanier Shields, of Virginia
Craig M. Singleton, of Florida
Thomas Michael Slayton, of the District of Columbia
John Thomas Woodruff Slover, of Colorado
Paulette C. Small, of North Carolina
Barry Daniel Smith, of Oregon
Don J. Smith, of Virginia
Jason A. Smith, of Virginia
Scott M. Smith, of Virginia
William Catlett Solley, of Virginia
Michelle Sosa, of California
Judith C. Spanberger, of Maryland
Kenneth Sturrock, of Florida
Rudranath Sudama, of Maryland
Janel Lynn Sutton, of Colorado
Peter J. Sweeney, of New Jersey
Drew Tanzman, of California
Alper A. Tunca, of the District of Columbia
Tommy Vargas, of Virginia
Gareth John Vaughan, of the District of Columbia
Eric Vela, of Virginia
Christopher Volpicelli, of Virginia
John Philips Waterman, of Massachusetts
Mark A. Wilkins, of Virginia
Christal G. Winford, of Virginia
Joanna K. Wojcik, of Virginia
Hsueh-Ting Wu, of California
Heather Louise Yorkston, of Maryland

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING SENATOR ROBERT C. BYRD

Mr. COCHRAN. Mr. President, the Senate has lost its most talented, dedicated, and best-informed Member about the precedents, rules, and customs of the Senate, when the distinguished President pro tempore, ROBERT BYRD, passed away to join his beloved wife Erma in the heaven he was confident existed for those who were true believers.

I had the good fortune to work closely with ROBERT BYRD as a fellow member of the Appropriations Committee for 30 years. I served as the ranking minority member when he was chairman and as chairman when he was the ranking minority member. I preferred being chairman. But I thoroughly enjoyed the opportunities to conduct the hearings, schedule the committee markups, and negotiate with our House colleagues to formulate and pass the bills that funded the departments of the executive branch, the judiciary, and the Congress.

One of the highlights of my experience with ROBERT BYRD was a trip we took to several European capitals. He was comfortable discussing our mutual interests and differences with the leaders of other nations. His mastery of European history and politics was as impressive as his well-informed understanding of American history and politics.

On one leg of our trip, Senator BYRD asked my wife Rose to come sit by him.

He wanted to dictate something to her. He started a recitation with names that were not familiar to me, but eventually Rose realized that he was reciting from memory the names of the monarchs of Great Britain, the United Kingdom as we know it, and in the order in which each had served throughout the entire history of that great country. It was an unbelievable performance, reflecting an awesome ability of recall, and a reverential appreciation of a nation which has been our closest ally in recent history.

ROBERT BYRD was not only my friend but a mentor, an example of dedicated, disciplined, and determined leadership. I will miss him, but I will always remember his legacy of seriousness of purpose, and his love for the Senate, its role in the legislative process, its powers of advise and consent, and its continuity that has helped make our government the most respected in the world.

Mr. LEVIN. Mr. President, I want to take a few moments today about one of the best teachers I have ever known: Senator ROBERT C. BYRD.

The man we lost this week is known for many things: as the longest serving member of Congress in the Nation's history; as an accomplished legislator; as an author and historian; as a self-made man who reached exalted heights, yet never forgot the coal miners and the families of the mountain home community from which he came. I think of him as a teacher, one who began teaching me from the moment I came to the U.S. Senate, and one whose lessons I sought right up to the time he was taken from us this week.

Serving as a new Senator in the majority means, among other things, hours spent in this Chamber, presiding over the Senate. I was fortunate that for many of my early years here, I spent much of that time in the Presiding Officer's chair listening to Senator BYRD speak on the history of this body, its traditions and practices, and its historic debt to another great body that played a major role in mankind's march toward democratic government, the Roman senate.

I was learning from him two decades later, when Senator BYRD led a small group of us who filed a lawsuit and later a legal brief challenging a law we believed to be unconstitutional: the law granting the President the so-called line-item veto. He, like I and many others, saw this law as bending the Constitution in ways that usurped Congress's constitutional authority and responsibility. In 1998, the U.S. Supreme Court agreed. The majority in that case, citing its ''profound importance,'' concluded that the line-item veto ''may or may not be desirable,'' but that it was surely not consistent with ''the procedures designed by the Framers of article I, section 7 of the Constitution'' the so-called presentment clause.

I remember standing next to Senator BYRD at a press conference celebrating that victory for the Constitution, as he pulled out of his pocket the copy of that great founding document he always carried with him. A copy of the Constitution that sits today on my desk, in front of me at all times, was inscribed to me by Senator ROBERT C. BYRD.

I had hoped to visit with him this week to again listen and learn. In February, Senator BYRD sent all of us, his Senate colleagues, a letter setting out his position on preserving the ability to engage in extended debate in the Senate. It was yet another powerful defense of both the enduring traditions of the Senate, and the need for thoughtfulness in invoking those traditions. Senator BYRD's letter sparked some thoughts of my own, and last week, I discussed with his staff scheduling a meeting with him this week to get his take. Once again, I was in need of the insight and wisdom of Senator ROBERT BYRD.

How I wish he were here today, to continue teaching us. While that was not to be, the lessons of Senator BYRD's life and long service will endure.

His career is a testament to hard work and determination. This is a man who spent 10 years in night school classes to earn his law degree, who when he focused on an issue he did so with uncommon intensity. We can all learn from his commitment and grit.

Like any good teacher, Senator BYRD never stopped trying to learn. He was a man of strong convictions who knew the value of admitting when he was in error. He acknowledged that earlier in his life, he had taken positions and held opinions on the subject of civil rights that he later regretted. When he shared those regrets, he created a powerful teachable moment. We can all learn from his willingness to learn and grow to the very end of his life.

He was tireless in his defense of the role the Constitution assigns to the Congress, and specifically the Senate, in our democracy. In his letter to us in February, he wrote: ''The Senate is the only place in government where the rights of a numerical minority are so protected.'' He called those protections ''essential to the protection of the liberties of a free people.''

Whether it was Congress's constitutional obligations to render judgments on matters of war and peace or to exercise the power of the purse, Senator BYRD was a relentless fighter for the role the Founding Fathers carefully set out for us. He was not defending Senate authority for its own sake. His passion was not for Senate prerogatives for their own sake, but for the brilliantly conceived constitutional balance of powers essential to our freedoms. He passionately believed that we must not yield one ounce of the authority that the Constitution entrusts to the peoples' elected representatives. We can all learn from the conviction, the dedication and the intellectual power he brought to that cause, to the end of making it our cause. Let the mission he so eloquently espoused be our mission, though our power to persuade be far less than Senator BYRD's.

ROBERT BYRD had many loves—his late, beloved wife Erma, West Virginia and its people, his God, and the Constitution of the nation he cherished. But the Senate is his special legacy. For more than two centuries we have kept our traditions intact: our unique respect for extended debate and minority rights, and for the legislative authority that the Constitution places in our hands to exercise and defend. These traditions are maintained because of Senators like ROBERT BYRD, Senators who live them and fight for them. I learned more about these weighty issues from this great teacher than from anyone or anything in my years in the Senate.

ROBERT BYRD is no longer with us, teaching us, leading us. But the lessons of ROBERT BYRD's life and career will endure, guiding all of us now occupying these desks, and Senators who will occupy these desks for ages to come.

Mr. KERRY. Mr. President, the Senate, in its 223-year history, has never had a greater champion than ROBERT BYRD. West Virginia, in its 147-year history, has never had a more powerful advocate or public servant than ROBERT BYRD.

Like so many Senators elected before and after me, I learned very quickly how passionate ROBERT BYRD was about this institution, its roots in the Constitution. As all of us remember, he had that dog-eared copy of the Constitution he carried in the front pocket of his suit, and sometimes in the caucus or other times on the floor, he would pull it out to help reinforce a point he was making, even though we all knew he could recite the Constitution by memory. But he consulted it often without hesitation. In its words, he reminded us that he always found wisdom, truth, and excitement—the same excitement he felt as a young boy in Wolf Creek Hollow, reading by kerosene lamp about the heroes of the American Revolution and the birth of our Nation. Those words literally guided him through the 58 years he spent in Washington as a Member of the Congress and as a Senator.

It is fair to say that no one knew the Senate—its history, its traditions, and its precedents—better than ROBERT BYRD. It is all there in the four-volume collection of his speeches on the Senate, which we were all privileged to receive from him.

Every freshman Senator got a personal crash course on the Senate's history from ROBERT BYRD himself. I was one of five Democratic freshmen elected in 1984. The class of 1984 was privileged to share some lofty hopes and goals. Four of the five of us eventually ran for President: Al Gore, Paul Simon, TOM HARKIN, and myself. All of us can tell you that we arrived in the Senate with a thirst for action and an impatience for delay. Then-minority leader ROBERT BYRD didn't discourage any of

that. In fact, he encouraged it, and he helped all of us with our committee assignments so we could push the list of our policy ideas that we exuberantly believed we could and would pass into law. But in meetings with us individually, he also helped each of us to see the bigger picture, to impress upon us the fact that one of our most important responsibilities as Senators was to be caretakers of this institution—an institution he regarded as both the morning star and the evening star of the American constitutional constellation.

To ROBERT BYRD, the Senate was, as he said, ''the last bastion of minority rights, where a minority can be heard, where a minority can stand on its feet, one individual if necessary, and speak until he falls into the dust.'' Indeed, earlier this year, when many of us felt frustration over the Senate's rules governing filibusters—specifically, the requirement of 60 votes to cut off debate—ROBERT BYRD cautioned against amending the rules to facilitate expeditious action by a simple majority. In a letter sent to all of us, he observed that:

> The occasional abuse of the rules has been, at times, a painful side effect of what is otherwise the Senate's greatest purpose—the right to extended, or even unlimited, debate. The Senate is the only place in government where the rights of a numerical minority are still protected.

He added:

> Majorities change with elections. A minority can be right, and minority views can certainly improve legislation. . . . Extended deliberations and debate—when employed judiciously—protect every Senator, and the interests of their constituency, and are essential to the protection of the liberties of a free people.

ROBERT BYRD also impressed upon us the fact that we did not serve ''under'' any President; that as a separate but equal branch of government, we served ''with'' Presidents, acted as a check on the executive's power. ROBERT BYRD was the longest serving Member of Congress in all of our Nation's history, and as such he served with 11 Presidents.

At no time in his career was ROBERT BYRD's defense of legislative prerogatives more pronounced and more eloquent than in arguing against granting the Bush administration's broad power to wage preemptive war against Iraq. He chided the Senate for standing ''passively mute . . . paralyzed by our own uncertainty,'' ceding its war powers to President Bush.

ROBERT BYRD was, as we all know, a lot more than the guardian of the Senate. He was a major figure in the great panorama of American history over more than half a century. He was a thinker—thinking and reevaluating more in his eighties and nineties than many Senators do in a lifetime. He was an ardent supporter of the Vietnam war but surprised many with his fierce opposition to President Bush's invasion of Iraq. He was a protector of West Virginia's coal industry but came to accept the mounting scientific data of global warming and took part in finding a solution. To do otherwise, he said, would be ''to stick our heads in the sand.''

ROBERT BYRD cast more than 18,500 votes in the Senate—a record that will never be equalled. His last vote was June 17 against a Republican proposal to prevent the extension of unemployment benefits. Earlier this year, even with his health failing, he cast one of the most historic votes of his career in support of legislation to expand health care to all Americans—the life work of his old and departed friend Ted Kennedy.

Whether he voted with you or against you, it was never hard ideology with ROBERT BYRD. He had no use for narrow partisanship that trades on attack and values only victory. I learned that as a candidate for President in 2004 when Senator BYRD came to my defense after opponents aimed religious smears at me. I was forever grateful to him for doing that.

It all began one Sunday when Senator BYRD was home in West Virginia and found that a brochure had been inserted in a church bulletin saying that if elected President, I would ban the Bible. Senator BYRD exploded. ''No one side has the market on Christianity or belief in God,'' said this born-again Baptist. Later at a rally in Beckley, he accused my opponents of having ''improperly hijacked the issue of faith'' and said that the suggestion that I intended to ban the Bible was ''trash and a lie.''

But Senator BYRD was not done. He also went to the Senate floor to denounce this kind of politics:

> Paid henchmen who talk about Democratic politicians who are eager to ban the Bible obviously think that West Virginians are gullible, ignorant fools. They must think that West Virginians just bounced off the turnip truck. But the people of West Virginia are smarter than that. We are not country bumpkins who will swallow whatever garbage some high-priced political consultant makes up.

That was ROBERT BYRD telling it the way he thought.

Anytime Senator BYRD spoke, any of us who had the privilege of serving with him remember his speeches were filled with as many Bible references as historical references. When the Senator spoke, the Senate kind of came to a halt. Senators would lean forward and listen, as they did not necessarily do otherwise, and learn.

It is fitting that this teacher in the Senate, this guardian of the Senate, will lie in state in this Chamber on the floor of the institution he revered and which also had so much respect for him. He is as much a part of this Chamber in many ways as the historic desks or galleries or the busts of Senate presidents.

He ran for public office 15 times, and he never lost. He was first elected to the West Virginia legislature in 1946 and served three terms in the House of Representatives before his election to the Senate. It is no wonder that he was such a keen observer of politics.

I remember when I decided to run in 2004, I went to talk with Senator BYRD. His advice, in fact, was among the first I sought. He advised me to ''go to West Virginia,'' ''get a little coal dust'' on my hands and face and ''live in spirit with the working people.'' In keeping with his advice, I did just that. What a great experience it was.

He was deeply proud of West Virginia and its people. He proudly defended his work to invest Federal dollars in his State, the kind of spending that some people deride as pork. ROBERT BYRD knew it was something else. It was opportunity for his people. He took pride in the way that Federal funding helped to lift the economy of West Virginia, one of the ''rock bottomest of States,'' as he put it. He breathed new life into so many communities across that State with funding for highways, hospitals, universities, research institutes, scholarships, and housing—all the time giving people the opportunities that he knew so many West Virginians of his generation never had. ''You take those things away, imagine, it would be blank,'' he once said.

ROBERT BYRD's journey was, in many ways, America's journey. He came of age in an America segregated by race. But like America, he changed, even repenting, and he made amends. Not only did he come to regret his segregationist past, but he became an ardent advocate of all kinds of civil rights legislation, including a national holiday honoring Dr. Martin Luther King. And in the end, ROBERT BYRD endorsed Barack Obama for President. ''I have lived with the weight of my own youthful mistakes my whole life, like a millstone around my neck,'' he wrote in 2008. ''And I accept that those mistakes will forever be mentioned when people talk about me. I believe I have learned from those mistakes. I know I've tried very hard to do so.''

That is the expression of a man with a big heart and a big mind.

The moments that define most men's lives are few. Not so with ROBERT BYRD. He devoted his life to Erma and his family and to public service, compiling an extraordinary record of accomplishment and service in more than half a century in Congress. His mastery of Senate rules and parliamentary procedure was legendary. His devotion to his colleagues and to this institution was unequaled. And his contributions to his State and to the Nation were monumental.

ROBERT BYRD spent most of his life making sure the Senate remained what the Founding Fathers intended it to be: a citadel of law, of order, of liberty, the anchor of the Republic. And in doing so, he takes his place among the giants of the Senate, such as Daniel Webster, John C. Calhoun and, of course, his and our dear friend Ted Kennedy.

May ROBERT BYRD rest in peace.

Mr. GRAHAM. Mr. President, I rise to celebrate the life and career of Senator ROBERT C. BYRD. I have been in

the body now since 2002, and Senator BYRD will go down in history as not only the longest serving Senator to date—maybe forever—but also as one of the most effective Members of the Senate.

He was tough. During his prime, they tell me, there was no tougher opponent and no better ally than to have Senator BYRD on your side. And when he was on the other side, you had a long day ahead of you.

He talked about his early life. He is a human being, like the rest of us. I think what he was able to do for his people in West Virginia, and the country as a whole, will stand the test of time, and he will be viewed for many things, not just one. That is the way it should be for all of us.

I had the pleasure of getting to know him when I first came to the Senate and I walked into one hell of a fight over judges. The Senate was in full battle over the filibustering of judges. The Senate had gone down a road it had never gone down before—an open resistance to the judicial nominations of President Bush across the board. The body was about to explode. There were 55 Republicans at the time, and we all believed that what our Democratic colleagues were doing was unprecedented, unnecessary, and, quite frankly, dangerous to the judiciary. I am sure they had their view, too, and everybody has a reason for what they do around here.

The Gang of 14—affectionately known by some, and discussed by others—was formed during that major historical moment in the Senate. I remember talking to some observers of the Senate who were telling me that if the rules were changed to allow a simple majority vote for the confirmation of judges, that would take the Senate down a road it had never gone down before, and where it would stop, nobody knew. At the same time, there was another constitutional concept that meant a lot to me and to others, and that is that people deserve a vote when they are nominated by the President.

Well, Senator BYRD and 13 other Senators—and he was a big leader in this—came up with the compromise called ''extraordinary circumstances.'' We agreed that we would not filibuster judges unless there was an extraordinary circumstance. We understood that elections had consequences. What we had in mind was that we would reserve our right to filibuster only if the person did not meet the qualification test. I believe the advise and consent role of the Senate has to be recognized, and I respect elections but not a blank check. So there is always the ability of any Senator here, or a group of Senators, to stand up and to object—one party versus the other—if you believe the person is not qualified.

The second issue we dealt with was that we all reserved unto ourselves the ability to object if we thought the person was an activist judge—a political person who was going to be put on the bench and the robe used to carry out the political agenda rather than to interpret the law.

The law meant a lot to Senator BYRD—the Constitution did. One of my cherished possessions is a signed copy of the Constitution, given to all the members of the Gang of 14. That is just one example of where very late in life he made a huge impact on the Senate. As history records that moment, I daresay it is probably one of his finest hours. Because the consequences of not resolving that dispute the way we did could have changed the Senate rules forever, and I think the judiciary for the worse. So we have a lot to celebrate.

His family, I know, mourns the loss of their loved one; the people of West Virginia, their best champion has passed. But we all pass. It is what we leave behind that counts, and I think he has left a lot behind and something both Republicans and Democrats can be proud of. Even though you disagreed with him, as I did on many occasions, I had nothing but respect for the man. He was a true guardian of the Senate and what it stands for.

I don't think we will ever find anybody who loved the institution more than Senator BYRD. He will be missed. But the best way we can honor his memory is to try to follow in his footsteps when it comes to making sure the constitutional role of the Senate is adhered to, and that we understand the Senate is not the House, the Senate is not the executive branch, the Senate is something special, and let us keep it that way.

Mr. REED. Mr. President, I rise to pay tribute to an extraordinary Senator—ROBERT BYRD of West Virginia. Chairman BYRD was the longest serving Senator in the history of this country. He served with extraordinary distinction not only on behalf of the people of West Virginia but on behalf of all of us.

The great lesson of his life is that through constant self-improvement, through constant education, not only can one rise to great heights but one can also contribute to one's country and community.

Senator BYRD was born in very humble circumstances. At his birth, I do not think anyone would have predicted he would become the longest serving Senator in the history of the United States. In fact, tragically, within a year of his birth, his mother passed away, and he went to live with his father's sister. But in those difficult circumstances in West Virginia, he rose above it through tenacious effort, through hard work.

Through his life's path, he had an extraordinary companion, the love of his life—Erma. Together they not only had a family but they built a life of service to others. I know how dear his dear Erma was to Senator BYRD.

Their children, Mona, Marjorie, their sons-in-law, their grandchildren, and their great-grandchildren all at this moment are reflecting on the wonderful person ROBERT BYRD was, how much he meant to them, and also I hope recognizing how much he meant to all of us. In this very difficult moment, I am sure his memory and his example will sustain them as it sustains all of us.

Senator BYRD, from these humble circumstances through hard work in shipyards, in the coal fields of West Virginia, rose up. He rose up because of his incredible talent, not only intellectual talent, but I had the great good fortune once to hear him play the fiddle. Anyone who can play a fiddle like that has great hope of employment, at least in the musical world. But he went beyond that.

Again the lesson Senator BYRD teaches us all is constant striving. He was someone who received his law degree while a member of the Congress, the first and perhaps only person to go to law school while he was also serving the people of West Virginia and the Congress.

He wrote what is regarded as the foremost history of the Senate, not only this Senate but also the Roman Senate. He did that because he was committed to finding out about history, about life, about human challenges, about great human endeavors, and using that knowledge to help others.

He was someone whom we all revered. When I arrived in the Senate, he was gracious and kind and helpful. I can always remember he would greet me as ''my captain.'' He had a deep affection for those who served, even someone as myself who did not serve at the same level of distinction as DAN INOUYE, JOHN KERRY, JOHN MCCAIN, and others. He is someone who helped and supported me, and I appreciated very much his kindness.

I also appreciate the passion he brought in defense of the Constitution of the United States and the passion he brought to ensure the Senate and the Congress played its rightful role in the deliberations of this government.

He would say quite often that he had not served under numerous Presidents; he had served with them as a Senator, in the legislature, a coequal branch of government. He fought not simply for personal prerogatives, he fought for principle, that this government would be based on, as our Founding Fathers' designed it, the interplay between the executive, legislative, and judicial branches. His passion for the Constitution was evident and obvious.

He also was passionate in the last few years about the foreign policy of the United States. He spoke with eloquence and with passion against our engagement in Iraq. He saw it, as now it is becoming clearer and clearer, as a strategic distraction from the true challenge, which was to defeat our opponents, al-Qaida and their affiliated terrorist groups, and to do that to protect this country.

He was a remarkable man, born of humble origin, self-educated, unceasingly educating himself and always

seeking to better and improve himself. I would suspect in his last few days he was still striving to learn more.

I simply close by thanking him for his service, thanking his family for supporting him in his service, and thanking the people of West Virginia for their wisdom in sending ROBERT BYRD to the U.S. Congress and the U.S. Senate.

Ms. LANDRIEU. Mr. President, I come to the floor this afternoon to speak on a couple of different subjects. Briefly I wish to say a few words about our extraordinary and great colleague who has left the Senate and left this world, but his spirit will be here for many years to come and his presence will be felt here for decades, if literally not centuries, and the extraordinary contribution that Senator ROBERT BYRD of West Virginia has made to the Congress, to the Senate, to our country, and to the world.

My colleague, the Senator from Rhode Island, gave a beautiful tribute a few minutes ago. I was in the Chamber and listened to what he said. I wish to add that not only did ROBERT BYRD rise up through educating himself—in these days that is almost a foreign concept to so many people. You go to school, you get a degree—but he did all of that and more. He read so much. He was so curious about so many aspects of life, not just politics, not just government, but industry, art, and music that literally he was one of the most inspirational human beings I have ever had the pleasure to know or ever read about in that sense.

Senator REED said he lifted himself from literally an orphan status in one of the poorest communities in the world, West Virginia. Parts of it are much like a few parts of our country that are extraordinarily poor, even by world standards.

He came from a very humble, orphaned beginning with virtually no chance at anything much, and ended up, we know, sitting at that desk, which is one of the great desks of honor in this Chamber. As people who work here know, the longer one is here, the closer one gets to the center aisle. Since he held up the center aisle literally with his presence every day, one cannot get any more senior than that desk. We look at it now these days and are reminded of him.

He lifted himself, he lifted his family, but I would say in that earnest curious way, he lifted an entire State and an entire Nation. There are not many individuals who can say that their life actually did that. But ROBERT BYRD is one of them. West Virginia today is lifted so much higher. The children of West Virginia, the families of West Virginia, the communities of West Virginia literally were lifted by the strength—the spiritual and intellectual strength—and courage and tenacity of a man for whom there is no peer in this room relative to that, and our Nation across decades, through many of the great trials of this Nation. He lifted this Nation to a better place and was such a strong man and such a great man that he would even admit when he made some very bad mistakes, which raises him even higher in my eyes.

He said toward the end of his life many times that his stand on civil rights was not right. He apologized profusely for being on the wrong side of history on that issue. He did not make many mistakes such as that. But he was such a great man that he admitted when he did.

Senator REED recalled that he always called him ''captain,'' but Senator BYRD had a way of referring to each of us in a special way. He would always say to me: How are you today, Senator, and how is that fine father of yours, Moon Landrieu? It would always make me feel so wonderful that he would say he was such a great mayor. How is Moon today and how is Verna? Can you imagine a gentleman with so much on his mind that he would always remember to me the parents I have and that we both admire so much? It was a special way about him.

Finally, when Katrina happened and all of us on the gulf coast were devastated—frankly, I could not find a great deal of comfort at the level of the administration that was in power. I never thought they quite understood the depths of the destruction that occurred. It worried me then and it still troubles me to this day. But the first meeting I had with Senator BYRD, when I was trying to explain to him how devastating this situation was—because it wasn't a hurricane, it was a flood and the Federal levees had collapsed—he just sort of put his hand out and said: Senator, have a seat. He said: I do understand, and I am going to work with you. I am going to help you. I am going to be here for the people of Louisiana and the gulf coast as we try to get this right.

Mr. President, we were shortchanged by other Members of Congress and by the White House. They never quite understood. When the first allocation of funding was given out, it was just an arbitrary number thrown out that we were going to take $10 billion and help the gulf coast, but no State could get more than $5.4 billion. Well, when you looked at the facts at the time, the numbers were so disproportionate to the injury that Louisiana and our people had suffered, had you done it on just a disaster basis—which we should have done in calculating it—we should have gotten $15 billion relative to that distribution.

When I brought those numbers to Senator BYRD, he said: We are going to work on it. And you know what, Mr. President, he did. Unbelievable as it might be to the people in this Chamber, because he was a very powerful chairman of the Appropriations Committee, he could actually do it, and he did.

I didn't have to explain that much or beg that much. I just had to present the data to him that showed this is how many houses were destroyed, this is how many homes were lost, this is what the President gave to X, Y and Z; what do you think, Senator BYRD? Is it fair for us? And he said: Absolutely. So he gave us literally billions of dollars.

Today, St. Bernard Parish, the city of New Orleans, and parishes all in the southern part of the State are recovering because of one person, Senator BYRD, the chair of the Appropriations Committee, who said: We are not going to leave you at your hour of greatest need.

I will never forget, and my State will never forget, the generosity and the courage it took for him to stand with us through that difficult time. So I wanted to, in a small way, add my voice to the many tributes that Senator BYRD has received, and those are the most important ones that I wanted to share today.

Mr. LAUTENBERG. Mr. President, this is not my regular seat in the Senate, but I came here to stand near the place that Senator ROBERT C. BYRD occupied. His absence is noted by the flowers and the black cloth that covers his desk.

There is so much to say about ROBERT C. BYRD that to have a serious discussion about who and what he was would take far more time than we have available. He was an unusual man, brilliant, genius, credited with encyclopedic knowledge.

When I came to the Senate in 1983, I was not a young man. I am now an older man. When I came, I wanted to meet Senator BYRD. I came from the business world. I was chairman and CEO of a significant corporation that carried substantial esteem and respect for the record compiled by the three of us boys from poor working-class families in Paterson, NJ, an industrial city that had its origins as an industrial place at the time of Alexander Hamilton.

I was privileged to meet a lot of people who could be described as lofty and holding positions of importance. When I went in to Senator BYRD's office to introduce myself—I had met him a couple of times before I was elected to the Senate seat from New Jersey—it was with great awe and respect that I sat in front of this individual who had given so much to our country, who taxed our wits and made us think more deeply about our responsibilities than sometimes we have. He was a tower of knowledge and strength.

I introduced myself to him, and we had a nice chat for a while. He asked me about my background. I talked about my life and my experiences, which are not anything like the depth of Senator ROBERT BYRD's background. I came from a poor family. I served in the Army. I received my education at Columbia University because I was able to use the scholarship that was given to soldiers who had served in the military.

As I listened to ROBERT BYRD, what he had accomplished in his lifetime

dwarfed anything I had ever seen. He was a man born into poverty, orphaned at an early stage in life, and turned over to relatives to be brought up. He taught himself how to play the violin and attended law school part time at night for years, finally getting his law degree from the university. He was an incredible figure in our time.

We feel his absence already. In his latest years, he was not fortunate enough to have the kind of health he had as a younger man, but he always had the respect of everybody who knew him.

When we look at his history, if one has time to go to the computer and get a biography that is held in Wikipedia and see the more than 30 pages' worth of his accomplishments and history, it was a privilege and an honor for those of us who knew him when we look at the positions he held. He had elegance. He had grace. He had resilience. He was tough. He had a meticulous grasp of history.

I came out of the computer business. I used to tease ROBERT C. BYRD. I called him ''my human computer.'' He had so much knowledge that, frankly, I think it competed very ably with the computers in the early eighties when I came to the Senate.

When I visited him in his office, he asked me if I knew the history of the monarchs of the British Empire. I said I did not know much about them. I knew the recent one, the sitting monarch at the time. He proceeded for more than one hour to give me the history of the monarchs of the British Empire, starting with William the Conqueror, 1066, and recalling everybody who was King or Queen of England, of the British Empire. He talked about how long they served, the precise dates they served, whether they died by the hand of an assassin, whether they died from a disease, whether they died from an accident. He knew all of that detail. I was sitting in total bewilderment as to how one could capture and remember so much of that information.

When I asked to be excused because I had some other business, he was ready to give me the history of the Roman Senate. He did this not like most of us, with notes. He had it in his brain while he recalled everything he learned and did, the number of votes, where he cast them, and on what issue. It was remarkable.

He served at a period of time when we had some of the most remarkable people this body has seen. Not to suggest we do not have talent equal to the stature of some of those who served then. It is worthy of mention that he was the majority leader in the Senate from January 1977 to January 1981 and again from 1989 to 1989, a relatively short period. He preceded and served with people such as Howard Baker on the Republican side, Bob Dole, Mike Mansfield, and George Mitchell. He was an equal with those powerhouses and stood as one of them. He stood out.

He revered this Senate and the process with which we then operated. We are far less committed to process. BOB BYRD insisted we have the time, respect, courtesy, and proper addressing of individuals, giving it a certain loftiness that we otherwise would not have had.

Nobody knew more about this body than ROBERT C. BYRD. He was this Chamber's protector. He protected the Senate's rules, the Senate's integrity, and he protected the Senate's civility. He taught each and every one of us how the Senate works—the ins, the outs. It is hard to imagine serving a single day without him. He had such respect for the management of this country of ours.

We should be inspired by ROBERT C. BYRD's legacy to become more cooperative and more civil in the days ahead. We ought to reflect on those values tomorrow as we view Senator BYRD's casket lying in repose in this Chamber that he loved so dearly. He loved it so much that he reminded all of us from time to time—he would pick up on a phrase. Someone talked about serving under President this or that President. He said: Sir, never, never under. We serve with the President of the United States. We never serve under them. We are a body of equal importance. And he knew that from every possible position of responsibility he held.

What we should do as a Senate is accept the best that ROBERT C. BYRD brought to us, to share the image he brought to all of us and to the stature of this body.

ROBERT C. BYRD's journey in life was simply remarkable. He was born into deep poverty, growing up without the comforts that many of us take for granted, such as running water, and setting an example for all Americans of what you might be if you make the effort and you have the dedication to a higher purpose.

Although he was high school valedictorian at the age of 16, he had to skip college because he did not have the means to pay for it. He overcame that obstacle by becoming a self-taught man and a student of history. How did he learn to play the violin all by himself, and learn what he did about education and law?

He served half a century—51 years—in the Senate, holding every critical position, including, as I mentioned, majority leader and minority leader and President pro tempore. In that position he was third in line for the Presidency of the United States.

Still, he never forgot where he came from and his duty to help everyday people. He pleaded their case, particularly his beloved West Virginia, as well as across the country.

I had the privilege to serve with Senator BYRD when he was chairman of the Appropriations Committee. Some like to make light of his position to fund projects in West Virginia, but there was nothing cynical about his life's cause to stamp out poverty in his home State and in this country. Senator BYRD called bringing Federal dollars back to his State one of his greatest achievements. He understood that a new school meant a child would have a better chance for a future. A new sewage system meant that families might have clean water—unaccustomed as they were in lots of places in his home State. A new highway meant that farmers and companies could bring their product and their produce to market in hours.

I will use the expression that he ''elegantized'' the beauty of the deeds of working people and brought meaning to the purpose of their lives and their work.

He was a forward-looking man. He, working with all of us, recognized the importance of an appropriate infrastructure—the importance of Amtrak, of the railroad that serves so many millions of Americans every year. He was a voice for stronger rail service, knowing that could get people more reliable travel so they would not be stuck in massive traffic jams when they had to get someplace. It was an important part of an agenda that he had that was so broad.

Years ago, when Amtrak—a favorite part of my view of what has to happen with our infrastructure—was under siege, we worked side by side to protect America's premier rail network from being defunded. In 2007, when the Amtrak law I authored was on this floor, we faced a difficult vote to defeat a killer amendment. I remember standing here as they were counting the yeas and nays, and Senator BYRD had occasion to let his simple yes or no ring out across this place. He put a stamp on that, and that meant that he didn't like it or he did like it.

He wanted everybody in this place to remember that he was chairman of the Appropriations Committee. He remembered when people voted with him and when they didn't. He couldn't stand the hypocrisy of people who would say: Oh, these earmarks are terrible, and then they would put in their list. But he would remember it. It was not a good thing, to meet with ROBERT C. BYRD's disapproval, when you wanted something; especially after so hypocritically voting against something and then wanting that very thing for your own State.

We have an obligation to honor the legacy of this giant of an individual, this giant of a Senator, this giant of a public servant, and that means never losing sight of the millions of Americans out there who don't know whether they will have a home now or have a job, or whether they will be able to afford electricity or food or a roof to sleep under, or a way to take care of their children. But he reminded us on a constant basis what our commitment was.

It also means, I think in reflection, that we should be renewing our commitment, as hard as it is—and it is easy to kind of pontificate here—to working together. But let us look at what is happening. Let us look at what

has been happening now. I don't think this is an appropriate time to voice lots of criticism, but when we see how difficult it is to move positive things through this institution, it is hard to understand, because the fundamentals that ROBERT C. BYRD brought to his work were that we were here to serve the public. That was the mission.

Rather than standing in the way of permitting things to be considered—things of value—perhaps we ought to have a BYRD lecture to the Senate-at-large every now and then and let someone who knew him or studied him talk about what he brought to the Senate, in addition to extraordinary leadership; someone who could talk about the degree of collegiality that is necessary for us to consider things—serious things—and to get them done.

Senator BYRD recently said—and he said this on a regular basis:

> The world has changed. But our responsibilities, our duties as Senators have not changed. We have a responsibility, a duty to the people to make our country a better place.

It would be fitting if in the shadow of his passing that we could take a sledgehammer to partisan gridlock, put the unnecessary rancor aside and start functioning in a deliberative fashion once again.

I thank you, Senator ROBERT C. BYRD, for what you gave to us and gave to this country. All of it will not be recognized in these moments. But as history is reviewed, people will remember—I hope they do—that even when he made a mistake, a serious mistake in his early days—when he was not eager to support desegregation; that he should not have abided with segregationists; that this country belonged to all the people and no one should be discriminated against—that one can be forgiven with good deeds after some bad ones. And he redeemed himself so nobly, so wonderfully.

So we say, as we have been for these days, thank you, ROBERT C BYRD. We loved being with you, and we will miss you.

Mr. WEBB. Mr. President, I have not yet had the opportunity on the floor to express my regret for the passing of Senator ROBERT BYRD and my incredible respect for the service he gave our country.

I was only able to serve with Senator BYRD at the twilight of his career. I knew him in my capacities as Assistant Secretary and then Secretary of the Navy years ago, and I admired him for many years as an individual of fierce intellect. He was a strong proponent of the balance of power, particularly protective of the powers of the U.S. Congress as they relate to the executive branch, which is an area I have also focused on over the years.

Senator BYRD had great love for the people of Appalachia. He was their greatest champion. He was a self-made man in every sense of the word—self-made economically, born an orphan, and self-made in terms of his own education.

I recall that when I was Secretary of the Navy, I had the authority to name various combatants, and I named a submarine the ''USS West Virginia.'' When I made the statement about why I named it that, I pointed out that West Virginia, in every war in the 20th century, ranked either first or second in terms of its casualty rate. He was someone who never forgot the contributions of the people of that much-maligned State to the well-being and greatness of our country. He left his mark on all of us, and I would be remiss if I didn't express my regret in his passing.

Mr. WHITEHOUSE. Mr. President, I rise today to pay tribute to our departed Senate Dean, ROBERT C. BYRD of West Virginia. Senator BYRD served in this Chamber longer than any Senator in history, 50½ years. Combined with 6 prior years in the House of Representatives, Senator BYRD's service spanned nearly a quarter of the history of the Republic, from the Truman administration to the Obama one, longer than the span of my life.

To serve with Senator BYRD, as was my privilege for too short a time, was to serve with a giant of the Senate, an apotheosis of a long-ago age when oratory was an art. How fortunate I was to sit on the Budget Committee several chairs away from the man who wrote the Budget Act. I will never forget a Budget Committee hearing last year at which, with 35 years of hindsight, Senator BYRD reviewed the very budget process that he had designed. On that February morning, Senator BYRD delighted in describing his crafting of the budget process and its implementation and evolution over three and a half decades.

Tomorrow, for the first time since 1959 when ROBERT C. BYRD was a 40-year-old first-year Senator, a departed Member of this body will lie in repose in its Chamber. The tribute will surely be fitting, as the Senate's most senior Member occupies the floor one final time.

The man will be missed, but his legacy will continue to guide this institution for generations to come, and the institution to whose principles and welfare he dedicated his life, the U.S. Senate, will endure with his lasting imprint upon it.

VOTE EXPLANATION

Mr. BROWNBACK. Mr. President, I regret that on June 28, 2010, I was unable to vote on the confirmation of Gary Scott Feinerman, of Illinois, to be U.S. District Judge for the Northern District because my flight from Kansas City was delayed. I wish to address this vote, so that the people of the great State of Kansas, who elected me to serve them as U.S. Senator, may know my position. I would have voted in favor of this confirmation.

TRIBUTE TO COLONEL PHILIP C. SKUTA

Mr. LEAHY. Mr. President, I rise today to recognize COL Phil Skuta, USMC, who will complete his tour of duty with the U.S. Marine Corps' Office of Legislative Affairs on July 15, 2010. In his role as the director of the Marine Corps' Senate Liaison Office, he has provided excellent support by ensuring the smooth and timely passage of information from the Marine Corps to Senators and their staffs. His sense of duty and responsibility contributed to a successful relationship between the U.S. Senate and the U.S. Marine Corps. His dedication to serving the U.S. Senate will be missed.

A native of Williamsport, PA, Colonel Skuta attended the University of Pittsburgh and received a commission as a second lieutenant in the U.S. Marine Corps in 1987. His career as a Marine officer has been varied and admirable. Prior to his assignment to the U.S. Senate, he served on the Joint Chiefs of Staff, in the Strategic Plans and Policy Directorate. Before that, he led 1,200 marines, soldiers, and sailors in combat in Iraq in 2004 as a battalion task force commander. Over the past 24 months, his excellent work, leadership of his liaison team, and example of professionalism have served the Senate well and reflected credit on the U.S. Marine Corps.

Upon his arrival as director of the U.S. Senate Marine Corps Liaison Office, Colonel Skuta assumed and upheld the distinguished standard set by his predecessors. His approach to resolving complex issues allowed him to advise and inform Members and their staffs of Marine Corps plans, policies, programs, and worldwide activities. Despite the fluidity of legislative process, Colonel Skuta established and developed productive working relationships through engagement opportunities.

As liaison officer to the Senate, Colonel Skuta represented the Marine Corps on all Marine-related matters and effectively articulated the Marine Corps' most difficult and challenging legislative initiatives to Members and staff. He has been an integral player in maintaining effective relationships between the Marine Corps, my colleagues in the Senate, professional committee staff, and personal staff members. In particular, he responded to hundreds of congressional inquiries, ranging from such sensitive issues as notification of combat casualties from the Afghanistan and Iraq campaigns to providing timely information on the operation, organization, and budget of the Marine Corps. He also planned and executed dozens of international congressional delegations. I had the pleasure of traveling on two of these congressional delegations with Colonel Skuta and was impressed with his service to the Members of the Senate. He reflected well on his service at numerous Marine Corps and joint social events on Capitol Hill. Among others, these events included

the Marine Corps Birthday Commemoration, the Joint Services Reception, the Marine Corps Marathon, and several Marine Corps seasonal receptions.

On behalf of the Senate, I thank Colonel Skuta for his continued service to the Nation and the U.S. Marine Corps, and I thank his wife Jane for her steadfast support while he fulfilled this essential duty. We in the U.S. Senate, and I personally, wish them all the best as Phil departs to assume duties as Director of the Marine Corps' Strategic Initiatives Group at Headquarters, U.S. Marine Corps, Washington, DC.

Semper Fi!

HARRIS v. McRAE

Mr. HATCH. Mr. President, 30 years ago today, the Supreme Court of the United States announced its landmark decision in *Harris* v. *McRae*, 448 U.S. 297, upholding the constitutionality of the Hyde amendment, which prohibits Federal funding of abortions under the Medicaid Program. That decision made it possible for Congress, by annual enactment of the Hyde amendment, to protect American taxpayers from being forced to fund the destruction of innocent preborn human beings.

The majority opinion, written by Justice Potter Stewart, established three important principles. First, no matter what unwritten right to abortion may be said to exist in our written Constitution, ''it simply does not follow that a woman's freedom of choice carries with it a constitutional entitlement to the financial resources to avail herself of the full range of protected choices.'' Second, the Court accepted in full the argument of Solicitor General Wade McCree that the Hyde amendment is rationally related to the interest we all have in preserving nascent human life and encouraging childbirth. Finally, the Court rejected the spurious claims of the Hyde amendment's opponents that the amendment violated the establishment clause of the first amendment because it somehow incorporated into federal law the religious doctrine of the Roman Catholic Church.

In our recent debate over healthcare reform, we often heard that because the Hyde amendment is already ''settled law,'' there was no need for specific provisions to ban taxpayer subsidies for abortion through the health insurance exchanges or other features of the legislation. That argument, of course, was wrong. The Hyde amendment affects the appropriations that fund the Departments of Labor and of Health and Human Services. The vast health care bureaucracy created by this new legislation will exist outside of those departments. Time will tell whether those who argued so strongly that the Hyde amendment is settled and ''good law'' will nonetheless challenge it again in the future.

Let's be honest about a fundamental point: change in our health care system provides another opportunity for abortion advocates to claim that abortion is health care that must be funded by the taxpayers. That claim must be resisted and defeated, just as it was resisted and defeated in Harris v. McRae.

Were he still among us, our dear and esteemed colleague Henry Hyde would have reminded our colleagues of this, with an eloquence we cannot muster. The amendment bearing his name, after all, did not become law by accident; nor did it survive other than by the heroic efforts of Henry Hyde and a small cadre of pro-life attorneys who persuaded the Department of Justice to make the very arguments critical to successfully defending the Hyde amendment in court.

Henry Hyde was vilified at the time for his amendment, and for his unwillingness to yield or compromise on its principles. Investigators for the plaintiffs in Harris followed the Congressman to Mass, and then argued to the Federal district court in Brooklyn that his amendment was motivated by his religion. What a scandal—that a Congressman's faith would motivate his work.

Henry, of course, did more than simply introduce and achieve passage of his amendment. That alone would have been heroic. But he also entered the litigation challenging his amendment as an intervening-defendant, joined by former Senator and now-Judge James L. Buckley, Senator Jesse Helms, and others, to ensure that the amendment would receive the most vigorous defense in court.

His New York lawyers, Lawrence Washburn and Gerald Bodell, were joined by the superb legal team at Americans United for Life Legal Defense Fund, a fledgling Chicago-based office that suddenly found itself in the biggest case in its short existence. The AUL lawyers, including Northwestern University law professor Victor G. Rosenblum, eminent Chicago trial lawyer Dennis Horan, and AUL staff attorneys Patrick Trueman and Thomas Marzen, were pivotal in framing the legal arguments that prevailed in Harris. They simultaneously represented intervening defendants in Williams v. Zbaraz, defending an Illinois version of the Hyde amendment. In Williams, named for AUL's clients Dr. Jasper F. Williams and Dr. Eugene F. Diamond, Professor Rosenblum eloquently argued to the Supreme Court that neither due process nor equal protection required government at any level to treat abortion on a par with the life-giving alternative of childbirth.

The victories in Harris and Williams remain the most significant pro-life legal victories of our lifetimes. But, until the Hyde amendment becomes a part of the United States Code rather than an annual appropriations amendment, so that it covers a government programs and expenditures, we must continue to make the same vigilant effort that made the victories in those cases possible. AUL was a key partner as I and others in Congress fought to put true Hyde-type language in the health care legislation. Undaunted at the loss in Congress, AUL has turned its attention to the States, helping to draft legislation allowing States to ''opt-out'' of coverage for abortion through the insurance exchanges, and to take other steps to ensure that health care reform does not undermine the principles of the Hyde amendment.

Many of the courageous warriors who first defended those principles three decades ago have passed from our midst: my friends Henry Hyde and Jesse Helms, attorneys Dennis Horan and Tom Marzen, and Dr. Jasper Williams. Thankfully, some of the young lawyers who worked with them such as Carl Anderson, Robert Destro, and Paige Comstock Cunningham, remain active pro-life leaders today. Meanwhile, the ranks of young lawyers and students eager to follow in the footsteps of these legal pioneers continues to grow. That is what trailblazers do, they lead the way so that others may follow and continue the fight. May their efforts be blessed, and this Nation move swiftly to the day when the lives of the unborn receive full legal protection.

CLEAN AIR ACT AMENDMENTS OF 2010

Mr. CARDIN. Mr. President, today I rise to discuss my support for the Clean Air Act Amendments of 2010 and how I plan to continue to work with the sponsors to improve the bill to meet health standards for Maryland and the States of the Northeast.

First, I want to commend Senator CARPER for his years of hard work and dedication to clean air policy issues. I know these issues are very near and dear to Senator CARPER and his perseverance is admirable. I feel the same way about water quality protection in the Chesapeake Bay watershed. When this bill received a hearing in the Environment and Public Works Committee in March I expressed my support for the goals of the Clean Air Act Amendments of 2010 and what the bill aims to achieve. Because I believe this legislation is the right framework to protect public health, I have added my name as a cosponsor of this bill.

The strong limits the legislation sets on mercury emissions is important. Air pollution, primarily from powerplants, is the main source of the mercury that contaminates the fisheries of the Chesapeake Bay Mid-Atlantic. We have fish consumption advisories throughout Maryland because of the high levels of mercury found in fish tissue.

A large part of my motivation for restoring the Chesapeake Bay is to restore a healthy fishery for Maryland watermen to make a sound living on and for recreational anglers to enjoy. I am pleased with the effects this bill would have on the health of our fishery and the people who rely on healthy fish from a healthy bay.

The cap on sulfur dioxide, SO_2, levels in the Clean Air Act Amendments of

2010 is strong as well. SO_2 is a harmful particulate that is a major component of acid rain which does serious damage to plants and trees. States in the Mid-Atlantic and Northeast see the worst of acid rain's effects on our forests and croplands. EPA's acid rain program has yielded tremendous success and the SO_2 reductions that the bill calls for would help us achieve greater SO_2 reductions.

These important limits on two harmful air pollutants are very important measures to protect the public health and the environment.

Nitrogen Oxide, NO_X, is a dangerous air pollutant that contributes to haze, water nitrification, and ground level ozone during the summer months which is extremely dangerous to breathe particularly for people who suffer from respiratory diseases like asthma and emphysema. Maryland, and Northeast and Mid-Atlantic States struggle to achieve attainment of healthy air standards because of NO_X emissions. The Federal Government must do what it can to help these States achieve healthy air through reductions in NO_X.

I am committed to working with Senators CARPER and ALEXANDER to make the bill achieve the goal of NO_X reductions to protect the public health of citizens of all States including Maryland.

Maryland's experience as a downwind State motivated the Maryland legislature and our Governor to take firm and decisive action to reduce mercury, SO_2 and NO_X emissions in the State by implementing the toughest powerplant emissions law on the east coast. The Healthy Air Act, enacted in July 2007, established an ambitious timetable of 3 years for Maryland's powerplants to meet a new set of robust clean air standards.

Using 2002 as its emissions baseline, Maryland's Healthy Air Act has the State well on its way to reducing NO_X emissions in Maryland by 75 percent by 2012, after already achieving an interim goal of 70 percent reduction target for NO_X in 2009. SO_2 emissions will be reduced by 80 percent this year with a second phase of controls in 2013 to achieve 85 percent SO_2 emission reductions. The Healthy Air Act also sets a 90 percent reduction in mercury by 2013.

Maryland's powerplants quickly met this challenge by immediately installing and operating pollution emission reductions technologies. In less than 3 years Maryland's State electricity generators began achieving significant mercury, SO_2 and NO_X emissions reductions. The Maryland Department of Environment tells me that all of our power generators are either meeting or are on schedule to meet the near term targets of Maryland's Healthy Air Act.

The Clean Air Act Amendments of 2010 supports Maryland's mercury and SO_2 reductions goals. Because Maryland has taken positive steps to also reduce NO_X emissions I must work to ensure that any national standard supports Maryland's healthy air attainment limits for NO_X as well.

Being a downwind State that must mitigate or offset pollution that travels in from other States has made it especially challenging for Maryland to be in attainment with the National Ambient Air Quality Standards, NAAQS, for ozone and fine particulate matter by the Federal deadline of 2010. Maryland is doing its part.

I mention all of this so that my colleagues understand how important strong clean air requirements are to me and to Maryland. I support the goal of cleaner air and I think the approach the Clean Air Act Amendments of 2010 takes is correct. I very much want to save lives by cleaning up our air and I want to work with Senator CARPER, Senator ALEXANDER and the other sponsors of this bill to make it stronger. Specifically, I want to ensure that EPA will review its air quality standards. Should the agency's analysis of the ozone standard indicate that additional NO_X emissions reductions are necessary to protect public health it is important that the EPA has a congressional mandate to act to strengthen the emission reduction requirement on NO_X to address this public health threat.

In a matter of days, EPA will issue its revised Clean Air Interstate Rule, CAIR, following the DC Circuit's determination that CAIR did not adequately address transport. Later this summer EPA will also propose new National Ambient Air Quality Standards. These landmark policies ought to guide what steps need to be taken to better protect public health and inform us about the congressional authority needed.

ADDITIONAL STATEMENTS

TRIBUTE TO SUSAN BERRY

• Mr. BINGAMAN. Mr. President, my hometown of Silver City, NM, is in the southwestern corner of our State. It is the county seat, and the largest town for about a hundred miles around. Right on the edge of the Gila Wilderness, it has been called by others, not by just me, ''One of the 100 Best Small Towns in America.''

One of the reasons it is so outstanding is because of the tireless, thoughtful work of Susan Berry. For 36 years, she has been involved in historic preservation work in and around our town, and throughout the State of New Mexico. An early force of the MainStreet Project in Silver City and a longtime member of the Design Review Committee, she has done so much so well, that the New Mexico Historic Preservation Division recently gave her its Lifetime Achievement Award which she earned during a career of preserving the past for the future.

On Saturday of this week, she will retire after decades of service as director of the Silver City Museum. Her accomplishments in that capacity are too numerous to list, but as a result of her vision and skill, that museum has been accredited by the American Association of Museums, one of only thirteen in New Mexico to be so designated.

She has helped make Silver City a significant destination for travelers to the Southwest, and added to the list of reasons that 10,000 people like to call it ''home.'' We are so fortunate that she chose to make the town the focus of her considerable ability and vision for so many years.•

REMEMBERING POLLY ARANGO

• Mr. BINGAMAN. Mr. President, today I wish to pay tribute to the extraordinary life of Polly Arango, who died on Saturday, June 26, 2010, in a tragic accident in Alamosa, CO. Her husband, children, grandchildren, family, and friends have lost a very special individual. And New Mexico and the Nation lost a tireless advocate for children, particularly those with disabilities.

Polly spent her life working on behalf of the most vulnerable in our society. Early in her career, she organized programs that allowed American families to adopt orphans from Ecuador. She and her husband John later adopted themselves, providing loving care to a son who had severe developmental difficulties. Shortly thereafter, Polly began her lifelong to work to ensure that other families in similar situations had access to vital education, health care, and support services.

To do so, she cofounded Parents Reaching Out, a nonprofit organization that works with parents, caregivers, educators and other professionals to promote healthy, positive and caring experiences for New Mexico families and children.

Polly also founded and served as the executive director of Family Voices, an advocacy group that strives to bolster both the access and the quality of health care for children with special needs. In her work for Family Voices, she, more than any other leader in the advocacy world, fought for family-centered care for children with disabilities. Her efforts with officials in New Mexico led to many important successes such as establishing the Medically Fragile Children's Program and the New Mexico High Risk Insurance Pool, reducing the school age for children with disabilities, and increasing coverage and services for children in Medicaid Programs.

Polly was very helpful to my staff and me over many years as we worked together on major health reform and education issues. She was in contact with us monthly and even weekly to inform us of developments in New Mexico and across the Nation and she had a wonderful ability to blend an understanding of complex policies with the practical needs of New Mexicans. I know she was particularly heartened by our recent passage of national

health care reform. And, I know she would agree that we all must continue to fight to ensure that the needs of children remain central in our efforts to forge a more effective and equitable health care system.

I extend my sincere condolences to Polly's husband and children, and the entire Arango family.●

● Mr. UDALL of New Mexico. Mr. President, I rise today to celebrate the life—and mourn the loss—of one of New Mexico's finest public servants.

The Land of Enchantment suffered a tremendous loss last Saturday, when Polly Arango was involved in a fatal accident in Alamosa, CO. As a longtime resident of Algodones, NM, Polly was one of the most exemplary advocates for children living with disabilities our State has ever known. During her time with us, Polly taught us that regardless of socioeconOmic status, culture, race, religion or health conditions, our children have inalienable rights that we must fight to protect.

Born in Green Bay, WI, Polly moved to our State in 1962 to attend University of New Mexico. After marrying John Arango, she began her career as an advocate placing Ecuadorian orphans with families in the United States while her husband served as Peace Corps director in Panama and Ecuador.

A turning point for Polly and John came with the adoption of their son Nicolas. As Polly learned that Nicolas had a severe developmental disability, she began her work securing full education and access to health care for children with chronic health conditions. Nicolas inspired Polly's work to open the eyes of school officials, policymakers, community leaders, friends and neighbors to the challenges facing children with disabilities. Her efforts were not only for Nicolas, but for thousands of other New Mexican families in need.

In 1992, Polly cofounded a national grassroots network called Family Voices. Today, Family Voices consists of more than 45,000 New Mexican families and friends working together to improve health care for children and youth with special needs. Polly served as the first executive director and most recently served on the board of directors. Polly also cofounded Parents Reaching Out, a statewide network of programs designed to meet the ever changing needs of New Mexican families. Based on her leadership, this organization continues to connect children and their families to resources that will improve their quality of life.

Polly represented families and family-centered care on many national boards, commissions and international forums. She was named to the New Mexico Medicaid Advisory Committee and served as a member of the New Mexico Supreme Court's Court Improvement Project on foster care. She also co-authored several books and many articles on health care, foster children, and families, and she was executive producer and writer of a PBS documentary about inclusion titled: ''What Does Normal Mean?''

Through her work, Polly displayed a noble commitment to fight for the health and civil rights of all children, especially disabled children, who often cannot fight for themselves. Polly actively demonstrated one of our greatest American values: that families can be the most important caregivers, and every child deserves a family.

She was survived by her husband, John; her four children—Carlos Arango, Francesca Wilson, Maria Arango and Nicolas Arango; her seven grandchildren—Sloan Wilson, Conor Arango, Gabby Arango, Kellen Wilson, Grace Arango, Lenor Arango and Isabel Arango; and seven of her eight brothers and sisters—Richard Egan, Kevin Egan, Martha Egan, Kathryn Stout, Patrick Egan, Michael Egan and Thomas Egan.

In her recent obituary, Polly's friends and family kindly thanked me for my role in health care reform and my support for rural health programs. While I appreciate these sentiments, I want to thank Polly. I want to thank her for her invaluable contributions as a mother, friend, and public servant on behalf of all she touched. Our State won't be the same without her. I am blessed to have known her. New Mexico will miss Polly Arango, but we know that her legacy will live on.

As Polly Arango is laid to rest this week, I ask my colleagues to join me in honoring this remarkable public servant.●

TRIBUTE TO PETE JOHNSON

● Mr. COCHRAN. Mr. President, I am pleased to commend Pete Johnson of Clarksdale, MS, for his service as the Federal Co-Chairman of the Delta Regional Authority.

The authority was formed in 2001 as a Federal-State partnership to enhance the quality of life of the people of the Mississippi River Delta region. Since its inception, Pete Johnson has led the Delta Regional Authority as the Federal cochairman in its efforts to advance the economic opportunities of the residents of 252 counties and parishes in parts of 8 States, which make up the delta region.

Pete Johnson has served the 9.5 million residents of the region and the Governors of Mississippi, Alabama, Tennessee, Kentucky, Illinois, Missouri, Arkansas, and Louisiana, with distinction in his capacity as the Federal cochairman.

Under Chairman Johnson's leadership, the Delta Regional Authority has established successful Federal grant programs, as well as the Delta Leadership Institute, Healthy Delta, I-Delta, and the Delta Development Highway System, the Delta Doctors Program, and a multimodal system for the region.

Pete has proven himself to be an exemplary and proactive leader, and the far-reaching effects of his leadership are evidenced by the numerous Delta Regional Authority contributions to the region over the years. The Delta Regional Authority has leveraged limited Federal resources with other Federal, State, and local investments, resulting in over $434 million for 510 projects focused on economic development throughout the eight-state region. Over $1.5 billion of private funds has also been invested in these projects.

In addition, the implementation of the Delta Regional Authority Federal Grant Program has created 5,472 jobs, trained 3,315 individuals for jobs, and improved the water and sewer systems for 11,860 families in the area.

In Mississippi, we are very grateful for the outstanding service of Pete Johnson and his wife Margaret and for the sacrifices they have made to improve the economy and the quality of life in the delta region.●

ELGIN, NORTH DAKOTA

● Mr. CONRAD. Mr. President, today I wish to recognize a community in North Dakota that recently celebrated its 100th anniversary. On June 17–20, 2010, the residents of Elgin gathered to celebrate their community's history and founding.

Elgin, a Northern Pacific Railroad town site, was first named Shanley but became Elgin in 1910. The residents were having difficulty agreeing on a new name, and Isadore Gintzler is said to have looked at his pocket watch to check the time at a very late hour and suggested its brand name, Elgin, as a compromise name for the town site. The post office was established August 11, 1910. Elgin was incorporated as a village in 1911.

Some of the present day businesses and accommodations that continue to thrive within the city of Elgin include the Jacobson Memorial Hospital Care Center and Clinics, Dakota Hill Housing, a dentist, an eye clinic, a cafe and bowling alley, a grocery store, a hardware store, gas stations, a bank, accounting offices, a drug store, insurance agencies, a newspaper, the post office, a lumber yard, a motel, a new public library, and grain elevators.

Citizens of Elgin organized numerous activities to celebrate their centennial. Some of the activities included an opening ceremony, historical Power Point presentation, historical bus tour, musical entertainment, an alumni football game, a magician show, and an antique parade.

I ask the U.S. Senate to join me in congratulating Elgin, ND, and its residents on the first 100 years and in wishing them well through the next century. By honoring Elgin and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Elgin that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Elgin has a proud past and a bright future.●

WAKONDA, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, today I wish to pay tribute to the 125th anniversary of Wakonda, SD. The town calls itself ''The Good Life Town'' and I would have to agree. With a strong sense of community and a welcoming spirit, Wakonda is a wonderful place to call home.

Wakonda was founded when the North Western Railroad expanded its line in northwestern Clay County. Surveyors originally planned out the town, calling it Summit, but when negotiations on land price fell through, the town was moved southwest. The building crews stayed on local farms and completed their work by the end of the year. GEN William Beadle is credited with suggesting the name of Wakonda, a Santee Sioux word meaning ''wonderful.'' The town quickly sprouted, with many new businesses popping up in the coming years.

To celebrate Wakonda's historical achievement, the town will join together for a weekend of activities. With a golf tournament, kids carnival, and artistic exhibits, this town is sure to have a great time celebrating. I am proud to recognize Wakonda on reaching this milestone and wish them all the best in their future.●

FIRST STATE BALLET THEATRE

● Mr. KAUFMAN. Mr. President, it has been an honor to watch the arts blossom in the State of Delaware. One of the organizations leading this movement is the First State Ballet Theatre, which is celebrating 10 years of dedication and excellence in the art of dance.

The late choreographer Martha Graham once said:

> We look at the dance to impart the sensation of living in an affirmation of life, to energize the spectator into keener awareness of the vigor, the mystery, the humor, the variety, and the wonder of life. This is the function of the American dance.

Since the founding of the First State Ballet Theatre in 1999 by Pasha and Kristina Kambalov, it has been devoted to exposing Delawareans to dance. Through providing dance training and conducting education outreach, its audiences have learned much about the history and relevance of the art of dance.

The company's impressive 10-year run has brought a host of classical ballets, including favorite classics such as ''The Nutcracker'' and ''Swan Lake.'' The theatre has also been involved in vibrant productions such as ''Carmen,'' showing the depth and amazing talent present within the troupe. The theatre hosts a cast of talented dancers, who come long distances to perform throughout our State. The ballet company currently has a troupe of 15 talented resident dancers who star in a variety of productions.

The theatre has also attracted an outstanding group of master choreographers, who have created a diverse range of shows. They are led by artistic director Pasha Kambalov, school director Kristina Kambalov, and assistant artistic director Lev Assaouliak. Between them, these three have many years of experience in the art of dance and countless achievements, including performing in many impressive repertoires, and they were trained professionally in renowned schools of ballet. In 2006, the Kambalovs were honored with the Wilmington and Wilmingtonian Awards for their outstanding work improving the quality of life in the community.

As Delaware's only professional dance company, the First State Ballet Theatre has strived to help the arts flourish, and by doing so it has drawn both in-State and out-of-State audiences to its performances. By offering enticing productions that appeal to various sections of the population at affordable prices, the First State Ballet Theatre has inspired a whole new generation to become a part of the theatre's family. The theatre has also taught over 7,000 children about dance with the help of its talented and caring staff.

For 10 years, the First State Ballet Theatre has stood for excellence in the arts, and has treated its audiences to breathtaking and vibrant productions that have inspired the people of Delaware. The First State Ballet Theatre has been a great asset to my home State, and its accomplishments will inevitably continue to bring it success for years to come. Once again, I would like to congratulate the theatre on reaching this 10-year milestone.●

TRIBUTE TO ARKANSAS PROFESSIONALS

● Mrs. LINCOLN. Mr. President, today I recognize three Arkansans who have been recognized as leaders in their professions. These individuals represent the best of their fields, and I am proud of their accomplishments on behalf of our State.

Bobby J. Brooks has been named the 2009 Driver of the Year by the Arkansas Truckers Association.

Kevin McDaniel, vice president of production at O.K. Farms Inc. in Fort Smith, received the Poultry Federation's 2010 Industry Leader of the Year Award.

Kathy Manis Findley was named as the Nonprofit Executive of the Year for her work at Safe Places in Little Rock.

I commend these individuals for their hard work and dedication, as well as the work of all Arkansas professionals who strive to make our State better each and every day.●

TRIBUTE TO BASS REEVES

● Mrs. LINCOLN. Mr. President, today I pay tribute to an American hero, Arkansas native Bass Reeves, one of the first African-American U.S. Deputy Marshals west of the Mississippi River. He was one of the most respected lawmen who served the U.S. District Court for the Western District of Arkansas, which had criminal jurisdiction in the Indian Territory, the present State of Oklahoma. He captured more than 3,000 fugitives in his legendary career. Many scholars consider Bass Reeves to be one of the greatest frontier heroes in U.S. history.

Born into slavery in 1838 in Crawford County, AR, and then moved to Texas, Bass fled to Indian Territory during the Civil War and lived with the Seminole and Muscogee (Creek) Indians. Following emancipation, he settled near Van Buren, AR, to raise horses and start a family. He and his wife Nellie Jennie had 10 children: 5 boys and 5 girls.

In 1875, Isaac Parker was appointed U.S. district judge for the Western District of Arkansas, and Bass was recruited to serve as a Deputy U.S. Marshal. He stood 6′2″, weighed 180 pounds, and could shoot a pistol or rifle accurately with either hand. He was known for his toughness, intelligence, and detective skills, even though he could neither read nor write.

He arrested some of the most dangerous criminals of the time, repeatedly demonstrating honor and integrity. He had to stand trial himself and was imprisoned for 5 months on a false accusation of murder. Following acquittal, he returned to tracking down and arresting criminals.

Bass served the Federal courts in the Indian Territory for 32 years, from 1875 until 1907 when Oklahoma became a State. At age 68, he became a member of the Muskogee, OK, police department and served until his death from Brights disease on January 12, 1910.

Mr. President, I recognize Deputy U.S. Marshal Bass Reeves as a real American hero.●

TRIBUTE TO CAPTAIN JOHN B. NOWELL, JR.

● Mr. McCAIN. Mr. President, I would like to take a moment to recognize the extraordinary contributions of Captain John B. Nowell, Jr., U.S. Navy, to our Nation. Captain Nowell has served with exceptional distinction as the director, Navy Senate Liaison, a position of great responsibility, from August 2008 to June 2010.

Captain Nowell's service to our country began with his induction into the U.S. Naval Academy in the summer of 1980. Upon his graduation and commissioning in 1984, he started out on what would become a distinguished career as a talented and respected surface warfare officer—a career that continues today. His naval service has literally taken him around the world, as he has served on ships from the east coast to the west coast, from Africa to Japan, and all of the oceans and seas in between.

Recognizing the enormous talent and potential in him, the Navy rewarded Captain Nowell with command at sea, entrusting him with the leadership of the guided-missile destroyer USS *Porter* and her crew from April 2002 to December 2003. During this time, Captain Nowell was called upon to lead his crew into combat, surge-deploying for Operation Iraqi Freedom into the Fifth and Sixth Fleet Areas of Responsibility where the *Porter* conducted Tomahawk strikes and Theater Ballistic Missile Defense. The crew of the USS *Porter* earned numerous accolades during Captain Nowell's command, including the coveted Battle ''E'' Award.

Captain Nowell's success as a wartime commander at sea ultimately led to command an entire Destroyer Squadron and to assume the role of the maritime force commander for Joint Task Force Lebanon. However, the most telling vote of confidence in his ability to lead would surely be his selection to command the inaugural Africa Partnership Station deployment, a multinational force of ships, submarines, aircraft, expeditionary partnership teams, and land-based forces charged with building partnership capacity throughout the African continent.

Today, we say goodbye to Captain Nowell after nearly 2 years of extraordinary service as the Navy's lead liaison to the U.S. Senate. During this time he led 15 congressional and staff delegations to 30 countries, often being requested by name to facilitate visits to combat zones and fleet locations for the most senior-ranking delegations. As he departs for his next challenging assignment as the head of surface warfare assignments at Naval Personnel Command, I honor him for his service to our country, his inspirational leadership, and his irrepressible drive. I call upon my colleagues to join me in wishing ''fair winds and following seas'' to Captain Nowell, his wife Jo, and his children Katherine, Stephen, and John III, who will be following his father's legacy as a midshipman at the U.S. Naval Academy.●

ASSOCIATION FOR COMMUNITY AFFILIATED PLANS

● Mrs. MCCASKILL. Mr. President, a few months ago we completed debate on one of the most significant reforms of American health care in decades. As a result of that work we will see over 30 million Americans who haven't had access to health insurance gain that access. The law that we passed helps all Americans, but especially the most vulnerable, gain access to quality, affordable health insurance. Today I rise to recognize an organization that for 10 years has been similarly working to provide care for our Nation's most vulnerable citizens.

The Association for Community Affiliated Plans, ACAP, is a national trade organization representing 51 community-based health plans in 25 States, together covering over 7 million people. Its nonprofit Safety Net Health Plan members provide health coverage through public insurance programs, primarily Medicaid, Medicare, and the Children's Health Insurance Program, CHIP, delivering desperately needed health services to low-income and vulnerable Americans who would otherwise be uninsured. Coordinating with State and local governments, community groups and health care providers, ACAP plans, by delivering the services made possible by Medicaid, Medicare and CHIP, serve as a safety net for those who fall through the gaps in a system that largely relies on employer-provided or privately purchased coverage.

In 2000, 17 safety net plans, often started by community health centers who were serving uninsured and Medicaid patients, came together to form ACAP. In the ensuing decade ACAP plans have grown from covering 1 million people in 2000 to 7 million today. These plans, like Children's Mercy Family Health Partners in my home State of Missouri, remain deeply rooted in their communities, serving those who need help the most. Over 55,000 of my constituents receive their insurance from Children's Mercy Family Health Partners as they provide a critical safety net that makes a difference in Missouri.

I commend the Association for Community Affiliated Plans and its members for their service to our Nation's underserved populations, as well as congratulate them on their 10th anniversary of supporting the Nation's nonprofit Safety Net Health Plans.●

RECOGNIZING U.S. NAVAL ACADEMY CLASS OF 1970

● Ms. MIKULSKI. Mr. President, today I wish to express our deep gratitude for the inspirational leadership and outstanding service to our nation by the U.S. Naval Academy class of 1970. It has been an honor to support the Naval Academy in my capacity as a Senator from Maryland and as a member of the U.S. Naval Academy Board of Visitors for over 20 years. The Naval Academy has a proud history of developing excellence in education and personal character of our past and present, and continues to prepare and train the future leaders of our nation. I am so proud of the class of 1970 for exemplifying the high quality standards of the academy.

The Naval Academy class of 1970 started their journey as midshipmen in 1966, during the height of the Vietnam war. They volunteered for the job knowing that after graduation their roles as Navy and Marine Corps officers would be during difficult and demanding times for the U.S. military. That it was such a challenging time for our nation and our military did not deter them, it made them more determined. Their service and extraordinary spirit has enriched and sustained our Nation. I come to the floor today to ensure that their sacrifice and patriotism is remembered and celebrated.

From their graduation day on, the class of 1970 set a very high standard. Their accomplishments and careers are impressive. Members of this class fought valiantly in the Vietnam war, the gulf war and other conflicts during the last 40 years. They served in the air, on land and at sea. Members of the class of 1970 have served at the very highest level of our military. They served as commanding officers of warships, combatant commanders, and as the Vice Chairman of the Joint Chiefs of Staff. Twenty-four members of this class achieved flag or general officer rank.

Since their early years as midshipmen, they have given of themselves not just on the battlefield but also in their communities on the home front. Whether volunteering at the Boys Club and Big Brothers programs as midshipmen, teaching at our nation's military colleges or volunteering in their community they have generously contributed to the support of academics, ethics, character development, and leadership of our next generation.

Even more extraordinary than their time in uniform is the amount the members of this class have continued to give back since their military service ended. This remarkable class has continued to lead by example. They have worked to educate our children, support defense agencies, and to promote community services. Their accomplishments and achievements have reached the highest levels of government, industry, science, law, medicine, education, and religious vocations. Many have continued to fight for our freedom in their roles as leaders of corporations that are vital to our national defense. I admire the spirit of service and dedication to making our country and the world a better place.

The U.S. Naval Academy class of 1970 exemplifies the Navy ethos of ''Honor, Courage, and Commitment.'' These values have defined their commitment and dedication to the United States. Like many others before and after them, they have sacrificed long deployments, separation from loved ones, tests and trials that most Americans can't imagine. Some even sacrificed their life doing their duty. I know that new generations of midshipmen and future Naval and Marine Corps officers will be inspired by the rich heritage of service they have passed down to them.

As the U.S. Naval Academy class of 1970 gathers to mark forty years of service to our nation and to the U.S. Navy, Marine Corps, Air Force, Army, and Naval Academy, it is with great pleasure that I offer my gratitude for their service to our country.●

TRIBUTE TO MARY A. FRANCIS

● Ms. MURKOWSKI. Mr. President, today I pay tribute to an Alaskan who has devoted most of her adult life to education in Alaska. Dr. Mary A.

Francis will retire today, June 30, 2010, from her positions as the executive director of both the Alaska Council of School Administrators and the Association of Alaska School Administrators. Her leadership, advocacy, encouragement, and experience will be missed.

Mary's career in education began as an English teacher. Over the course of time, her skills and dedication brought her to different jobs in communities across Alaska. Her first assignment as an administrator was as curriculum director for the Lower Kuskokwim School District, a district that includes some of Alaska's most remote villages along the Kuskokwim River in southwest Alaska. Later, as assistant superintendent in Fairbanks, she experienced life ''in the big city''—a comparative term as Alaskan cities go. The bulk of her career, though, has been spent in southeast Alaska, as superintendent in Wrangell, a 12-year tenure as Petersburg's superintendent, and most recently 8 years in Juneau serving Alaska's school administrators.

It was in Petersburg where Mary's competence was recognized on the national stage when she was selected by her peers and recognized by the American Association of School Administrators as Alaska's Superintendent of the Year in 2000.

At the time of her retirement from Petersburg, Mary briefly considered spending her remaining years playing golf and enjoying life. She quickly realized that she would be bored stiff and accepted the position as executive director of the Alaska Council of School Administrators in 2002. This is not an easy job, as Mary was asked to represent the diverse perspectives of superintendents and other central office administrators, university professors, elementary and secondary principals, and school business officials. As executive director, Mary was also asked to assist these diverse member organizations to accomplish their mission: to provide leadership for and promotion of a collective professional voice in setting the educational agenda for Alaska. Throughout her tenure, Mary provided inspiration, authentic understanding, advocacy, and encouragement to the council as a whole as well as to its individual members.

Mary Francis has done this difficult job with grace, tact, firmness, and a sense of humor for 8 years. Mary noted, in announcing her resignation, ''There is never a good time to make a decision to leave a position. However, ACSA's financial position is sound and with a working Strategic Plan in place, the organization is on solid footing now and for the future.''

ACSA Board President Pete Swanson remarked, ''Dr. Francis' resignation has been accepted with reluctance by the Board. She will be sorely missed as she provides just the right balance of oversight for our board and the AASA board for whom she also serves in the Executive Director capacity. Her ability to advocate for and represent the school administrators of Alaska with the Legislature and many statewide committee forums is considerable. Dr. Francis leaves a legacy of working hard for the concerns and issues of Alaska's school administrators.''

On behalf of the countless educators whose lives she has touched, I extend my gratitude to Dr. Mary A. Francis for her selfless dedication to advancing the cause of education in Alaska and I wish her a happy, healthy, and exciting retirement.●

REMEMBERING CEDRIC ERROLL FLOWERS, JR.

● Mr. SHELBY. Mr. President, I wish to pay tribute to Cedric Erroll Flowers, Jr., my dear friend who passed away on May 25, 2010.

Cedric was born and raised in Sumter County, AL, where he attended Demopolis High School. There, he developed an interest in English literature and world history, as well as a passion for music. He devoted his ample talents to the piano and the clarinet, the latter of which he played for the Demopolis High School concert band. This is remarkable given his failing, and eventual loss of, eyesight. Despite his blindness, Cedric excelled in high school.

Following graduation from Demopolis High School in 1951, Cedric enrolled at the Alabama Institute for the Deaf and Blind where he pursued his love of music. Without eyes to guide him, Cedric studied and mastered the art of piano tuning by ear. It was also at the Alabama Institute for the Deaf and Blind where he met Sue Akel, whom he would later marry in 1962.

After earning his degree from the Alabama Institute for the Deaf and Blind, Cedric took his newly acquired skills to Savannah, GA, where he cared for all the pianos within the Chatham County and Savannah City Schools. In 1954, he came back to Alabama where he performed this same invaluable service for the concert series program at my alma mater, the University of Alabama.

In 1964, Cedric opened his own business, Flowers Piano Company. Known as the ''People Who Know Pianos,'' Flowers Piano Company began as a specialty piano retail store and a service-based enterprise. For many years, Cedric, who was also instrumental in founding the Tuscaloosa Music Merchants Association, served as the exclusive local dealer of high-end pianos in the Tuscaloosa area. As his business flourished, Cedric expanded the store's inventory to include band instruments and sheet music and offer beginner piano lessons.

Cedric's passion for tending to pianos did not cease with the establishment of his company. His skills as a Master Concert Tuner/Technician served the Piano Technicians Guild and the National Association of Music Merchants well. In fact, while continuing to serve and provide equipment to the University of Alabama, he worked with artists and musical groups who performed in and around Tuscaloosa and Birmingham. His expertise and precision benefitted music and entertainment throughout Tuscaloosa and Jefferson Counties.

Cedric also served the Tuscaloosa community as a deacon at the First Presbyterian Church of Tuscaloosa and a volunteer for many music and art-related endeavors and causes.

A faithful member of the University of Alabama family, Cedric never missed game day play-by-play radio coverage of the Crimson Tide. I can only imagine how happy he was to hear the sweet sound of the Million Dollar Band playing ''Yea, Alabama'' in the Rose Bowl following the Tide's BCS National Championship victory this past January.

I was fortunate to have known Cedric during his time here, and I mourn his passing. He is loved and respected throughout our community and will be missed by his beloved wife of 47 years, Sue, and his daughter, Marcia. I ask the entire Senate to join me in recognizing and honoring the life of my friend, Cedric Erroll Flowers, Jr.●

RECOGNIZING GERALD PELLETIER INC.

● Ms. SNOWE. Mr. President, this summer, thousands of Mainers and Americans will be drawn to the town of Millinocket to enjoy the natural beauty of Maine's outdoors. This year, however, they will also have the opportunity to enjoy the bountiful meals provided by the Pelletier family at the Pelletier Loggers Family Restaurant. Besides serving up hearty Maine cooking to locals and tourists alike, the Pelletier family performs the herculean task of delivering many thousands of cords of firewood each year to the people of Maine through their extensive logging operations. As such, I rise today to honor the Pelletier family and their small business, Gerald Pelletier, Inc., which has continued to embrace the spirit of entrepreneurship by providing critical jobs to rural Mainers as well as serving the people of our State for over 50 years.

What began as a log hauling operation in 1954 by a father that wanted to put extra food on the table during the winter months, eventually developed into a successful logging operation employing family members and dozens of Mainers alike. Gerald Pelletier Inc., produces over 200,000 cords of firewood each year, much of which is hauled over the Golden Road, a treacherous logging highway cutting through the Maine woods to the Canadian border. The company's logging operation is carried out with the utmost care thanks to the training many of the workers receive through the Certified Logging Professionals program, which trains and certifies loggers in safe, efficient, and environmentally sound logging practices. The company is also a

member of the Sustainable Forestry Initiative, the Maine Forest Products Council, and the Professional Logging Contractors of Maine. Today, with brothers Eldon and Rudy Pelletier at the helm, Gerald Pelletier Inc. has over 100 employees during the frigid winter months that, in addition to logging, build and maintain roads and bridges throughout Maine.

Gerald Pelletier Inc. has become a very attractive operation thanks in large part to the television show American Loggers, which airs on the Discovery Channel. This popular show has catapulted the company into a bright spotlight, and thrust the family into a form of reality-stardom. Produced by a native son of Maine, the show portrays the struggles and successes of the family as it continues its work in one of Maine's most remarkable and historic industries.

With this newfound nationwide appeal, Gerald Pelletier Inc. was recently able to undertake another entrepreneurial endeavor, the Pelletier Loggers Family Restaurant in Millinocket. Their restaurant serves up hearty Maine meals prepared from scratch to an array of locals and visitors alike. Customers can order from a wide variety of creatively titled menu items like the Moose on the Loose, a 10 oz. filet mignon, or for those interested in sampling fresh seafood, the Triple Trailer, which is a seafood medley of lobster, scallops and shrimp.

While at the restaurant, customers from across the country can also get a true visual taste of the Maine logging experience. In front of the building, a tractor trailer truck can be seen bursting from the second floor. Inside, various tools used in the logging trade adorn the walls, including a rugged chainsaw that is stuck through one of the beams. Clearly, the Pelletiers have invested a great deal of effort in providing visitors with a thorough and fulfilling traditional experience.

Truly, Gerald Pelletier Inc. embodies the entrepreneurial spirit that makes America so great. The Pelletier family has shown that a small business can succeed through hard work and personal sacrifice. I extend my congratulations to Rudy and Eldon Pelletier, the two coowners, and everyone at Gerald Pelletier Inc. for their remarkable enterprises, and offer my best wishes for their future success.●

TRIBUTE TO LYDIA SAND

● Mr. THUNE. Mr. President, today I recognize Lydia Sand, an intern in my Sioux Falls, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several weeks.

Lydia is a graduate of Washington High School in Sioux Falls, SD. Currently, she is attending Bethel University, where she is majoring in international relations. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Lydia for all of the fine work she has done and wish her continued success in the years to come.●

MESSAGES FROM THE HOUSE

At 10 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5552. An act to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution.

ENROLLED JOINT RESOLUTION SIGNED

At 10:20 a.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 joint resolution:

S.J. Res. 33. Joint resolution to provide for the reconsideration and revisions of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law.

The joint resolution was subsequently signed by the President pro tempore (Mr. INOUYE).

At 11:25 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 65. Concurrent resolution providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the United States Senate Chamber for the Honorable Robert C. Byrd, late a Senator from the State of West Virginia.

At 3:44 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 293. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the LI Senate.

At 7:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 5623. An act to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5552. An act to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, June 30, 2010, she had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 33. Joint resolution to provide for the reconsideration and revision of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law.

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–6467. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Reimbursement Transportation Cost Payment Program for Geographically Disadvantaged Farmers and Ranchers'' (RIN0560–AI08) received in the Office of the President of the Senate on June 25, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6468. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ethiopia; to the Committee on Banking, Housing, and Urban Affairs.

EC–6469. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Correspondence with the United States Patent and Trademark Office'' (RIN0651–AC08) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6470. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition and Removal of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States; Removal of Person Based on Removal Request''

(RIN0694–AE92) received in the Office of the President of the Senate on June 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6471. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Multiyear Contract Authority for Electricity from Renewable Energy Sources'' (DFARS Case 2008–D006) received in the Office of the President of the Senate on June 24, 2010; to the Committee on Energy and Natural Resources.

EC–6472. A communication from the Acting Chair of the Federal Subsistence Board, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Subsistence Management Regulations for Public Lands in Alaska—2010–11 and 2011–12 Subsistence Taking of Wildlife Regulations; Subsistence Taking of Fish on the Yukon River Regulations'' (RIN1018–AW30) received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC–6473. A communication from the Chief of the 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; Listing the Flying Earwig Hawaiian Damselfly and Pacific Hawaiian Damselfly as Endangered Throughout Their Ranges'' (RIN1018–AV47) received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC–6474. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Changes in the Regulations Governing Migratory Bird Rehabilitation'' (RIN1018–AX09) received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC–6475. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Extended Carryback of Losses to or from a Consolidated Group'' ((TD 9490) (RIN1545–BJ12)) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Finance.

EC–6476. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Disaster Relief'' (Notice No. 2010–48) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Finance.

EC–6477. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Patient Protection and Affordable Care Act: Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, and Patient Protections'' ((TD 9491) (RIN1545–BJ61)) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Finance.

EC–6478. A communication from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development (USAID), transmitting, pursuant to law, the Agency's response to the GAO report entitled ''Information Security: Agencies Need to Implement Federal Desktop Core Configuration Requirements''; to the Committee on Foreign Relations.

EC–6479. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Patient Protection and Affordable Care Act: Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, and Patient Protections; Interim Final Rule'' (RIN1210–AB43) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6480. A communication from the Assistant General Counsel for Regulatory Services, Office of Management, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Availability of Information to the Public'' (RIN1880–AA84) received in the Office of the President of the Senate on June 25, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6481. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Research and Training Centers (RRTCs)—Improved Outcomes for Individuals with Psychiatric Disabilities'' (CFDA No. 84.133B–5) received in the Office of the President of the Senate on June 28, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6482. 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 ''Dental Devices: Classification of Dental Amalgam, Reclassification of Dental Mercury, Designation of Special Controls for Dental Amalgam, Mercury, and Amalgam Alloy; Technical Amendments'' (Docket No. FDA–2008–N–0163) received in the Office of the President of the Senate on June 25, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6483. A communication from the Program Manager, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Rules Under the Patient Protection and Affordable Care Act Regarding Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Prohibition on Discrimination in Favor of the Highly Compensated, and Patient Protections'' (RIN0991–AB69) received in the Office of the President of the Senate on June 23, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6484. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on June 25, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6485. 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 ''Carol M. White Physical Education Program; Catalog of Federal Domestic Assistance (CFDA) Number 84.215F'' received in the Office of the President of the Senate on June 29, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6486. A communication from the Acting Director of Interpretations and Regulatory Affairs Division, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Child Labor Regulations, Orders and Statements of Interpretation'' (RIN1215–AB70 and RIN1245–AA00) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6487. 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 ''Listing of Color Additives Exempt From Certification; Bismuth Citrate; Confirmation of Effective Date'' (Docket No. FDA–2008–C–0098) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6488. A communication from the Secretary of the Department of Health and Human Services, transmitting, pursuant to law, the fiscal year 2009 performance report to Congress relative to the Animal Generic Drug User Fee Act; to the Committee on Health, Education, Labor, and Pensions.

EC–6489. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Board's Annual Railroad Unemployment Insurance System Report; to the Committee on Health, Education, Labor, and Pensions.

EC–6490. A communication from the Deputy Archivist, Information Security Oversight Office, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''Classified National Security Information'' (RIN3095–AB63) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6491. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the Office's Federal Activities Inventory Reform Act Inventory Summary as of June 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6492. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report relative to the GAO report entitled ''Information Security: Agencies Need to Implement Federal Desktop Core Configuration Requirements (FDCC)''; to the Committee on Homeland Security and Governmental Affairs.

EC–6493. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010–0978); to the Committee on the Judiciary.

EC–6494. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Administrative Remedy Program: Exception to Initial Filing Procedures'' (RIN1120–AB59) received in the Office of the President of the Senate on June 29, 2010; to the Committee on the Judiciary.

EC–6495. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Trademark Technical and Conforming Amendments'' (RIN0651–AC39) received in the Office of the President of the Senate on June 25, 2010; to the Committee on the Judiciary.

EC–6496. A communication from the Deputy General Counsel, Office of Disaster Assistance, Small Business Administration,

transmitting, pursuant to law, the report of a rule entitled ''Disaster Assistance Loan Program'' (RIN3245–AF98) as received in the Office of the President of the Senate on June 25, 2010; to the Committee on Small Business and Entrepreneurship.

EC–6497. 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 ''1-Naphthaleneacetic Acid; Time-Limited Tolerance, Technical Correction'' (FRL No. 8831–6) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6498. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to two violations of the Antideficiency Act that occurred within the Department of the Army and was assigned case numbers 06–03 and 07–03; to the Committee on Appropriations.

EC–6499. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10–008, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–6500. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10–056, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–6501. A communication from the Acting Chairman of the Joint Chiefs of Staff, transmitting, pursuant to law, two reports relative to terrorist threats to military installations; to the Committee on Armed Services.

EC–6502. A communication from the Acting Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the operations of the National Defense Stockpile (NDS); to the Committee on Armed Services.

EC–6503. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report on the remaining obstacles to the efficient and timely circulation of $1 coins; to the Committee on Banking, Housing, and Urban Affairs.

EC–6504. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting, pursuant to law, a report on the Bank's system of internal controls for fiscal year 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–6505. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition of New Export Control Classification Number 6A981 Passive Infrasound Sensors to the Commerce Control List of the Export Administration Regulations, and Related Amendments'' (RIN0694–AE44) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6506. A communication from the Assistant Secretary of Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Annular Casing Pressure Management for Offshore Wells'' (RIN1010–AD47) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Energy and Natural Resources.

EC–6507. 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 ''Office of Management and Budget (OMB) Approvals Under the Paperwork Reduction Act; Technical Amendment'' (FRL No. 8833–7) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6508. 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 ''National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries'' (FRL No. 9169–7) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6509. 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 ''National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines'' (FRL No. 9169–6) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6510. 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 ''Regulation of Fuels and Fuel Additives: Modifications to Renewable Fuel Standard Program'' (FRL No. 9169–9) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6511. 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; California; Motor Vehicle Inspection and Maintenance Program'' (FRL No. 9112–8) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6512. 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; State of Iowa'' (FRL No. 9170–6) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6513. 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 ''Temporary Suspension of Certain Oil Spill Response Time Requirements to Support Deepwater Horizon Oil Spill of National Significance (SONS) Response'' (RIN1625–AB49 and RIN2050–AG63) received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC–6514. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to California State Implementation Plan, Imperial County Air Pollution Control District'' (FRL No. 9169–2) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Environment and Public Works.

EC–6515. 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 ''Finding of Attainment for PM10 for the Mendenhall Valley PM10 Nonattainment Area, Alaska'' (FRL No. 9171–4) received in the Office of the President of the Senate on June 30, 2010; to the Committee on Environment and Public Works.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committee were submitted:

By Mr. KERRY, from the Committee on Foreign Relations:

[Treaty Doc. 111–1 Tax Convention with Malta with 1 declaration (Ex . Rept. 111–3); and Treaty Doc. 111–3 Protocol Amending Tax Convention with New Zealand with 1 declaration (Ex. Rept. 111–4)]

The text of the committee-recommended resolutions of advice and consent to ratification are as follows:

111–1: TAX CONVENTION WITH MALTA

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration.

The Senate advises and consents to the ratification of the Convention Between the Government of the United States of America and the Government of Malta for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on August 8, 2008, at Valletta (the ''Convention'') (Treaty Doc. 111–1), subject to the declaration of section 2.

Section 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration:

The Convention is self-executing.

111–3: PROTOCOL AMENDING TAX CONVENTION WITH NEW ZEALAND

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration.

The Senate advises and consents to the ratification of the Protocol Amending the Convention between the United States of America and New Zealand for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on December 1, 2008, at Washington (the ''Protocol'') (Treaty Doc. 111–3), subject to the declaration of section 2.

Section 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration:

The Protocol is self-executing.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mrs. LINCOLN for the Committee on Agriculture, Nutrition, and Forestry.

*Elisabeth Ann Hagen, of Virginia, to be Under Secretary of Agriculture for Food Safety.

*Sara Louise Faivre-Davis, of Texas, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

*Lowell Lee Junkins, of Iowa, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

*Myles J. Watts, of Montana, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

*Catherine E. Woteki, of the District of Columbia, to be Under Secretary of Agriculture for Research, Education, and Economics.

By Mr. BAUCUS for the Committee on Finance.

*Francisco J. Sanchez, of Florida, to be Under Secretary of Commerce for International Trade.

*Richard Sorian, of New York, to be an Assistant Secretary of Health and Human Services.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BROWN of Massachusetts:

S. 3551. A bill to provide a fully offset extension of emergency unemployment insurance assistance, enhanced Medicaid FMAP reimbursements, and summer employment for youth, and for other purposes; to the Committee on Finance.

By Mr. ENSIGN (for himself, Mr. REID, Mr. HATCH, Mr. BEGICH, and Mr. BENNETT):

S. 3552. A bill to require an Air Force study on the threats to, and sustainability of, the air test and training range infrastructure; to the Committee on Armed Services.

By Ms. STABENOW (for herself, Mr. DURBIN, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. LEVIN, Mr. BROWN of Ohio, Mr. FRANKEN, Mr. BURRIS, Mrs. GILLIBRAND, and Mr. CASEY):

S. 3553. A bill to require the Secretary of the Army to study the feasibility of the hydrological separation of the Great Lakes and Mississippi River Basins; to the Committee on Environment and Public Works.

By Mr. MENENDEZ:

S. 3554. A bill to direct the Federal Trade Commission to promulgate rules prohibiting deceptive advertising of abortion services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON (for himself and Mr. THUNE):

S. 3555. A bill to designate the Federal building and United States courthouse located at 515 9th Street in Rapid City, South Dakota, as the ''Andrew W. Bogue Federal Building and United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. BROWNBACK (for himself and Mr. BOND):

S. 3556. A bill to amend the Internal Revenue Code of 1986 to allow the work opportunity credit to small businesses which hire individuals who are members of the Ready Reserve or National Guard; to the Committee on Finance.

By Mr. DODD (for himself, Mr. DURBIN, and Mr. KERRY):

S. 3557. A bill to provide for Kindergarten Plus programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD:

S. 3558. A bill to improve the No Child Left Behind Act of 2001, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD:

S. 3559. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen mentoring programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, and Mrs. GILLIBRAND):

S. 3560. A bill to instruct the Secretary of State to designate the Pakistani Taliban as a foreign terrorist organization; to the Committee on Foreign Relations.

By Mr. UDALL of New Mexico (for himself and Mr. WHITEHOUSE):

S. 3561. A bill to establish centers of excellence for green infrastructure, and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON of Nebraska:

S. 3562. A bill to rename the Homestead National Monument of America near Beatrice, Nebraska, as the Homestead National Historical Park; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself, Mr. BOND, and Mr. BAYH):

S. 3563. A bill to amend the Small Business Act to temporarily designate as a HUBZone counties that are most affected by a recession; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself and Mr. DEMINT):

S. Res. 575. A resolution congratulating the University of South Carolina baseball team for winning the 2010 NCAA Division I Baseball National Championship; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. Res. 576. A resolution expressing support for designation of June 30, 2010, as ''National ESIGN Day 2010''; considered and agreed to.

By Ms. MIKULSKI (for herself and Mr. CARDIN):

S. Res. 577. A resolution commemorating the remarkable life of patriotism, conviction, and compassion led by Chaplain Henry Vinton Plummer; considered and agreed to.

By Mr. BROWN of Ohio (for himself, Mr. LUGAR, Mrs. LINCOLN, Mr. CHAMBLISS, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. BENNET, Mr. COCHRAN, Mr. BAUCUS, and Mr. CASEY):

S. Res. 578. A resolution designating June 2010 as ''Summer Food Service Program Awareness Month''; considered and agreed to.

By Mr. WARNER (for himself, Mr. WEBB, Mrs. HAGAN, and Mr. BURR):

S. Con. Res. 66. A concurrent resolution to commemorate the 75th anniversary of the Blue Ridge Parkway; to the Committee on Energy and Natural Resources.

By Mr. VOINOVICH (for himself and Mrs. SHAHEEN):

S. Con. Res. 67. A concurrent resolution celebrating 130 years of United States—Romanian diplomatic relations, congratulating the Romanian people on their achievements as a great nation, and reaffirming the deep bonds of trust and values between the United States and Romania, a trusted and most valued ally; considered and agreed to.

ADDITIONAL COSPONSORS

S. 931

At the request of Mr. FEINGOLD, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 931, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1382

At the request of Mr. DODD, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1489

At the request of Ms. SNOWE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1489, a bill to amend the Small Business Act to create parity among small business contracting programs, and for other purposes.

S. 1624

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1624, a bill to amend title 11 of the United States Code, to provide protection for medical debt homeowners, to restore bankruptcy protections for individuals experiencing economic distress as caregivers to ill, injured, or disabled family members, and to exempt from means testing debtors whose financial problems were caused by serious medical problems, and for other purposes.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2747

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2765

At the request of Mr. KERRY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2765, a bill to amend the Small Business Act to authorize loan guarantees for health information technology.

S. 2814

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2814, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 2995

At the request of Mr. CARPER, the name of the Senator from Maryland (Mr. CARDIN) 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. 2998

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2998, a bill to temporarily expand the V nonimmigrant visa category to include Haitians whose petition for a family-sponsored immigrant visa was approved on or before January 12, 2010.

S. 3034

At the request of Mr. SCHUMER, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3062

At the request of Mr. CARPER, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 3062, a bill to extend credits related to the production of electricity from offshore wind, and for other purposes.

S. 3073

At the request of Mr. VOINOVICH, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3073, a bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes.

S. 3122

At the request of Mr. ENSIGN, the name of the Senator from Utah (Mr. HATCH) 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. 3211

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Program.

S. 3260

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3260, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 3320

At the request of Mr. WHITEHOUSE, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3462

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3462, a bill to provide subpoena power to the National Commission on the British Petroleum Oil Spill in the Gulf of Mexico, and for other purposes.

S. 3497

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3497, a bill to amend the Outer Continental Shelf Lands Act to require leases entered into under that Act to include a plan that describes the means and timeline for containment and termination of an ongoing discharge of oil, and for other purposes.

S. 3549

At the request of Mr. TESTER, the names of the Senator from Delaware (Mr. CARPER), the Senator from North Carolina (Mrs. HAGAN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 3549, a bill to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009.

S.J. RES. 29

At the request of Mrs. FEINSTEIN, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S.J. Res. 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. CON. RES. 63

At the request of Mr. JOHNSON, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. Con. Res. 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

AMENDMENT NO. 4425

At the request of Mr. ROCKEFELLER, his name was added as a cosponsor of amendment No. 4425 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4430

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 4430 intended to be proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BROWN of Massachusetts:

S. 3551. A bill to provide a fully offset extension of emergency unemployment insurance assistance, enhanced Medicaid FMAP reimbursements, and summer employment for youth, and for other purposes; to the Committee on Finance.

Mr. BROWN of Massachusetts. Mr. President, I rise to speak about legislation that I have introduced today in the Senate. The name of the bill is the Fiscally Responsible Relief for Our States Act of 2010.

As you know, over the past week, the Senate has vigorously debated three different versions of the extenders bill, and we will be debating a version of it again today. Even though it is true each of these packages contained extensions of programs important to all of our constituents, especially in these tough economic times—such as emergency unemployment benefits, which I know we are trying to work on again today; increased FMAP reimbursements; and funding for summer jobs for the youth throughout America—it is also true that each of these packages contained billions of dollars of tax increases for businesses, and each added billions to our record $13 trillion and rising national debt which our kids and grandkids and great-grandchildren will have a difficult time paying back, and they will have the responsibility to pay it back.

A lot of what I am proposing today in this bill, and other bills that we will probably be discussing, is whether we should use our bank account or we should put it on our credit card. That is all we are talking about. We are not talking about the viability of these proposals. Of course we want to help with summer jobs. Of course we want to help people who are hurting with unemployment insurance. Of course we want to provide FMAP and Medicaid reimbursements to help our struggling States. But do we use our checking account or do we use the credit card? I am in favor of using the checking account by using unallocated stimulus dollars, by finding other monies that are in the so-called slush funds that haven't been used in years or are still available or cutting across the board in various entities to come up with the money we need to fund these programs.

As I said, no one is disputing the value of these very important programs, especially in my home State of

Massachusetts, but throughout the country as well. Our economy has shown signs of slowly recovering, but people out of work certainly need some help to search for new employment and, as I said, States need help in providing funding for some of the most vulnerable in our population. But we also have to make tough choices, and we have to live within our means.

It is clear the American people want their elected Representatives in Congress to start paying for the initiatives and start exercising the type of fiscal responsibility as each and every citizen in Massachusetts and in America is already doing. They are looking to us for guidance to show a better way. They are challenging us to do it better, to look outside the box and pay for things with the checking account, not the credit card; to not continue to add to the debt, continuously adding to the debt.

As evidenced by what the Banking Committee chairman did—and he is sitting in the Chamber of the Senate—they thought about it a little better. They found a way to pay for the financial reform bill. They did better. They thought outside the box. Why can't we do the same?

Today I introduce the Fiscally Responsible Relief for Our States Act of 2010. It provides for an extension of emergency unemployment benefits through November 30, 2010. It also includes extension of enhanced FMAP reimbursements for States. But also, as has been previously discussed, it includes the gradual drawdown of the enhanced funding because we need to send a clear message to the State governments that they must get their own fiscal houses in order and they cannot always come to the Federal Government with a can saying: Please help us. So we need to ensure that we do the necessary reforms to ensure their future budgetary viability is real and so is that of the Federal Government.

Last, this proposal I am making provides important summer jobs—obviously summer is just starting—for the youth in our cities and towns.

The cost of extending these programs is fully paid for through the rescission of unobligated Federal funds including stimulus funding as well as cuts in other areas. In fact, my legislation reduces the deficit, all of this accomplished without raising taxes on businesses at a time they cannot afford it, or when our economy is just about to recover, putting more and more burdens on businesses and individuals in the middle of a 2-year recession. Some of these pay-fors are even provisions the majority party has supported in previous bills.

My legislation is an attempt to compromise, listening to the concerns of so many Americans who have called for us to extend these programs but also taking into consideration not burdening future generations. Some of them are sitting right here. It will allow us to provide for the needs of our citizens without putting more debt on the credit card. Once again, it is the checking account versus the credit card. Commending Senator DODD for what they did with the bill we are going to be discussing next week, that is a perfect example of thinking outside the box and finding a way to pay for a lot of these things we are trying to do. If we use these commonsense steps, we can get our fiscal house in order, and we will continue to put our country on the path to recovery.

Madam President, I have great respect for you and everyone in this Chamber. I have been in Washington a little over 5 months now. I have been following you and others—it seems that everybody is following my voting record. It speaks for itself in that I worked to work across party lines to solve problems. But the thing that is a problem is, it needs to be a two-way street. Bipartisanship is not just from the new Senator from Massachusetts. It needs to be with the majority party looking outside the box, as Senator DODD and his team did, to find a realistic solution to pay for a lot of these things the people are requesting, that they expect. But they also expect us to use fiscal sanity and fiscal responsibility to do our very best, to get the job done. It is not only good for Massachusetts, it is good for this Nation.

By Mr. DODD (for himself, Mr. DURBIN, and Mr. KERRY):

S. 3557. A bill to provide for Kindergarten Plus programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise today to reintroduce legislation to jump-start the chances for success of low-income children entering school. Today, I am introducing the Sandy Feldman Kindergarten Plus Act of 2010.

The Kindergarten Plus Act will provide children below 185 percent of the poverty line with additional time in school during the summers before and after the traditional kindergarten school year to ensure more children enter school ready to succeed.

Too many low-income children enter school unprepared because they have not had the same resources as their more affluent peers. As exhibited by the nation's achievement gap which is already well-established prior to kindergarten, it becomes difficult for them to ever catch-up.

We must do a better job of preparing less fortunate children for school. To do this, we should expose them to classroom practices, introduce them to critical educational concepts, and familiarize them with school activities such as story time or circle time. Ultimately, we need to provide them with a solid foundation that allows them to enter school with the skills necessary to become strong students.

Only 39 percent of low-income children, compared to about 85 percent of high-income children, can recognize letters of the alphabet upon arrival in kindergarten. Moreover, low-income children often have a more limited vocabulary. By the time they are in first grade, children in low-income families have on average 5,000 words in their vocabulary. In contrast, children from more affluent families enter school with vocabularies of about 20,000 words. These startling discrepancies should tell us that more needs to be done to help all children enter school with an equal opportunity for success. This legislation strives to provide these opportunities and to lessen the achievement gap by giving low-income children more support and exposure to quality education.

This legislation was named after Sandy Feldman who was a tireless advocate for children and public education. Her commitment to social justice and her focus on early childhood education led her to develop the concept for this legislation, and it was Sandy who spent countless hours developing the details to ensure this would be a high-quality initiative.

This bill is supported by the American Federation of Teachers. I urge my colleagues to join this effort and cosponsor this legislation. I encourage them to help give low-income children a jump-start on school success. .

By Mr. DODD:

S. 3558. A bill to improve the No Child Left Behind Act of 2001, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, 9 years ago I and many of my colleagues supported the No Child Left Behind Act because every American child deserves an education that opens up opportunities for success and prepares him or her for the 21st century economy.

Today, because the high hopes we had for this law have not been realized, I rise to reintroduce the No Child Left Behind Reform Act.

The objective of the law we passed nearly a decade ago was the right one. Students, parents, teachers, principals, and other stakeholders all agree that educators and schools should be held accountable for the results they are getting on behalf of our children.

But instead of rewarding excellence, No Child Left Behind has turned out to be a law that punishes our schools, further straining those that already were in need of help. At times, the law has been implemented rigidly and with little regard for what is actually going on in schools. The previous administration's repeated failure to live up to funding promises has robbed our efforts to improve our education system of the resources that would make success possible.

We can have accountability without a regime of draconian punishments for schools that fall behind. What we cannot have is an inflexible and unfunded mandate that fails school districts, teachers, and, worst of all, the very students whose futures are at stake.

Although the legislation I am introducing today does not deal with the issue of funding, I do want to note that it simply will not work if we treat education as anything less than an urgent budget priority. This administration has made a solid commitment to education funding, and I was pleased to see that commitment bear fruit in the form of funding through the Recovery Act.

I am also heartened to see that the administration supports comprehensive reform of No Child Left Behind. Reform does not mean repeal. The fundamental aim of the law was right. Accountability is as important now as it was when we passed the law.

The two main reforms my legislation makes are designed to enforce accountability with measures that accurately reflect student performance and to encourage better teacher performance without the imposition of mandates that make it harder to ensure that students are taught by qualified and dedicated educators.

First, my legislation will allow schools to be given credit for performing well on measures other than test scores when calculating student achievement.

Test scores are important measures of what students know. But they are not the only, or even necessarily the best, measures of how much progress a school's student body has made. Dropout rates, participation in advanced placement courses, individual student improvement over time—these are metrics that can tell us not just where students are, but how far they have come.

Unfortunately, current law only allows these measures to show how schools are failing, not to reflect how schools are succeeding. When more kids are taking advanced courses or fewer are dropping out, a school is doing something right—and it should receive credit for doing so.

Second, my legislation reforms the teacher certification process.

The next student, parent, or, indeed, teacher I meet who does not believe educators should be highly qualified will be the first. But under the current law, ''highly qualified'' is poorly defined.

For instance, a high school science teacher could be required to hold degrees in biology, physics, and chemistry to be considered highly qualified. In small schools where there may be only one 7th or 8th grade teacher teaching all subjects, these teachers could similarly be required to hold degrees in every subject area.

The result is a shortage of teachers and a surplus of confusion.

My bill will allow states to create a single assessment covering multiple subjects for middle school teachers and allow states to issue a broad certification for science and social studies.

No Child Left Behind was supposed to challenge our schools to do better. Instead, it has become an obstacle to progress, a struggle that often distracts from the business of education. As we reauthorize the law—and we should—we must reform it so that it encourages students, educators, and school administrators to do better instead of punishing them when they fall behind.

Every American child deserves to be taught by a great teacher in a great school. Until we reach that goal, we must always dedicate our time and resources towards helping students succeed. Until our laws are moving us towards that goal, we must continue to reform them.

I urge my colleagues to join me in supporting this important legislation.

By Mr. DODD:

S. 3559. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen mentoring programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, today I rise to introduce the Mentoring America's Children Act of 2010, which will help promote positive youth development for children.

Approximately 17.6 million young people, which is nearly half the population between ages 10 and 18, live in situations that put them at risk of not living up to their potential. Without intervention by caring adults, these young people could make choices that undermine their future as well as the economic and social well-being of our Nation.

Mentoring programs that provide youth with support, advice, friendship, positive reinforcement, and constructive examples have proved to be a powerful tool for enhancing positive development among youth. I, myself, was a mentor in the Big Brother Program in Connecticut, and I saw first-hand the impact these programs have on the children involved. Research has found that mentored youth have fewer school absences, better attitudes towards school, less drug and alcohol abuse, fewer incidents of hitting, better relationships with their parents, and more positive attitudes towards helping others. Mentored youth are also more likely to graduate from high school and go on to higher education. Thus, mentoring invests not only in the individual child, but our Nation's future success. However, approximately 14.6 million young people are in need of mentors; they are part of what we call our nation's ''mentoring gap.''

The Mentoring America's Children Act of 2010 amends the Elementary and Secondary Education Act of 1965 ESEA, in order to strengthen the mentoring program is several ways. First, it will update the purpose of the program to include character education and school connectedness, which has been found to reduce school absentee rates and improve academic performance. This bill broadens the scope of mentoring to include special populations such as indigenous youth, delinquent and neglected populations, and programs targeting middle and high school migrant youth. All of these special populations are at increased risk of not reaching their potential.

The Mentoring America's Children Act of 2010 also provides training and technical assistance to grantees, tracks student outcomes, and improves the sustainability of grant recipients. Finally, it strengthens the research related to school-based mentoring to help inform future mentoring programs in order to best meet the needs of our youth.

Mentoring plays a key role in improving the lives of youth, especially those from disadvantaged backgrounds. It is critical that we invest in our youth and help provide them with the opportunities to reach their potential. Thus, I urge my colleagues to join me in supporting the Mentoring America's Children Act of 2010. Together we can invest in the lives of our youth and improve the future of our nation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 575—CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA BASEBALL TEAM FOR WINNING THE 2010 NCAA DIVISION I BASEBALL NATIONAL CHAMPIONSHIP

Mr. GRAHAM (for himself and Mr. DEMINT) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 575

Whereas on June 29, 2010, the University of South Carolina Gamecocks won the 2010 NCAA College World Series with a 2-to-1 victory over the University of California, Los Angeles Bruins at Johnny Rosenblatt Stadium in Omaha, Nebraska;

Whereas the University of South Carolina baseball team has secured the University's first national championship in men's athletics since the founding of the institution in 1801;

Whereas the University of South Carolina baseball team won six straight games to win the national championship in the ninth appearance of the team at the College World Series;

Whereas the University of South Carolina Gamecocks won the final College World Series hosted at the historic Johnny Rosenblatt Stadium, which has hosted the College World Series since 1950;

Whereas Head Coach Ray Tanner has won his first national title as Head Coach in his fourteenth season at the University of South Carolina;

Whereas outfielder Jackie Bradley, Jr. was named Most Outstanding Player of the 2010 College World Series;

Whereas first baseman Christian Walker, outfielder Jackie Bradley, Jr., outfielder Evan Marzilli, and designated hitter Brady Thomas were named to the 2010 College World Series All-Tournament Team;

Whereas the State of South Carolina was proud to send two home teams, the University of South Carolina and Clemson University, to the 2010 College World Series; and

Whereas the University of South Carolina Gamecocks baseball team is the 2010 National Champion: Now, therefore, be it

Resolved, That the Senate—

(1) commends that University of South Carolina Gamecocks for winning the 2010 NCAA College World Series;

(2) recognizes the achievement and dedication of all players, coaches, and support staff who made winning the national championship possible;

(3) congratulates the citizens of South Carolina, the University of South Carolina, and Carolina Gamecock fans everywhere; and

(4) requests that the Secretary of the Senate submit an enrolled copy of this resolution to—

(A) Dr. Harris Pastides, President of the University of South Carolina;

(B) Eric Hyman, Director of Athletics at the University of South Carolina; and

(C) Ray Tanner, Head Coach of the University of South Carolina baseball team.

Mr. GRAHAM. Mr. President, I rise to celebrate tonight that last night the University of South Carolina won the College World Series. I never thought I would live long enough to hear myself say that.

I have been a Gamecocks fan since high school. I went to the University of South Carolina, and there is no group of people who loves sports and their university more than the University of South Carolina, but we have been a long-suffering group.

We have been waiting for next year every year I can remember, and we have knocked on the door and the door has never opened. But this group of young men and Coach Tanner of the University of South Carolina baseball team were down and out, one strike away from elimination, lost the first game, and made it all the way through to beat great teams such as Clemson. Last night's game, if you watched it—it was over about 12:30—was a nail-biter. It was probably the best example of college baseball I have ever seen, amateur athletics. And what a fitting tribute to Rosenblatt Stadium for that to be the last game. It was a well-played game. To the opponents at UCLA, I know your heart was broken, but you acquitted yourself well.

I rise on behalf of the University of South Carolina, my alma mater, and the State of South Carolina to let people in South Carolina and throughout the country know that we finally did it, that this group of young men pitched incredibly well, had timely hits, and never gave up. It was about a lot more than baseball to the people in South Carolina. To those who have been following Gamecock sports, there is the legend of the chicken curse, that our mascot is a gamecock fighting chicken and we have been cursed because of that. I am here to tell you on the Senate floor tonight that the chicken curse is over. Long live the Gamecock Nation.

To my friends at Clemson—I live 5 miles away from the baseball stadium at Clemson University—your day is coming. It won't be long before I will be able to take this floor and celebrate Clemson University's winning of the College World Series.

Upon the passing of ROBERT C. BYRD, this body and this country has lost a great public servant.

To the people of South Carolina, we have something to be proud of.

As we go into the holiday season—the July 4th holiday is right around the corner—let's remember what it is all about: the birth of our Nation. I will be going to Afghanistan and Iraq, having the Fourth of July celebration with our troops. I ask every American to keep them in their prayers because what we are going to do on the Fourth of July, being with our family and friends, is only made possible because of their sacrifice.

Mr. President, I wish you and your family a great holiday.

SENATE RESOLUTION 576—EXPRESSING SUPPORT FOR DESIGNATION OF JUNE 30, 2010, AS ''NATIONAL ESIGN DAY 2010''

Mrs. MURRAY (for herself and Ms. CANTWELL) submitted the following resolution; which was considered and agreed to:

S. RES. 576

Whereas the Electronic Signatures in Global and National Commerce Act (ESIGN) (15 U.S.C. 7001 et seq.) was enacted on June 30, 2000, to ensure that a signature, contract, or other record relating to a transaction may not be denied legal effect, validity, or enforceability solely because the signature, contract, or other record is in electronic form;

Whereas in that Act, Congress directed the Secretary of Commerce to take all actions necessary to eliminate or reduce, to the maximum extent possible, the impediments to commerce in electronic signatures, for the purpose of facilitating the development of interstate and foreign commerce; and

Whereas June 30, 2010, marks the 10th anniversary of the enactment of ESIGN and would be an appropriate date to designate as ''National ESIGN Day 2010'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of a ''National ESIGN Day 2010'';

(2) recognizes the contribution made by Congress in the Electronic Signatures in Global and National Commerce Act (ESIGN) (15 U.S.C. 7001 et seq.) to the adoption of modern solutions that keep the United States on the leading technological edge; and

(3) reaffirms the commitment of the Senate to facilitating interstate and foreign commerce in an increasingly digital world.

SENATE RESOLUTION 577—COMMEMORATING THE REMARKABLE LIFE OF PATRIOTISM, CONVICTION, AND COMPASSION LED BY CHAPLAIN HENRY VINTON PLUMMER

Ms. MIKULSKI (for herself and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 577

Whereas Henry Vinton Plummer was born into slavery on July 31, 1844, in Prince George's County, Maryland and escaped from slavery to serve honorably in the U.S. Navy during the Civil War;

Whereas Henry Plummer was assigned in 1864 to the Union gunboat U.S.S. Coeur de Lion, which engaged numerous Confederate ships trying to run Union blockades in the Chesapeake Bay and its tributaries during the Civil War;

Whereas after being honorably discharged from the Navy in 1865, Henry Plummer studied to become a minister, and felt called to serve again in the United States military;

Whereas in 1866, the 39th Congress passed legislation to establish African-American military units and stipulated that a chaplain be assigned to each regiment;

Whereas in July 1884, Henry Plummer was appointed the first African-American chaplain in the United States Regular Army with a military rank equivalent of Captain;

Whereas Chaplain Plummer served for more than 10 years with the Ninth Cavalry and was stationed at Army forts in Kansas, Wyoming, and Nebraska;

Whereas during his time in uniform, Chaplain Plummer worked to improve education and voter participation and reduce the temptation of gambling, drunkenness, and prostitution among soldiers under his ministry;

Whereas Chaplain Plummer fought racism and other injustices of the time while serving his country with the Ninth Calvary;

Whereas Chaplain Plummer's records in Fort Riley and Fort Robinson noted that he performed admirably in his work among soldiers and in his efforts on behalf of their spiritual well-being;

Whereas Chaplain Plummer endured racial bias and animosity throughout his time in uniform, including being denied officer housing and being forced to live among enlisted personnel despite holding the Army officer rank equivalent of Captain;

Whereas in 1894, Chaplain Plummer was court-martialed, convicted, and dismissed from the Army under circumstances tainted by racial and personal animus;

Whereas the Army Board for Correction of Military Records concluded that personal grudges and racial bias were driving factors that led to Chaplain Plummer's court-martial;

Whereas the Army Board for Correction of Military Records noted evidence that shows Chaplain Plummer served his country well and was a highly respected and admired officer;

Whereas in 2005, the Army Board for Correction of Military Records changed the status of Chaplain Plummer's military discharge to ''honorable'';

Whereas despite the unfair and racially charged atmosphere that led to Chaplain Plummer's conviction and discharge, he continued to ask for reinstatement in the military out of a desire to serve his country;

Whereas Chaplain Plummer was a devoted family man, minister, veteran, and community leader committed to the principles of liberty and opportunity for which the United States stands; and

Whereas Chaplain Plummer rose from the depths of slavery to remarkable heights, and led a life of selfless contributions to his country: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the life and patriotism of Chaplain Henry Vinton Plummer;

(2) expresses its admiration for Chaplain Plummer for his perseverance and resolve in the face of racial oppression in the military history of the United States; and

(3) congratulates Chaplain Plummer's extended family for their work to commemorate his life of devotion to helping others while overcoming tremendous adversity.

SENATE RESOLUTION 578—DESIGNATING JUNE 2010 AS ''SUMMER FOOD SERVICE PROGRAM AWARENESS MONTH''

Mr. BROWN of Ohio (for himself, Mr. LUGAR, Mrs. LINCOLN, Mr. CHAMBLISS, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. BENNET, Mr. COCHRAN, Mr. BAUCUS, and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 578

Whereas the Summer Food Service Program provides healthy, nutritious meals to an average 2,900,000 children each weekday during the summer;

Whereas there are 34,700 feeding sites in low-income neighborhoods located at churches, schools, parks, recreation centers, and summer camps in all 50 States;

Whereas thousands volunteer at summer feeding sites;

Whereas summer feeding programs play an important role in providing safe places for children and teenagers to engage in physical activity and provide educational opportunities to spur learning during the summer months;

Whereas data from the Department of Agriculture has shown rates of hunger and food insecurity among school-age children increase during the summer months;

Whereas of the 19,500,000 children receiving free or reduced priced meals through the National School Lunch Program, only 1 in 9 receive meals at a summer feeding site on an average day;

Whereas there are only 34 summer food sites for every 100 school lunch programs; and

Whereas many low-income, food insecure children in rural areas lack access to summer feeding locations: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 2010 as ''Summer Food Service Program Awareness Month'';

(2) encourages schools, nonprofit institutions, churches, parks, recreation centers, and summer camps to sponsor summer feeding sites in their communities; and

(3) encourages schools, local businesses, nonprofit institutions, churches, cities, and State governments to raise awareness of the availability of summer feeding sites and support efforts to increase participation of children who might otherwise go without meals if not for the Summer Food Service Program.

SENATE CONCURRENT RESOLUTION 66—TO COMMEMORATE THE 75TH ANNIVERSARY OF THE BLUE RIDGE PARKWAY

Mr. WARNER (for himself, Mr. WEBB, Mrs. HAGAN, and Mr. BURR) submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 66

Whereas the Blue Ridge Parkway links the Great Smoky Mountains National Park to the Shenandoah National Park, providing 469 scenic miles for motor recreation along the crest of the Blue Ridge Mountains in North Carolina and Virginia;

Whereas North Carolina state geologist Joseph Hyde Pratt first proposed a scenic road along the Blue Ridge Mountains in 1906;

Whereas on November 24, 1933, at the recommendation of Virginia Senator Harry Byrd, Secretary of the Interior Harold Ickes approved construction of the new highway to connect the Great Smoky Mountains National Park with the Shenandoah National Park;

Whereas on September 11, 1935, construction began on the first 12.5 mile section of the Blue Ridge Parkway near Cumberland Knob in North Carolina;

Whereas Stanley L. Abbott is widely remembered as the ''father of the Blue Ridge Parkway'' for his work to oversee planning of the project;

Whereas the Blue Ridge Parkway was established by Congress as a unit of the National Park Service on June 30, 1936;

Whereas the National Park Service development program, ''Mission 66'', oversaw the completion of most remaining gaps along the Blue Ridge Parkway during the 1950s and 1960s;

Whereas the final stretch of the Blue Ridge Parkway was completed in 1987 with the construction of the Linn Cove Viaduct;

Whereas the Blue Ridge Parkway provides recreational opportunities for families in the United States at picnic areas and campgrounds and on scenic drives through the Appalachian mountain passes;

Whereas the diverse topography and numerous vista points along the Blue Ridge Parkway make the road the most accessible way to visit and experience the Southern Appalachian rural landscape and mountains;

Whereas the Parkway is world-renowned for biodiversity, including 74 species of mammals, 50 species of salamanders, 35 species of reptiles, 159 species of birds, and 25 species of fish;

Whereas the Blue Ridge Parkway is the most visited unit of the National Park Service with nearly 20 million visitors each year;

Whereas the Blue Ridge Parkway promotes regional travel and tourism by unifying the 29 counties through which the road passes, engendering a shared regional identity, providing a common link of interest, and contributing to the economic vitality of the area;

Whereas the Blue Ridge Parkway is one of the strongest economic engines in the Southern Appalachian region, generating an estimated $23,000,000,000 in North Carolina and Virginia annually;

Whereas the Blue Ridge Parkway has received volunteer support from thousands of North Carolinians and Virginians, including 1,400 volunteers in 2008 who provided a total of more than 50,000 hours of service;

Whereas the Blue Ridge Parkway is a great public works achievement that maintains natural, historic, and cultural significance for the people of North Carolina and Virginia; and

Whereas this crown jewel of the National Park Service deserves the support of Congress to preserve the ecological and cultural integrity, maintain the infrastructure, and protect the famously scenic views of the Parkway: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) commemorates the 75th anniversary of the Blue Ridge Parkway; and

(2) acknowledges the historic and enduring scenic, recreational, and economic value of this unique national treasure.

SENATE CONCURRENT RESOLUTION 67—CELEBRATING 130 YEARS OF UNITED STATES-ROMANIAN DIPLOMATIC RELATIONS, CONGRATULATING THE ROMANIAN PEOPLE ON THEIR ACHIEVEMENTS AS A GREAT NATION, AND REAFFIRMING THE DEEP BONDS OF TRUST AND VALUES BETWEEN THE UNITED STATES AND ROMANIA, A TRUSTED AND MOST VALUED ALLY

Mr. VOINOVICH (for himself and Mrs. SHAHEEN) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 67

Whereas the United States established diplomatic relations with Romania in June 1880;

Whereas the United States and Romania are two countries united by shared values and a strong commitment to freedom, democracy, and prosperity;

Whereas Romania has shown, for the past 20 years, remarkable leadership in advancing security and democratic principles in Eastern Europe, the Western Balkans, and the Black Sea region, and has amply participated to the forging of a wider Europe, whole and free;

Whereas Romania's commitment to meeting the greatest responsibilities and challenges of the 21st century is and has been reflected by its contribution to the international efforts of stabilization in Afghanistan and Iraq, its decision to participate in the United States missile defense system in Europe, its leadership in regional nonproliferation and arms control, its active pursuit of energy security solutions for South Eastern Europe, and its substantial role in shaping a strong and effective North Atlantic Alliance;

Whereas the strategic partnership that exists between the United States and Romania has greatly advanced the common interests of the United States and Romania in promoting transatlantic and regional security and free market opportunities, and should continue to provide for more economic and cultural exchanges, trade and investment, and people-to-people contacts between the United States and Romania;

Whereas the talent, energy, and creativity of the Romanian people have nurtured a vibrant society and nation, embracing entrepreneurship, technological advance and innovation, and rooted deeply in the respect for education, culture, and international cooperation; and

Whereas Romanian Americans have contributed greatly to the history and development of the United States, and their rich cultural heritage and commitment to furthering close relations between Romania and the United States should be properly recognized and praised: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) celebrates the 130th anniversary of United States-Romanian diplomatic relations;

(2) congratulates the Romanian people on their achievements as a great nation; and

(3) reaffirms the deep bonds of trust and values between the United States and Romania.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4431. Mr. COCHRAN (for himself, Ms. LANDRIEU, and Mr. WICKER) submitted an

amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table.

SA 4432. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4433. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4434. Ms. CANTWELL (for herself, Mr. VITTER, Mrs. MURRAY, Ms. STABENOW, and Mr. INOUYE) submitted an amendment intended to be proposed by her to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4435. Mrs. HAGAN submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4436. Mr. CARDIN (for himself, Mr. BURRIS, and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4437. Mr. NELSON of Florida (for himself, Ms. LANDRIEU, Mr. WICKER, Mr. VITTER, Mr. COCHRAN, and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4438. Mr. SANDERS (for himself, Mr. GRASSLEY, Mr. HARKIN, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4439. Mr. SANDERS (for himself, Mr. BROWN of Ohio, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4440. Mr. SANDERS (for himself, Mr. BROWN of Ohio, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4441. Mrs. SHAHEEN (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4442. Mr. BURRIS submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4443. Mr. UDALL of Colorado (for himself, Mr. SCHUMER, Mr. REID, Mr. LIEBERMAN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. SANDERS, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4444. Mr. REID (for himself, Mr. CRAPO, Mr. ENSIGN, Mr. LIEBERMAN, Mrs. SHAHEEN, Mrs. LINCOLN, Mr. TESTER, Ms. STABENOW, Mr. WICKER, and Mr. COBURN) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4445. Ms. KLOBUCHAR (for herself, Mr. LEMIEUX, Mr. KERRY, Mrs. SHAHEEN, and Mr. NELSON of Florida) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4446. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4447. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4448. Mr. MERKLEY (for himself and Mr. BOND) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4431. Mr. COCHRAN (for himself, Ms. LANDRIEU, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 128, between lines 19 and 20, insert the following:

SEC. 1704. DISASTER LOANS PROGRAM ACCOUNT.

(a) IN GENERAL.—From unobligated balances in the appropriations account appropriated under the heading ''DISASTER LOANS PROGRAM ACCOUNT'' under the heading ''SMALL BUSINESS ADMINISTRATION'', up to $100,000,000 shall be available to the Administrator of the Small Business Administration (in this section referred to as the ''Administrator'') to waive the payment, for a period of not more than 3 years, of not more than $15,000 in interest on loans made under section 7(b) of the Small Business Act (15 U.S.C. 636(b)) to businesses located in an area affected by a hurricane occurring during 2005 or 2008 for which the President declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(b) PRIORITY.—The Administrator shall, to the extent practicable, give priority to an application for a waiver of interest under the program established under this section by a small business concern (as defined under section 3 of the Small Business Act (15 U.S.C. 632)) with not more than 50 employees or that the Administrator determines suffered a substantial economic injury as a result of the discharge of oil that began in April 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit *Deepwater Horizon* (in this section referred to as the ''Deepwater Horizon oil spill'').

(c) TERMINATION.—The Administrator may not approve an application under the program established under this section after December 31, 2010.

(d) OTHER DISASTERS.—If a disaster is declared under section 7(b) of the Small Business Act (15 U.S.C.636(b)) during the period beginning on the date of enactment of this Act and ending on December 31, 2010, and to the extent there are inadequate funds in the appropriations account described in subsection (a) to provide assistance relating to the disaster under section 7(b) of the Small Business Act and waive the payment of interest under the program established under this section, the Administrator shall give priority in using the funds to applications under section 7(b) of the Small Business Act relating to the disaster.

(e) REIMBURSEMENT BY RESPONSIBLE PARTY.—The Administrator may present a claim to the responsible party (as defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) for costs and expenses described in section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)) relating to a waiver of interest under this section for a business suffering a substantial economic injury as a result of the Deepwater Horizon oil spill of 2010 in accordance with section 1013 of the Oil Pollution Act of 1990 (33 U.S.C. 2713).

(f) BUDGETARY PROVISION.—This section is designated as an emergency for purposes of pay-as-you-go principles. The amount made available under this section is designated as an emergency requirement pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010. The amount made available under this section is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g)).

SA 4432. Mr. BEGICH submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:

PART V—OTHER PROVISIONS

SEC. _____. ENCOURAGEMENT OF CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES BY NATIVE CORPORATIONS.

(a) IN GENERAL.—Paragraph (2) of section 170(b) of the Internal Revenue Code of 1986 is amended by redesignating subparagraph (C)

as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) QUALIFIED CONSERVATION CONTRIBUTIONS BY CERTAIN NATIVE CORPORATIONS.—

''(i) IN GENERAL.—Any qualified conservation contribution (as defined in subsection (h)(1)) which—

''(I) is made by a Native Corporation, and

''(II) is a contribution of property which was land conveyed under the Alaska Native Claims Settlement Act,

shall be allowed to the extent that the aggregate amount of such contributions does not exceed the excess of the taxpayer's taxable income over the amount of charitable contributions allowable under subparagraph (A).

''(ii) LIMITATION.—This subparagraph shall not apply to any contribution of property described in clause (i)(II) which, by itself or when aggregated to any other property to which this subparagraph applies, is a contribution of more than 10 percent of the land conveyed to the Native Corporation described in clause (i)(I) under the Alaska Native Claims Settlement Act.

''(iii) CARRYOVER.—If the aggregate amount of contributions described in clause (i) exceeds the limitation of clause (i), such excess shall be treated (in a manner consistent with the rules of subsection (d)(2)) as a charitable contribution to which clause (i) applies in each of the 5 succeeding years in order of time.

''(iv) DEFINITION.—For purposes of this subparagraph, the term 'Native Corporation' has the meaning given such term by section 3(m) of the Alaska Native Claims Settlement Act.

''(v) TERMINATION.—This subparagraph shall not apply to any contribution in any taxable year beginning after December 31, 2010.''.

(b) CONFORMING AMENDMENT.—Section 170(b)(2)(A) of such Code is amended by striking ''subparagraph (B) applies'' and inserting ''subparagraphs (B) or (C) apply''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made after the date of the enactment of this Act.

(d) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to modify any existing property rights conveyed to Native Corporations (withing the meaning of section 3(m) of the Alaska Native Claims Settlement Act) under such Act.

SEC. _____. INCREASE IN PENALTY FOR FAILURE TO FILE A PARTNERSHIP OR S CORPORATION RETURN.

(a) IN GENERAL.—Sections 6698(b)(1) and 6699(b)(1) of the Internal Revenue Code of 1986 are each amended by striking ''$195'' and inserting ''$205''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns for taxable years beginning after December 31, 2010.

SA 4433. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

After part IV of subtitle A of title II, insert the following:

PART V—ENERGY

SEC. —. INCENTIVES FOR BIODIESEL AND RENEWABLE DIESEL.

(a) CREDITS FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.—Subsection (g) of section 40A of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR BIODIESEL AND RENEWABLE DIESEL FUEL MIXTURES.—

(1) Paragraph (6) of section 6426(c) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(2) Subparagraph (B) of section 6427(e)(6) of such Code is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2009.

SA 4434. Ms. CANTWELL (for herself, Mr. VITTER, Mrs. MURRAY, Ms. STABENOW, and Mr. INOUYE) submitted an amendment intended to be proposed by her to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle A of title II, insert the following:

SEC. —. REPEAL OF QUALIFIED SHIPPING INVESTMENT WITHDRAWAL RULES.

(a) IN GENERAL.—Section 955 of the Internal Revenue Code of 1986 is hereby repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 951(a)(1)(A) of the Internal Revenue Code of 1986 is amended by adding ''and'' at the end of clause (i) and by striking clause (iii).

(2) Section 951(a)(1)(A)(ii) of such Code is amended by striking '', and'' at the end and inserting '', except that in applying this clause amounts invested in less developed country corporations described in section 955(c)(2) (as so in effect) shall not be treated as investments in less developed countries.''.

(3) Section 951(a)(3) of such Code is hereby repealed.

(4) Section 964(b) of such Code is amended by striking '', 955,''.

(5) The table of sections for subpart F of part III of subchapter N of chapter 1 of such Code is amended by striking the item relating to section 955.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of controlled foreign corporations ending on or after the date of the enactment of this Act, and to taxable years of United States shareholders in which or with which such taxable years of controlled foreign corporations end.

SEC. —. TAX IMPOSED ON ELECTING UNITED STATES SHAREHOLDERS.

(a) IN GENERAL.—In the case of a United States shareholder for which an election is in effect under this section, a tax is hereby imposed on such shareholder's pro rata share (determined under the principles of paragraph (2) of subsection (a) of section 951 of the Internal Revenue Code of 1986) of the sum of—

(1) the foreign base company shipping income (determined under section 954(f) of the Internal Revenue Code of 1986 as in effect before the enactment of the American Jobs Creation Act of 2004) for all prior taxable years beginning after 1975 and before 1987, and

(2) income described in section 954(b)(2) of the Internal Revenue Code as in effect prior to the effective date of the Tax Reform Act of 1975, without regard to whether such income was not included in subpart F income under section 954(b)(2) or any other provision of such Code,

but only to the extent such income has not previously been included in the gross income of a United States person as a dividend or under any section of the Internal Revenue Code after 1962, or excluded from gross income pursuant to subsection (a) of section 959 of the Internal Revenue Code of 1986.

(b) AMOUNT OF TAX.—The amount of tax imposed by subsection (a) shall be 5.25 percent of the income described therein.

(c) INCOME NOT SUBJECT TO FURTHER TAX.—The income on which a tax is imposed by subsection (a) shall not (other than such tax) be included in the gross income of such United States shareholder (or any other United States person who acquires from any person any portion of the interest of such United States shareholder in such foreign corporation) and shall be treated for purposes of the Internal Revenue Code of 1986 as if such amounts are, or have been, included in the income of the United States shareholder under section 951(a)(1)(B).

(d) ADDITIONAL TAX IMPOSED FOR FAILURE TO MAINTAIN EMPLOYMENT LEVELS.—

(1) IN GENERAL.—If, during the period consisting of the calendar month in which the election under this section is made and the succeeding 23 calendar months, the taxpayer does not maintain an average employment level at least equal to the taxpayer's prior average employment, an additional amount shall be taken into account as income by the taxpayer during the taxable year that includes the final day of such period, equal to $25,000 multiplied by the number of employees by which the taxpayer's average employment level during such period falls below the prior average employment.

(2) PRIOR AVERAGE EMPLOYMENT.—For purposes of this subsection, the taxpayer's prior average employment is the average number of full time equivalent employees of the taxpayer during the period consisting of the 24 calendar months immediately preceding the calendar month in which the election under this section is made.

(3) AGGREGATION RULES.—In determining the taxpayer's average employment level and prior average employment, all domestic members of a controlled group (as defined in section 264(e)(5)(B) of the Internal Revenue Code of 1986) shall be treated as a single taxpayer.

(e) ELECTION.—

(1) IN GENERAL.—A taxpayer may elect to apply this section to—

(A) the taxpayer's last taxable year which begins before the date of the enactment of this Act, or

(B) the taxpayer's first taxable year beginning on or after such date.

(2) TIMING OF ELECTION AND ONE-TIME ELECTION.—Such election may be made only once by any taxpayer, and only if made on or before the due date (including extensions) for filing the return of tax for the taxable year of such election.

(f) EFFECTIVE DATE.—This section shall apply to taxable years ending on or after the date of the enactment of this Act.

SA 4435. Mrs. HAGAN submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms.

LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 11 and 12, insert the following:

SEC. 1210. CERTAIN CEILING FANS.

(a) IN GENERAL.—Heading 9902.84.14 of the Harmonized Tariff Schedule of the United States is amended by striking ''12/31/2009'' and inserting ''12/31/2012''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) applies with respect to goods entered or withdrawn from warehouse for consumption, on or after the 15th day after the enactment of this Act.

(2) RETROACTIVE APPLICATION TO CERTAIN ENTRIES.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with U.S. Customs and Border Protection before the 90th day after the date of the enactment of this Act, any entry, or withdrawal from warehouse for consumption, of any goods described in heading 9902.84.14 of the Harmonized Tariff Schedule of the United States (as added by subsection (a) that was made—

(A) after December 31, 2009; and

(B) before the 15th day after the date of the enactment of this Act;

shall be liquidated or reliquidated as though the amendment made by subsection (a) applied to such entry or withdrawal.

SA 4436. Mr. CARDIN (for himself, Mr. BURRIS, and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 113, between lines 17 and 18, insert the following:

SEC. 1348. SECTION 8(a) IMPROVEMENTS.

(a) PROGRAMS FOR SOCIALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS.—

(1) NET WORTH THRESHOLD.—

(A) IN GENERAL.—Section 8(a)(6)(A) of the Small Business Act (15 U.S.C. 637(a)(6)(A)) is amended—

(i) by inserting ''(i)'' after ''(6)(A)'';

(ii) by striking ''In determining the degree of diminished credit'' and inserting the following:

''(ii)(I) In determining the degree of diminished credit'';

(iii) by striking ''In determining the economic disadvantage'' and inserting the following:

''(iii) In determining the economic disadvantage''; and

(iv) by inserting after clause (ii)(I), as so designated by this section, the following:

''(II)(aa) Not later than 1 year after the date of enactment of the Small Business Jobs Act of 2010, the Administrator shall—

''(AA) assign each North American Industry Classification System industry code to a category described in item (cc); and

''(BB) for each category described in item (cc), establish a maximum net worth for the socially disadvantaged individuals who own or control small business concerns in the category that participate in the program under this subsection.

''(bb) The maximum net worth for a category described in item (cc) shall be not less than the modified net worth limitations established by the Administrator under section 1348(a)(2) of the Small Business Jobs Act of 2010.

''(cc) The categories described in this item are—

''(AA) manufacturing;

''(BB) construction;

''(CC) professional services; and

''(DD) general services.

''(III) The Administrator shall establish procedures that—

''(aa) account for inflationary adjustments to, and include a reasonable assumption of, the average income and net worth of the owners of business concerns that are dominant in the field of operation of the business concern; and

''(bb) require an annual inflationary adjustment to the average income and maximum net worth requirements under this clause.

''(IV) In determining the assets and net worth of a socially disadvantaged individual under this subparagraph, the Administrator shall not consider any assets of the individual that are held in a qualified retirement plan, as that term is defined in section 4974(c) of the Internal Revenue Code of 1986.''.

(B) TEMPORARY INFLATIONARY ADJUSTMENT.—

(i) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator shall modify the net worth limitations established by the Administrator for purposes of the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) by adjusting the amount of the net worth limitations for inflation during the period beginning on the date on which the Administrator established the net worth limitations and the date of enactment of this Act.

(ii) TERMINATION.—The Administrator shall apply the net worth limitations established under clause (i) until the effective date of the net worth limitations established by the Administrator under clause (ii)(II) of section 8(a)(6)(A) of the Small Business Act (15 U.S.C. 637(a)(6)(A)), as added by this paragraph.

(C) TRANSITION PERIOD.—Section 7(j)(15) of the Small Business Act (15 U.S.C. 636(j)(15)) is amended—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(D) by striking ''Subject to'' and inserting ''(A) Except as provided in subparagraph (B), and subject to''; and

(E) by adding at the end the following:

''(B)(i) A small business concern may receive developmental assistance under the Program and contracts under section 8(a) during the 3-year period beginning on the date on which the small business concern graduates—

''(I) because the small business concern has participated in the Program for the total period authorized under subparagraph (A); or

''(II) under section 8(a)(6)(C)(ii), because the socially disadvantaged individuals who own or control the small business concern have a net worth that is more than the maximum net worth established by the Administrator.

''(ii) After the end of the 3-year period described in clause (i), a small business concern described in clause (i)—

''(I) may not receive developmental assistance under the Program or contracts under section 8(a); and

''(II) may continue to perform and receive payment under a contract received by the small business concern under section 8(a) before the end of the period, under the terms of the contract.''.

(2) GAO STUDY.—Section 8(a) of the Small Business Act (15 U.S.C. 637(a)) is amended by adding at the end the following:

''(22) REVIEW OF EFFECTIVENESS.—

''(A) GAO STUDY.—Not later than 5 years after the date of enactment of this paragraph, and every 5 years thereafter, the Comptroller General of the United States shall—

''(i) conduct an evaluation of the effectiveness of the program under this subsection, including an examination of—

''(I) the number and size of contracts applied for, as compared to the number received by, small business concerns after successfully completing the program;

''(II) the percentage of small business concerns that continue to operate during the 3-year period beginning on the date on which the small business concerns successfully complete the program;

''(III) whether the business of small business concerns increases during the 3-year period beginning on the date on which the small business concerns successfully complete the program; and

''(IV) the number of training sessions offered under the program; and

''(ii) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding each evaluation under clause (i).

''(B) SBA REPORT.—Not later than 1 year after the date of enactment of this paragraph, and every year thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report evaluating the program under this section, including an assessment of—

''(i) the regulations promulgated to carry out the program;

''(ii) online training under the program; and

''(iii) whether the structure of the program is conducive to business development.''.

(3) REPORT ON FRAUD DETECTION.—Not later than 90 days after the date of enactment of this Act, the Administrator shall—

(A) assess the workload of business development specialists of the Administration;

(B) evaluate the use of fraud detection tools, such as the use of data mining techniques and provide additional financial and analytical training for business development specialists of the Administration;

(C) propose amendments to regulations and operational changes that would closely evaluate an applicant to participate in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) if a family member of the applicant is, or has been, a participant in the program under section 8(a) of the Small Business Act providing the same type of supplies or services as the applicant;

(D) review the regulations relating to economic disadvantage with respect to the income and asset levels of an applicant for or participant in the program under section 8(a) of the Small Business Act at the time of application and annual certification; and

(E) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the assessment, evaluation, proposals, and review under this paragraph.

(b) SURETY BOND PILOT PROGRAM.—

(1) DEFINITIONS.—In this subsection—

(A) the terms ''bid bond'', ''payment bond'', ''performance bond'', and ''surety'' have the meanings given those terms in section 410 of the Small Business Investment Act of 1958 (15 U.S.C. 694a);

(B) the term ''Board'' means the pilot program advisory board established under paragraph (4)(A);

(C) the term ''eligible small business concern'' means a socially and economically disadvantaged small business concern that is participating in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(D) the term ''Fund'' means the Small Business Surety Bond Pilot Program Fund established under paragraph (5)(A);

(E) the term ''graduated'' has the meaning given that term in section 7(j)(10)(H) of the Small Business Act (15 U.S.C. 636(j)(10)(H));

(F) the term ''pilot program'' means the surety bond pilot program established under paragraph (2)(A); and

(G) the term ''socially and economically disadvantaged small business concern'' has the meaning given that term in section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

(2) PROGRAM.—

(A) IN GENERAL.—The Administrator shall establish a surety bond pilot program under which the Administrator may guarantee any surety against loss resulting from a breach of the terms of a bid bond, payment bond, performance bond, or bonds ancillary thereto, by an eligible small business concern.

(B) APPLICATION.—An eligible small business concern desiring a guarantee under the pilot program shall submit an application at such time, in such manner, and accompanied by such information as the Administrator may require.

(C) REVIEW.—A surety desiring a guarantee under the pilot program against loss resulting from a breach of the terms of a bid bond, payment bond, performance bond, or bonds ancillary thereto by an eligible small business concern shall—

(i) submit to the Administrator a report evaluating whether the eligible small business concern meets such criteria as the Administrator may establish relating to whether a bond should be issued to the eligible small business concern; and

(ii) if the Administrator does not guarantee the surety against loss, submit an update of the report described in clause (i) every 6 months.

(3) TECHNICAL ASSISTANCE AND EDUCATIONAL TRAINING.—

(A) IN GENERAL.—The Administrator shall provide technical assistance and educational training to an eligible small business concern participating in the pilot program or desiring to participate in the pilot program for a period of not less than 3 years, to promote the growth of the eligible small business concern and assist the eligible small business concern in promoting job development.

(B) TOPICS.—

(i) TECHNICAL ASSISTANCE.—The technical assistance under subparagraph (A) shall include assistance relating to—

(I) scheduling of employees;

(II) cash flow analysis;

(III) change orders;

(IV) requisition preparation;

(V) submitting proposals;

(VI) dispute resolution; and

(VII) contract management.

(ii) EDUCATIONAL TRAINING.—The educational training under subparagraph (A) shall include training regarding—

(I) accounting;

(II) legal issues;

(III) infrastructure;

(IV) human resources;

(V) estimating costs;

(VI) scheduling; and

(VII) any other area the Administrator determines is a key area for which training is needed for eligible small business concerns.

(4) PANEL.—

(A) ESTABLISHMENT.—The Administrator shall establish a pilot program advisory board to evaluate and make recommendations regarding the pilot program.

(B) MEMBERSHIP.—The Board shall be composed of 5 members—

(i) who shall be appointed by the Administrator;

(ii) not less than 2 of whom shall have graduated from the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)); and

(iii) not more than 1 of whom may be an officer or employee of the Administration.

(C) DUTIES.—The Board shall—

(i) evaluate and make recommendations to the Administrator regarding the effectiveness of the pilot program;

(ii) make recommendations to the Administrator regarding performance measures to evaluate eligible small business concerns applying for a guarantee under the pilot program; and

(iii) not later than 90 days after the date on which all members of the Board are appointed, and every year thereafter until the authority to carry out the pilot program terminates under paragraph (6), submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the activities of the Board.

(5) FUND.—

(A) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a revolving fund to be known as the ''Small Business Surety Bond Pilot Program Fund'', to be administered by the Administrator.

(B) AVAILABILITY.—Amounts in the Fund shall be available without fiscal year limitation or further appropriation by Congress.

(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund $20,000,000.

(D) RESCISSION.—Effective on the day after the date on which the term of all guarantees made under the pilot program have ended, all amounts in the Fund are rescinded.

(6) TERMINATION.—The Administrator may not guarantee a surety against loss under the pilot program on or after the date that is 7 years after the date the date on which the Administrator makes the first guarantee under the pilot program.

(c) EXTENSION OF PARTICIPATION TERM FOR VICTIMS OF HURRICANE KATRINA OR HURRICANE RITA.—

(1) RETROACTIVITY.—If a small business concern, while participating in any program or activity under the authority of paragraph (10) of section 7(j) of the Small Business Act (15 U.S.C. 636(j)), was located in a parish or county described in paragraph (2) of this subsection and was affected by Hurricane Katrina of 2005 or Hurricane Rita of 2005, the period during which that small business concern is permitted continuing participation and eligibility in that program or activity shall be extended for 24 months after the date such participation and eligibility would otherwise terminate.

(2) PARISHES AND COUNTIES COVERED.—Paragraph (1) applies to any parish in the State of Louisiana, or any county in the State of Mississippi or in the State of Alabama, that has been designated by the Administrator as a disaster area by reason of Hurricane Katrina of 2005 or Hurricane Rita of 2005 under disaster declaration 10176, 10177, 10178, 10179, 10180, 10181, 10205, or 10206.

(3) REVIEW AND COMPLIANCE.—The Administrator shall ensure that the case of every small business concern participating before the date of enactment of this Act in a program or activity covered by paragraph (1) is reviewed and brought into compliance with this subsection.

SA 4437. Mr. NELSON of Florida (for himself, Ms. LANDRIEU, Mr. WICKER, Mr. VITTER, Mr. COCHRAN, and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:–

PART V—OTHER PROVISIONS–

SEC. _____. 5-YEAR NET OPERATING LOSS CARRYBACK FOR CERTAIN OIL SPILL-RELATED LOSSES.–

(a) EXTENSION OF NET OPERATING LOSS CARRYBACK PERIOD.—Paragraph (1) of section 172(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:–

''(K) CERTAIN OIL SPILL-RELATED LOSSES.—In the case of a taxpayer which has a qualified oil spill loss (as defined in subsection (k)) for a taxable year, such qualified oil spill loss shall be a net operating loss carryback to each of the 5 taxable years preceding the taxable year of such loss.''.–

(b) QUALIFIED OIL SPILL LOSS.—Section 172 of the Internal Revenue Code of 1986 is amended by redesignating subsection (k) as subsection (l) and by inserting after subsection (j) the following new subsection:–

''(k) RULES RELATING TO QUALIFIED OIL SPILL LOSSES.—For purposes of this section—

''(1) QUALIFIED OIL SPILL LOSSES.—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term 'qualified oil spill loss' means the lesser of—

''(i) the excess of—

''(I) the amount of losses in a taxable year ending after April 20, 2010, and before October 1, 2011, incurred by a commercial or charter fishing business operating in the Gulf of Mexico or a Gulf of Mexico tourism-related business attributable to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, over–

''(II) amounts received during such taxable year as payments for lost profits and earning capacity under section 1002(b)(2)(E) of the Oil Pollution Act of 1990 (33 U.S.C. 2702(b)(2)(E)), by insurance, or otherwise, or–

''(ii) the amount of the net operating loss for such taxable year.–

''(B) SAFE HARBOR FOR CERTAIN SMALL BUSINESSES.—In the case of—

''(i) any commercial or charter fishing business operating in the Gulf of Mexico, or–

''(ii) any Gulf of Mexico tourism-related business,–

the gross receipts of which for any taxable year ending after April 20, 2010, and before October 1, 2011, do not exceed $5,000,000, such term means the amount of the net operating loss of such business for such taxable year.–

''(C) COORDINATION WITH QUALIFIED DISASTER LOSSES.—Such term shall not include any qualified disaster loss (as defined in subsection (j)).–

''(2) COORDINATION WITH SUBSECTION (b)(2).—For purposes of applying subsection (b)(2), a qualified oil spill loss for any taxable year shall be treated in a manner similar to the manner in which a specified liability loss is treated.–

''(3) ELECTION.—Any taxpayer entitled to a 5-year carryback under subsection (b)(1)(K) from any loss year may elect to have the carryback period with respect to such loss year determined without regard to subsection (b)(1)(K). Such election shall be made in such manner as may be prescribed by the Secretary and shall be made by the due date (including extensions of time) for filing the taxpayer's return for the taxable year of the net operating loss. Such election, once made for any taxable year, shall be irrevocable for such taxable year.–

''(4) GULF OF MEXICO TOURISM-RELATED BUSINESS.—For purposes of this subsection—–

''(A) IN GENERAL.—The term 'Gulf of Mexico tourism-related business' means a hotel, lodging, recreation, entertainment, or restaurant business located in a Gulf Coast community.–

''(B) GULF COAST COMMUNITY.—The term 'Gulf Coast community' means any county or parish in the States of Louisiana, Mississippi, Alabama, or Florida which borders the Gulf of Mexico.''.–

(c) EFFECTIVE DATE.—–

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to net operating losses arising in taxable years ending after April 20, 2010.–

(2) TRANSITION RULE.—In the case of a net operating loss for a taxable year ending after April 20, 2010, and before the date of the enactment of this Act—–

(A) any election made under section 172(b)(3) of such Code with respect to such loss may (notwithstanding such section) be revoked before the applicable date, and–

(B) any application under section 6411(a) of such Code with respect to such loss shall be treated as timely filed if filed before the applicable date.

For purposes of this paragraph, the term ''applicable date'' means the date which is 60 days after the date of the enactment of this Act.

SA 4438. Mr. SANDERS (for himself, Mr. GRASSLEY, Mr. HARKIN, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CERTIFICATION REQUIREMENT.

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

(b) IN GENERAL.—The Secretary of Homeland Security may not approve a petition by an employer for any visa authorizing employment in the United States unless the employer has provided written certification, under penalty of perjury, to the Secretary of Labor that—

(1) the employer has not provided a notice of a mass layoff pursuant to the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.) during the 12-month period immediately preceding the date on which the alien is scheduled to be hired; and

(2) the employer does not intend to provide a notice of a mass layoff pursuant to such Act.

(c) EFFECT OF MASS LAYOFF.—If an employer provides a notice of a mass layoff pursuant to the Worker Adjustment and Retraining Notification Act after the approval of a visa described in subsection (b), any visas approved during the most recent 12-month period for such employer shall expire on the date that is 60 days after the date on which such notice is provided. The expiration of a visa under this subsection shall not be subject to judicial review.

(d) NOTICE REQUIREMENT.—Upon receiving notification of a mass layoff from an employer, the Secretary of Homeland Security shall inform each employee whose visa is scheduled to expire under subsection (c)—

(1) the date on which such individual will no longer be authorized to work in the United States; and

(2) the date on which such individual will be required to leave the United States unless the individual is otherwise authorized to remain in the United States.

(e) EXEMPTION.—An employer shall be exempt from the requirements under this section if the employer provides written certification, under penalty of perjury, to the Secretary of Labor that the total number of the employer's workers who are United States citizens and are working in the United States have not been, and will not be, reduced as a result of a mass layoff described in subsection (c).

(f) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Labor shall promulgate regulations to carry out this section, including a requirement that employers provide notice to the Secretary of Homeland Security of a mass layoff (as defined in section 2 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101)).

SA 4439. Mr. SANDERS (for himself, Mr. BROWN OF OHIO, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE __—WORKER OWNERSHIP, READINESS, AND KNOWLEDGE

SEC. __01. SHORT TITLE.

This title may be cited as the ''Worker Ownership, Readiness and Knowledge Act'' or the ''WORK Act''.

SEC. __02. DEFINITIONS.

In this title:

(1) EXISTING PROGRAM.—The term ''existing program'' means a program, designed to promote employee ownership and employee participation in business decisionmaking, that exists on the date the Secretary is carrying out a responsibility authorized by this title.

(2) INITIATIVE.—The term ''Initiative'' means the Employee Ownership and Participation Initiative established under section __03.

(3) NEW PROGRAM.—The term ''new program'' means a program, designed to promote employee ownership and employee participation in business decisionmaking, that does not exist on the date the Secretary is carrying out a responsibility authorized by this title.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Labor.

(5) STATE.—The term ''State'' means any of the 50 States within the United States of America.

SEC. __03. EMPLOYEE OWNERSHIP AND PARTICIPATION INITIATIVE.

(a) ESTABLISHMENT.—The Secretary of Labor shall establish an Employee Ownership and Participation Initiative to promote employee ownership and employee participation in business decisionmaking.

(b) FUNCTIONS.—In carrying out the Initiative, the Secretary shall—

(1) support within the States existing programs designed to promote employee ownership and employee participation in business decisionmaking; and

(2) facilitate within the States the formation of new programs designed to promote employee ownership and employee participation in business decisionmaking.

(c) DUTIES.—To carry out the functions enumerated in subsection (b), the Secretary shall—

(1) support new programs and existing programs by—

(A) making Federal grants authorized under section __5; and

(B)(i) acting as a clearinghouse on techniques employed by new programs and existing programs within the States, and disseminating information relating to those techniques to the programs; or

(ii) funding projects for information gathering on those techniques, and dissemination of that information to the programs, by groups outside the Department of Labor; and

(2) facilitate the formation of new programs, in ways that include holding or funding an annual conference of representatives from States with existing programs, representatives from States developing new programs, and representatives from States without existing programs.

SEC. __04. PROGRAMS REGARDING EMPLOYEE OWNERSHIP AND PARTICIPATION.

(a) ESTABLISHMENT OF PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to encourage new and existing programs within the States, designed to foster employee ownership and employee participation in business decisionmaking throughout the United States.

(b) PURPOSE OF PROGRAM.—The purpose of the program established under subsection (a) is to encourage new and existing programs within the States that focus on—

(1) providing education and outreach to inform employees and employers about the

possibilities and benefits of employee ownership, business ownership succession planning, and employee participation in business decisionmaking, including providing information about financial education, employee teams, open-book management, and other tools that enable employees to share ideas and information about how their businesses can succeed;

(2) providing technical assistance to assist employee efforts to become business owners, to enable employers and employees to explore and assess the feasibility of transferring full or partial ownership to employees, and to encourage employees and employers to start new employee-owned businesses;

(3) training employees and employers with respect to methods of employee participation in open-book management, work teams, committees, and other approaches for seeking greater employee input; and

(4) training other entities to apply for funding under this section, to establish new programs, and to carry out program activities.

(c) PROGRAM DETAILS.—The Secretary may include, in the program established under subsection (a), provisions that—

(1) in the case of activities under subsection (b)(1)—

(A) target key groups such as retiring business owners, senior managers, unions, trade associations, community organizations, and economic development organizations;

(B) encourage cooperation in the organization of workshops and conferences; and

(C) prepare and distribute materials concerning employee ownership and participation, and business ownership succession planning;

(2) in the case of activities under subsection (b)(2)—

(A) provide preliminary technical assistance to employee groups, managers, and retiring owners exploring the possibility of employee ownership;

(B) provide for the performance of preliminary feasibility assessments;

(C) assist in the funding of objective third-party feasibility studies and preliminary business valuations, and in selecting and monitoring professionals qualified to conduct such studies; and

(D) provide a data bank to help employees find legal, financial, and technical advice in connection with business ownership;

(3) in the case of activities under subsection (b)(3)—

(A) provide for courses on employee participation; and

(B) provide for the development and fostering of networks of employee-owned companies to spread the use of successful participation techniques; and

(4) in the case of training under subsection (b)(4)—

(A) provide for visits to existing programs by staff from new programs receiving funding under this title; and

(B) provide materials to be used for such training.

(d) GUIDANCE.—The Secretary shall issue formal guidance, for recipients of grants awarded under section __5 and one-stop partners affiliated with the statewide workforce investment systems described in section 106 of the Workforce Investment Act of 1998 (29 U.S.C. 2881), proposing that programs and other activities funded under this title be—

(1) proactive in encouraging actions and activities that promote employee ownership of, and participation in, businesses; and

(2) comprehensive in emphasizing both employee ownership of, and participation in, businesses so as to increase productivity and broaden capital ownership.

SEC. __05. GRANTS.

(a) IN GENERAL.—In carrying out the program established under section __4, the Secretary may make grants for use in connection with new programs and existing programs within a State for any of the following activities:

(1) Education and outreach as provided in section __4(b)(1).

(2) Technical assistance as provided in section __4(b)(2).

(3) Training activities for employees and employers as provided in section __4(b)(3).

(4) Activities facilitating cooperation among employee-owned firms.

(5) Training as provided in section __4(b)(4) for new programs provided by participants in existing programs dedicated to the objectives of this title, except that, for each fiscal year, the amount of the grants made for such training shall not exceed 10 percent of the total amount of the grants made under this title.

(b) AMOUNTS AND CONDITIONS.—The Secretary shall determine the amount and any conditions for a grant made under this section. The amount of the grant shall be subject to subsection (f), and shall reflect the capacity of the applicant for the grant.

(c) APPLICATIONS.—Each entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(d) STATE APPLICATIONS.—Each State may sponsor and submit an application under subsection (c) on behalf of any local entity consisting of a unit of State or local government, State-supported institution of higher education, or nonprofit organization, meeting the requirements of this title.

(e) APPLICATIONS BY ENTITIES.—

(1) ENTITY APPLICATIONS.—If a State fails to support or establish a program pursuant to this title during any fiscal year, the Secretary shall, in the subsequent fiscal years, allow local entities described in subsection (d) from that State to make applications for grants under subsection (c) on their own initiative.

(2) APPLICATION SCREENING.—Any State failing to support or establish a program pursuant to this title during any fiscal year may submit applications under subsection (c) in the subsequent fiscal years but may not screen applications by local entities described in subsection (d) before submitting the applications to the Secretary.

(f) LIMITATIONS.—A recipient of a grant made under this section shall not receive, during a fiscal year, in the aggregate, more than the following amounts:

(1) For fiscal year 2011, $300,000.

(2) For fiscal year 2012, $330,000.

(3) For fiscal year 2013, $363,000.

(4) For fiscal year 2014, $399,300.

(5) For fiscal year 2015, $439,200.

(g) ANNUAL REPORT.—For each year, each recipient of a grant under this section shall submit to the Secretary a report describing how grant funds allocated pursuant to this section were expended during the 12-month period preceding the date of the submission of the report.

SEC. __06. EVALUATIONS.

The Secretary is authorized to reserve not more than 10 percent of the funds appropriated for a fiscal year to carry out this title, for the purposes of conducting evaluations of the grant programs identified in section __05 and to provide related technical assistance.

SEC. __07. REPORTING.

Not later than the expiration of the 36-month period following the date of enactment of this Act, the Secretary shall prepare and submit to Congress a report—

(1) on progress related to employee ownership and participation in businesses in the United States; and

(2) containing an analysis of critical costs and benefits of activities carried out under this title.

SEC. __08. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for the purpose of making grants pursuant to section __5 the following:

(1) For fiscal year 2011, $3,850,000.

(2) For fiscal year 2012, $6,050,000.

(3) For fiscal year 2013, $8,800,000.

(4) For fiscal year 2014, $11,550,000.

(5) For fiscal year 2015, $14,850,000.

(b) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated for the purpose of funding the administrative expenses related to the Initiative, for each of fiscal years 2011 through 2015, an amount not in excess of—

(1) $350,000; or

(2) 5.0 percent of the maximum amount available under subsection (a) for that fiscal year.–

SA 4440. Mr. SANDERS (for himself, Mr. BROWN of Ohio, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ESTABLISHMENT OF THE EMPLOYEE OWNERSHIP BANK.

(a) FINDINGS.—Congress finds that—

(1) between December 2007 and May 2010, payroll employment in the United States fell by 7,381,000;

(2) between January 2000 and May 2010, the manufacturing sector lost 5,632,000 jobs;

(3) as of May 2010, fewer than 12,000,000 workers in the United States were employed in the manufacturing sector, the fewest number of factory jobs since March 1941;

(4) at the end of 2009, the United States had a trade deficit of more than $374,908,000,000, including a $226,877,200,000 trade deficit with China;

(5) preserving and increasing decent paying jobs must be a top priority of Congress;

(6) providing loan guarantees, direct loans, and technical assistance to employees to buy their own companies will preserve and increase employment in the United States; and

(7) just as the United States Export-Import Bank was created in 1934, in the midst of the Great Depression, as a way to increase United States jobs through exports, the time has come to establish the United States Employee Ownership Bank within the Department of the Treasury to preserve and expand jobs in the United States.

(b) DEFINITIONS.—In this section—

(1) the term ''Bank'' means the Unites States Employee Ownership Bank, established under section 4;

(2) the term ''eligible worker-owned cooperative'' has the same meaning as in section 1042(c)(2) of the Internal Revenue Code of 1986;

(3) the term ''employee stock ownership plan'' has the same meaning as in section

4975(e)(7) of the Internal Revenue Code of 1986; and

(4) the term ''Secretary'' means the Secretary of the Treasury.

(c) ESTABLISHMENT OF UNITED STATES EMPLOYEE OWNERSHIP BANK WITHIN THE DEPARTMENT OF THE TREASURY.—

(1) IN GENERAL.—Before the end of the 90-day period beginning on the date of enactment of this Act, the Secretary shall establish the United States Employee Ownership Bank, to foster increased employee ownership of United States companies and greater employee participation in company decision making throughout the United States.

(2) ORGANIZATION OF THE BANK.—

(A) MANAGEMENT.—The Secretary shall appoint a Director to serve as the head of the Bank, who shall serve at the pleasure of the Secretary.

(B) STAFF.—The Director may select, appoint, employ, and fix the compensation of such employees as are necessary to carry out the functions of the Bank.

(d) DUTIES OF BANK.—The Bank is authorized to provide loans, on a direct or guaranteed basis, which may be subordinated to the interests of all other creditors—

(1) to purchase a company through an employee stock ownership plan or an eligible worker-owned cooperative, which shall be at least 51 percent employee owned, or will become at least 51 percent employee owned as a result of financial assistance from the Bank;

(2) to allow a company that is less than 51 percent employee owned to become at least 51 percent employee owned;

(3) to allow a company that is already at least 51 percent employee owned to increase the level of employee ownership at the company; and

(4) to allow a company that is already at least 51 percent employee owned to expand operations and increase or preserve employment.

(e) PRECONDITIONS.—Before the Bank makes any subordinated loan or guarantees a loan under subsection (d)(1), a business plan shall be submitted to the bank that—

(1) shows that—

(A) not less than 51 percent of all interests in the company is or will be owned or controlled by an employee stock ownership plan or eligible worker-owned cooperative;

(B) the board of directors of the company is or will be elected by shareholders on a one share to one vote basis or by members of the eligible worker-owned cooperative on a one member to one vote basis, except that shares held by the employee stock ownership plan will be voted according to section 409(e) of the Internal Revenue Code of 1986, with participants providing voting instructions to the trustee of the employee stock ownership plan in accordance with the terms of the employee stock ownership plan and the requirements of that section 409(e); and

(C) all employees will receive basic information about company progress and have the opportunity to participate in day-to-day operations; and

(2) includes a feasibility study from an objective third party with a positive determination that the employee stock ownership plan or eligible worker-owned cooperative will generate enough of a margin to pay back any loan, subordinated loan, or loan guarantee that was made possible through the Bank.

(f) TERMS AND CONDITIONS FOR LOANS AND LOAN GUARANTEES.—Notwithstanding any other provision of law, a loan that is provided or guaranteed under this section shall—

(1) bear interest at an annual rate, as determined by the Secretary—

(A) in the case of a direct loan under this Act—

(i) sufficient to cover the cost of borrowing to the Department of the Treasury for obligations of comparable maturity; or

(ii) of 4 percent; and

(B) in the case of a loan guaranteed under this section, in an amount that is equal to the current applicable market rate for a loan of comparable maturity; and

(2) have a term not to exceed 12 years.

(g) EMPLOYEE RIGHT OF FIRST REFUSAL BEFORE PLANT OR FACILITY CLOSING.—Section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) is amended—

(1) in the section heading, by adding at the end the following: ''**; employee stock ownership plans or eligible worker owned cooperatives**''; and

(2) by adding at the end the following:

''(e) EMPLOYEE STOCK OWNERSHIP PLANS AND ELIGIBLE WORKER-OWNED COOPERATIVES.—

''(1) GENERAL RULE.—If an employer orders a plant or facility closing in connection with the termination of its operations at such plant or facility, the employer shall offer its employees an opportunity to purchase such plant or facility through an employee stock ownership plan (as that term is defined in section 4975(e)(7) of the Internal Revenue Code of 1986) or an eligible worker-owned cooperative (as that term is defined in section 1042(c)(2) of the Internal Revenue Code of 1986) that is at least 51 percent employee owned. The value of the company which is to be the subject of such plan or cooperative shall be the fair market value of the plant or facility, as determined by an appraisal by an independent third party jointly selected by the employer and the employees. The cost of the appraisal may be shared evenly between the employer and the employees.

''(2) EXEMPTIONS.—Paragraph (1) shall not apply—

''(A) if an employer orders a plant closing, but will retain the assets of such plant to continue or begin a business within the United States; or

''(B) if an employer orders a plant closing and such employer intends to continue the business conducted at such plant at another plant within the United States.''.

(h) REGULATIONS ON SAFETY AND SOUNDNESS AND PREVENTING COMPETITION WITH COMMERCIAL INSTITUTIONS.—Before the end of the 90-day period beginning on the date of enactment of this Act, the Secretary of the Treasury shall prescribe such regulations as are necessary to implement this section and the amendments made by this section, including—

(1) regulations to ensure the safety and soundness of the Bank; and

(2) regulations to ensure that the Bank will not compete with commercial financial institutions.

(i) COMMUNITY REINVESTMENT CREDIT.—Section 804 of the Community Reinvestment Act of 1977 (12 U.S.C. 2903) is amended by adding at the end the following new subsection:

''(1) ESTABLISHMENT OF EMPLOYEE STOCK OWNERSHIP PLANS AND ELIGIBLE WORKER-OWNED COOPERATIVES.—In assessing and taking into account, under subsection (a), the record of a financial institution, the appropriate Federal financial supervisory agency may consider as a factor capital investments, loans, loan participation, technical assistance, financial advice, grants, and other ventures undertaken by the institution to support or enable employees to establish employee stock ownership plans or eligible worker-owned cooperatives (as those terms are defined in sections 4975(e)(7) and 1042(c)(2) of the Internal Revenue Code of 1986, respectively), that are at least 51 percent employee-owned plans or cooperatives.''.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section, $500,000,000 for fiscal year 2010, and such sums as may be necessary thereafter. –

SA 4441. Mrs. SHAHEEN (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, insert the following:

SECTION ____. ON-THE-JOB TRAINING.

(a) SHORT TITLE.—This section may be cited as the ''On-the-Job Training Act of 2010''.

(b) TRAINING.—

(1) IN GENERAL.—Subtitle D of title I of the Workforce Investment Act of 1998 is amended by inserting after section 173A (29 U.S.C. 2918a) the following:

''SEC. 173B. ON-THE-JOB TRAINING.

''(a) DEFINITION.—In this section, the term 'federally recognized tribal organization' means an entity described in section 166(c)(1).

''(b) GRANTS.—From the amount made available under subsection (g), and subject to subsection (d)—

''(1) the Secretary shall make grants on a discretionary basis to local areas, for adult on-the-job training, or dislocated worker on-the-job-training, carried out under section 134; and

''(2) using an amount that is not more than 10 percent of the funds made available under subsection (g), the Secretary shall make grants to States, local boards, and federally recognized tribal organizations for developing on-the-job training programs, in consultation with the Secretary.

''(c) APPLICATION.—To be eligible to receive a grant under subsection (b), a State, local board, or federally recognized tribal organization shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. In preparing such an application for a grant under subsection (b)(1), a local board shall consult with the corresponding State.

''(d) REIMBURSEMENT OF WAGE RATES.—Notwithstanding the limitation in section 101(31)(B), in making the grants described in subsection (b)(1) the Secretary may allow for higher levels of reimbursement of wage rates the Secretary determines are appropriate based on factors such as—

''(1) employer size, in order to facilitate the participation of small- and medium-sized employers;

''(2) target populations, in order to enhance job creation for persons with barriers to employment; and

''(3) the number of employees that will participate in the on-the-job training, the wage and benefit levels of the employees (before the training and anticipated on completion of the training), the relationship of the training to the competitiveness of the employer and employees, and the existence of other employer-provided training and advancement opportunities.

''(e) ADMINISTRATION.—The Secretary may use an amount that is not more than 1 percent of the funds made available under subsection (g) for the administration, management, and oversight of the programs, activities, and grants, funded under subsection (b), including the evaluation of, and dissemination of information on lessons learned through, the use of such funds.

''(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the manner in which subtitle B is implemented, for activities funded through amounts appropriated under section 137.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2011 and each subsequent fiscal year.''.

(2) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Workforce Investment Act of 1998 is amended by inserting after the item relating to section 173A the following:

''Sec. 173B. On-the-job training.''.

SA 4442. Mr. BURRIS submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 113, between lines 17 and 18, insert the following:

SEC. 1348. NET WORTH THRESHOLD.

Section 8(a)(6) of the Small Business Act (15 U.S.C. 637(a)(6)) is amended by adding at the end the following:

''(F)(i) Subject to clause (ii), the Administrator may not establish the maximum net worth for participation in the program under this subsection in an amount less than $2,500,000.

''(ii) The amount under clause (i) shall be periodically adjusted by the Administrator to account for inflation.''.

SA 4443. Mr. UDALL of Colorado (for himself, Mr. SCHUMER, Mr. REID, Mr. LIEBERMAN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. SANDERS, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions to order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITS ON MEMBER BUSINESS LOANS.

(a) IN GENERAL.—

(1) REVISED LIMITATION AND CRITERIA.—Effective 6 months after the date of enactment of this Act, section 107A(a) of the Federal Credit Union Act (12 U.S.C. 1757a(a)) is amended to read as follows:

''(a) LIMITATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an insured credit union may not make any member business loan that would result in the total amount of such loans outstanding at that credit union at any one time to be equal to more than the lesser of—

''(A) 1.75 times the actual net worth of the credit union; or

''(B) 12.25 percent of the total assets of the credit union.

''(2) ADDITIONAL AUTHORITY.—The Board may approve an application by an insured credit union upon a finding that the credit union meets the criteria under this paragraph to make 1 or more member business loans that would result in a total amount of such loans outstanding at any one time of not more than 27.5 percent of the total assets of the credit union, if the credit union—

''(A) had member business loans outstanding at the end of each of the 4 consecutive quarters immediately preceding the date of the application, in a total amount of not less than 80 percent of the applicable limitation under paragraph (1);

''(B) is well capitalized, as defined in section 216(c)(1)(A);

''(C) can demonstrate at least 5 years of experience of sound underwriting and servicing of member business loans;

''(D) has the requisite policies and experience in managing member business loans; and

''(E) has satisfied other standards that the Board determines are necessary to maintain the safety and soundness of the insured credit union.

''(3) EFFECT OF NOT BEING WELL CAPITALIZED.—An insured credit union that has made member business loans under an authorization under paragraph (2) and that is not, as of its most recent quarterly call report, well capitalized, may not make any member business loans, until such time as the credit union becomes well capitalized, as reflected in a subsequent quarterly call report, and obtains the approval of the Board.''.

(b) IMPLEMENTATION.—

(1) TIERED APPROVAL PROCESS.—The Board shall develop a tiered approval process, under which an insured credit union gradually increases the amount of member business lending in a manner that is consistent with safe and sound operations, subject to the limits established under section 107A(a)(2) of the Federal Credit Union Act (as amended by this Act). The rate of increase under the process established under this paragraph may not exceed 30 percent per year.

(2) RULEMAKING REQUIRED.—The Board shall issue proposed rules, not later than 6 months after the date of enactment of this Act, to establish the tiered approval process required under paragraph (1). The tiered approval process shall establish standards designed to ensure that the new business lending capacity authorized under the amendment made by subsection (a) is being used only by insured credit unions that are well-managed and well capitalized, as required by the amendments made under subsection (a) and as defined by the rules issued by the Board under this paragraph.

(3) CONSIDERATIONS.—In issuing rules required under this subsection, the Board shall consider—

(A) the experience level of the institutions, including a demonstrated history of sound member business lending;

(B) the criteria under section 107A(a)(2) of the Federal Credit Union Act, as amended by this Act; and

(C) such other factors as the Board determines necessary or appropriate.

(c) REPORTS TO CONGRESS ON MEMBER BUSINESS LENDING.—

(1) REPORT OF THE BOARD.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Board shall submit a report to Congress on member business lending by insured credit unions.

(B) REPORT.—The report required under subparagraph (A) shall include—

(i) the types and asset size of insured credit unions making member business loans and the member business loan limitations applicable to the insured credit unions;

(ii) the overall amount and average size of member business loans by each insured credit union;

(iii) the ratio of member business loans by insured credit unions to total assets and net worth;

(iv) the performance of the member business loans, including delinquencies and net charge offs;

(v) the effect of this section on the number of insured credit unions engaged in member business lending, any change in the amount of member business lending, and the extent to which any increase is attributed to the change in the limitation in section 107A(a) of the Federal Credit Union Act, as amended by this Act;

(vi) the number, types, and asset size of insured credit unions that were denied or approved by the Board for increased member business loans under section 107A(a)(2), as amended by this Act, including denials and approvals under the tiered approval process;

(vii) the types and sizes of businesses that receive member business loans, the duration of the credit union membership of the businesses at the time of the loan, the types of collateral used to secure member business loans, and the income level of members receiving member business loans; and

(viii) the effect of any increases in member business loans on the risk to the National Credit Union Share Insurance Fund and the assessments on insured credit unions.

(2) GAO STUDY AND REPORT.—

(A) STUDY.—The Comptroller General of the United States shall conduct a study on the status of member business lending by insured credit unions, including—

(i) trends in such lending;

(ii) types and amounts of member business loans;

(iii) the effectiveness of this section in enhancing small business lending;

(iv) recommendations for legislative action, if any, with respect to such lending; and

(v) any other information that the Comptroller General considers relevant with respect to such lending.

(B) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General shall submit a report to Congress on the study required by subparagraph (A).

(d) DEFINITIONS.—In this section—

(1) the term ''Board'' means the National Credit Union Administration Board;

(2) the term ''insured credit union'' has the meaning given that term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752);

(3) the term ''member business loan'' has the meaning given that term in section 107A(c)(1) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(1));

(4) the term ''net worth'' has the meaning given that term in section 107A(c)(2) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(2)); and

(5) the term ''well capitalized'' has the meaning given that term in section

216(c)(1)(A) of the Federal Credit Union Act (12 U.S.C. 1709d(c)(1)(A)).

SA 4444. Mr. REID (for himself, Mr. CRAPO, Mr. ENSIGN, Mr. LIEBERMAN, Mrs. SHAHEEN, Mrs. LINCOLN, Mr. TESTER, Ms. STABENOW, Mr. WICKER and Mr. COBURN) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part IV of title II, insert the following:

SEC. —. TIME FOR PAYMENT OF MANUFACTURERS' EXCISE TAX ON RECREATIONAL EQUIPMENT.

(a) IN GENERAL.—Subsection (d) of section 6302 of the Internal Revenue Code of 1986 (relating to mode or time of collection) is amended to read as follows:

''(d) TIME FOR PAYMENT OF MANUFACTURERS' EXCISE TAX ON RECREATIONAL EQUIPMENT.—The taxes imposed by subchapter D of chapter 32 of this title (relating to taxes on recreational equipment) shall be due and payable on the date for filing the return for such taxes.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to articles sold by the manufacturer, producer, or importer after the date of the enactment of this Act.

SA 4445. Ms. KLOBUCHAR (for herself, Mr. LEMIEUX, Mr. KERRY, Mrs. SHAHEEN, and Mr. NELSON of Florida) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 11 and 12, insert the following:

SEC. 1210. GLOBAL BUSINESS DEVELOPMENT AND PROMOTION ACTIVITIES OF THE DEPARTMENT OF COMMERCE.

(a) INCREASE IN EMPLOYEES WITH RESPONSIBILITY FOR GLOBAL BUSINESS DEVELOPMENT AND PROMOTION ACTIVITIES.—

(1) IN GENERAL.—During the 24-month period beginning on the date of the enactment of this Act, the Secretary of Commerce shall increase the number of full-time departmental employees whose primary responsibilities involve promoting or facilitating participation by United States businesses in the global marketplace and facilitating the entry into, or expansion of, such participation by United States businesses. In carrying out this subsection, the Secretary shall ensure that—

(A) the cohort of such employees is increased by not less than 80 persons; and

(B) a substantial portion of the increased cohort is stationed outside the United States.

(2) ENHANCED FOCUS ON UNITED STATES SMALL- AND MEDIUM-SIZED BUSINESSES.—In carrying out this subsection, the Secretary shall take such action as may be necessary to ensure that the activities of the Department of Commerce relating to promoting and facilitating participation by United States businesses in the global marketplace include promoting and facilitating such participation by small and medium-sized businesses in the United States.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for each of the fiscal years 2011 and 2012 such sums as may be necessary to carry out this section.

(b) ADDITIONAL FUNDING FOR GLOBAL BUSINESS DEVELOPMENT AND PROMOTION ACTIVITIES OF THE DEPARTMENT OF COMMERCE.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce for the period beginning on the date of the enactment of this Act and ending 18 months thereafter, $30,000,000 to promote or facilitate participation by United States businesses in the global marketplace and facilitating the entry into, or expansion of, such participation by United States businesses.

(2) REQUIREMENTS.—In obligating and expending the funds authorized to be appropriated by paragraph (1), the Secretary of Commerce shall give preference to activities that—

(A) assist small- and medium-sized businesses in the United States; and

(B) the Secretary determines will create or sustain the greatest number of jobs in the United States and obtain the maximum return on investment.

SEC. 1211. ADDITIONAL FUNDING TO IMPROVE ACCESS TO GLOBAL MARKETS FOR RURAL BUSINESSES.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $5,000,000 for each of the fiscal years 2011 and 2012 for improving access to the global marketplace for goods and services provided by rural businesses in the United States.

(b) REQUIREMENTS.—In obligating and expending the funds authorized to be appropriated by subsection (a), the Secretary of Commerce shall give preference to activities that—

(1) assist small- and medium-sized businesses in the United States; and

(2) the Secretary determines will create or sustain the greatest number of jobs in the United States and obtain the maximum return on investment.

SEC. 1212. ADDITIONAL FUNDING FOR THE EXPORTECH PROGRAM.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $11,000,000 for the period beginning on the date of the enactment of this Act and ending 18 months thereafter, to expand ExporTech, a joint program of the Hollings Manufacturing Partnership Program and the Export Assistance Centers of the Department of Commerce.

(b) REQUIREMENTS.—In obligating and expending the funds authorized to be appropriated by subsection (a), the Secretary of Commerce shall give preference to activities that—

(1) assist small- and medium-sized businesses in the United States; and

(2) the Secretary determines will create or sustain the greatest number of jobs in the United States and obtain the maximum return on investment.

SEC. 1213. ADDITIONAL FUNDING FOR THE MARKET DEVELOPMENT COOPERATOR PROGRAM OF THE DEPARTMENT OF COMMERCE.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce for the period beginning on the date of the enactment of this Act and ending 18 months thereafter, $15,000,000 for the Manufacturing and Services unit of the International Trade Administration—

(1) to establish public-private partnerships under the Market Development Cooperator Program of the International Trade Administration; and

(2) to underwrite a portion of the start-up costs for new projects carried out under that Program to strengthen the competitiveness and market share of United States industry, not to exceed, for each such project, the lesser of—

(A) ⅓ of the total start-up costs for the project; or

(B) $500,000.

(b) REQUIREMENTS.—In obligating and expending the funds authorized to be appropriated by subsection (a), the Secretary of Commerce shall give preference to activities that—

(1) assist small- and medium-sized businesses in the United States; and

(2) the Secretary determines will create or sustain the greatest number of jobs in the United States and obtain the maximum return on investment.

SEC. 1214. HOLLINGS MANUFACTURING PARTNERSHIP PROGRAM; TECHNOLOGY INNOVATION PROGRAM.

(a) HOLLINGS MANUFACTURING PARTNERSHIP PROGRAM.—Section 25(f) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(f)) is amended by adding at the end the following:

''(7) GLOBAL MARKETPLACE PROJECTS.—In making awards under this subsection, the Director, in consultation with the Manufacturing Extension Partnership Advisory Board and the Secretary of Commerce, may—

''(A) take into consideration whether an application has significant potential for enhancing the competitiveness of small and medium-sized United States manufacturers in the global marketplace; and

''(B) give a preference to applications for such projects to the extent the Director deems appropriate, taking into account the broader purposes of this subsection.''.

(b) TECHNOLOGY INNOVATION PROGRAM.—In awarding grants, cooperative agreements, or contracts under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n), in addition to the award criteria set forth in subsection (c) of that section, the Director of the National Institute of Standards and Technology may take into consideration whether an application has significant potential for enhancing the competitiveness of small- and medium-sized businesses in the United States in the global marketplace. The Director shall consult with the Technology Innovation Program Advisory Board and the Secretary of Commerce in implementing this subsection.

SEC. 1215. SENSE OF THE SENATE CONCERNING FEDERAL COLLABORATION WITH STATES ON EXPORT PROMOTION ISSUES.

It is the sense of the Senate that the Secretary of Commerce should enhance Federal collaboration with the States on export promotion issues by—

(1) providing the necessary training to the staff at State international trade agencies to enable them to assist the United States and Foreign Commercial Service (established by section 2301 of the Export Enhancement Act

of 1988 (15 U.S.C. 4721)) in providing counseling and other export services to businesses in their communities; and

(2) entering into agreements with State international trade agencies for those agencies to deliver export promotion services in their local communities in order to extend the outreach of United States and Foreign Commercial Service programs.

SEC. 1216. REPORT ON TARIFF AND NONTARIFF BARRIERS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the United States Trade Representative and other appropriate entities, shall report to Congress on the tariff and nontariff barriers imposed by Colombia, the Republic of Korea, and Panama with respect to exports of articles from the United States, including articles exported or produced by small- and medium-sized businesses in the United States.

SA 4446. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 11 and 12, insert the following:

SEC. 1210. TREATMENT OF CERTAIN FOOTWEAR.

(a) IN GENERAL.—The Additional U.S. Notes to chapter 64 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following:

''5. For the purposes of determining the constituent material of the outer sole pursuant to Note 4(b) to this chapter, no account shall be taken of textile materials which do not possess the characteristics usually required for normal use of an outer sole, including durability and strength.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.

SA 4447. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle B of title II, add the following:

SEC. _____. TAXATION OF INCOME OF CONTROLLED FOREIGN CORPORATIONS ATTRIBUTABLE TO IMPORTED PROPERTY.

(a) GENERAL RULE.—Subsection (a) of section 954 of the Internal Revenue Code of 1986 (defining foreign base company income) is amended by striking the period at the end of paragraph (5) and inserting '', and'', by redesignating paragraph (5) as paragraph (4), and by adding at the end the following new paragraph:

''(5) imported property income for the taxable year (determined under subsection (j) and reduced as provided in subsection (b)(5)).''.

(b) DEFINITION OF IMPORTED PROPERTY INCOME.—Section 954 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(j) IMPORTED PROPERTY INCOME.—

''(1) IN GENERAL.—For purposes of subsection (a)(5), the term 'imported property income' means income (whether in the form of profits, commissions, fees, or otherwise) derived in connection with—

''(A) manufacturing, producing, growing, or extracting imported property;

''(B) the sale, exchange, or other disposition of imported property; or

''(C) the lease, rental, or licensing of imported property.

Such term shall not include any foreign oil and gas extraction income (within the meaning of section 907(c)) or any foreign oil related income (within the meaning of section 907(c)).

''(2) IMPORTED PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term 'imported property' means property which is imported into the United States by the controlled foreign corporation or a related person.

''(B) IMPORTED PROPERTY INCLUDES CERTAIN PROPERTY IMPORTED BY UNRELATED PERSONS.—The term 'imported property' includes any property imported into the United States by an unrelated person if, when such property was sold to the unrelated person by the controlled foreign corporation (or a related person), it was reasonable to expect that—

''(i) such property would be imported into the United States; or

''(ii) such property would be used as a component in other property which would be imported into the United States.

''(C) EXCEPTION FOR PROPERTY SUBSEQUENTLY EXPORTED.—The term 'imported property' does not include any property which is imported into the United States and which—

''(i) before substantial use in the United States, is sold, leased, or rented by the controlled foreign corporation or a related person for direct use, consumption, or disposition outside the United States; or

''(ii) is used by the controlled foreign corporation or a related person as a component in other property which is so sold, leased, or rented.

''(D) EXCEPTION FOR CERTAIN AGRICULTURAL COMMODITIES.—The term 'imported property' does not include any agricultural commodity which is not grown in the United States in commercially marketable quantities.

''(3) DEFINITIONS AND SPECIAL RULES.—

''(A) IMPORT.—For purposes of this subsection, the term 'import' means entering, or withdrawal from warehouse, for consumption or use. Such term includes any grant of the right to use intangible property (as defined in section 936(h)(3)(B)) in the United States.

''(B) UNITED STATES.—For purposes of this subsection, the term 'United States' includes the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(C) UNRELATED PERSON.—For purposes of this subsection, the term 'unrelated person' means any person who is not a related person with respect to the controlled foreign corporation.

''(D) COORDINATION WITH FOREIGN BASE COMPANY SALES INCOME.—For purposes of this section, the term 'foreign base company sales income' shall not include any imported property income.''.

(c) SEPARATE APPLICATION OF LIMITATIONS ON FOREIGN TAX CREDIT FOR IMPORTED PROPERTY INCOME.—

(1) IN GENERAL.—Paragraph (1) of section 904(d) of the Internal Revenue Code of 1986 (relating to separate application of section with respect to certain categories of income) is amended by striking ''and'' at the end of subparagraph (A), by redesignating subparagraph (B) as subparagraph (C), and by inserting after subparagraph (A) the following new subparagraph:

''(B) imported property income, and''.

(2) IMPORTED PROPERTY INCOME DEFINED.—Paragraph (2) of section 904(d) of such Code is amended by redesignating subparagraphs (I), (J), and (K) as subparagraphs (J), (K), and (L), respectively, and by inserting after subparagraph (H) the following new subparagraph:

''(I) IMPORTED PROPERTY INCOME.—The term 'imported property income' means any income received or accrued by any person which is of a kind which would be imported property income (as defined in section 954(j)).''.

(3) CONFORMING AMENDMENT.—Clause (ii) of section 904(d)(2)(A) of such Code is amended by inserting ''or imported property income'' after ''passive category income''.

(d) TECHNICAL AMENDMENTS.—

(1) Clause (iii) of section 952(c)(1)(B) of the Internal Revenue Code of 1986 (relating to certain prior year deficits may be taken into account) is amended—

(A) by redesignating subclauses (II), (III), (IV), and (V) as subclauses (III), (IV), (V), and (VI), and

(B) by inserting after subclause (I) the following new subclause:

''(II) imported property income,''.

(2) The last sentence of paragraph (4) of section 954(b) of such Code (relating to exception for certain income subject to high foreign taxes) is amended by striking ''subsection (a)(5)'' and inserting ''subsection (a)(4)''.

(3) Paragraph (5) of section 954(b) of such Code (relating to deductions to be taken into account) is amended by striking ''and the foreign base company oil related income'' and inserting ''the foreign base company oil related income, and the imported property income''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after the date of the enactment of this Act, and to taxable years of United States shareholders within which or with which such taxable years of such foreign corporations end.

SA 4448. Mr. MERKLEY (for himself and Mr. BOND) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, between lines 3 and 4, insert the following:

SEC. 1137. REBUILDING COUNTIES.

(a) IN GENERAL.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''or'' at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(F) rebuilding counties.''; and

(2) in paragraph (4), by adding at the end the following:

''(E) REBUILDING COUNTIES.—

''(i) IN GENERAL.—The term 'rebuilding county' means an initial period rebuilding county or an extension period rebuilding county.

''(ii) INITIAL PERIOD REBUILDING COUNTY.—The term 'initial period rebuilding county' means a county, parish, or similar political subdivision—

''(I) for which the Administrator determines that the 1-year unemployment rate average is not less than 120 percent of the 1-year average unadjusted unemployment rate for the United States, based on the most recent data available from the Secretary of Labor;

''(II) that—

''(aa) as of the date of the determination under subclause (I), is not a HUBZone; or

''(bb) will cease to qualify as a HUBZone not later than 2 years after the date of the determination under subclause (I); and

''(III) during the 3-year period beginning on the date on which the Administrator makes the determination under subclause (I).

''(iii) EXTENSION PERIOD REBUILDING COUNTY.—The term 'extension period rebuilding county' means a county, parish, or similar political subdivision—

''(I) for which the Administrator has made a determination under clause (ii)(I);

''(II) for which the 3-year period described in clause (ii)(III) has ended;

''(III) for which the Administrator determines that the average unemployment rate for the 1-year period ending on the date on which the 3-year period described in clause (ii)(III) ends is not less than 140 percent of the 1-year average unadjusted unemployment rate for the United States, based on the most recent data available from the Secretary of Labor; and

''(IV) during the period beginning on the date on which the Administrator makes the determination under subclause (III) and ending on the earlier of—

''(aa) the date that is 3 years after the date of the determination under subclause (III); and

''(bb) the date on which the Bureau of the Census publicly releases the initial results of the first decennial census occurring after the date of the determination under subclause (III).

''(iv) 1-YEAR UNEMPLOYMENT RATE AVERAGE.—The term '1-year unemployment rate average' means the average unemployment rate, based on the most recent data available from the Secretary of Labor, during any 1-year period during the period—

''(I) beginning on the date on which a recession begins, as determined by the National Bureau of Economic Research; and

''(II) ending on the date that is 180 days after the date on which the National Bureau of Economic Research publicly releases the determination under subclause (I).''.

(b) RECESSION OF 2007.—For purposes of applying section 3(p)(4) of the Small Business Act, as added by subsection (a), in relation to the recession announced by the National Bureau of Economic Research on December 1, 2008, the term ''1-year unemployment rate average'' means the average unemployment rate during the 1-year period ending on the date of enactment of this Act, based on the most recent data available from the Secretary of Labor.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

Mr. COBURN, pursuant to the provisions of section 512 of Public Law 100–81, submitted his notice of intent to proceed to consider the bill (S. 1237) to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, and for other purposes, dated June 24, 2010.

[Letter with reasons for objection appear in the CONGRESSIONAL RECORD on June 29, 2010]

RELINQUISHING OF OBJECTION TO EXECUTIVE NOMINATIONS

I, Senator TOM COBURN, do not object to proceeding to the following nominations:

802—Victor Ashe, of Tennessee, to be a Member of the Broadcasting Board of Governors.

804—Walter Isaacson, of Louisiana, to be Chairman of the Broadcasting Board of Governors.

805—Michael Lynton, of California, to be a Member of the Broadcasting Board of Governors.

806—Susan McCue, of Virginia, to be a Member of the Broadcasting Board of Governors.

807—Dennis Mulhaupt, of California, to be a Member of the Broadcasting Board of Governors.

808—S. Enders Wimbush, of Virginia, to be a Member of the Broadcasting Board of Governors.

NOTICE OF HEARING

SUBCOMMITTEE ON WATER AND POWER

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the hearing before the Subcommittee on Water and Power previously announced for July 1, has been rescheduled and will now be held on Wednesday, July 14, 2010, at 3:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to examine the Federal response to the discovery of the aquatic invasive species Asian carp in Lake Calumet, Illinois.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to Gina_Weinstock@energy.senate.gov.

For further information, please contact Tanya Trujillo or Gina Weinstock.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CARPER. 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 June 30, 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 BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 30, 2010, at 10 a.m., to conduct a hearing entitled ''Green Housing for the 21th Century: Retrofitting the Past and Building an Energy-Efficient Future.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CARPER. 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 June 30, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 30 at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on June 30, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CARPER. 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 June 30, 2010, at 9 a.m. in room 406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 30, 2010.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CARPER. 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 June 30, 2010, at 10 a.m. to conduct a hearing entitled ''Nuclear Terrorism: Strengthening Our Domestic Defenses, Part I.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on June 30, 2010, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CARPER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 30, 2010, at 9 a.m., in room SH–216 of the Hart Senate Office Building, to continue the hearing on the nomination of Elena Kagan to be an Associate Justice of the Supreme Court of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

Mr. CARPER. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 30, 2010, at 2:30 p.m. to conduct a hearing entitled, ''Interagency Contracts (Part II): Management and Oversight.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. CARPER. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on June 30, 2010, from 2–5 p.m. in Dirksen 106 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Sarah Cramer and Michael Crusinberry of my staff be granted the privilege of the floor for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Heidi McDonald and Amanda Spinney from Senator BINGAMAN's office be granted the privilege of the floor for the remainder of today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Adam Pelzer and Madeline Daniels of my staff be granted floor privileges for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

AIRPORT AND AIRWAY EXTENSION ACT OF 2010, PART II

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5611, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5611) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. CARPER. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5611) was ordered to a third reading, was read the third time, and passed.

CELEBRATING 130 YEARS OF UNITED STATES-ROMANIAN DIPLOMATIC RELATIONS

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Con. Res. 67, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 67), celebrating 130 years of United States-Romanian diplomatic relations, congratulating the Romanian people on their achievements as a great nation, and reaffirming the deep bonds of trust and values between the United States and Romania, a trusted and most valued ally.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CARPER. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 67) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 67

Whereas the United States established diplomatic relations with Romania in June 1880;

Whereas the United States and Romania are two countries united by shared values and a strong commitment to freedom, democracy, and prosperity;

Whereas Romania has shown, for the past 20 years, remarkable leadership in advancing security and democratic principles in Eastern Europe, the Western Balkans, and the Black Sea region, and has amply participated to the forging of a wider Europe, whole and free;

Whereas Romania's commitment to meeting the greatest responsibilities and challenges of the 21st century is and has been reflected by its contribution to the international efforts of stabilization in Afghanistan and Iraq, its decision to participate in the United States missile defense system in Europe, its leadership in regional nonproliferation and arms control, its active pursuit of energy security solutions for South Eastern Europe, and its substantial role in shaping a strong and effective North Atlantic Alliance;

Whereas the strategic partnership that exists between the United States and Romania has greatly advanced the common interests of the United States and Romania in promoting transatlantic and regional security and free market opportunities, and should continue to provide for more economic and cultural exchanges, trade and investment, and people-to-people contacts between the United States and Romania;

Whereas the talent, energy, and creativity of the Romanian people have nurtured a vibrant society and nation, embracing entrepreneurship, technological advance and innovation, and rooted deeply in the respect for education, culture, and international cooperation; and

Whereas Romanian Americans have contributed greatly to the history and development of the United States, and their rich cultural heritage and commitment to furthering close relations between Romania and the United States should be properly recognized and praised: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) celebrates the 130th anniversary of United States-Romanian diplomatic relations;

(2) congratulates the Romanian people on their achievements as a great nation; and

(3) reaffirms the deep bonds of trust and values between the United States and Romania.

NATIONAL ESIGN DAY 2010

COMMEMORATING THE REMARKABLE LIFE OF CHAPLAIN HENRY VINTON PLUMMER

SUMMER FOOD SERVICE PROGRAM AWARENESS MONTH

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 576, S. Res. 577, and S. Res. 578.

Without objection, the Senate proceeded to consider the resolutions.

Mr. CARPER. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any statements relating to the resolutions be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions (S. Res. 576, S. Res. 577, and S. Res. 578) were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 576

Whereas the Electronic Signatures in Global and National Commerce Act (ESIGN) (15 U.S.C. 7001 et seq.) was enacted on June 30, 2000, to ensure that a signature, contract, or other record relating to a transaction may not be denied legal effect, validity, or enforceability solely because the signature, contract, or other record is in electronic form;

Whereas in that Act, Congress directed the Secretary of Commerce to take all actions necessary to eliminate or reduce, to the maximum extent possible, the impediments to commerce in electronic signatures, for the purpose of facilitating the development of interstate and foreign commerce; and

Whereas June 30, 2010, marks the 10th anniversary of the enactment of ESIGN and would be an appropriate date to designate as ''National ESIGN Day 2010'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of a ''National ESIGN Day 2010'';

(2) recognizes the contribution made by Congress in the Electronic Signatures in Global and National Commerce Act (ESIGN) (15 U.S.C. 7001 et seq.) to the adoption of modern solutions that keep the United States on the leading technological edge; and

(3) reaffirms the commitment of the Senate to facilitating interstate and foreign commerce in an increasingly digital world.

S. RES. 577

Whereas Henry Vinton Plummer was born into slavery on July 31, 1844, in Prince George's County, Maryland and escaped from slavery to serve honorably in the U.S. Navy during the Civil War;

Whereas Henry Plummer was assigned in 1864 to the Union gunboat U.S.S. Coeur de Lion, which engaged numerous Confederate ships trying to run Union blockades in the Chesapeake Bay and its tributaries during the Civil War;

Whereas after being honorably discharged from the Navy in 1865, Henry Plummer studied to become a minister, and felt called to serve again in the United States military;

Whereas in 1866, the 39th Congress passed legislation to establish African-American military units and stipulated that a chaplain be assigned to each regiment;

Whereas in July 1884, Henry Plummer was appointed the first African-American chaplain in the United States Regular Army with a military rank equivalent of Captain;

Whereas Chaplain Plummer served for more than 10 years with the Ninth Cavalry and was stationed at Army forts in Kansas, Wyoming, and Nebraska;

Whereas during his time in uniform, Chaplain Plummer worked to improve education and voter participation and reduce the temptation of gambling, drunkenness, and prostitution among soldiers under his ministry;

Whereas Chaplain Plummer fought racism and other injustices of the time while serving his country with the Ninth Calvary;

Whereas Chaplain Plummer's records in Fort Riley and Fort Robinson noted that he performed admirably in his work among soldiers and in his efforts on behalf of their spiritual well-being;

Whereas Chaplain Plummer endured racial bias and animosity throughout his time in uniform, including being denied officer housing and being forced to live among enlisted personnel despite holding the Army officer rank equivalent of Captain;

Whereas in 1894, Chaplain Plummer was court-martialed, convicted, and dismissed from the Army under circumstances tainted by racial and personal animus;

Whereas the Army Board for Correction of Military Records concluded that personal grudges and racial bias were driving factors that led to Chaplain Plummer's court-martial;

Whereas the Army Board for Correction of Military Records noted evidence that shows Chaplain Plummer served his country well and was a highly respected and admired officer;

Whereas in 2005, the Army Board for Correction of Military Records changed the status of Chaplain Plummer's military discharge to ''honorable'';

Whereas despite the unfair and racially charged atmosphere that led to Chaplain Plummer's conviction and discharge, he continued to ask for reinstatement in the military out of a desire to serve his country;

Whereas Chaplain Plummer was a devoted family man, minister, veteran, and community leader committed to the principles of liberty and opportunity for which the United States stands; and

Whereas Chaplain Plummer rose from the depths of slavery to remarkable heights, and led a life of selfless contributions to his country: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the life and patriotism of Chaplain Henry Vinton Plummer;

(2) expresses its admiration for Chaplain Plummer for his perseverance and resolve in the face of racial oppression in the military history of the United States; and

(3) congratulates Chaplain Plummer's extended family for their work to commemorate his life of devotion to helping others while overcoming tremendous adversity.

S. RES. 578

Whereas the Summer Food Service Program provides healthy, nutritious meals to an average 2,900,000 children each weekday during the summer;

Whereas there are 34,700 feeding sites in low-income neighborhoods located at churches, schools, parks, recreation centers, and summer camps in all 50 States;

Whereas thousands volunteer at summer feeding sites;

Whereas summer feeding programs play an important role in providing safe places for children and teenagers to engage in physical activity and provide educational opportunities to spur learning during the summer months;

Whereas data from the Department of Agriculture has shown rates of hunger and food insecurity among school-age children increase during the summer months;

Whereas of the 19,500,000 children receiving free or reduced priced meals through the National School Lunch Program, only 1 in 9 receive meals at a summer feeding site on an average day;

Whereas there are only 34 summer food sites for every 100 school lunch programs; and

Whereas many low-income, food insecure children in rural areas lack access to summer feeding locations: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 2010 as ''Summer Food Service Program Awareness Month'';

(2) encourages schools, nonprofit institutions, churches, parks, recreation centers, and summer camps to sponsor summer feeding sites in their communities; and

(3) encourages schools, local businesses, nonprofit institutions, churches, cities, and State governments to raise awareness of the availability of summer feeding sites and support efforts to increase participation of children who might otherwise go without meals if not for the Summer Food Service Program.

CONDITIONAL ADJOURNMENT OF THE HOUSE AND CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 293, the adjournment resolution, received from the House and at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A resolution (H. Con. Res. 293) providing for the conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CARPER. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 293) was agreed to, as follows:

H. CON. RES. 293

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, July 1, 2010, through Saturday, July 3, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, July 13, 2010, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Wednesday, June 30, 2010, through Sunday, July 4, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 12, 2010, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble

at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

MEASURE READ THE FIRST TIME—H.R. 5552

Mr. CARPER. Mr. President, I understand that H.R. 5552 has been received from the House and is at the desk, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. CARPER. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 5552) to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution.

Mr. CARPER. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to executive session and that the previous action tonight with respect to Calendar No. 963 be vitiated and that the Senate then proceed to Calendar No. 964; that the nomination be confirmed; that the motion to reconsider be laid upon the table; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Lloyd J. Austin, III

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the majority leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, reappoints the following individual to the United States Commission on International Religious Freedom: Dr. Don H. Argue of Washington.

ORDERS FOR MONDAY, JULY 12, 2010

Mr. CARPER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn under the provisions of H. Con. Res. 293 until 2 p.m. on Monday, July 12; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that following any leader remarks, there be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. CARPER. Mr. President, when we return on Monday, July 12, Senators should expect a rollcall vote at approximately 5:30 p.m. We hope to reach an agreement to vote on confirmation of a judicial nomination. Senators will be notified when any agreement is reached.

ADJOURNMENT UNTIL MONDAY, JULY 12, 2010, AT 2 P.M.

Mr. CARPER. 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 9:40 p.m., adjourned until Monday, July 12, 2010, at 2 p.m.

DISCHARGED NOMINATIONS

The Senate Committee on Foreign Relations was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ROBIN J. BRINKLEY HADDEN AND ENDING WITH HEATHER LOUISE YORKSTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 2010.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Wednesday, June 30, 2010:

BROADCASTING BOARD OF GOVERNORS

VICTOR H. ASHE, OF TENNESSEE, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2010.

WALTER ISAACSON, OF LOUISIANA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2012.

WALTER ISAACSON, OF LOUISIANA, TO BE CHAIRMAN OF THE BROADCASTING BOARD OF GOVERNORS.

MICHAEL LYNTON, OF CALIFORNIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2012.

SUSAN MCCUE, OF VIRGINIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2011.

DENNIS MULHAUPT, OF CALIFORNIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2011.

S. ENDERS WIMBUSH, OF VIRGINIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2010.

DEPARTMENT OF STATE

THEODORE SEDGWICK, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SLOVAK REPUBLIC.

BROADCASTING BOARD OF GOVERNORS

MICHAEL P. MEEHAN, OF VIRGINIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2010.

DANA M. PERINO, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2012.

DEPARTMENT OF THE TREASURY

S. LESLIE IRELAND, OF MASSACHUSETTS, TO BE ASSISTANT SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF THE TREASURY.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. DAVID H. PETRAEUS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. LLOYD J. AUSTIN III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. RAYMOND T. ODIERNO

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. FRANCIS H. KEARNEY III

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. REX C. MCMILLIAN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) ALTON L. STOCKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) WILLIAM A. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ELAINE C. WAGNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. COLIN G. CHINN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. WILLIE L. METTS
CAPT. JAN E. TIGHE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. THOMAS H. BOND, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) SAMUEL J. COX

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) MICHAEL S. ROGERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DAVID G. SIMPSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DAVID A. DUNAWAY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) TERRY J. BENEDICT
REAR ADM. (LH) THOMAS J. ECCLES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JAMES H. RODMAN, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. VICTOR M. BECK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. GERALD W. CLUSEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. BRYAN P. CUTCHEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) PATRICIA E. WOLFE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) DONALD R. GINTZIG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) STEVEN M. TALSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) LOTHROP S. LITTLE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) GARRY J. BONELLI
REAR ADM. (LH) SCOTT E. SANDERS
REAR ADM. (LH) ROBERT O. WRAY, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MARGARET A. RYKOWSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. GREGORY C. HORN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. PAULA C. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) SCOTT A. WEIKERT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPTAIN KELVIN N. DIXON
CAPTAIN MARTHA E.G. HERB
CAPTAIN BRIAN L. LAROCHE
CAPTAIN JOHN C. SADLER

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ROBIN J. BRINKLEY HADDEN AND ENDING WITH HEATHER LOUISE YORKSTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 2010.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH JEREMY C. AAMOLD AND ENDING WITH PETER W. ZUMWALT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 3, 2010.

AIR FORCE NOMINATIONS BEGINNING WITH MARK J. AGUIAR AND ENDING WITH MELINDA A. WILLIAMSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 21, 2010.

AIR FORCE NOMINATIONS BEGINNING WITH VERONA BOUCHER AND ENDING WITH JAMES A. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 21, 2010.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH ADAM M. KING AND ENDING WITH JAMES D. VALENTINE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 27, 2010.

IN THE NAVY

NAVY NOMINATION OF LYNN A. OSCHMANN, TO BE CAPTAIN.

NAVY NOMINATION OF DIANE C. BOETTCHER, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH STEPHEN J. LEPP AND ENDING WITH MELANIE F. OBRIEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATION OF CAROLINE M. GAGHAN, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH DAVID W. HOWARD AND ENDING WITH CARL R. TORRES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH KEVIN A. ASKIN AND ENDING WITH CRAIG S. FEHRLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH JOHN B. HOLT AND ENDING WITH CHRISTOPHER R. STEARNS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATION OF JEFFREY S. TANDY, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH RUSSELL L. COONS AND ENDING WITH SCOTT C. RYE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH KEVIN P. BENNETT AND ENDING WITH PAUL F. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH RICHARD A. BALZANO AND ENDING WITH MARK J. WINTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH JOHN T. ARCHER AND ENDING WITH ANDREW D. MCDONALD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH STEVEN T. BELDY AND ENDING WITH DAN A. STARLING, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH JAMES D. BEARDSLEY AND ENDING WITH CHRISTOPHER S. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 26, 2010.

NAVY NOMINATIONS BEGINNING WITH LLOYD P. BROWN, JR. AND ENDING WITH VINCENTIUS J. VANJOOLEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH DANNY K. BUSCH AND ENDING WITH MICHAEL ZIV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH WILLIAM S. DILLON AND ENDING WITH MICHAEL J. VANGHEEM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH NORA A. BURGHARDT AND ENDING WITH RICK T. TAYLOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH BRUCE J. BLACK AND ENDING WITH DAVID G. WIRTH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH CHAD F. ACEY AND ENDING WITH STEVEN G. WELDON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH JAMES S. BIGGS AND ENDING WITH HAROLD E. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH RICHARD W. HAUPT AND ENDING WITH JOSEPH A. SURETTE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH EDWARD A. BRADFIELD AND ENDING WITH SCOTT E. ORGAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH BRIAN D. CONNON AND ENDING WITH ERIKA L. SAUER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH CONRADO K. ALEJO AND ENDING WITH RICHARD D. JONES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH ERIC D. CHENEY AND ENDING WITH CYNTHIA M. WOMBLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATIONS BEGINNING WITH JAMES A. AIKEN AND ENDING WITH THEODORE A. ZOBEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

NAVY NOMINATION OF JAMES R. PELTIER, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH JOSEPH C. AQUILINA AND ENDING WITH WILLIAM M. WIKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH STEPHEN G. ALFANO AND ENDING WITH TERRY D. WEBB, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER A. BLOW AND ENDING WITH LINDA D. YOUBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH JEFFREY A. FISCHER AND ENDING WITH TRACY V. RIKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH CATHERINE A. BAYNE AND ENDING WITH MARY A. YONK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH JOHN D. BRUGHELLI AND ENDING WITH POLLY S. WOLF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH BILLY M. APPLETON AND ENDING WITH MIL A. YI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATIONS BEGINNING WITH ERIC M. AABY AND ENDING WITH GEORGE N. SUTHER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NAVY NOMINATION OF AXEL L. STEINER, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF CLIFFORD R. SHEARER, TO BE COMMANDER.

EXTENSIONS OF REMARKS

RECOGNIZING THE SWINNEY FAMILY AS BENTON COUNTY FARM FAMILY OF THE YEAR

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. BOOZMAN. Madam Speaker, I rise today to recognize the Swinney family, for the honor and recognition of being named the Benton County Family Farm of the Year.

For more than 60 years the Arkansas Farm Family of the Year Program has honored farm families all across the state for their outstanding work both on their farms and in their communities. Recognition from the program is a reflection of the contribution to agriculture at the community and state level and its implications for improved farm practices and management.

Kent Swinney, with the help of his wife Carol and their three children Troy, Dwayne and Brandon, run a soybean, green bean, cattle, and Bermuda hay farm in Gentry, Arkansas.

Mr. Swinney has devoted his life to farming, spending his childhood on the farm with his father and grandfather and I am pleased to see he is passing along his passion to future generations of Arkansas farmers.

Arkansas is proud of the Swinney family for their commitment to farming and their commitment to farming as a family. This honor reflects the family's dedication to farming and the importance of farming as Arkansas's number one industry. I wish them continued success in their future endeavors and look forward to the contributions they will offer in the future of Arkansas agriculture.

COMMERCE FOR DEFENDERS ACT OF 2010

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. RAHALL. Madam Speaker, today I rise on behalf of all of America's Veterans and proudly introduce the Commerce for Defenders Act of 2010—a bill to create a Veteran Owned Small Business Preference in the Surface Transportation authorization—SAFETEA–LU, and set the precedent for continuing this important preference in the upcoming authorization.

For more than two hundred years, brave Americans have answered the call to serve our Nation at home and abroad, and my fellow West Virginians have long been among the first to report for duty.

Our Nation's veterans are true American patriots. Theirs is a proud story of service, sacrifice, and uncommon acts of heroism. They make each of us so very proud.

Aristotle said, "Men acquire a particular quality by constantly acting a particular way . . . you become just, by performing just actions . . . brave by performing brave actions."

We owe an enormous debt of gratitude to, and have great respect and deep admiration for, the 23 million men and women across America, who wore a military uniform in service to these great United States.

Madam Speaker, for 34 years I have been privileged to represent the people of southern West Virginia, and it is with humble sincerity I say, our Nation's veterans are never far from my mind.

There are 170,783 Veterans in my State of West Virginia—51,500 in my Congressional District alone—and that number is growing every day.

I am disheartened that our Veterans—the Defenders of our Freedom and American Way of Life—have given so much to their fellow Americans; yet, they face many hardships in their return to civilian life.

In a Nation such as ours, it is a stunning reality that today our brothers and sisters who have served around the globe to preserve democracy and promote freedom, are struggling with life in their home towns. Our Veterans returning from Iraq and Afghanistan are currently faced with a 21 percent unemployment rate.

Creating a Veterans' preference in the Transportation sector is very simple. It seeks to give America's veterans an opportunity advantage in the contracting process for their service to our country—a means to attach importance and to acknowledge our fellow Americans who have put their life on the line to preserve our way of life.

The propensity of this bill is at the same enormous and reasonable.

The number of Veteran owned businesses available to contract in the transportation construction industry would be quite small in comparison to the potential $500 billion authorization bill proposed by Chairman OBERSTAR. However, for Veterans who have returned home from deployment; who are trying to put their life and families back on track; who have been plunged into the extremely competitive marketplace—creating this preference is the very least we can do and will make a difference for many, many veterans.

There is an exponential effect created by this preference, as Veterans are known to hire other Veterans—spreading the potential benefit beyond prime contractors on to subcontractors and employees, as well as those who provide products and services to them—such as truck drivers, mechanics, surveyors and repair technicians, landscapers, bricklayers, carpenters, and concrete and masonry suppliers—and the list goes on.

The bill will not burden states with verification processes, as the Veterans Administration already has Veteran Owned Small Business registration process in place. The law that created this existing database requires the Secretary of Veterans Affairs to make the database available to all federal departments and agencies and to notify each department and agency of the availability of the database. To ensure a Veteran Owned Small Business is eligible a state would simply check that the business is registered with the Veterans Administration—saving time and money for all involved.

This bill does not interfere with Disadvantaged Business Enterprise (DBE) contracting goals currently ensconced in federal transportation law—in fact, it is my hope that the many women and minority veteran's small business owners will benefit from this opportunity. This Veterans preference would not create any new eligibility requirements for the DBE program and it would not infringe upon the importance that Congress has repeatedly placed on the DBE program.

Madam Speaker, from the battlefield to the marketplace, our veterans—America's patriots—exemplify sacrifice and commitment to duty.

I urge my colleagues to vote for The Commerce for Defenders Act of 2010—so that we may respectfully and gratefully fulfill our duty to support our Veterans—and, in one small part, to acknowledge the great sacrifice so many have so willingly made for all of us.

CALLING FOR RELEASE OF ISRAELI SOLDIER BY HAMAS

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2010

Mr. HOLT. Madam Speaker, I rise today in strong support of H. Res. 1359, which calls for the immediate and unconditional release of Gilad Shalit and other Israeli soldiers who are being held illegally by terrorist organizations. On June 25, 2006, Hamas terrorists based in Gaza led an illegal raid into Israel, where they attacked a military post and killed two Israeli soldiers before kidnapping then-corporal Gilad Shalit. Since then, Hamas has held Mr. Shalit without access to medical treatment, legal counsel, or humanitarian organizations. For 4 years, Mr. Shalit has been kept from his family, which has had to watch helplessly as Hamas cynically exploited videos of their loved one.

As I have said many times before, only a just, permanent, and peaceful settlement between Israelis and Palestinians can ensure the security and welfare of both peoples. The way forward in the Middle East will require compromises by all parties, but certain things are nonnegotiable. Hamas must end terrorist activities, renounce violence, and recognize Israel. Human rights and international humanitarian law must be respected by all, and Hamas bears the responsibility to meet this standard by immediately and unconditionally releasing Gilad Shalit. I stand firmly with his family and all Israelis who continue to suffer until justice is done.

HONORING THE DEDICATION AND LEADERSHIP OF LINDA SUTHERLAND

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. GRAYSON. Madam Speaker, I rise today to recognize the dedication and community leadership of Linda Sutherland in honor of Children's Awareness Month. As executive director of the Orange County Healthy Start Coalition, Mrs. Sutherland helps provide nutritional education and counseling services to pregnant woman and mothers with infants in order to ensure healthy pregnancies and babies. For 10 years, under Linda Sutherland's direction, new and expecting mothers in Central Florida have had access to support and important resources that will ensure their child receives the highest quality of health care. Children's Awareness Month focuses on bringing attention to the emotional, physical, and mental health needs of our children and youth. Linda Sutherland's leadership with the Healthy Start Coalition encourages the strengthening of maternal and child health by ensuring that all Florida families have access to a continuum of affordable and quality health and related services.

Mrs. Sutherland is a graduate of Marymount College where she graduated with a degree in Business Administration. She was then elected and served for the next 12 years as an Orange County School Board Member. Over the past two decades, Mrs. Sutherland has been given numerous awards for her professional and personal achievements and contributions. The Who's Who of International Women, Orange County Public Health, and the Florida School Board Association are just a few of the organizations who have recognized her outstanding leadership and active involvement in the Central Florida community. Linda Sutherland also serves as a peer reviewer for The Maternal Child Health Journal and contributes to the State of Florida March of Dimes Planning Committee.

Madam Speaker, Mrs. Sutherland's advocacy on behalf of women and children in the Central Florida community simply cannot be measured. Throughout the last 25 years, Mrs. Sutherland has demonstrated that a single person can make a difference in many lives. The Healthy Start Coalition transforms families every day by working together to reducing infant mortality and low birth weight babies. It gives me pleasure to honor Mrs. Linda Sutherland who deserves this recognition for her incredibly charitable work and philanthropy in the Central Florida community.

CONGRATULATING VOLLEYBALL STAND-OUT MEGAN C. HODGE ON HER ACCOMPLISHMENT ON THE U.S. NATIONAL TEAM

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mrs. CHRISTENSEN. Madam Speaker, I rise today to recognize a talented young Virgin Islander, Megan C. Hodge, a member of the U.S. National Volleyball Team and a senior member of Penn State University Nittany Lions who was recently named the 2010 Penn State Female Athlete of the Year and was also a co-winner of the prestigious Honda-Broderick Cup, awarded to the Top Collegiate Woman Athlete in the country. Megan is the first Penn State University student athlete to win the Honda-Broderick award in the school's 155 year history. Megan, who is an outside hitter led the Penn State Nittany Lions to an unprecedented third straight NCAA title in December 2009, the crowning moment of a 102-match winning streak. She was named the 2009 American Volleyball Coaches Association Division I National Player of the Year, College Sports Information Directors of America Academic All American of the Year for Volleyball, and Big Ten Player of the Year. Megan is part of the winningest class in the Penn State volleyball program history with a career record of 142–5.

Madam Speaker, Megan excels off the court as well as on the court. She graduated last month with a Bachelor of Science in Business Management from Penn State University. She was honored as an ESPN the Magazine Second Team Academic All-American in 2008 and garnered first team accolades in 2009. Later that year, she went on to become Academic All American of the Year for volleyball. She is a three time Academic All-Big Ten honoree.

Madam Speaker, today, Megan will be welcomed home to the Virgin Islands by her friends and family and proud Virgin Islanders who commend her achievements as a star athlete and a star student. The daughter of Michael and Carmen Samuel Hodge, who themselves are former members of the U.S. Virgin Islands National Volleyball team, Megan who grew up in North Carolina, returns to the islands for a much needed rest and relaxation.

Madam Speaker, I proudly rise to congratulate Megan and her family on her achievements on and off the volleyball court. She exemplifies the ideals of excellence that we all wish will inspire other young people in the Virgin Islands and around the country that hard work, dedication and a commitment of being nothing less than the best is the standard that we all should live by.

AFFORDABLE HEALTH CARE FOR AMERICA ACT

SPEECH OF

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2010

Mr. VISCLOSKY. Mr. Speaker, I rise today in support of Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act.

This important legislation will ensure that Medicare and TRICARE beneficiaries will be able to keep their doctors by retroactively reversing a 21 percent decrease in physician reimbursement that occurred on June 1, 2010. Additionally, this measure would provide physicians a 2.2 percent increase in physician reimbursements through November 30, 2010.

While I am pleased that the House is considering a 6 month fix, I continue to support a permanent solution. It is not fair to medical providers to face the continued uncertainty of temporary fixes. I am proud that I supported and the House passed a permanent fix last November, and would urge my colleagues in both the House and Senate to recommit themselves to passing legislation to permanently fix this problem.

DESIGNATING THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) AS A NATIONAL SECURITY INTEREST AND ASSET

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Ms. JACKSON LEE of Texas. Madam Speaker, I join my colleagues in strong support of NASA programs across the country, and I share their concerns regarding the administration's proposal to cancel NASA's Constellation Program, which includes the Orion Crew Capsule, the Altair Lunar Lander, and the Ares I and Ares V rockets.

These programs, which together comprise our human spaceflight program, were authorized in both 2005 and 2008 by Republican and Democratic Congresses respectively. It is under the Constellation program that NASA is currently developing new launch vehicles and spacecraft capable of travel to the moon, Mars and other destinations. Not only does cancelling the Constellation Program jeopardize America's leadership role in human space exploration, but it will have detrimental effects on our economy and national security.

Take, for example, the Johnson Space Center in Houston, Texas. The Johnson Space Center has the lead to manage the Constellation Program and several of its major elements, including the Orion Crew Exploration Vehicle and the Altair Lunar Lander. Without Constellation, the Johnson Space Center could lose anywhere from 4,000 to 7,000 high-tech jobs. If the JSC loses 4,000 direct jobs, an additional 2,315 indirect jobs would be lost, totaling 6,315; loss of income and expenditures locally would be over $567 million. If the JSC loses 7,000 direct jobs, an additional 4,052 indirect jobs would be lost, totaling 11,052; loss of income and expenditures locally would total almost $1 billion.

When speaking of the decision to cancel the Constellation Program, Administrator Bolden stated that "NASA intends to work with the Congress to make this transition smooth and effective, working responsibly on behalf of the taxpayers." To the contrary, I believe that the best use of taxpayers' money is to continue the investment in NASA to build America's scientific future. That future will create jobs.

The present administration's plan for the Constellation Program would cause drastic job loss across America and would place America in a behind the edge position as it relates to competitiveness in scientific research. NASA and the space industry are critical to Houston's economic success in both the short and long term. According to the Bay Area Houston Economic Partnership, NASA accounts for nearly 16,800 direct federal jobs and serves as the engine for another 3,100 civilian jobs that together supply more than $2.5 billion in payroll into Houston's regional economy. The Johnson Space Center is the primary location

for training astronauts for spaceflights and this move; yet, the proposed budget will effectively cancel America's human spaceflight program.

In his statement announcing NASA's budget, Administrator Bolden stressed that changes in the FY 2011 budget would be "good for NASA, great for the American workforce, and essential for our nation's future prosperity." Madame Speaker, while I seek the same objectives, I strongly disagree with the closing of this project and I believe it will hurt America's scientific progress. Additionally, the aerospace industry would lose as many as 20,000–30,000 jobs nationally in either of these scenarios.

Given our current economic downturn, we cannot take the possibility of these job losses lightly and the Johnson Space Center is just one example of what the cancellation of this program would do to other NASA centers nationally. It will take years for the commercial spaceflight industry to get up to speed to reach the level of competence that exists at NASA today.

Our government has already invested literally years and billions of dollars into this program. We should build upon these investments and not abandon them. Our country can support the commercial spaceflight industry, but not at the expense of our human spaceflight program, which for years has inspired future generations and driven technology that enhances our quality of life. This technology is crucial to our national security. NASA conducts aeronautics research to address aviation safety, air traffic control, noise and, emissions reductions and fuel efficiency. NASA's contribution to our knowledge of air and water supports improved decision making for natural resource management and emergency response, thus enabling us to better respond to future homeland security threats.

Knowledge of Earth's water cycle is a critical first step in protecting our water supply; water flows over the Earth's surface in oceans, lakes, and streams, and is particularly vulnerable to attack. NASA sensors also provide a wealth of information about the water cycle; and contributes to improving our ability to monitor water resources and water quality from space; we must also protect the quality and safety of the air we breathe; airborne contaminants can pose danger to human health; and chemical, nuclear, radiological, and biological attacks are plausible threats against which we can protect.

I have asked my colleagues in Congress to join me in my efforts to restore funding for the Constellation to the FY 2011 budget for the following reasons:

1. Elimination of the Constellation program will present homeland security implications for cyberspace, critical infrastructure, and the Intelligence community of the United States;

2. Elimination of the Constellation program will compromise the effectiveness of the International Space Station as it relates to the strategic importance of space station research, and intelligence;

3. Continuation of NASA's Constellation program is crucial to improving national security, climate, and research in science and medicine.

It is my hope, that this Congress will continue to support NASA's Constellation program and to support balanced energy policies that promote economic growth and will help us meet our clean energy goals.

H. RES. 1150

Whereas the United States has invested in human flight program since May 5, 1961, a program that has been a source for the United States leadership role in space exploration and advancement in scientific research; and is a national security interest and asset for the Nation.

Whereas the Constellation program is a human space flight program that includes: the Ares I launch vehicle, capable of launching to low-Earth orbit; the Ares V heavy-lift launch vehicle, to send astronauts and equipment to the Moon; the Orion capsule, intended to carry astronauts to low-Earth orbit and beyond; and the Altair lunar lander and lunar surface systems astronauts will need to explore the lunar surface.

Whereas the President's Fiscal Year 2010 Budget provided $18,700,000,000 for the National Aeronautics and Space Administration (NASA); the Budget funds a program of space-based research to advance our understanding of climate change and its effects, as well as human and robotic space exploration; and the budget supports the use of the Space Shuttle to complete assembly of the International Space Station.

Whereas the 2010 NASA budget funded a program of space-based research that supports the Administration's commitment to deploy a global climate change research and monitoring system.

Whereas 2010 NASA budget was to fund the safe flight of the Space Shuttle through the vehicle's retirement at the end of 2010. An additional flight will be conducted if it can be completed safely before the end of 2010.

Whereas the President's Fiscal Year 2011 Budget proposes to eliminate the National Aeronautics and Space Administration (NASA)'s Space Shuttle and Constellation program and allocate $6,000,000,000 over 5 years for the purpose of developing commercial space flight.

Whereas the Congress recognizes the policy outlined in section 501(a) of the National Aeronautics and Space Authorization Act of 2005 (42 U.S.C. 16761(a)), that the United States shall maintain an uninterrupted capability for human space flight and operations in low-earth orbit, and beyond, as an essential element of national security and the ability to ensure continued United States participation and leadership in the exploration of space.

Whereas eliminating the Constellation upon retirement of the Space Shuttle will create a national security risk to the United States and will diminish the Nation's efforts to advance scientific research in space.

Whereas the United States will for the first time since its space program began, be without a human space flight program.

Whereas transferring funds from the Constellation program to the development of commercial space programs to carry human and crew into space is taking a chance on an unknown quantity and is an unnecessary and unreasonable risk this country must not take.

Whereas the retirement of the Space Shuttle this year will leave the United States vulnerable and depending on Russia to put United States astronauts in orbit without the Constellation program; in May of last year when it became clear the United States had no one else to turn to, Russia raised its prices from $48,000,000 to $51,000,000 per launch for each astronaut.

Whereas the Constellation program is not just about going to the moon, as the United States has a commitment to the International Space Station (ISS), and with the Space Shuttle being retired this September, the Constellation is the only system under development that will give NASA the future capability to launch and retrieve crews to and from the ISS.

Whereas decreasing the use of the International Space Station would impact the ability to sustain its systems and physical infrastructure.

Whereas the Constellation program should be funded to continue use of the International Space Station to support the agency and other Federal, commercial, and academic research and technology testing needs.

Whereas partnerships between universities and NASA centers should be established to provide research opportunities for conduct of research in the United States International Space Station National Laboratories for the next generation of scientists in order to ensure effective utilization of the International Space Station research capabilities.

Whereas NASA conducts aeronautics research to address aviation safety, air traffic control, noise and, emissions reductions and fuel efficiency.

Whereas NASA's contribution to our knowledge of air and water supports improved decisionmaking for natural resource management and emergency response, thus enabling us to better respond to future homeland security threats.

Whereas knowledge of Earth's water cycle is a critical first step in protecting our water supply; water flows over the Earth's surface in oceans, lakes, and streams, and is particularly vulnerable to attack.

Whereas NASA sensors provide a wealth of information about the water cycle; and contributes to improving our ability to monitor water resources and water quality from space; we must also protect the quality and safety of the air we breathe; airborne contaminants can pose danger to human health; and chemical, nuclear, radiological, and biological attacks are plausible threats against which we can better protect the United States through NASA's research: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) NASA is a national security asset and interest for the United States;

(2) elimination of the Constellation program will present Homeland Security implications for cyberspace, critical infrastructure, and the intelligence community of the United States;

(3) elimination of the Constellation program will compromise the effectiveness of the International Space Station as it relates to the strategic importance of space station research, and intelligence;

(4) continuation of NASA's Constellation program is crucial to improving national security, climate, and research in science and medicine; and

(5) the United States should maintain its funding of the Constellation program and should begin funding commercial space in 5 years and not sooner.

RECOGNIZING THE HART FAMILY AS WASHINGTON COUNTY FARM FAMILY OF THE YEAR

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. BOOZMAN. Madam Speaker, I rise today to honor the John Robert Hart family for earning the 2010 Farm Family of the Year award for Washington County, Arkansas.

Working for generations on the farm, the Hart family has a history rooted in Arkansas agriculture. John grew up on his farm and continues to run it today with his wife, Carolyn.

Today the Harts have a 250 acre farm where they produce dairy and poultry products, as well as three different varieties of hay. The family is dedicated to agriculture and plans to continue running the farm for generations to come.

Because of this lifelong commitment, their hard work and dedication the Hart Family is most deserving of the Washington County Farm Family of the Year Award. Recognition from the program is a reflection of the contribution to agriculture at the community and state level and its implications for improved farm practices and management.

Arkansans are blessed to have such outstanding farm families like the Harts who are dedicated to providing agriculture services to their community and country. I ask my colleagues today to join with me in congratulating the Harts on their achievements and wish them continued success in farming.

INTRODUCING THE GULF CORPS CONSERVATION ACT OF 2010

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce the Gulf Coast Conservation Corps Act of 2010, which will help to create jobs in the Gulf Coast region. The program will assist those who have been unemployed due to the oil spill off the Gulf of Mexico that took place on April 20, 2010. In a program similar to the Civil Conservation Corps created by President Franklin D. Roosevelt during the Great Depression, the Gulf Coast Conservation Corps will be a public-private partnership benefiting our nation for years to come.

We find our country in much the same position as it was when President Roosevelt created his Corps. Then, there was a staggering number of unemployed who went to work to conserve our national parks. Today, it is a devastated Gulf Coast. Even before the oil spill, the region was suffering under extraordinary unemployment levels. The tourist industry contributed 620,000 jobs and over $9 billion in wages to the Gulf region. The fishing industry supports over 200,000 jobs with related economic activity of $5.5 billion. With so much of the federal waters unavailable for fishing and so many tourists cancelling planned vacations, the need is dire and we must get people back to work.

The Corps will provide workers with the means, training and knowledge they need to alleviate the worst environmental disaster in the history of our country. These are not "make work" jobs. The work is not "busy work." The cleaning and restoration of the Gulf is not optional. And because it will likely take years to finish, it is imperative that we have the necessary resources in place to ensure that it is completed. Participants will do the necessary work to get the Gulf Coast back on track. The Corps will be a committed labor force, performing the hard work that will move the United States beyond this environmental disaster.

As President Roosevelt said, "All work undertaken should be useful—not just for a day, or a year, but useful in the sense that it affords permanent improvement in living conditions or that it creates future new wealth for the Nation."

Madam Speaker, the work of Gulf Coast Conservation Corps is, to say the least, useful. I urge my colleagues to support this vitally important piece of legislation.

TRIBUTE TO BRIGADIER GENERAL HARRY C. ADERHOLT

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. ADERHOLT. Madam Speaker, I would like to pay tribute to Brigadier General Harry C. "Heinie" Aderholt, a true American hero and one of the founders of the U.S. Air Force Special Operations. On May 20, 2010, I and many others across the State and Nation were saddened to hear of the passing of General Aderholt.

Heinie, as he was affectionately known by all who knew and loved him, began his military service with the U.S. Army Air Corps in 1942 and retired from the U.S. Air Force in 1976. He was also known as "Air Commando One," for his work to form what was originally called the First Air Commando Wing. He was the last general officer to leave Vietnam.

During his service he was awarded the Legion of Merit with two oak leaf clusters, Distinguished Flying Cross with oak leaf cluster, Bronze Star Medal with oak leaf cluster, Meritorious Service Medal, Air Medal with eight oak leaf clusters, Joint Service Commendation Medal, Air Force Commendation Medal, Presidential Unit Citation Emblem and the Air Force Outstanding Unit Award Ribbon with oak leaf cluster. His other honors include the Order of the Sword, which the non-commissioned officers of the Air Force Special Operations Command awarded to him in January 2001, the prestigious Bull Simons Award, that recognizes those who embody the true spirit, values, and skills of a special operations warrior and he was also awarded the Order of the White Elephant by the government of Thailand, their highest award.

After his retirement from the Air Force, He founded the McCoskrie/Threshold Foundation, which provides medical ancillary assistance, supplies, and equipment to Central and South American countries as well as to Laos and Thailand. He also founded the Air Commando Association.

General Heinie Aderholt will be remembered for his valor, character, and strength. It was an honor to have known him as a relative, friend and great American Patriot, and his leadership will be missed by all who knew him. His influence for good for all America will live on.

A memorial service will be held at Hurlburt Air Park, Fort Walton Beach, Florida, on July 2, 2010 at 9 a.m.

Our thoughts and prayers are with his wife Anne, his daughter Janet and son George and their families.

Thank you Heinie for all you did for America.

HONORING RAY ROBSON

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. BILIRAKIS. Madam Speaker, I rise today to honor and congratulate Pinellas County's Ray Robson who, at the age of 14, became America's youngest chess grandmaster.

Ray's passion for chess began at age three when his father, Gary Robson, brought home his first chess set. They played chess daily, with Ray's father beating him every time, until he was four. Ray continued to excel in chess, and his father soon lost track of how many times his son had beat him.

By the time Ray was 11, he earned the distinguished title of chess master, and still holds the distinguished honor of being the youngest chess master in Florida's history. Over the past four years, his record-setting performances have continued to resound throughout the chess community. In addition to being an international master, Ray was also the youngest person to qualify for the U.S. Chess Championship, the youngest recipient of the Samford Chess Fellowship, and the youngest participant for the U.S. at a World Team Championship.

Ray's dedication, perseverance, and achievements are truly remarkable. I cannot imagine the pressure he faced while challenging and defeating some opponents more than twice his age. I would also like to commend Ray's parents for their role in helping their son develop his talents and succeed. The national and international recognition Ray has earned is incredible, especially for a young man of only 15. It is my honor to stand before Congress and recognize the accomplishments of Ray Robson, and I wish him continued success in the future.

DEMOCRACY IS STRENGTHENED BY CASTING LIGHT ON SPENDING IN ELECTIONS ACT

SPEECH OF

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2010

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5175) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and for other purposes:

Mr. JOHNSON of Georgia. Mr. Chair, I rise to urge my colleagues to support the rule and the underlying bill, the DISCLOSE Act. I strongly support the DISCLOSE Act, which recognizes the significant contributions of libraries, librarians, and library workers to our nation's communities.

In Citizens United v. Federal Election Commission, the Supreme Court opened the floodgates to unrestricted special interest campaign donations in American elections—even from entities controlled by foreign governments. In that case, the Supreme Court ruled that all organizations, corporations, and unions are free

to take unlimited corporate money and make unlimited political expenditures.

The DISCLOSE Act would strengthen disclosure of election ads and would force corporate CEO's to stand by their ads by appearing on camera to say that he or she ''approves this message.''

This bipartisan legislation would control the flood of special interest money into America's elections. Powerful special interests and their lobbyists should not be able to drown out the voices of the American people with their pocketbooks.

The DISCLOSE Act would establish touch disclosure requirements for election-related spending by big oil corporations, Wall Street and other special interests, so the American people can follow the money and see clearly which special interests are funding political campaign activity and trying to buy representation in our government. This legislation would also prohibit foreign entities from manipulating the outcomes of American elections and help close other special interest loopholes.

Further, the DISCLOSE Act would ensure that social welfare organizations with membership of 500,000 or more, stand by their political ads and prohibits them from using corporate dollars for campaign purposes, while respecting privacy of their contributors.

I believe that people need to know who is paying to influence their elections.

According to a recent Washington Post-ABC poll, the American people agree. Eight in ten Americans opposed the high court's ruling, including seven out of ten Republicans, and 72 percent favored congressional action to curb the ruling.

Congress should act now to pass this important bill.

I strongly support the DISCLOSE Act and urge my colleagues to do the same.

SUPPORTING NATIONAL PHYSICAL EDUCATION AND SPORT WEEK

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2010

Mr. DAVIS of Illinois. Madam Speaker, I would like to communicate my support for designating the week of May 2, 2010 as ''National Physical Education and Sport Week.'' America faces an obesity crisis, and this problem is particularly harmful to our children. The childhood obesity rate has more than tripled since 1980, and today the CDC places the rate at approximately 17%. This crisis, however, does not affect all children equally. It disproportionately affects children from racial/ethnic minority groups and from low-income families. Although only 16% of Caucasians aged 12–19 are obese, 24% of African Americans and 21% of Hispanics are obese. Obesity in childhood is particularly troubling given that obese children often develop many diseases in their youth that typically occur in adults, such as Type II diabetes. Frequently, these children also develop risk factors for cardiovascular disease, including high cholesterol and high blood pressure. Furthermore, obesity in childhood increases the likelihood of obesity and its associated health problems in adulthood, including coronary heart disease, stroke, and cancer. In addition to the negative health effects of childhood obesity, the crisis also proves costly to the health care system. It is estimated that childhood obesity costs the U.S. approximately $3 billion a year, and this number will only grow worse if we fail to correct this problem.

Although many factors contribute to the increased obesity of our children, including the lack of nutrition in many children's diets, a key variable is that the American life style has changed to be more sedentary both in school and at home. Physical activity during the school day is restricted much more now than in the past. Only 15% of middle schools and 3% of high schools offer all their students physical education three or more days a week. Many schools offer PE only once a week, with recess seen as an extra rather than a key part of child development. In the past, children played outside for hours after school, but active outdoor time is now much rarer. A 2009 study found that children ages 8–18 watch an average of three hours of television a day. Although these factors affect all children, they are intensified for minority and low income children. Schools in low income areas often cut physical education to one day a week to focus on reading and math. Minimum wage jobs rarely offer the flexibility needed to get kids to sports practices and events; doing so is even harder when public transportation is necessary. Some communities lack safe places to play outdoors, so children engage in more sedentary activities inside. Frequently, low income communities lack grocery stores and options for fresh produce. We must work to reemphasize the importance of physical activity, so that each child has an equal chance at living a healthy life.

We cannot allow this unwholesome future to become the destiny of America's children. Let us instead face this problem, and help these children. We can begin to fight this epidemic by recognizing the importance of physical education and sport in children's lives. Therefore, I urge my colleagues to support House Resolution 1373.

CONGRESSIONAL BLACK CAUCUS HOUR

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise to speak about the special order topic of financial reform. I would like to thank my colleague Congresswoman MARCIA FUDGE for bringing this issue to the floor tonight. I would also like to thank CBC Chair BARBARA LEE for her leadership on continuing to shine the light on important issues that matter to the CBC and our constituents as well as the Nation as a whole.

It is past time that we take strong action to reform our financial system to ensure that we have strong measures in place to best prevent the economic crisis that we have been experiencing over the last few years. We had years without accountability for Wall Street and the Big Banks under President Bush and congressional Republicans which cost the people of this Nation 8 million jobs.

We will: Rein in Big Banks and their Big Bonuses, put an end to bailouts and the idea of ''too big to fail,'' and create a consumer financial protection agency to protect and empower consumers to make the best decisions on homes, credit cards, and their own financial future.

Mr. Speaker, we can no longer afford to let the fox watch the henhouse. For eight years, President Bush and congressional Republicans looked the other way as Wall Street and the Big Banks exploited loopholes, gambled your money on complex schemes, and rewarded failure and recklessness. America's families and small businesses paid the price. We lost 8 million jobs and $17 trillion in retirement savings and Americans' net worth.

This Congress and President Obama have made tough choices and taken effective steps to bring our economy back from the brink of disaster. The Recovery Act has already saved or created up to 2.8 million jobs and much of the TARP has been paid back. And now we are taking another key step forward with a final agreement on the Dodd-Frank Wall Street Reform and Consumer Protection Act.

As we rebuild our economy, we must put in place commonsense rules to ensure Big Banks and Wall Street can't play Russian Roulette again with our futures. Wall Street may be bouncing back, but we know from experience they're not going to police themselves.

Common-sense reforms that hold Wall Street and the Big Banks accountable will:

End bailouts by ensuring taxpayers are never again on the hook for Wall Street's risky decisions

Protect families' retirement funds, college savings, homes and businesses' financial futures from unnecessary risk by CEOs, lenders, and speculators

Protect consumers from predatory lending abuses, fine print, and industry gimmicks

Inject transparency and accountability into a financial system run amok

WHAT'S IN THE LEGISLATION?

Creating a new Consumer Financial Protection Agency to protect families and small businesses by ensuring that bank loans, mortgages, and credit cards are fair, affordable, understandable, and transparent. We currently have rules that keep companies from selling us toasters that burn down our homes. We should have similar rules that bar the financial industry from offering mortgage loans to people who can't afford repayment.

Ending predatory lending practices that occurred during the subprime lending frenzy.

Shutting down ''too big to fail'' financial firms before risky and irresponsible behavior threatens to bring down the entire economy.

Ending costly taxpayer bailouts with new procedures to unwind failing companies that pose the greatest risk—paid for by the financial industry and not the taxpayers.

Tough new rules on the riskiest financial practices that gambled with your money

and caused the financial crash, like the credit default swaps that devastated AIG, and common sense regulation of derivatives and other complex financial products. Includes a strong "Volcker rule" that generally restricts large financial firms with commercial banking operations from trading in speculative investments.

Tough enforcement and oversight with:

More enforcement power and funding for the Securities and Exchange Commission, including requiring registration of hedge funds and private equity funds

Enhanced oversight and transparency for credit rating agencies, whose seal of approval gave way to excessively risky practices that led to a financial collapse

Reining in egregious executive compensation and retirement plans by allowing a 'say on pay' for shareholders, requiring independent directors on compensation committees, and limiting bank executive risky pay practices that jeopardize banks' safety and soundness.

New protections for grocers, retailers and other small businesses facing out-of-control swipe fees that banks and other credit and debit card issuers charge these businesses for debit or prepaid-card purchases. As a result, merchants stand to save billions.

Audits the Federal Reserve's emergency lending programs from the financial crisis and limits the Fed's emergency lending authority.

RETIREMENT OF NURSE LESLIE GOLDBERG

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. STARK. Madam Speaker, I rise today to pay tribute to Leslie Goldberg, R.N. who is retiring tomorrow after 20 years of service as a nurse with the Attending Physician's Office here at the Capitol. Leslie is well known and loved by all who work in the Cannon House Office Building—Members and staff alike. She's run the Cannon Health Unit for most of her time on the Hill and she personifies service and caring.

Leslie graduated from the Jewish Hospital of Brooklyn and first worked as a nurse at New York University Hospital in neurosurgery. She went on to work at the Regional Institute for Children and Adolescents and then did insurance physicals for eight years prior to joining us on Capitol Hill.

She started with the Office of the Attending Physician in November 1990, and has taken excellent care of us ever since. She makes sure we get our flu shots, helps us find doctors, and tells us when we need to go home so we don't make others around us sick.

The nurses are also on call at numerous events where Members of Congress are in attendance. They are on hand for the Memorial Day Concert, the annual State of the Union, the inauguration ceremonies. They work long hours and are here whenever Congress is in session—no matter how late. Overtime is the norm for Leslie and her colleagues.

Until Speaker PELOSI made a lactation room available for nursing mothers returning to work, hundreds of new moms could tell you of the time they spent in the Cannon Nurse Station with Leslie's full support. She has a photo wall of children to attest to this—with moms bringing in updated photos each year as their children grow up. My chief of staff is one of those moms and is very grateful for all of Leslie's help over the years.

Now, Leslie is turning to a new phase in life. She has two grandchildren on the way and she plans to be an active grandmother in their lives. She'll also be able to do more traveling and dedicate herself to volunteer priorities.

For someone who has spent her career caring for others, it is time for Leslie to get to care for her family and herself. We wish her all the best and thank her for her long, dedicated service to Congress. We'll miss her.

ADVANCED IMAGING TECHNOLOGIES (AIT)

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. CHAFFETZ. Madam Speaker, I recently read with interest an article by Ralph Nader discussing his concerns with the Transportation Safety Administration's (TSA) use of "whole-body imaging" scanning machines. These machines, now called "Advanced Imaging Technologies" (AIT), allow TSA screeners to search for security risks by looking under passengers' clothing in a particularly privacy intrusive inspection.

I share many of Mr. Nader's concerns, and include a copy of article from www.commondreams.org for the record. Last summer I worked with many of my colleagues in the House on both sides of the aisle to pass an amendment to the TSA Authorization bill which addressed some of the problems with the TSA's use of these AIT machines. Our amendment prohibited the use of AIT for mandatory primary screening at airports, required the TSA to give passengers the option of a pat-down search, and prohibited TSA from storing, transferring, or copying AIT images of passengers.

These technologies need not invade Americans' privacy so intrusively in order to secure our flights and passengers effectively. After the failed Christmas Day bombing attempt, which AIT may or may not have helped prevent, I renewed my call for the inventors and manufacturers of AIT machines to enhance privacy protections to permit broader deployment of these technologies without the tradeoff to Americans' rights of privacy.

Some AIT manufacturers have responded with scanners with "auto detection" capabilities, which reduce the costs and risks of error associated with human screeners. These scanners also produce images that go beyond merely blurring faces to blurring the outline of the scanned passenger's body. As I observed last December, these technologies have already been deployed in Amsterdam at the very airport from which the Christmas Day bomber traveled to the United States. My staff has seen these machines in action, and I feel the TSA should look seriously at whether these enhanced scanners could replace the privacy intrusive scanners currently deployed in airports across America.

I hope my colleagues will join with me in discussing the security and privacy issues surrounding AIT, and the concerns raised by Mr. Nader and others. We all want air travel to be as safe as possible, but this can be accomplished without sacrificing our privacy and dignity, and that of our fellow Americans.

[From www.commondreams.org, June 24, 2010]

NAKED INSECURITY

(By Ralph Nader)

If you are planning to fly over the 4th of July holiday, be aware of your rights at airport security checkpoints.

The Transportation Security Administration (TSA) has mandated that passengers can opt out of going through a whole body scanning machine in favor of a physical pat down. Unfortunately, opting for the pat down requires passengers to be assertive since TSA screeners do not tell travelers about their right to refuse a scan. Harried passengers must spot the TSA signs posted at hectic security checkpoints to inform themselves of their rights before they move to a body scanning security line.

Since the failed Christmas Day bombing of a Northwest Airlines flight by a passenger hiding explosives in his underwear, TSA has accelerated its program of deploying whole body scanning machines, including x-ray scanners, at airport security checkpoints throughout the United States. Scanning machines peak beneath passengers' clothing looking for concealed weapons and explosives that can elude airport metal detectors. So far, TSA has placed 111 scanners at 32 airports. They expect to have 450 scanners deployed by the end of the year at an estimated cost of $170,000 each.

Privacy, civil rights and religious groups object to whole body scanning machines as uniquely intrusive. Naked images of passengers' bodies are captured by these machines that can reveal very personal medical conditions such as prosthetics, colostomy bags and mastectomy scars. The TSA responded by setting the scanners to blur the facial features of travelers, placing TSA employees who view the images in a separate room and assuring the public that the images are deleted after initial viewing.

Yet, a successful Freedom of Information Act lawsuit by the Electronic Privacy Information Center against the Department of Homeland Security (DHS) uncovered documents showing that the scanning machines' procurement specifications include the ability to store, record and transfer revealing digital images of passengers. The specifications allow TSA to disable any privacy filters permitting the exporting of raw images, contrary to TSA assurances.

It begs logic that the TSA would not retain their ability to store images particularly in the event of a terrorist getting through the scan and later attacking an aircraft. One of the first searches by the TSA would be to review images taken by the scanners to identify the attacker.

The Amsterdam airport is using a less intrusive security device called "auto detection" scanning which generates stick figures instead of the real image of the person and avoids exposing passengers to radiation. Three United States Senators recently wrote to DHS Secretary Janet Napolitano urging her to consider these devices. (http://bit.ly/bJFn5K)

More pointedly, security experts, such as Edward Luttwak from the Center for Strategic and International Studies, have come forward questioning the effectiveness of whole body scanners since they can be defeated by hiding explosives in body cavities. The General Accounting Office, an investigative arm of Congress, has stated that it is unclear whether scanners would have spotted the kind of explosives carried by the ''Christmas Day'' bomber.

About one-half of these body scanning machines use low dose x-rays to scan passengers. Last May, a group of esteemed scientists from the University of California, San Francisco wrote to John Holdren, President Obama's science adviser, voicing their concerns about the rapid roll out of scanners without a rigorous safety review by an impartial panel of experts. The scientists caution that the TSA has miscalculated the radiation dose to the skin from scanners and that there is ''good reason to believe that these scanners will increase the risk of cancer to children and other vulnerable populations.'' (http://n.pr/bKGCKx).

David Brenner, director of Columbia University's Center for Radiological Research, has also voiced caution about x-raying millions of air travelers. He was a member of the government committee that set the safety guidelines for the x-ray scanners, and he now says he would not have signed onto the report had he known that TSA wanted to scan almost every air traveler. (http://www.columbia.edu/~djb3/)

Passenger complaints to TSA and newspaper accounts of passenger experiences with scanners contradict TSA assurances that checkpoint signs provide adequate notice to travelers about the scanning procedure and the pat down option. Travelers, who reported that they were not fully aware what the scanning procedure involved, said they were not made aware of alternative search options. (http://nyti.ms/9hGtUO)

Many travelers complained about their privacy, and their families' privacy, being invaded. Some were concerned about the radiation risk, particularly to pregnant women and children. Some travelers felt bullied by rude TSA screeners. The Wall Street Journal reported that one woman who refused to go through the body scanner was called ''unpatriotic'' by the TSA screener.

Expensive state-of-the-art security technology that poses potentially serious health risks to vulnerable passengers, invades privacy, and provides questionable security is neither smart nor safe. For the White House it is a political embarrassment waiting to happen.

President Obama should suspend the body scanning program and appoint an independent panel of experts to review the issues of privacy, health and effectiveness. After such a review, should the DHS and TSA still want to deploy body scanners at airports, they should initiate a public rulemaking, which they have refused thus far, so that the public can have their say in the matter.

If you experience any push-back from TSA screeners when you assert your right to refuse to go through a whole body scanner and request a pat down security search instead, please write to info@csrl.org.

Ralph Nader is a consumer advocate, lawyer, and author. His most recent book—and first novel—is, Only The Super Wealthy Can Save Us. His most recent work of non-fiction is The Seventeen Traditions.

RETIREMENT OF FRANK WILLIAMS, CHIEF EXECUTIVE OFFICER, BUILDING INDUSTRY ASSOCIATION OF CALIFORNIA'S BALDY VIEW CHAPTER

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. GARY G. MILLER of California. Madam Speaker, I rise today to celebrate the retirement of Frank Williams from the Building Industry Association's Baldy View Chapter.

Frank dedicated his career at the BIA to helping families achieve the American Dream of home ownership. He led the Baldy View Chapter with distinction, promoting quality communities, facilitating business opportunities for the Association's members, and always working to increase the public's awareness about the importance of home ownership.

Frank was appointed Chief Executive Officer of the Building Industry Association Southern California, Inc. Baldy View Chapter in April of 1992. Working from the Association's Rancho Cucamonga offices, he planned, directed, budgeted and coordinated all programs and administrative activities of the Baldy View Region, which includes all of San Bernardino County and all areas east of the 605 in Los Angeles County.

Under Frank's leadership, the Baldy View BIA has become a true partner with Congress to help cultivate an environment where more Americans can turn the dream of home ownership into reality. I commend Frank for working with Congress to create the conditions necessary to make home ownership available to more families.

Frank Williams is the recipient of the 1998 Fair Housing Award from the Fair Housing Council of San Bernardino County. He was named the National Association of Home Builders ''Gary Komarow Memorial Executive Officer of the Year'' in 1999.

While the BIA is losing an exceptional leader, I know our community and our Nation will continue to benefit from Frank's enthusiasm and vision for the cause of housing. Frank has been a tireless community leader and advocate for affordable housing, and he has been instrumental in helping to promote home ownership on the national level. With Frank's dedication, we have been able to raise national awareness about the housing needs of Californians. I am confident his work will continue into the future.

Frank is the Founder, Chairman of the Board and President of Housing Action Resource Trust (HART), a non-profit affordable housing provider that has assisted 50,000 families to buy homes. He also serves as a Commissioner to the San Bernardino County Housing Authority and is a fully-accredited Commissioner on the National Association of Housing and Redevelopment Officers. In addition, he was recently appointed by Governor Arnold Schwarzenegger to a Joint Land Use Task Force within the Governor's Office of Planning and Research.

There are many grateful people who have benefited from Frank's mentorship and vision over the years. On Wednesday, July 7, Frank's colleagues, friends and family are gathering to thank him for his leadership and dedication to the cause of home ownership.

Frank Williams has been a champion for increasing home ownership and promoting community development. I am very proud to congratulate him on his retirement and I commend him for his dedication to furthering housing opportunities for Californians and all Americans.

HONORING THE 2010 NATIONAL JUNIOR DISABILITY CHAMPIONSHIPS

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. DAVIS of Illinois. Madam Speaker, today I would like to recognize the participants and sponsors of the National Junior Disability Championships. This annual competition, founded by Wheelchair Sports USA, has helped teach the value of sports to young athletes since 1984. It began as a small competition for wheelchair athletes ages 7 to 21. Since that time, it has continued to grow both in nature and number. The competition expanded in scope to include athletes with many different types of disabilities, not just those in wheelchairs. Athletes with spinal cord injuries, cerebral palsy, blindness, and many other disabilities now participate in the competition. Reflecting this expansion in mission, the sponsoring organization changed its name to Wheelchair & Ambulatory Sports USA. The diversity of sports offered also increased. Although only three sports were initially offered, athletes now participate in seven areas of competition. Over 300 athletes from around the country participate each year.

For some of these young athletes, the National Junior Disability Championships competition provides a pathway to qualify for the U.S. Paralympics team. More importantly, however, it provides these young people the opportunity to develop the values of teamwork, sportsmanship, hard work, and perseverance offered by sports. Participants also benefit in other ways. For example, research shows the importance of physical activity in both the physical and mental development of children. This event removes the barriers that so often prevent these young people with disabilities from participating in sports, allowing them to reap the benefits of athletic competition.

In closing, I would also like to congratulate the athletes participating in the National Junior Disability Championships. It takes great perseverance, commitment, and strength of spirit to participate in this type of competition. I wish you the best of luck as you prepare for your respective athletic events.

IN TRIBUTE TO BOBBY POPE

HON. JIM MARSHALL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. MARSHALL. Madam Speaker, I rise today in honor of Mr. Bobby Pope, of Macon, Georgia, who is retiring after a long and illustrious tenure as Athletic Director of Mercer University. I rise to thank Bobby for his extraordinary commitment to Mercer Athletics,

his promotion of academic and athletic excellence within the Atlantic Sun Conference, and his overall contributions to the local community.

Madam Speaker, for over 20 years Bobby Pope, Dean of the Atlantic Sun Conference, has served as the Athletic Director for Mercer University. During his tenure, Mercer athletics have thrived, and its student-athletes have achieved impressive success both on and off the field. The program now includes 14 NCAA Division I teams plus the addition of the first-ever fulltime coaches for men's and women's golf, tennis, and cross country. Largely thanks to Bobby, Mercer University will field Georgia's first NCAA Division I men's and women's lacrosse teams in the upcoming year. Bobby Pope's commitment to building and strengthening Mercer athletics can further be seen in the recent renovations of existing fields and the construction of a state-of-the-art facility for student-athletes and coaches.

With Bobby Pope at the helm, Mercer University has twice won the Atlantic Sun Conference's All-Academic Trophy. Since its inception in 2007, the Atlantic Sun Conference post-graduate scholarship recognizing excellence and integrity has been awarded to a Mercer student-athlete. During Bobby's tenure, the cumulative grade point average for Mercer Bear student-athletes never fell below 3.0—a testament to his commitment to academic excellence.

Madam Speaker, Bobby Pope's passion and commitment to athletics and promoting sportsmanship extend beyond Mercer University. He has been very active in the Atlantic Sun Conference—twice serving as Conference President, as well as serving as a member on numerous Conference committees. Bobby has also made innumerable contributions to the local community as treasurer of the Macon Touchdown Club and through his service on the Mayor's Recreation Master Plan Committee, as well as the Georgia Sports Hall of Fame Authority. Indeed, he was recognized for his lifelong contributions to Middle Georgia Athletics when he was inducted into the Macon Sports Hall of Fame on April 28, 2006. Also, for over 35 years, his broadcast of local sports news on the ''Saturday Scoreboard'' gave us the good, the bad, and the ugly about our Georgia Bulldogs, Georgia Tech Yellow Jackets, and other middle Georgia sports teams.

Also, for over 35 years, his broadcast of local sports news on the Saturday Scoreboard gave us the good, the bad, and the ugly about our Georgia Bulldogs, Georgia Tech Yellow Jackets, and other Middle Georgia sports teams.

Madam Speaker, it is fitting for the CONGRESSIONAL RECORD to include this brief acknowledgement of the accomplishments of Bobby Pope as Athletic Director of Mercer University. As he assumes his new role as the Executive Director for the Mercer Athletic Foundation, Bobby will undoubtedly continue to contribute to the success and accomplishments of Mercer Athletics. Few leave such enduringly positive legacies.

RECOGNIZING SPECIAL EDUCATION TEACHERS

SPEECH OF

HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in support of H. Con. Res. 284, introduced by Representative SESSIONS, which recognizes the hard work and importance of special education teachers.

In 1972, the U.S Supreme Court ruled that people with special needs or disabilities had the same right to the quality education in public schools as their nondisabled peers. This monumental case changed the way we view children with special needs as well as the increased need for teachers who are certified for educating children with special needs. Actually, today, about 10 percent of all school-aged children receive special education services. This number shows the necessity and importance of special education teachers nationwide.

It takes an exceptional person to educate children with disabilities. Special education teachers have to adapt to a wide variety of needs ranging from children who have autism, hearing and seeing impairments, and even orthopedic impairments. Special education teachers have to come up with individual-specific plans for each child enrolled in their class, tailored to help children reach their full learning potential. Special education teachers must possess unique characteristics including extreme patience, organization capabilities, and the ability to understand each individual's needs. What makes these unique characteristics and hard work of these educators especially significant is the fact that they help improve the lives of the neediest amongst us, the special education students. Therefore, it is evident that these special education teachers' hard work and dedication is truly deserving of the appreciation that Congress offers within H. Con. Res. 284.

DeKalb County School System located in the Fourth District of Georgia has a history of focused care and concern for students with special needs. In fact, DeKalb County School System has an internationally recognized Exceptional Education and Support Services Division that provides a support system for the students with special needs as well as for their parents. I am proud of programs within my district, such as this support division, that help special education teachers by giving them the option to offer this support system to their students. I want to personally thank the special education teachers in my district and across the United States.

I urge my colleagues to support this important resolution.

RECOGNIZING THE NATIONAL COLLEGIATE CYBER DEFENSE COMPETITION

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 1244, ''Recognizing the National Collegiate Cyber Defense Competition for its now five-year effort to promote cyber security curriculum in institutions of higher learning,'' as introduced by my fellow member of the Texas delegation, Rep. CIRO RODRIGUEZ.

Our nation's critical infrastructure is composed of public and private institutions in the sectors of agriculture, food, water, public health, emergency services, government, defense industrial base, information and telecommunications, energy, transportation, banking and finance, chemicals and hazardous materials, and postal and shipping. Cyberspace is their nervous system—the control system of our country. Cyberspace is composed of hundreds of thousands of interconnected computers, servers, routers, switches, and fiber optic cables that allow our critical infrastructures to work. Thus, the healthy, secure, and efficient functioning of cyberspace is essential to both our economy and our national security.

One of the most significant security challenges that our Federal government faces today is ensuring that we have an abundance of adequately trained individuals defending our information infrastructure. In the past, I have been proud to sponsor bills that would increase funding for cybersecurity education programs, to ensure that we have a properly trained workforce to protect this vital infrastructure. The National Collegiate Cyber Defense Competition (CCDC) is an important piece of the cybersecurity education puzzle.

Since 2005, the National Collegiate Cyber Defense Competition has given students in the field of cybersecurity the opportunity to showcase their abilities. Rather than having students design an ''ideal'' network, the CCDC requires participants to assume the administrative and protective duties for an existing ''commercial'' network. This allows participants to show their skill at ''real world'' situations, as very few cybersecurity workers will have the luxury of building a perfect system from the ground up. While we obviously want to build the most secure networks possible, our experts must be able to work with the infrastructure that exists, finding and eliminating weaknesses that may already exist, and making imperfect systems secure.

Over the last few years, the contest has grown to include regional competitions in Texas, Maine, Washington, California, and Minnesota, among other locations. This year, there were more than eighty schools that participated, from all parts of the country. The students participating in this contest have not only demonstrated their knowledge and understanding of this important function, but they have also had the opportunity to hone their skills by dealing with actual, real time issues. The National Collegiate Cyber Defense Competition plays an important role in the development of our next generation of cybersecurity professionals, and I am proud to join Mr. RODRIGUEZ in recognizing it.

COMMENDING THE GEORGE MASON HIGH SCHOOL GIRLS' AND BOYS' SOCCER TEAMS ON WINNING THE VIRGINIA STATE CHAMPIONSHIP

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. MORAN of Virginia. Madam Speaker, I rise today to proudly recognize the George Mason High School girls' and boys' soccer teams for winning their respective State 1A Soccer Championships. On June 12th at Radford University, the George Mason High School Mustangs of Falls Church valiantly defeated Radford High School 3–1 to capture their third consecutive state title. The following day, the boys' team displayed equally outstanding talent by defeating Radford 2–1 to capture their second consecutive state championship.

The girls' championship win follows a remarkable season of 18 wins, 3 losses, and 1 tie. Junior midfielder Hannah Walker scored twice and sophomore forward Leah Roth had a goal and an assist. Nichole Mitchell played tough as the starting goalkeeper, only allowing one goal in the net from a penalty kick. After the final moment of the game, the George Mason players victoriously rushed the field and saluted their fans that had traveled 4 hours to watch the game.

The boys' championship game was led by Mustang seniors Nick Smirniotopoulos and Andrew Arias following a remarkable season of 19 wins, only 1 loss, and 4 ties. This is the second year in a row that the George Mason boys' soccer team has captured the state title. Smirniotopoulos, recently named to the 2010 All-Met team by the Washington Post, and Arias, each scored a goal to clinch the win. Just before halftime, junior goalkeeper Tyler Back made a remarkable save on a breakaway. Also standing as stalwarts on the defensive end were senior Natan Lailari and junior Franky Andrianarison. Like their counterparts on the girls' team, the lone goal scored against them came from a penalty shot.

I extend my congratulations to all of the athletes, coaches, and the entire George Mason High School community for their historic victories. Winning a state championship takes hundreds of hours of practice, preparation, and hard work. May your perseverance, strength, and diligence stay with you through all of your journeys in life.

EXPRESSING SENSE OF HOUSE REGARDING ANNIVERSARY OF DISPUTED IRANIAN ELECTIONS

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2010

Mr. WAXMAN. Madam Speaker, it has been 1 year since Iran's disputed elections brought thousands into the streets to protest the regime's fierce grip on fundamental liberties. Today we pause to pay tribute to the faces of freedom that rose up in peaceful and spontaneous demonstrations across Iran only to be met with brutal violence by the thuggish paramilitaries of the Iranian revolutionary guard.

In the days and weeks following the election, dozens of protestors were killed, hundreds were injured, others were arrested and tortured and some even died while in police custody. In the year since, Iranian authorities have cracked down on numerous other gatherings and severely curtailed the ability for Iranians to gather for national and religious holidays.

Although the 2009 election was not the first subject to serious irregularities, vote tampering and corruption, the obvious vote rigging that led some provinces to report a turnout greater than 100 percent created a tipping point.

At one point the anti-election momentum fueled a ''Twitter revolution,'' as tech-savvy Iranian youth mobilized gatherings through texting and instant messages. It was a telling sign of the opportunity for technology to surpass censorship and galvanize a freedom movement.

The Iranian people take great pride in their nation's vibrant history as a crossroads of the world, but the dangerous policies of the current government have made them more isolated than ever.

The government's reckless management of the economy has prioritized enriching the mullahs and the Iranian Revolutionary Guard Corps, while the average Iranian faces an unemployment rate approaching 30 percent.

The regime's illegal nuclear activities and dogged support for terrorist organizations have made Iran a pariah state in the community of nations. And now, with the recent passage of strict sanctions by the U.N. Security Council, the stagnant Iranian economy only stands to deteriorate further.

While tensions remain high between the United States and Iran, this resolution is a testament to our solidarity with the Iranian people and their courage to stand up for a better future. I am proud to be a cosponsor of the measure and I urge my colleagues to support its passage.

ON THE PASSAGE OF THE RESOLUTION CALLING FOR THE IMMEDIATE RELEASE OF GILAD SHALIT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased that the House passed H. Res. 1359, a resolution calling for the immediate and unconditional release of Israeli solider Gilad Shalit. It has been four long years since Gilad, then 19 years old, was kidnapped by Hamas. Hamas, in direct violation of international human rights law, has refused to allow Gilad any contact with his family, and has further refused to allow the International Committee of the Red Cross access to determine his well-being. It is a war crime for Hamas to hold Gilad hostage in order to compel the Israeli government to accede to Hamas' demands.

Madam Speaker, the time for Hamas to release Gilad Shalit is now. Right now. It is simply unconscionable for Hamas to engage in such a vicious and cruel exercise in inhumanity. One of both Israeli and American societies' highest and most noble ideals is to never leave a soldier behind. The passage of this resolution reaffirms the United States commitment to continue fighting for Gilad's unconditional and immediate release so that he may return to his family.

HONORING RON GETTELFINGER FOR HIS LEADERSHIP OF THE UAW

SPEECH OF

HON. DEBORAH L. HALVORSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2010

Mrs. HALVORSON. Mr. Speaker, I wish to join my colleagues in congratulating Ron Gettelfinger upon his retirement. Ron has been a true champion for American families, a leading advocate for American workers, and a dedicated president of the United Auto Workers.

I came to Congress to work on jumpstarting our economy and I'm reassured to know that under Ron's leadership, the UAW has been a steadfast voice for protecting American jobs and the rights of the hundreds of workers in my district. Prior to coming to Congress, I served in the Illinois State Senate and was proud to represent the hard working men and women, members of UAW Local 588, who work at the Ford Stamping Plant in Chicago Heights, Illinois. I'm now proud to represent members of UAW Local 2488, who work at the Mitsubishi Plant in Bloomington, Illinois. It has been an honor to represent all of these working families.

Ron's vision that our country's success is rooted in everyday working men and women is something many of us share and we are lucky to have had such a passionate advocate for this cause over the past eight years. It is this belief that has protected and advanced the rights of the American worker during Ron's tenure as UAW President. On behalf of the 11th Congressional District of Illinois, I thank Ron for his service and wish him the best of luck in his future endeavors.

SIR PAUL McCARTNEY, GLADWELL'S ''OUTLIERS'' AND BP

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. STEARNS. Madam Speaker, I submit the following letter from my good friend Gene Jewett, who shares his thoughts on the phenomena of talent and the recent visit from Paul McCartney who received the Gershwin Award from the Library of Congress.

Dear Friends,

Recently, Sir Paul McCartney visited Washington where he exhibited his musical prowess for the politically powerful, initially at the Library of Congress and then at the White House. In the course of his performance on the first night, he revealed the process by which he had written one of his most famous tunes, one where the melody had come to him in a dream, a refrain that he was fortunate enough to recall. For days, he

hummed the tune (randomly entitled ''scrambled eggs'') to his band mates and everyone else in his greater circle of musicians, all in an attempt to determine whether it was a product of his own musical software or a reflection of a tune he had previously heard for which he was serving as a mere psychic conduit. When he finally accepted the song as his own, he re-dubbed it ''Yesterday'' and the rest is history. Over 3000 singers have recorded the song, a number which marks it as a continuing star in the firmament of pop music.

His story caused me to reflect on the phenomena of talent, particularly as alluded to by Malcolm Gladwell in his book, ''Outliers.'' In this book, there's a central premise that suggests that great achievement is derived from spending at least 10,000 hours honing one's craft. Specifically, it uses as an example Paul McCartney and the Beatles playing in the clubs of Hamburg where they purportedly refined their songs. Notwithstanding the fact that the ''Hamburg'' Beatles played cover songs which could have encouraged them to write their original tunes, the more simple truth points to what McCartney observes in himself as some mystical talent with which he has been gifted, something for which he has no explanation. The difference between the Beatles and thousands of other bands can be found in these ''gifts'' of unusual talent.

Not to be too grand, but the book ''the 100: A Ranking of the 100 Most Influential People in History'' by M.H. Hart is a primer for the study of people with extraordinary talent and abilities. For example, Genghis Khan was a late bloomer and certainly had no training as a military leader, but no one else in military history save perhaps Alexander shows anything close to his record of achievements. And how many in the realm of physics approach the works of Newton, Maxwell and Einstein? I realize this is a leap from Sir Paul, but pure talent, while it surely needs to be developed, is really a gift that defies description. It seems that some things just ''are'' and that's the name of that tune. And upon such random distributions of talent and ability the upward curve of the course of history will continue to remain reliant.

Sir Paul, author of over 300 popular songs, also played ''Blackbird,'' a very pleasing and interesting composition. But I was hoping he'd do, ''Fixing a Hole'' as a nod to BP who could certainly use a little mystical talent about now, no?

RECOGNIZING SPECIAL EDUCATION TEACHERS

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H. Con. Res. 284, which recognizes the important role that special education teachers play in our Nation's schools. I thank my colleague, Congressman SESSIONS for introducing this resolution.

In 1972, the United States Supreme Court ruled that children with disabilities have the same right to receive a quality education as their nondisabled peers. Today, approximately 10 percent of our student population receives special education services.

It truly takes a special person to work with our special needs students. These teachers often work well beyond the normal school day in designing individualized lesson plans for their students. Special education teachers have a tremendous amount of patience, flexibility, and creativity in dealing with special needs students. These teachers must also be able to adapt their teaching styles to accommodate the unique behavioral, social, emotional, or physical needs of their students.

Mr. Speaker, I would personally like to recognize the approximately 955 special education teachers in Los Angeles County. These individuals work extremely hard to provide a quality education to over 6,500 special education students. These extraordinary individuals work tirelessly and without complaint in trying to achieve successful outcomes for their students.

Lastly, Mr. Speaker, we should pay tribute to the special education aides that assist the teacher in the classroom. These individuals are often overworked and underpaid and are frequently underappreciated for the positive contributions they make to our special needs students.

Mr. Speaker, I urge my colleagues to join me in supporting H. Con. Res. 284 in recognizing the important role that special education teachers play in our schools.

CONFERENCE REPORT ON H.R. 2194, COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010

SPEECH OF

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2010

Mr. REYES. Mr. Speaker, I rise today in strong support of this legislation. The provisions contained in this act come after repeated attempts by the U.S. and partner nations to halt Iran's nuclear weapons program and curtail aggressive Iranian overtures around the globe-Tehran continues to sponsor, train, and equip terrorist organizations in the Middle East, act as a destabilizing force in Iraq and Afghanistan, and deploy Iranian Revolutionary Guard Corps-Qods Force unconventional warfare operatives into the Western Hemisphere. The potential for a nuclear-armed Iran, when combined with the Iranian regime's volatile rhetoric and ambiguous intentions, poses a serious threat to the security of the United States, our troops serving in the Middle East, and our allies. The President and his administration have taken important steps to dissuade Iran from continuing to pursue nuclear weapons. The passage of this legislation sends a clear message that Iran's continued defiance will lead to significant, negative consequences for the Iranian regime.

In addition to imposing sanctions on refined petroleum to Iran, this legislation will broaden the entities affected by sanctions to include foreign entities that sell developmental energy technology, services, or information to Iran. This act also prohibits foreign banks from doing business in the U.S. if they deal with blacklisted Iranian institutions involved in the development of weapons of mass destruction or the promotion of international terrorism.

I commend my colleagues on both sides of the aisle for demonstrating such clear solidarity on this issue. I urge Iranian leaders to carefully consider the high costs of increased isolation brought about by their continued irresponsibility.

PERSONAL EXPLANATION

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. KIRK. Madam Speaker, during the vote on H.R. 5618, the Restoration of Emergency Unemployment Compensation Act of 2010, I was unavoidably detained—had I been present I would have voted against this legislation.

Americans are struggling to make ends meet in this economy and while I support giving unemployment benefits to people who lost their jobs, it is irresponsible for this Congress to add $34 billion to the national debt to do so. This legislation should have been paid for with cuts to other programs. Last week the Treasury Department quietly announced that the estimated total debt for fiscal year 2010 will reach $13.6 trillion, equal to 93.1 percent of our Gross Domestic Product. With the European Union in the midst of a sovereign debt crisis, this is the wrong time to add to our already staggering national debt.

Had I been present for the vote on H.R. 5623, the Homebuyers Assistance and Improvement Act of 2010, I would have voted in favor of this legislation. Unlike H.R. 5618, the cost of this legislation is fully offset. The homebuyer tax credit has been very successful, and after its expiration on April 30th, home sales dropped by more than 30 percent. Extending this credit by 90 days and fully offsetting its cost is a responsible course of action I fully support.

HONORING PERCY P. CREUZOT, JR.

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Ms. JACKSON LEE of Texas. Madam Speaker, I rise to honor a great husband, father, entrepreneur, community activist and all-around great American, Percy P. Creuzot, Jr., who passed on from his earthly life on Sunday, June 6, 2010. We are privileged and honored to salute him as a Great Houstonian for all of America to admire.

Percy Creuzot had a unique ability to reach out and help others. Mr. Creuzot effectively articulated that strong communities are created when we recognize that every member of the community is important. He demonstrated this belief in every aspect of his life.

In 1966 his family moved to Houston, Texas, where he was employed by Herff-Jones Jewelry, a graduation supply company. Percy's first entrepreneurial endeavor in Houston was a snow-ball shop in Houston on Dowling and McGowan. There was a dearth of restaurant chains and, even fewer operated in minority neighborhoods. Mr. Creuzot saw the need for uplifting his community with his cuisine and with that envisioned a need and market in Houston for Southern Louisiana foods. With the influence from family members he decided to open a small sandwich shop in

Houston's Third Ward community. The Scott Street location sold a variety of oyster, shrimp and roast beef po-boys; the business became known as ''Frenchy's Po-Boy.'' As the business showed promise, expansion into other endeavors was likely. With the motivation of a close friend, Mr. Creuzot dove into the fried chicken business and ''Frenchy's Creole Fried Chicken'' is a bustling business to this day.

In 1977, Percy expanded his business interests and opened Frenchy's Sausage Company. The goal was to produce and market Creole foods to restaurants and grocery stores in the Houston area. The business grew successfully and is now run by Percy's son, Percy III, and has become a leading producer of Creole foods and various processed meats in Houston and surrounding areas.

Percy's civic/community involvements began with a desire to enhance the success of Texas Southern University. Percy was a tireless supporter of Texas Southern University and, after being appointed by Texas Governor Bill Clements to its Board of Regents, he faithfully served for 12 years which included being its Vice Chairman. Governor Clements also appointed Percy to the Texas Private Industry Council and he was appointed to the Houston Citizen's Review Board where he served with distinction. Percy also was an active member of the National, Texas, and Houston Restaurant Associations as well as serving on the Catholic Charities' Board of Directors. Percy was a long time member of Alpha Phi Alpha and Sigma Pi Phi (Nu Boule) Fraternities and the Knights of Peter Claver. Until his death, Percy provided financial support to the United Negro College Fund, the Urban League, and the National Association for the Advancement of Colored People, University of Houston, Texas Southern University, Xavier University and Hampton University.

Percy is survived by his wife, Sallie Creuzot; daughter Angele; sons Percy III (Cheryl) and John; grandchildren Simone and Terry Williams, Percy IV , Coline and Phillipe Creuzot, Ethan Creuzot ; great-grandson Christien Gilliam; his sister, Martina Cox (Dr. Frank); and numerous nieces and nephews. He also left to treasure his memories many in-laws, colleagues, friends, community members, numerous Houstonian mentees including Anthony Gaynor and Charlie Reado, as well as countless high school and college students.

Madam Speaker, Percy P. Creuzot, Jr.'s life should serve as an inspiration to us all. Through his life and through his legacy he has challenged those who are caught in the grips of poverty to take control of their own destinies. By his openhandedness to his community, he is a shining example of how those more fortunate should share their lives with others.

Madam Speaker, a great American is gone from our midst, but we have been empowered to carry on his work and continue to press toward the mark. His family, friends and everyone he has touched will be in our thoughts and prayers.

HONORING MRS. RUBY BATTS ARCHIE

HON. THOMAS S.P. PERRIELLO

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. PERRIELLO. Madam Speaker, I rise today in honor of a legend, a lion, and a leader, Mrs. Ruby Batts Archie, who died on Saturday, June 26.

Born February 9, 1934, in Rocky Mount, North Carolina, Ruby Batts was the only daughter of Helen Louise Batts. She married Cephus N. Archie on November 23, 1961, and they enjoyed forty-eight years of marriage. She was a graduate of Booker T. Washington High School in Rocky Mount, North Carolina and Virginia State University in Petersburg, Virginia, where she received both her bachelors and masters degrees in English. She also received an honorary Doctorate of Literary Letters from Virginia University of Lynchburg (VA).

Mrs. Archie was a retired educator who served for 37 years in the Danville Public School System, including time as the Head of the English Departments at both Langston High School and George Washington High School. These decades of hands-on experience and leadership in the schools made her an invaluable advocate for education throughout her career in local government. She was a former Mayor for the City of Danville from 1998 to 2000, had previously served as Vice Mayor from 1996–1998, and at the time of her death was a member of the Danville City Council with 16 years of service.

Mrs. Archie worked extensively as a member of community and national organizations, not only on educational issues, but also mental health, business development, and community service. Her memberships are too many to list, but one especially close to her heart was Alpha Kappa Alpha Sorority, where she was a sitting member of its international board of directors and held numerous positions in her chapter, Alpha Phi Omega, including president and treasurer, and in regional and national sorority committees. Additionally, she was a presiding officer of the Order of the Eastern Star; a member of the board of directors of both the Boys and Girls Club and the Salvation Army; and a faithful member of Loyal Baptist Church where she served as a former chairman of the Board of Education and Sunday School teacher and currently served as the chairman of the Deaconess Board. Mrs. Archie was deeply concerned for Southside Virginia's economic future, having watched too many of her finest students leave the region never to return, and worked to create jobs beyond Southside's traditional textiles and tobacco. Her expertise was recognized by Governors George Allen and James Gilmore, who appointed her to serve on the Southside Business and Education Commission from 1995 to 2003.

Those who worked closely with Mrs. Archie throughout the years have expressed deep sorrow for her loss and gratitude for her innumerable contributions to the community. She was endlessly dedicated, dependable, and generous of her time and talents, and she held others to her high standards of hard work, integrity, and citizenship. Students and colleagues recall her warm smile, her style and graceful carriage, and her zeal for proper usage of the English language. In her work in the City Council, she was calmly bipartisan, always striving to build bridges. She was an effective representative of her constituents, a tireless educator, and an inspiration to countless individuals whose lives she touched.

Mrs. Archie was just days away from retirement when she died last weekend, and had hoped to devote her time to two of her greatest passions, travel and enjoying the company of her grandchildren. Because her passing was far too soon, she was unable to savor this well-earned retirement—a truth emblematic of a woman whose life was full of future projects and plans, and who believed her work was never done.

Ruby is survived by her mother, Helen; her devoted husband, Cephus; her children Keith, Trina, and Carla; her grandsons Cedric, Deondre, and Milek; and her cousins Charles and Barbara. On behalf of Virginia's 5th District, I honor the passing of one of our finest public servants, and ask that her legacy be remembered for years to come.

RECOGNIZING THE NATIONAL COLLEGIATE CYBER DEFENSE COMPETITION

SPEECH OF

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Mr. JOHNSON of Georgia. I rise today to express my support for H. Res. 1244, sponsored by Representative CIRO RODRIGUEZ of Texas, recognizing the National Collegiate Cyber Defense Competition (CCDC) for their five-year effort in promoting a cyber security curriculum in institutions of higher learning. I believe that because the contestants are tested on their operational and management skills in network infrastructures and keeping defense systems safe from hackers, the CCDC not only benefits the competitors but support educators, students, the community, and the Government.

Cyber defense is important to my constituency in Georgia, as well as to our nation as a whole because as our technology capabilities grow nationally so does the threat to our network operations. I share the concerns of many Americans that information privacy and security is compromised as more and more information becomes electronic. Everyday, Americans fill out doctor's forms, insurance forms, credit card forms, and other documents that are digitized and stored at a data center somewhere. Too often, we find out that this information has been compromised in some way, whether intentionally by a hacker or accidentally through poor data management. Once compromised, one can never know how their personal information could have been accessed and how it may be used in the future. As more and more data becomes electronic, clearly we should invest in a cyber security system that is capable of protecting this data.

I am proud to recognize the National Collegiate Cyber Defense Competition today because it is not only a way to allow talented individuals an opportunity to provide infrastructure assurance and security; it also challenges

students to protect corporate network infrastructures and business information systems.

I congratulate the 2010 National Collegiate Cyber Defense Champions on their win and I urge my colleagues to support this important resolution.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $13,038,916,836,943.40.

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 $2,400,491,090,649.60 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans.

PERSONAL EXPLANATION

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. ENGEL. Madam Speaker, unfortunately, because of a necessary absence, I missed the recorded vote on H.R. 5623, the H.R. 5618, the Restoration of Emergency Unemployment Compensation Act. (Rollcall vote No. 398) Had I been present and voting on this vital legislation, I would have voted yes.

Since Congress first provided the emergency extension on unemployment benefits in H.R. 1, the American Recovery and Reinvestment Act, I have voted to continue the extension at least seven times. As our nation recovers from the worst recession since the Great Depression, it is very promising that almost 431,000 jobs were added in May, the most in four years. But we cannot reverse two years of recession overnight, nor can we turn the tide on a decade of declining middle class economic security. There is still much to be done to help the nearly eight million people who lost work during this economic crisis return to payrolls. Providing unemployment insurance benefits so that families can continue to put food on the table and pay their mortgage, is necessary to the economy's continued recovery.

RECOGNIZING THE NATIONAL COLLEGIATE CYBER DEFENSE COMPETITION

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in strong support of H. Res. 1244, ''Recognizing the National Collegiate Cyber Defense Competition for its for its now five-year effort to promote cyber security curriculum in institutions of higher learning,'' as introduced by my fellow member of the Texas delegation, Rep. CIRO RODRIGUEZ.

Our Nation's critical infrastructure is composed of public and private institutions in the sectors of agriculture, food, water, public health, emergency services, government, defense industrial base, information and telecommunications, energy, transportation, banking and finance, chemicals and hazardous materials, and postal and shipping. Cyberspace is their nervous system—the control system of our country. Cyberspace is composed of hundreds of thousands of interconnected computers, servers, routers, switches, and fiber optic cables that allow our critical infrastructures to work. Thus, the healthy, secure, and efficient functioning of cyberspace is essential to both our economy and our national security.

One of the most significant security challenges that our Federal government faces today is ensuring that we have an abundance of adequately trained individuals defending our information infrastructure. In the past, I have been proud to sponsor bills that would increase funding for cybersecurity education programs, to ensure that we have a properly trained workforce to protect this vital infrastructure. The National Collegiate Cyber Defense Competition (CCDC) is an important piece of the cybersecurity education puzzle.

Since 2005, the National Collegiate Cyber Defense Competition has given students in the field of cybersecurity the opportunity to showcase their abilities. Rather than having students design an ''ideal'' network, the CCDC requires participants to assume the administrative and protective duties for an existing ''commercial'' network. This allows participants to show their skill at ''real world'' situations, as very few cybersecurity workers will have the luxury of building a perfect system from the ground up. While we obviously want to build the most secure networks possible, our experts must be able to work with the infrastructure that exists, finding and eliminating weaknesses that may already exist, and making imperfect systems secure.

Over the last few years, the contest has grown to include regional competitions in Texas, Maine, Washington, California, and Minnesota, among other locations. This year, there were more than eighty schools that participated, from all parts of the country. The students participating in this contest have not only demonstrated their knowledge and understanding of this important function, but they have also had the opportunity to hone their skills by dealing with actual, real time issues. The National Collegiate Cyber Defense Competition plays an important role in the development of our next generation of cybersecurity professionals, and I am proud to join Mr. RODRIGUEZ in recognizing it.

H.R. 5629, THE OIL SPILL ACCOUNTABILITY AND ENVIRONMENTAL PROTECTION ACT OF 2010

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. OBERSTAR. Madam Speaker, I rise today to introduce H.R. 5629, the ''Oil Spill Accountability and Environmental Protection Act of 2010'', legislation to respond to the ongoing Deepwater Horizon oil spill disaster and to address several shortcomings in the law to ensure that a similar tragedy cannot happen again.

To understand the intent of this legislation, it is important to understand the historical context in which H.R. 5627, the ''Oil Spill Accountability and Environmental Protection Act'', is being introduced.

On April 20, 2010, a blowout from the mobile offshore drilling unit (MODU), the Deepwater Horizon, led to an explosion in the Gulf of Mexico that left 11 crew members missing and presumed dead. The Deepwater Horizon was owned by Transocean Ltd., and leased, at the time of the explosion, to BP p.l.c. (BP), which owns a majority stake in the Mississippi Canyon Block 252 (MC 252) site and had contracted the rig to drill a prospect well.

Following the explosion, the Deepwater Horizon sank on April 22. Since the explosion, oil has been spilling from the well into the Gulf of Mexico. In response to the Deepwater Horizon disaster, BP has made numerous attempts to stop or contain the flow of oil into the Gulf. U.S. Government and independent scientists estimate that the most likely flow rate of oil today is between 35,000 and 60,000 barrels per day.

In light of the April 20 explosion and the ongoing release of oil into the Gulf of Mexico, the Committee on Transportation and Infrastructure has held three hearings investigating the potential causes of this disaster, and exploring potential changes to the laws and agencies under the Committee's jurisdiction to ensure that a similar event cannot happen in the future.

While the causes of the explosion aboard the Deepwater Horizon, and its eventual sinking, remain under investigation, the hearings before the Committee on Transportation and Infrastructure have uncovered several shortcomings in current law that may have allowed the causes of this disaster to be set in motion.

For example, through the Committee hearings, our Members received testimony on how the MODU, Deepwater Horizon, was registered in the Marshall Islands and, therefore, was not subjected to as rigorous of a vessel safety inspection by the Coast Guard as a similar U.S.-flag vessel.

The Committee also learned that, because of the unique nature of offshore drilling, Federal oversight of the Deepwater Horizon drilling operation was divided between the Department of the Interior's Minerals Management Service and the Coast Guard, with no clear final say of Federal authority over the operations onboard the drilling rig.

The Committee also learned that apparent shortcuts were taken in the development, approval, and implementation of oil spill response plans for the Deepwater Horizon drilling operation, and, in hindsight, these response plans were wholly inadequate to address a worst-case scenario involving a blowout from the well head.

The Deepwater Horizon disaster has also demonstrated that the current limits of liability, including the levels of financial responsibility for responsible parties, are insufficient to address a potential worst-case scenario on the release of oil for offshore facilities, and have called into question the current limits of liability for other vessels as well. With the expected

costs of the Deepwater Horizon disaster expected to be in the tens of billions, and the agreement by BP to set aside $20 billion in escrow to cover potential costs related to the spill, it is clear that the $75 million liability cap for offshore facilities needs to be significantly increased or removed. As noted in testimony before the Committee on Transportation and Infrastructure, it is plausible that any limitation on liability, no matter how large, actually encourages risky behavior by externalizing the true cost of an oil spill response or damages over and above the cap. In addition, the Committee received testimony from the U.S. Coast Guard that suggests that the current limits of liability for certain classes of vessels do not adequately reflect the potential risks or impacts of a release of oil.

Finally, the Committee investigated the unprecedented use of more than 1.5 million gallons of chemical dispersants in relation to the Deepwater Horizon disaster, and has called into question the potential short- and long-term impacts that increased use of these dispersants may have on the Gulf of Mexico and the natural resources that utilize this area.

Today, my Committee colleagues and I introduce H.R. 5629, the "Oil Spill Accountability and Environmental Protection Act of 2010", to address these and other shortcomings that may have allowed the Deepwater Horizon disaster to occur, and to help, ensure that similar events cannot happen in the future.

In many ways, the events leading up to the introduction of this legislation are similar to those that compelled Congress to enact the original Oil Pollution Act of 1990. Up until this year, the events surrounding the release of approximately 750,000 barrels of oil from the Exxon Valdez in the Prince William Sound, Alaska, defined our understanding of the likely impacts from a domestic oil spill.

Yet, the events of the past three months have forced us to realize that the protections included in the original Oil Pollution Act of 1990 are inadequate to address the current state of oil development technologies.

What has become evident is the potential adverse impacts of a "worst-case scenario" from modern exploration sites, such as that being explored by the Deepwater Horizon, are very different from those created by the release of oil from a tanker. This disaster has compelled us to reexamine the framework for Federal oversight and regulation of potentially-limitless sources of oil, deep beneath the surface of the ocean, and the difficulty in controlling and remediating potentially massive releases of oil beyond the reach of direct human control.

This disaster also requires that we reassess the potential scope of impacted lives and livelihoods and the natural resources related to a massive oil release, and the capability of Federal, state, local, and private resources to prevent or address such a release.

In addition, this disaster requires that we reexamine the wisdom of oil exploration policies that push the envelope on drilling technologies without any assurance that these underwater resources can be shut down or adequately controlled and cleaned up if something goes wrong.

Finally, this disaster has forced us to reexamine the safety standards for offshore oil exploration and production activities to minimize the potential for future losses of life.

In short, this legislation amends or repeals several laws within the jurisdiction of the Committee on Transportation and Infrastructure to address the following areas: (1) Liability and Financial Responsibility; (2) Improvements in Safety; (3) Increased Oversight of Oil Spill Responses; (4) Improvements in Environmental Protection; and (5) Funding for Agency Response Activities.

A summary of the bill follows:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, H.R. 5629, THE ''OIL SPILL ACCOUNTABILITY AND ENVIRONMENTAL PROTECTION ACT OF 2010,'' JUNE 29, 2010

LIABILITY AND FINANCIAL RESPONSIBILITY

Repeal of and Adjustments to Limitations on Liability: H.R. 5629 removes the existing statutory limitation on liability for offshore facilities (such as the Deepwater Horizon rig) to apply to all spills on or after April 19, 2010, to ensure that the responsible party or parties will be responsible for 100 percent of oil pollution cleanup costs and damages to third parties. Directs the President to review the existing limitations on liability for vessels and onshore facilities, and authorizes the President to revise the liability limitations upward to an amount commensurate with the risk of discharge or any increase in the Consumer Price Index, whichever is greater.

Evidence of Financial Responsibility for Offshore Facilities: H.R. 5629 increases the minimum level of financial responsibility for an offshore facility (such as the Deepwater Horizon rig) to $1.5 billion. Directs the President to review the minimum level of financial responsibility for an offshore facility every three years, and to revise the level upward to reflect the potential risk of a release to human health and the environment. Authorizes the President to require, on a case-by-case basis, additional levels of financial responsibility based on risk. Requires existing offshore leaseholders to demonstrate the new levels of financial responsibility within six months of the date of enactment of this Act.

Damages to Human Health: Under current law, impacts to human health are not recognized as a valid claim under the Oil Pollution Act. H.R. 5629 authorizes individuals to seek compensation from responsible parties for damages to human health resulting from a release of oil.

Modernize Federal Maritime Laws: H.R. 5629 amends the Death on the High Seas Act (enacted in 1920) and the Jones Act (enacted in 1920) to authorize the recovery of non-pecuniary damages currently allowed under general maritime law. Repeals the Limitation of Liability Act of 1851, which limits the liability of a ship owner to the value of the vessel and freight.

IMPROVEMENTS IN MARITIME SAFETY

Americanization of the U.S. Exclusive Economic Zone: H.R. 5629 requires all vessels (including Mobile Offshore Drilling Units (MODUs) such as the Deepwater Horizon) engaged in oil drilling activities in the U.S. Exclusive Economic Zone (200-mile zone) to be U.S.-flag vessels owned by U.S. citizens. Americanization ensures that the vessels are subject to U.S. safety regulations and that all of these vessels employ U.S. citizens (who, thus, pay U.S. taxes).

Safety Management Plans and Safety Standards for Mobile Offshore Drilling Units: H.R. 5629 requires that all MODUs develop and implement a safety management plan to address all activities on the vessel that may threaten the safety of the vessel or its crew. Requires the U.S. Coast Guard to develop standards to address a worst-case event involving a discharge of oil and gas.

Approval of Oil Spill Response Plans: H.R. 5629 requires the Coast Guard to concur in the oil spill response plan for an offshore facility (the well). Clarifies the respective authorities of the Environmental Protection Agency (EPA) and the U.S. Department of Transportation (DOT) with respect to onshore facilities.

Coast Guard Maritime Safety Workforce: H.R. 5629 requires the Coast Guard to increase the number of qualified marine inspectors, marine casualty investigators, and marine safety engineers.

Licensing Requirements for MODU Captains: H.R. 5629 requires that a MODU (such as the Deepwater Horizon) is, at all times, under the command of a licensed and proficient master who is responsible for the safety of both the navigational and industrial functions (e.g., drilling operations) on the MODU.

INCREASED OVERSIGHT OF OIL SPILL RESPONSES

Evaluation, Approval, and Public Availability of Oil Spill Response Plans: H.R. 5629 ensures that EPA, the Coast Guard, and DOT have the authority to require owners and operators of vessels and facilities engaged in oil-related activities to submit their oil response plans for approval, and make the plans publicly available. Clarifies that the agencies with jurisdiction must review, and, where necessary, revise, inspect, and enforce the provisions of a vessel or facility oil spill response plan.

Repeal of Response Plan Waivers: H.R. 5629 repeals the authority for the agencies with jurisdiction to allow any tank vessel or onshore or offshore facility to operate without an approved oil spill response plan. The bill preserves waiver authority for nontank vessels.

Oversight of Oil Spill Claims; Acceleration of Claims to the Oil Spill Liability Trust Fund: H.R. 5629 authorizes the President, in the event of a spill of national significance, to require a responsible party (or guarantor) to provide the United States with information on claims for damages made against the responsible party or the Trust Fund. Amends the Oil Pollution Act of 1990 to allow claimants to pursue compensation from the Oil Spill Liability Trust Fund within 45 days of a denial of a claim by the responsible party.

IMPROVEMENTS IN ENVIRONMENTAL PROTECTION

Use of Dispersants and Other Chemicals: H.R. 5629 directs the EPA to undertake a rulemaking to revise the list of approved dispersants and other chemicals that can be used in relation to an oil spill. Directs the Administrator to establish minimum toxicity and efficacy criteria for dispersants, provide for independent verification of industry-provided data, require public disclosure of the formula for listed dispersants, and provide a mechanism for delisting a dispersant based on potential impacts to human health or the environment. Requires specific approval of the Federal On-Scene Coordinator, in coordination with EPA, before use of a dispersant or other chemical in relation to a future oil spill.

National Oil Spill Database: H.R. 5629 requires the President, acting through EPA, the Coast Guard, DOT, and other Federal agencies to develop a publicly-available, national database to track all discharges of oil or hazardous substances into the waters of the United States, adjoining shorelines, or the waters of the contiguous zone.

Reforms of Federal Agencies, Laws, or Programs to Ensure Effective Oversight, Insspection, Monitoring, and Response Capabilities to an Oil Spill: H.R. 5629 directs the National Commission on the BP Deepwater Horizon Spill and Offshore Drilling, established by Executive Order, to evaluate the current division of responsibility among the different Federal agencies, and to submit recommendations to Congress on changes to the current responsibilities of Federal agencies, including the creation of new agencies

to regulate offshore drilling operations. Requires the Commission to develop recommendations to ensure that offshore drilling is overseen by career professionals who will give safety the highest priority, and not be improperly influenced by political appointees or the regulated industry.

FUNDING FOR AGENCY RESPONSE ACTIVITIES

Authorized Level of Coast Guard Personnel: H.R. 5629 authorizes an end-of-year strength for active-duty Coast Guard personnel of 47,300 for fiscal year 2011, of which not less than 300 personnel shall be assigned to implement the activities required of the Coast Guard by this Act.

Authorization of Appropriations from the Oil Spill Liability Trust Fund: H.R. 5629 specifically authorizes appropriations from the Oil Spill Liability Trust Fund for the Coast Guard, EPA, and DOT to carry out this Act.

HONORING THE SERVICE OF MARINES CHRISTOPHER ARNOLD, JOEL RANGEL, AND CLAYTON YOUNG

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. LARSON of Connecticut. Madam Speaker, I rise to honor Master Sergeant Christopher Lee Arnold, Master Sergeant Joel Ascension Rangel, and Gunnery Sergeant Clayton Roy Young of the Marine Battle Color Detachment who are each retiring after more than 20 years of service in the Marine Corps.

The Battle Color Detachment features the U.S. Marine Drum and Bugle Corps, the Silent Drill Platoon, and the Marine Corps Color Guard. All are attached to Marine Barracks, Washington, DC, also known as the ''Oldest Post of the Corps.'' These Marines appear in hundreds of ceremonies annually across the country and abroad.

I would like to express my personal gratitude to these three Marines who were a part of the Marine Battle Color Detachment when they visited Connecticut's First Congressional District in October of 2008. In conjunction with a traveling replica of the Vietnam Memorial Wall during its 25th anniversary, they gave a moving performance before the residents of the Connecticut State Veterans Home and over 3,000 attendees at Rentschler Field in East Hartford. These Marines have performed and helped facilitate many events such as these in Connecticut, across the country and around the world, Everywhere the Marine Corps Battle Color Detachment performs, they instill in all an enormous amount of pride for our Armed Forces and the nation as a whole. This Congress and the people of the United States of America owe these three recently retired Marine NCO's a significant debt of gratitude for all of their service:

Master Sergeant Christopher Lee Arnold began his enlistment on July 1, 1990 and will retire on July 31, 2010 after twenty years of service.

Master Sergeant Joel Ascension Rangel began his enlistment on September 12, 1989 and will retire on June 30, 2010 after twenty years of service.

Gunnery Sergeant Clayton Roy Young began his enlistment on August 15, 1988 and will retire on August 31, 2010 after twenty-two years of service.

RECOGNIZING SPECIAL EDUCATION TEACHERS

SPEECH OF

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today before you, expressing my strong support for H. Con. Res. 284, appreciating the work and recognizing the special education teachers of our nation.

First, I would like to thank Congressman PETE SESSIONS of Texas and all of the cosponsors, for recognizing these important people in our education system. I would also like to extend my gratitude to Chairman GEORGE MILLER and Ranking Member JOHN KLINE of the Committee on Education & Labor for supporting this resolution. This bill recognizes the profound dedication that these teachers have for their students, and the general community.

I would like to commend our special education teachers for continuing a phenomenal job. Not only do I respect their enduring patience and commitment, I applaud them on how much they have contributed to their local education systems. On a daily basis, these individuals must be able to motivate their students and push them past their limitations, and at the same time help them to mature and become productive members of society.

Not only have these teachers helped the many special needs students to achieve in school, but they have also formed a support system for the many parents and families. They are the warm counsel to the students and their loved ones. They are entrusted to help the students succeed in their education. These teachers continue to encompass a genuine and dedicated work ethic.

In American Samoa's education system, we have implemented a significant amount of special education programs into our schools. Importantly, we have integrated the special needs students in the mainstream education system. I would personally like to commend those teachers, for their enthusiasm and effort with our children. We, as the Congress, must continue to provide the tools and support for the special needs teachers and their students, especially during these times of economic strife.

We are reminded that in 1972 the United States Supreme Court granted children with disabilities with the same right to receive 'quality' education. Without our special education teachers and the efforts of many others to provide for the children with special needs, this clearly would not have been possible.

Even as these individuals are faced with maybe, the most emotional and mentally stressful challenges, their continuous work in fostering and assisting our children is inspiring.

I strongly urge my colleagues to pass this resolution.

RECOGNIZING SPECIAL EDUCATION TEACHERS

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise before you today in support of H. Con. Res. 284, ''Recognizing the work and importance of special education teachers.'' I would like to thank my colleague from Texas for shedding light on this very demanding and vital occupation.

Special education teachers teach students with both physical and mental impairments. A physical impairment is defined by the Americans with Disabilities Act (ADA) as: ''Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.''

A mental impairment is defined by the ADA as: ''Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.''

Neither the statute nor the regulations list all diseases or conditions that make up ''physical or mental impairments,'' because it would be impossible to provide a comprehensive list, given the variety of possible impairments. However, the number of disabilities covered by the ADA continues to grow, as has the number of people diagnosed with learning disabilities. For example, it is estimated that between 3 and 5 percent of children have met criteria for diagnosis of Attention Deficit Hyperactivity Disorder (ADHD). This represents approximately 2 million children in the United States, and means that in a classroom of 25 to 30 children, it is likely that at least one will have ADHD. In total, according to the U.S. Department of Education, approximately 6,500,000 children (roughly 10 percent of all school-aged children) receive special education services.

Mr. Speaker, it is said that ''The highest cost of an education is not getting one.'' in 1972, the United States Supreme Court ruled that children with disabilities have the same right to receive a quality education in the public schools as their nondisabled peers. Because of this ruling, special education teachers had to be prepared to handle these students and their individual needs.

Special education teachers work with children and young adults who have a range of disabilities. A small number of special education teachers work with students with severe cognitive, emotional, or physical disabilities, primarily teaching them life skills and basic literacy. However, the majority of special education teachers work with children with mild to moderate disabilities, modifying the general education curriculum to meet the individual needs of the child and providing required corrective instruction. Today there are over 370,000 highly qualified special education teachers in the United States.

Special education teachers use various techniques to promote learning. Depending on

the student, teaching methods can include intensive individualized instruction, problem-solving assignments, and small-group work. Special education teachers ensure that appropriate accommodations are provided, such as having material read orally, or lengthening the time allowed to take the test for students who need special accommodations to learn the general curriculum or to take a test. In some cases, teachers also provide students with career counseling or help them learn life skills, such as balancing a checkbook.

Helping these students can be highly rewarding and gratifying for the teacher, but the work also can be emotionally demanding and physically draining. Teachers are often consumed with paper work and burdened with a heavy workload—not to mention administrative responsibilities. The teacher is responsible for assessing the student's progress toward gaining the knowledge necessary to pass the course as well as consider the students' progress coping with their learning disability.

I applaud the steadfastness of all teachers for their diligence in teaching our youth and preparing them for the future. I am grateful for special educational instructors, who not only must deal with the curriculum of a classroom, but must also manage all of the other factors that may impede learning. Because of this, I strongly support H. Con Res. 284 and I encourage my colleagues to join me.

RECOGNITION OF DENNIS GUEST FOR DISTINGUISHED SERVICE

HON. MARY JO KILROY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Ms. KILROY. Madam Speaker, I rise today to recognize Dennis Guest, Executive Director of the Columbus Metropolitan Housing Authority (CMHA), as he retires from a lifelong career as an affordable housing advocate. During 24 years at CMHA, Dennis supervised 250 employees administering Housing Choice Vouchers for approximately 12,500 families, distributing over $77,000,000 to rental property owners, and managing 3,147 apartments in Franklin County, Ohio.

Dennis facilitated the Rebuilding Lives Initiative and fostered partnerships with the City of Columbus, Franklin County, Community Shelter Board, United Way, ADAMH Board, and other non-profit organizations to provide the best housing and supportive services to 34,000 residents. As a result of his hard work and dedication, CMHA is strategically positioned for success well into the future.

Prior to this position, Dennis served as the Director of Housing Management at the San Francisco Housing Authority and the Executive Assistant at the Oakland Housing Authority. He was also a VISTA Volunteer at the Seattle Housing Authority and Assistant Public Housing Manager in Detroit, Michigan.

Devoted to public service, Dennis sits on the Funders Collaborative of the Community Shelter Board, Joint Columbus and Franklin County Housing Advisory Board, Housing Vision Council of United Way, and is President of the Assisted Housing Services Corporation.

I ask my colleagues to please join me in wishing Dennis and his wife Bernadette a happy retirement after years of dedication to the affordable housing needs of Columbus and Franklin County, Ohio.

HONORING THE CITY OF CHANDLER

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. HENSARLING. Madam Speaker, today I would like to recognize the City of Chandler on its 50th anniversary of incorporation on July 10th.

Alphonso Chandler and his brother Haskell moved their families from Georgia to the area located between Kickapoo Creek and the Neches River in 1859. As one of the first settlers in the area, Alphonso built a general store on his property. A U.S. Post Office was added in 1873, under the name of Stillwater. The Cotton Belt Railroad later made its way to the area in 1880, and Mr. Chandler deeded land to the Texas and St. Louis Railroad for tracks and a depot. Mr. Chandler also donated property for schools, churches and a cemetery. A new community grew around the railroad.

What many may not know is that Chandler is the birthplace of Senator Ralph Yarborough who represented Texas in the U.S. Senate from 1957 to 1971. Many of his personal and public effects can be found at the Chandler Public Library.

Chandler has become a gateway to Lake Palestine, a beautiful body of water that is home to many migratory birds and waterfowl, as well as great fishing and recreational boating. Traveling on South FM 315, one might catch a glimpse of our nation's emblem, the bald eagle, soaring over the lake.

Chandler is a growing community and its citizens live by its motto, "City with a Heart." I would like to congratulate the City of Chandler on its 50th anniversary of incorporation and recognize its citizens, both past and present, who have given so much to build a vibrant community.

AFFORDABLE HEALTH CARE FOR AMERICA ACT

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2010

Mrs. MALONEY. Madam Speaker, I rise in support of H.R. 3962, which will protect patient access to their doctors and prevent a 21 percent cut in Medicare payments to doctors, and also boost physician payments by 2.2 percent through November 30.

Congress has spent the last decade—under both Republican and Democratic leadership—overriding the Sustainable Growth Rate, SGR, formula to prevent America's doctors from facing pay cuts in Medicare and to ensure seniors can keep their doctor.

Last November, the House passed H.R. 3961, the Medicare Physician Payment Reform Act, permanently fixing the SGR. Democrats have long recognized that this formula is fundamentally flawed and have been working to fix it only to be stymied by Republicans in the Senate. This bill, though necessary, will require Congress to review the formula again in December when the current fix expires.

Temporary fixes are not the answer. We must have a permanent solution to this problem to protect our Medicare patients and retired military veterans.

I urge my colleagues to work toward a permanent fix of the Sustainable Growth Rate.

HONORING SERGEANT DAVID PARKS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. STARK. Madam Speaker, I rise today to recognize Sergeant David Parks's 31 years of exemplary service in law enforcement, in honor of his retirement from the Newark, California, Police Department.

Sergeant Parks began his law enforcement career as a 2-year public safety officer with the Brisbane Department of Public Safety. He was then hired as a police officer with the Newark Police Department in September 1981, where he served for 29 years.

As a police officer at the Newark Police Department, Sergeant Parks served 1 year as a fraud detective and 3 years as a Crimes Against Persons detective. In July 2004, he was promoted to the rank of sergeant and served in a variety of positions including patrol sergeant, community safety team sergeant, and detective sergeant.

During his tenure with the Newark Police Department, Sergeant Parks had held many collateral duties such as field training officer, FTO; FTO Sergeant, criminal evidence response team, CERT, member; CERT supervisor; trauma response team; traffic officer; acting sergeant; SWAT team member; Alameda County arson task force member; and composite sketch artist.

I join the City of Newark in expressing appreciation for Sergeant Parks's leadership and commitment during his service in the Newark Police Department. I rise to thank him for his stewardship for public safety and wish him well in his retirement.

HONORING SCOTT URBAN

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. WALZ. Madam Speaker, I rise today to recognize the accomplishments of Scott Urban, a teacher from Mankato West High School in Mankato, MN.

Scott was one of two recipients this year to receive the Minnesota WEM Foundation Outstanding Educator Award for Teacher Achievement.

This award recognizes exemplary teachers who support, inspire and assist students to attain greater learning. The recipients of this award are nominated by students, parents, colleagues, and community members—the people who know the difference a good teacher can make.

As a teacher on leave from Mankato West, I have had the honor to teach with Scott.

I've seen how Scott's passion for teaching and outstanding leadership inspires students to achieve their true potential. He encourages students to learn the material not for a test, but to increase their knowledge and shape their world view.

Scott's success with students is truly unmatched. Over the past 11 years at Mankato West, students in his AP government and politics class have maintained an 80 percent pass rate on the national AP exam, well above the state and national averages. Last year, 85 students took the exam in his class and 46 achieved the highest possible score, five out of five.

Students in Scott's advanced placement government and politics class come away with a superior knowledge of our political system and a deep appreciation for our democracy.

For 27 years Scott has challenged every student that walks into his classroom to go beyond what is expected. His efforts have impacted a generation of students and we in Minnesota are lucky to have him. I can think of no one else who deserves this award as much as he does.

Madam Speaker, please join me in honoring Scott Urban for his life of dedication and service to his community and his country.

BP DEEPWATER HORIZON OIL SPILL

HON. JOHN J. HALL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. HALL of New York. Madam Speaker, the tragic BP Deepwater Horizon oil spill in the Gulf of Mexico has cost the nation billions of dollars in economic damages to the United States, as well as widespread devastation of our natural resources. There is an immediate need to act—to stop the leak, clean up the oil, and repair our fragile economy and ecosystem. But we will be making an irreparable mistake if we do not take this opportunity to examine our energy needs for the future.

Historians will look back on this era as a turning point. The BP disaster and its resulting damage to our economy and to nature will reshape Americans' support for renewable energy versus continued dependence on oil.

It is impossible for us to comprehend the magnitude of the oil spill in the Gulf; we may not be able to calculate the true costs for years. But in the midst of unprecedented tragedy, we see hopeful signs of change.

The military—one of the largest users of energy—is looking at alternative sources of power. In my district in New York's Hudson Valley, the United States Military Academy at West Point is beginning to use solar and wind energy.

Renewable energy is being produced in other places unimaginable not long ago. More than 1,300 billboards in Florida will be converted to solar and wind energy by the Lamar Advertising Company. This is notable because it showcases renewable energy as a practical and accepted corporate solution.

Further, billboards are visible. The solar panels and small wind turbines will create awareness about renewable energy, sending a message that renewable energy is not some far away idealist dream. It's doable, and it's doable now.

The kilowatt production from this project will be significant. Just as important, the hardware is made in the United States. In Times Square, office equipment provider Ricoh just completed a solar-powered electronic billboard. Hardware came from companies based in California, Ohio, and Rhode Island.

Renewable energy is a growth industry here at home. In my congressional district, a solar-cell company moved into existing manufacturing space, which had been vacant. Where did the previous jobs go? China.

My congressional district is also home to SpectraWatt, which has started to manufacture advanced silicon photovoltaic cells at the Hudson Valley Research Park in Hopewell Junction, NY. When I toured this facility with Labor Secretary Hilda L. Solis in late March, 60 people were on the payroll. Since then, nine additional employees have been hired and additional hires are expected soon.

As we ponder the sobering consequences of the BP oil spill in the Gulf, I ask my colleagues to not only look at our immediate crisis, but to also consider an energy policy that spurs the development of renewable technologies. As we invest in renewable energy and rebuild our energy infrastructure, we can also boost our manufacturing base and create a broad array of quality jobs. Now is the time to rebuild: our economy and our environment depend on us.

HONORING JOHN BRYANT BEALL, SR.

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. HENSARLING. Madam Speaker, today I would like to recognize Mr. John Bryant Beall, Sr. Mr. Beall is a World War II veteran who will finally receive a significant military honor at the Edom July 4th Celebration.

President Coolidge once said, "A nation which forgets its defenders, will itself soon be forgotten." I am proud of Mr. Karl Little, who helped Mr. Beall realize this honor, and everyone who is taking the time on Independence Day to honor him.

Mr. Beall will be awarded the Bronze Star Medal during a ceremony on July 4th. He joined the U.S. Army in February of 1943 and reached the rank of Private 1st Class before his discharge in November of 1945. Mr. Beall served on the front lines of combat in two campaigns in Central Europe.

Mr. Beall was one of five brothers that were raised in Edom. Mr. Beall, along with three of his brothers, served in World War II, while his oldest brother was too old to serve in the military. It is certainly a testament of courage and patriotism for the Beall family to risk so much in the defense of our nation.

I would like to take this opportunity, on behalf of the entire 5th Congressional District of Texas, to thank Mr. Beall and his family for their service to our country. We should be eternally grateful for our servicemen and women in the past and present who have fought to preserve liberty for our generation and generations to come.

HONORING THE BICENTENNIAL OF THE IRON AND STEEL INDUSTRY IN COATESVILLE

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. GERLACH. Madam Speaker, I rise today to recognize the 200th anniversary of the oldest, continuously operating steel mill in the United States located in Coatesville, Chester County, Pennsylvania.

During the last two centuries, men and women of great character, tremendous ingenuity and bold leadership have contributed to the longevity and success of Coatesville's iron and steel industry, which helped sustain a community and fueled America's growth and prosperity.

The steel mill that Isaac Pennock established on the banks of the Brandywine River in the early 19th Century developed into an industrial complex that housed the world's largest plate mill thanks to the efforts of Dr. Charles Lukens, Rebecca Lukens and several generations of leaders. Today, the world's largest steel producer, ArcelorMittal, operates the facility and employs 820 men and women there.

The plant is responsible for several historically significant achievements. Rebecca Lukens is recognized as America's first female chief executive officer. In addition, the rolling plates for the *Cordorus,* the first iron-hulled vessel, and the *Nautilus,* the first nuclear submarine, were manufactured at the facility. More recently, the "steel trees" from the World Trade Center, which stood tall after the September 11, 2001 attack, returned home to Coatesville where they were manufactured.

Dedicated employees with work ethics as strong as the steel plates they forge also have been integral to the success of the plant. These highly-skilled and extremely motivated workers have helped the industry adapt from an era of steam locomotives and iron-hulled vessels to an era of nuclear submarines and specialty steel products.

Madam Speaker, I ask that my colleagues join me today in honoring the 200th anniversary of the iron and steel industry in the City of Coatesville and recognizing the exemplary effort of employees, past and present, to produce world-class products and an enduring legacy for the City.

PERSONAL EXPLANATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. VISCLOSKY. Madam Speaker, on Tuesday, June 29, 2010, I was absent from the House and missed rollcall vote 401.

Had I been present for rollcall 401, on a motion to suspend the rules and pass, as amended, H.R. 5623, the Homebuyer Assistance and Improvement Act, I would have voted "aye."

THE FORGOTTEN WAR

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. POE of Texas. Madam Speaker, half way across the world, nearly 37,000 Americans gave their lives in a struggle against communism from the summer of 1950 to the summer of 1953. How does one forget?

Overshadowed by World War II and Vietnam, the Korean War has commonly been referred to as "The Forgotten War", although it figures prominently in the development of historical events. Friday, June 25, marks the 60th anniversary of the Korean War. In the early hours of June 25 1950, communist forces from the north crossed the 38th parallel and invaded the Republic of South Korea. Two days after the North Korean invasion, President Harry S. Truman authorized the use of American military forces in Korea. Nearly two million Americans stepped up in attempt to triumph evil in the Korean theatre.

The Korean War was a civil war; Koreans fought and killed each other on their own soil. The economic and social danger to the Korean nation was incalculable. It was also one of the first episodes of the Cold War between the United States and the Soviet Union. Others, including a communist China, joined in based on their ideologies.

Remembering the Korean War is painful for many veterans who fought in it. Those who were there remember the violent hand to hand combat and the extreme conditions they faced. Maybe that's why it's forgotten. Or maybe it's due to the fact that history frowns upon conflicts in which there is no clear winner. But for whatever reasons there are, the Americans who served, the lives that were lost, and the cause that was fought for should never be forgotten.

It might not have been the most glorious war in our history, but nearly two million Americans rose up to triumph evil on the Korean Peninsula during those violent years. That's pretty unforgettable.

HONORING DR. LOUIS FISHER ON THE OCCASION OF HIS RETIREMENT FROM THE LIBRARY OF CONGRESS

HON. BILL DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. DELAHUNT. Madam Speaker, on behalf of the many Members in the House of Representatives who—like myself—have benefited from this honorable man's brilliance and dedication, I wish to commend Dr. Louis Fisher, Ph.D., for his forty years of exemplary service to the United States Congress as a member of the professional staff of the Library of Congress, both with the Congressional Research Service and the Law Library.

We, and the many colleagues who served before us, have each been the beneficiaries of the years Lou Fisher has devoted to assisting the Congress in understanding the U.S. Constitution and acting to preserve the responsibilities and prerogatives of the Legislative Branch while respecting those of the Executive and Judicial Branches. He has made a unique, profound and lasting contribution to the vitality of the Congress and the Republic.

Highlights of his career include his assistance in authoring the new constitutions of Russia, the Ukraine, Bulgaria, Albania, and Hungary following the fall of the Soviet Union; his dedicated service as Research Director for the House Iran-Contra Committee; and his extensive testimonies on war powers, state secrets, executive spending discretion, presidential reorganization authority, Congress and the Constitution, the legislative veto, the item veto, executive privilege, executive lobbying, covert spending, the pocket veto, recess appointments, the budget process, the balanced budget amendment, biennial budgeting, and presidential impoundment powers. He is renowned as a prolific author of books, textbooks, articles and papers on Congress, the Constitution, Presidential power, and other topics, all too numerous to list, and was the 2006 recipient of the Neustadt Book Award for Military Tribunals and Presidential Power.

With gratitude for his contributions to the Congress and the Nation, we extend our deep respect and heartfelt esteem to Dr. Fisher and offer our affectionate wishes for his health and happiness in retirement.

IN PRAISE OF THE TRANSATLANTIC LEGISLATORS' DIALOGUE MEETING HELD IN MADRID, SPAIN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. BERMAN. Madam Speaker, I would like to call the attention of my colleagues in the Congress to another successful meeting of the Transatlantic Legislators' Dialogue (TLD) that was held in Madrid, Spain from June 4–6, 2010. Chairwoman SHELLEY BERKLEY, yet again, showed her strong commitment to furthering the transatlantic relationship in her leadership of a bipartisan delegation, which included Vice-Chairman JIM COSTA (D–CA), Vice-Chairman CLIFF STEARNS (R–FL), Rep. BART GORDON (D–TN), Rep. LINCOLN DIAZ-BALART (R–FL), Rep. MARIO DIAZ-BALART (R–FL), Rep. PHIL GINGREY (R–GA) and Rep. VERN BUCHANAN (R–FL). I wish to recognize and thank Chairwoman BERKLEY and the entire U.S. delegation for their contribution to a constructive dialogue with Members of the European Parliament.

The TLD is the formal response by the European Parliament and the U.S. Congress to the commitment in the New Transatlantic Agenda of 1995, which enhances legislative ties between the European Union and the United States. The TLD biannual meetings foster transatlantic discourse and encourage the exchange of views on topics of mutual interest. With the additional powers provided by the Lisbon Treaty to the European Parliament, it is more imperative now that legislators engage in this dialogue and seek joint solutions to the pressing issues that affect citizens on both sides of the Atlantic.

The most recent meeting in Madrid addressed a wide range of common challenges, including energy security and climate change, cooperation in both responding to international crises and in providing development aid, and current economic challenges within the Eurozone, the United States, and the world.

The session addressing the transatlantic response to volatile regions of the world was moderated by the Honorable Miguel Angel Moratinos, Spanish Minister for Foreign Affairs and current President of the EU General Affairs Council. Members discussed the Middle East, Afghanistan and Pakistan, Iran, Somalia, and Cuba and stressed the need for transatlantic engagement to address these shared foreign policy interests.

There was also an extensive session on the implications of the Lisbon Treaty for Europe, the transatlantic relationship, and the TLD. The newly enhanced legislative power of the European Parliament reinforces the relevancy and importance of TLD meetings in fostering transatlantic cooperation.

In conclusion, I submit the joint statement that was agreed upon by American and European legislators at the 68th TLD meeting held in Madrid. It underscores the rich agenda of this meeting and highlights the many areas in which there was strong transatlantic agreement.

TRANSATLANTIC LEGISLATORS' DIALOGUE 68TH MEETING OF DELEGATIONS

[From the European Parliament and the United States Congress, Madrid, Spain, 3–6 June 2010, Joint Statement]

(By Shelley Berkley, Chairwoman, United States Congress Delegation; Cliff Stearns, Vice Chairman, United States Congress Delegation; Jim Costa, Vice Chairman, United States Congress Delegation; Elmar Brok, MEP, Chairman, European Parliament Delegation; Sarah Ludford, MEP, Vice Chairwoman, European Parliament Delegation; Niki Tzavela, MEP, Vice Chairwoman, European Parliament Delegation.)

We, the Members of the European Parliament and the United States House of Representatives, held our 68th Interparliamentary meeting (Transatlantic Legislators' Dialogue) in Madrid, from 3–6 June 2010.

Building on the joint statement issued following our last meeting in New York on 4–7 December 2009, we reasserted the importance of regular dialogue on political, social, economic and environmental challenges that affect all of our citizens. We agreed to report back to our parent bodies on the content and outcome of our discussions in Madrid, in particular in the areas where joint efforts are likely to produce positive outcomes.

The first experiences with the Lisbon treaty, and the enhanced powers it gives to the European Parliament, were evaluated and we concluded that this emphasizes the need for continued and expanded dialogue and interaction between legislators in the United States Congress and the European Parliament.

In the field of civil liberties, we recognised that we share many common values yet we also recognised that we may have different approaches to finding optimal solutions. It was noted that these differences in approach are being addressed with a view toward coming to a permanent agreement on the Terrorist Finance Tracking Program (TFTP). We welcomed the intensified contacts, also on the level of the relevant committees, to understand differences and explore common ground. We took note of the EU-US and Member States 2010 Declaration on Counterterrorism of 3 June 2010 'Forging a durable framework to combat terrorism within the rule of law'.

In the same spirit we discussed issues concerning energy and climate change. We exchanged views on adopted legislation on the EU side, in particular the 2020 goals, and on pending legislation on the US side. We emphasized the importance of sustainable policies on both sides of the Atlantic which could facilitate agreement in the larger international context. In this respect the upcoming COP 16 in Cancun was noted. We discussed the aim of 'greening the economy', including alternative energy sources, to provide the opportunity of enhancing the quality of the environment and improving the economic situation, as well as the perspective of setting common standards for new and environmentally friendly technologies, such as electric vehicles. The national security implications of energy sources and independence were also discussed.

In the presence of the Director General for External Relations of the European Commission, Mr. Joao Vale de Almeida, the prospects for bilateral and global cooperation between the EU and the US were discussed and our shared commitment for disaster relief in third world countries and our common interest in stable and sustainable development in all areas of the world were recognized.

In the presence of the Spanish Minister for Foreign Affairs and current President of the EU General Affairs Council, Mr. Miguel Angel Moratinos, we exchanged views on regions in the world where tensions are high. In this respect we focused attention on the situation in the Middle East, in Afghanistan and Pakistan, in Iran, Somalia and Cuba.

An extensive discussion was held on the latest financial and economic developments in Europe, the US and the world. With regard to Europe, government interventions to stabilise the situation in Member States and the Eurozone are needed. We recognised the global character of the crisis and its effects and therefore emphasised the importance of coordinated action. In this respect the prospects for common approaches regulating the financial sectors of the economy were explored.

We evaluated the state of play of the Transatlantic Economic Council (TEC) and ways to enhance EU-US economic cooperation. The transatlantic market should be allowed to develop its full potential in particular through reducing non-tariff barriers and joint efforts to find common standards. The importance of a successful outcome of the Doha Round was reiterated. We welcomed a proposal to submit a TLD paper to our respective administrations on ways to expand US-EU trade and economic cooperation.

Finally, we reviewed progress in strengthening the Transatlantic Legislators Dialogue, in particular:

—the growing interest in communication among Members of our institutions, both in general and on specific topics,

—the strengthening of the TLD in the Congress by enhancing its status, increasing stability of membership and involving the Speaker of the House of Representatives,

—the opening on 29 April 2010 of the European Parliament Liaison Office (EPLO) in Washington,

—the steps in expanding contacts among staff of our institutions,

and discussed options for further enhancing it, such as:

—inviting EU and US officials to provide perspectives on strategic issues related to financial recovery and economic growth,

—expanding interaction between the US Congress and the European Parliament in Brussels and in Washington, including through video-conferencing,

—the possibility of joint hearings and the issuance of joint statements.

In conclusion, we reaffirmed our commitment to strengthening the transatlantic relationship and working in partnership to solve common challenges. We pledged to continue improving the effectiveness of our dialogue in order to realise the full potential of our interparliamentary relationship, as well as to ensure the relevance of the TLD's work to the European Parliament and the United States Congress.

ANNEX: STATEMENT ON IRAN

We, the members of the Transatlantic Legislators Dialogue, condemn the systematic violations by the Iranian regime and its agencies of the human rights of the Iranian people. The actions of the regime are denying the Iranian people the basic human rights as described in the United Nations Declaration of Human Rights. We call on our respective Administrations to strengthen their efforts to assist the Iranian people in achieving the rights that they are due, through effective means to counteract the regime's repression.

We welcome the coordinated strategy and concerted action by the US government and the European Union to halt the threat posed by Iran's nuclear weapons and ballistic missile programs.

CELEBRATING THE HOWARD K. WATKINS PHOTOGRAPHIC ARCHIVE PROJECT

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. COSTA. Madam Speaker, I rise today to pay tribute to the Howard K. Watkins Photographic Archive Project, aptly recognized as the current "Fresno Photo Laureate."

Since his arrival in Fresno in 1973, Howard K. Watkins has been photographing and documenting events in the greater Fresno area. His collection of 200,000 photos is the largest of its kind and includes: elected officials, community and business leaders, members of the judiciary and legal community, celebrities, numerous community groups, parades, political rallies, athletes, historic buildings and several award winning photographs.

Influenced by the historic Pop Laval Photographic Archive Collection and encouraged by others, Mr. Watkins has partnered with the Fresno Regional Foundation and the Henry Madden Library at California State University, Fresno to provide a permanent home for all to enjoy. Therefore, Fresno State is helping to establish the Howard K. Watkins Photographic Archive Project with the goal of making the photographs publicly accessible as an online historical archive.

Mr. Watkins began taking photos in junior high school with a simple Brownie camera. He pursued his passion for photography as a hobby as a young adult and continued throughout his career as an attorney with Fresno County Legal Services and the Office of Fresno County Counsel. Mr. Watkins became the official photographer for the Fresno County Supreme Court and has taken photographs for the State Bar of California and the California Supreme Court.

Now retired from a distinguished thirty-three year career in the legal field, Mr. Watkins is devoting most of his time to indexing his photographic collection and raising the funds needed to make his photos accessible for generations to come.

Madam Speaker, I ask my colleagues to rise with me today to express our appreciation for Mr. Watkins' unwavering dedication and commitment to keeping the greater Fresno legacy alive through the Howard K. Watkins Photographic Archive Project.

INTRODUCTORY STATEMENT ON H.R. 5641: TO AMEND TITLE 38, U.S.C., TO AUTHORIZE THE SECRETARY OF VETERANS AFFAIRS TO PROVIDE NURSING HOME CARE FOR VETERANS WHO ARE UNABLE TO LIVE INDEPENDENTLY AT NON-DEPARTMENT MEDICAL FOSTER HOMES

HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. BUYER. Madam Speaker, today, I am introducing H.R. 5641, a bill to allow the Department of Veterans Affairs (VA) to enter into contracts with adult foster homes to provide life-long care to veterans unable to live independently.

Adult foster homes are designed to provide non-institutional long-term care to veterans who prefer a more personalized, familial setting than traditional nursing homes are able to provide.

VA has been helping to place veterans in adult foster homes since 2002 and over time more than 600 veterans in need have paid to receive such care. As we speak, 219 veterans are living in these special homes.

The need for long term care is increasing as veterans from past conflicts get older, and it will continue to grow as wounded warriors return home from Iraq and Afghanistan with severe injuries that require life-long assistance. While nursing homes will always be a valuable tool for providing lasting care, for some the individualized, home-like atmosphere of an adult foster home is a much more attractive alternative than the prospect of moving into a traditional nursing home.

The advantages of adult foster homes are clear. Veterans who opt for foster home care will move into a home owned or rented by their chosen foster home caregiver. The caregiver—who has passed a VA screening, federal background check, and home inspection and agreed to undergo annual training—resides with the veteran and provides them with 24-hour supervision and personalized care. For as long as that veteran resides in the home, VA adult foster home coordinators and members of a VA Home Care Team will make both announced and unannounced visits at least three times every month to ensure the veteran is safe and the home and caregiver are in compliance with VA's high quality standards.

Additionally, the Home Care Team will provide veterans with comprehensive, interdisciplinary primary care and provide the caregivers with supportive education and training.

Many veterans who choose to reside in an adult foster home would otherwise be in need of nursing home care and would qualify for VA benefits to receive it. However, because VA is not authorized to provide veterans with assisted living benefits, these veterans must pay for the care they receive in adult foster homes out of their own pockets.

Twenty four percent of veterans who have received care in a Medical Foster Home qualify for VA's highest priority group due to having disabilities rated 50% or more service connected or having otherwise been found unemployable due to service connected conditions. Given that many of the veterans who are benefitting from this individualized, non-institutional care are disabled, afflicted with chronic disease, often elderly, and frequently 70% or more service connected, placing the entire cost burden for adult foster homes on their backs is no way to thank them for their valiant years in service. What's more, it creates an inequity of benefits between those who can afford to pay for such care and those that cannot.

The legislation I am introducing today would give VA the authority to enter into a contract with a certified adult foster home to pay for care for certain veterans already eligible for VA paid nursing home care. By doing so, it would ensure more veterans have the option to choose a treatment setting that best suits their needs free of financial constraints.

Our veterans in need of life-long care have earned the right to decide which long-term care environment would make them feel most at home. And, I encourage my colleagues to join with me in cosponsoring this legislation to make that decision easier.

CONGRATULATIONS TO THE ADVOCATES FOR SELF-GOVERNMENT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. PAUL. Madam Speaker, the Advocates for Self-Government, one of the freedom movement's leading organizations, is celebrating their 25th anniversary this year. I am pleased to take this opportunity to congratulate the Advocates on this anniversary and wish them continued success in promoting liberty.

The Advocates where founded by my friend, the late Marshall Fritz. Marshall saw that the growth of the freedom movement was handicapped by the lack of an organization to help activists better communicate the freedom philosophy to the general public. In order to remedy this situation, Marshall rallied a group of activists and donors and founded the Advocates in order to teach libertarians how to effectively communicate their principles.

Under the leadership of Marshal from 1985 until 1991; Carole Ann Rand from 1991 until 1995; and Sharon Harris since 1995; the Advocates has helped countless libertarians by providing them with the intellectual resources necessary to effectively battle for a free society.

Without a doubt, the Advocates are best known for the "World's Smallest Political Quiz." Created by Marshall and based on an original idea by David Nolan, this quiz graphs an individual's political philosophy based on responses to a series of ten questions that measure one's commitment to economic and personal liberty.

Under Marshall's leadership, the Advocates undertook an aggressive program of promoting the quiz, distributing millions of copies of the quiz to libertarian activists. They also generously provide free copies of the quiz, as well as libertarian literature and other outreach materials, free of charge to liberty-minded groups such as the Republican Liberty Caucus and Young Americans for Liberty.

The quiz has been taken over 15 million times online, has been reprinted in dozens of newspapers and magazine, is referenced by major high school and college textbooks, and is used by educators in classrooms across America. The quiz is responsible for many people's first contact with libertarian ideas. While traveling around the country, I have often heard people say, "I never knew I was a libertarian until I took the quiz."

The Advocates also recently revamped their Libertarianism.com web site, featuring commentary on the libertarian position on a variety of issues from notables in the freedom movement. I was honored when the Advocates asked me to participate in this project.

As they prepare to celebrate their 25th anniversary, it is a pleasure to thank the founder, the staff and the donors of the Advocates for Self-Government for all they have done for the cause of liberty. I wish them continued success.

CALLING FOR RELEASE OF ISRAELI SOLDIER BY HAMAS

SPEECH OF

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2010

Mr. BERMAN. Madam Speaker, I rise today in support of H. Res. 1359, calling for Hamas to unconditionally release captured Israeli soldier Gilad Shalit. On June 25, 2006, Hamas terrorists illegally crossed into Israel from the Gaza strip, killed two Israeli soldiers, and kidnapped Corporal Gilad Shalit. Tomorrow marks the fourth year Gilad Shalit continues to be held captive by Hamas. He has been held in violation of international humanitarian law, without access to proper medical care, without access to his loved ones, and without access to the International Committee of the Red Cross, despite that organization's repeated requests to visit him.

I also rise today to strongly reaffirm America's unwavering commitment to the safety and security of the Jewish State of Israel. Israel and America's shared goal of a peaceful resolution of the Israeli-Palestinian conflict can only be achieved when Hamas renounces acts of terrorism such as rocket attacks against civilian populations, suicide bombings in civilian areas, and the extortionist capture and detention of Israeli soldiers.

We continue to stand with the Shalit family in this very difficult time, and are praying for the safe and timely release of their courageous son.

TRIBUTE TO TRISH LOWREY HOOPER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Ms. ESHOO. Madam Speaker, I rise today to honor the extraordinary life of a distinguished Californian, Trish Lowrey Hooper, a longtime resident of the 14th Congressional District, who died after a fall on Thursday, June 3, 2010. She lived 87 full, productive, and compassion-filled years.

Trish Hooper was a devoted wife, a loving mother, intrepid traveler, painter, writer, and passionate American who worked tirelessly for justice, women's rights, and democratic values. As a child she lived in New Jersey, California, and Hawaii, and was a graduate of Sarah Lawrence College.

Trish Hooper had a great sense of joie de vivre. She was fascinated by everything and fascinating to be with. She married John Hooper, an attorney, and they spent the years of World War II on military bases. On returning to San Francisco, John Hooper practiced law and Trish raised their four children. In a characteristic action, she, John, and the children traveled by freighter to France in 1957, where they spent ten years with John working with NATO and she coping with the challenges of raising children in houses in Paris, Switzerland and Italy. She wrote charmingly of these European years in her memoirs.

In 1967, Trish and John Hooper moved to Woodside and immersed themselves in local issues. They worked tirelessly with the candidate who would later be their son-in-law, Paul N. "Pete" McCloskey, in his successful campaign to represent the people of the Mid-Peninsula area in the United States Congress.

Trish Hooper could prick the conscience of a community with her powerful thoughts and her pen. She had a conscience, she had integrity, and she had a magnificent mind. She went toe-to-toe with people and their ideas, always maintaining a level of civility and dignity while doing so. She always had the last word because her words were so powerful. She could move an individual with a paragraph, writing scores of powerful Letters to the Editors of newspapers and magazines across the country. Her work improved the editorial pages of local papers as well as the New York Times, Wall Street Journal, Time, and Newsweek. She wrote three volumes of memoirs and illustrated them with her own paintings. Her watercolors helped raise money for causes she loved, including animal welfare, death with dignity, and freedom of choice for women.

One of her most recent letters was published in the Almanac, a venerable weekly published on the San Francisco Peninsula, on May 12, 2010. In this letter she excoriated Arizona's new immigration law. She wrote that "this new law increases the underlying racism which seems to have replaced the message held with such pride by the Statue of Liberty, a gift from France: 'give me your tired, you poor, your huddled masses yearning to be free . . . I lift my lamp beside the golden door.'

The message of 'freedom, democracy, and international friendship' is put aside as this vaunted compassionate country loses its bearings. Urged on by hate-mongers and the shrill voice of 'Gotcha!' plus cries of 'down with government,' we're teetering on the brink of a new brand of isolationism."

Madam Speaker, I ask my colleagues to join me in extending our deepest sympathies to Trish Hooper's daughters Margo Hooper and Helen Hooper McCloskey, her sons John C. Hooper and Lawrence Hooper, her sister Helen Virginia Brown, her brother Charles F.

Lowrey, and her five grandchildren. We honor the memory of Trish Hooper for the life she lived so well and for her extraordinary service to our Nation. She was a force of nature and will be sorely missed and never forgotten by anyone who was privileged to know her. Trish made our community better and our country stronger. Her brand of citizenship stands as the highest standard for all of us to emulate.

HONORING THE LIFE AND LEGACY OF DR. WALTER LEAR

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. FATTAH. Madam Speaker, I rise to honor the life of Dr. Walter Lear. Dr. Lear was a committed physician, outspoken health advocate for gay and lesbian people, and a great Philadelphian. A native of Brooklyn, New York, he was born in 1923 and went on to receive degrees from Harvard College (B.S), Long Island College of Medicine (M.D.), and Columbia University (M.S.). In the 1960s, Dr. Lear left New York to become the Philadelphia health commissioner and later became the executive director of Philadelphia General Hospital and then the regional health commissioner for the Pennsylvania Department of Health. As one of few ''out'' gay public officials, Dr. Lear was a leading advocate for the inclusion of sexual orientation in civil rights provisions barring discrimination. Additionally, he was influential in ensuring the passage of the Philadelphia Gay Rights Bill in 1982.

Throughout his career, Lear sought to improve the lives of ordinary people by broadening access to quality healthcare, especially to those who were marginalized in society because of their sexuality. In 1979, Lear and a small group of others founded Lavender Health, which would become the first health center in Philadelphia dedicated to meeting the unique needs of the city's gay and lesbian community. Lavender Health, now known as the Mazzoni Center, continues to provide a much needed resource in Philadelphia as it is the only organization to provide comprehensive health and wellness to LGBT people. Furthermore, the Mazzoni Center is the oldest AIDS organization in Pennsylvania and the fourth oldest in the nation.

Lear's determination to help others was truly unmatched and the extent of his work is far reaching. He helped found the Gay and Lesbian Community Center (now the William Way Center), the Philadelphia AIDS Task Force, and the Maternity Care Coalition of Greater Philadelphia. In addition, he also convened the first national conference on AIDS in the 1980s before the disease received any widespread attention from the media or government. In the 1970s, he was a part of a small group that helped to desegregate medical schools in Philadelphia. Moreover, Lear was visionary in his advocacy for expanded access to healthcare beyond gays and lesbians, to include communities of color facing similar barriers to care. Toward the end of his life, his research interests included documenting the 100+ year struggle to obtain universal healthcare.

Lear was not only an advocate for LGBT issues, but also vocal in his support for the wellbeing of all Pennsylvanians. As an active member in the American Public Health Association (APHA) for over 50 years, Lear championed a number of causes involving minority health, social justice, and health issues facing lesbian, gay, bisexual, and transgender people. The APHA recognized Lear's vast work and activism at their 134th annual meeting where they awarded him the Helen Rodriguez-Trias Award for Social Justice. Sadly, Dr. Lear died on May 29, 2010. He is survived by his loving partner of over 50 years, James F. Payne, his former wife, Evelyn Lear; a son, Jon Stewart, and a daughter, Bonnie Stewart. I express my sincere condolences to his family and friends, and honor the great work he has done for the City of Philadelphia and the Nation.

REPUBLICAN YOU-CUT PROPOSAL

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. BRADY of Texas. Madam Speaker, I rise today in solidarity with Americans who are telling this Congress to stop spending.

More than a million votes have been cast this week as part of the You-Cut initiative, which gives Americans the chance to say what spending we need to eliminate.

This week, the American people said we need to stop paying federal workers to conduct union activities.

These are bureaucrats who are paid by taxpayers but spend 100 percent of their time helping their unions. Their salaries should be paid for by union leaders—not hard-working American families.

These workers cost taxpayers $1.2 billion

This is not the ethical government the American people were promised, and today, I urge my colleagues on both sides of the aisle to vote to stop this unfair funding.

INTRODUCING THE END BIG OIL TAX SUBSIDIES ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. BLUMENAUER. Madam Speaker, today I rise to introduce the End Big Oil Tax Subsidies Act, legislation that will end the expensive and unnecessary subsidies that the American people provide to the world's largest and most profitable companies. The legislation leaves untouched the tax treatment for small, independent companies.

Every year, Americans file their tax forms, contributing to our nation's defense, education, and infrastructure. Yet the biggest oil companies retain staggering tax benefits that shield these companies from their tax burdens. These benefits may have made sense decades ago for a fledgling industry, but today there is no need to protect the largest and most profitable companies in the world from burdens that every other taxpayer faces.

In 2008, the top five oil companies made a combined profit of $100 billion. In 2009, ExxonMobil hit an all-time record $45.2 billion in profits, yet paid no U.S. federal income taxes. In fact, they received a $156 million tax refund. To be sure, these companies face other tax liabilities. But the cornerstone of financing the federal government is the federal income tax and here Big Oil can largely offset its income with these tax subsidies. It is patently unfair that ordinary Americans must pay into a system that subsidizes this mature industry.

At time when we are working to rebuild our economy and curb the deficit, America cannot and should not subsidize the most profitable corporations in the world. President Obama's FY 2011 Budget proposed ending many of these tax breaks, which could reduce the deficit and fund national priorities from education to clean energy. At the recent G–20 Summit in Pittsburgh, the administration agreed with the other G–20 nations to eliminate these subsidies.

The unique tax breaks enjoyed by the oil industry provide unnecessary and harmful incentives for exploration, drilling, and refining activities that keep America anchored to oil, a threat to our environment and our national security. The United States consumes 25 percent of the world's oil but has less than 3 percent of the proven reserves.

By continuing to artificially subsidize fossil fuels, we undermine investments that will guarantee our energy dependence. It is time for our country to shift gears, end the billion dollar carve-outs for the largest oil companies, and start investing our limited taxpayer dollars in America's future rather than America's past.

CONFERENCE REPORT ON H.R. 2194, COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010

SPEECH OF

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2010

Mr. ISRAEL. Mr. Speaker, I rise in support of the Conference Report for The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.

I can think of nothing more pressing to our national security than putting a stop to Iran's nuclear plans. Today, Iran learned that the United States Congress will not stop until we end the tyranny Iran's leadership is promoting.

As a member of the House Appropriations Committee's Subcommittee on State and Foreign Operations, I spend a great deal of time focused on preventing Iran from developing an enrichment program that leads to nuclear weapons. Their current leadership is unstable, provocative, and would be a danger to the entire region armed with nuclear weapons.

Non-military options—including activities to disrupt Iranian research—are similarly problematic. This then leads us to consider military options. Here, all we need to do is look at Iraq to understand the difficulties of a military response in Iran.

In fact, during an unofficial ''war-game'' on Iran, former National Security Council official Ken Pollack said, ''Compared with Iraq, Iran has three times the population, four times the land area, and five times the problems.''

Some suggest precision strikes at Iran's nuclear facilities, as the Israelis did when they

successfully destroyed an Iraqi reactor in 1981. But Iran has learned from Iraq's mistakes. They have protected their facilities by burying them deep underground and dispersing them widely.

Additionally, virtually every military tool at our disposal—from limited and surgical to a major land war aimed at regime change—is impacted by one thing: oil. Iran could blockade the Straits of Hormuz and choke the supply of oil that is necessary to keep the lights on in the Pentagon and the tanks filled in our fighter jets, and double the price of fuel in the United States.

That's why the right set of economic sanctions is so badly needed, and why this conference report and the smart, tough sanctions it contains, advances our agenda of stopping Iran's quest for nuclear weapons.

This bill toughens penalties for those investing in Iran's energy sector and it also includes providing refined petroleum to Iran as a sanctionable offense. This bill also requires that any companies that want to do business with the U.S. government have to certify that they are not engaged in any activities that are considered sanctionable regarding Iran.

I am proud of this bill and what we have achieved as a Congress to bring more pressure on Iran.

A TRIBUTE TO CHESTER REED FOR A LIFETIME OF DEDICATION TO PUBLIC SERVICE

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr LEWIS of California. Madam Speaker, I join my colleague KEN CALVERT to pay tribute to Chester Reed, a hard-working, highly valued employee of the United States Postal Service. Chester will soon retire after 37 years as a forklift operator in the Postal Service's facility in Redlands, CA.

One item I should note: Chester is 95 years old, making him the oldest of the Postal Service's 596,000 career employees.

Joining the plant in 1973, this Ohio native and proud Riverside, CA resident started a career of service that was marked by never arriving late, never using a day of sick leave, and regularly working 12-hour days while volunteering to work more. His enthusiastic spirit has made him a favorite among his colleagues.

Chester knows something about longevity. He was married for over 60 years. Prior to his time with the Postal Service, Chester served 25 years in the Air Force where he retired as a sergeant. He attributes his durability to his faith, no junk food, not much meat, and an onion sandwich every day.

Chester cites his time with the Postal Service as the best job he's ever had. Throughout his nearly four decades with the Postal Service, Chester represented the highest values Federal employees want to provide: courtesy, commitment, and a dedication to public service.

Retirement is something to be celebrated and enjoyed. It is not the end of a career, but rather the beginning of a new adventure. Chester has his sights set on world travel and pursuing his hobby of hang gliding. Madam Speaker, I ask you and my colleagues to join Rep. CALVERT and me in sending our best wishes to Chester Reed.

IN RECOGNITION OF THE U.S. SOO BAHK DO MOO DUK KWAN FEDERATION

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. ADLER of New Jersey. Madam Speaker, I rise today to honor the U.S. Soo Bahk Do Moo Duk Kwan Federation, one of the largest uniform karate organizations in the world, practicing the official martial arts system created by legendary martial artist, the late Grandmaster Hwang Kee.

With over 5,000 members this martial arts system places emphasis on personal growth and values as directed by Grandmaster Hwang Kee. He not only wanted his students to be able to avoid outside physical conflict, but he wanted them to be able to avoid inner conflict as well. Most importantly, these students have developed the ability to improve themselves, their community, and the world for years to come.

Madam Speaker, please join me today in recognizing the outstanding work of the U.S. Soo Bahk Do Moo Duk Kwan Federation.

IN RECOGNITION OF FRANK KAPPELER

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. THOMPSON of California. Madam Speaker, I rise today along with my colleague, LYNN WOOLSEY, to honor and pay tribute to Frank Kappeler, one of eight surviving members of "Doolittle's Raiders" who passed away Wednesday, June 23, 2010, in Santa Rosa, California at the age of 96.

Lieutenant Colonel Kappeler was one of 79 U.S. Army Corps aviators who volunteered to fly the daring bombing mission over Japan four months after the surprise attack by the Japanese on Pearl Harbor.

Sixteen B–25 bombers and the men aboard launched from an aircraft carrier in the Pacific on April 18, 1942, and headed for Japan, knowing that they did not have enough fuel to return and even if they could get back, the large bombers were not able to land on the American carriers.

Lt. Col. Kappeler was the navigator on the No. 11 plane and was forced to bail out over China when the plane's engines stopped at 11,000 feet. Chinese partisans helped Lt. Col. Kappeler and his crew mates escape capture by Japanese forces.

He eventually escaped from China and spent the rest of WWII in the European theater, where he flew 53 combat missions.

He retired from the Air Force in 1966 as a Lieutenant Colonel.

The Doolittle Raid was a significant episode in the war in the Pacific because it demonstrated to both the American and Japanese people that Japan was not invincible and that American forces could and would strike the Japanese homeland.

All of the planes participating in the raid were lost and 11 crewmen were killed or captured.

Lt. Col Kappeler is survived by his wife of 53 years, Betty Kappeler, his daughter, Francia Kappeler, and three grandchildren, all of Santa Rosa, California.

Madam Speaker, Lt. Col. Frank Kappeler is a true American hero who served his country with great distinction. It is therefore appropriate that we honor him today and send our condolences to his family.

SUPPORTING NATIONAL POLLINATOR WEEK

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. BLUMENAUER. Mr. Speaker, pollinators play a key role in the support of our ecosystem and agricultural production. Most Americans don't realize the day-to-day impact that bees, bats, birds, butterflies and other pollinators have on our crops, family gardens and natural habitats, but nearly 75 percent of the world's flowering plants and two-thirds of our agricultural crops depend on pollinators for survival. One out of every three bites of food we eat exists because of pollinators.

Pollinator species, especially bees, bats and butterflies, are extremely sensitive to changes in their environment. In particular, Colony Collapse Disorder is threatening entire varieties of bees, including three that have recently been added to the endangered species list. One-third of all bee colonies in the United States did not survive the 2010 winter. As most pollinators are "indicator species," their declining numbers provide cause for concern and should encourage us to examine how changing climate, increased pollution levels, and the increased use of toxic products and genetically modified crops is impacting our environment and our economy.

I applaud the goals of National Pollinator Week and look forward to working with my colleagues on the newly formed Pollinator Protection Caucus.

INTRODUCTION OF "STOP DECEPTIVE ADVERTISING IN WOMEN'S SERVICES ACT"

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mrs. MALONEY. Madam Speaker, today I am introducing the Stop Deceptive Advertising in Women's Services (SDAWS) Act with 11 other Members of the House of Representatives. Senator MENENDEZ is introducing the companion legislation in the Senate as well.

Fake reproductive health clinics that sometimes bill themselves as legitimate crisis pregnancy centers entice women with unintended pregnancies through their doors under the pretense of providing a full range of reproductive options, and then try to dissuade women from

abortion by subjecting them to inaccurate medical information, anti-choice propaganda, and intimidation. This bill would help stop the fraud that these crisis pregnancy centers are perpetrating on the women of America.

The SDAWS Act directs the Federal Trade Commission (FTC) to promulgate rules declaring it an unfair or deceptive act for an entity, such as a crisis pregnancy center, to advertise as a provider of abortion services if the entity does not provide abortion services. Organizations that are not deceptive in their advertising or marketing will not be impacted by this bill.

The Stop Deceptive Advertising in Women's Services Act (SDAWS) serves to protect women seeking information about reproductive options from being subject to disturbing anti-choice propaganda and misinformation about the nature of abortion and its medical effects. Women have a right to unbiased pregnancy counseling, and should not be subject to deceptive advertising from anti-choice centers about the nature of their services.

Too many studies have documented that some CPCs are intentionally deceiving women, providing false or misleading information about the health effects of abortion, the effect of abortion on future fertility, and the mental health effects of abortion. Women deserve accurate medical information when making tough medical decisions. We must not allow this type of behavior to be perpetrated against women seeking reproductive health services.

SIR PAUL McCARTNEY, GLADWELL'S ''OUTLIERS'' AND BP

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. STEARNS. Madam Speaker, I would like to submit a letter from my good friend Gene Jewett, who shares his thoughts on the phenomena of talent and the recent visit from Paul McCartney who received the Gershwin Award from the Library of Congress.

Dear Friends,

Recently, Sir Paul McCartney visited Washington where he exhibited his musical prowess for the politically powerful, initially at the Library of Congress and then at the White House. In the course of his performance on the first night, he revealed the process by which he had written one of his most famous tunes, one where the melody had come to him in a dream, a refrain that he was fortunate enough to recall. For days, he hummed the tune (randomly entitled ''scrambled eggs'') to his band mates and everyone else in his greater circle of musicians, all in an attempt to determine whether it was a product of his own musical software or a reflection of a tune he had previously heard for which he was serving as a mere psychic conduit. When he finally accepted the song as his own, he re-dubbed it ''Yesterday'' and the rest is history. Over 3,000 singers have recorded the song, a number which marks it as a continuing star in the firmament of pop music.

His story caused me to reflect on the phenomena of talent, particularly as alluded to by Malcolm Gladwell in his book, ''Outliers.'' In this book, there's a central premise that suggests that great achievement is derived from spending at least 10,000 hours honing ones craft. Specifically, it uses as an example Paul McCartney and the Beatles playing in the clubs of Hamburg where they purportedly refined their songs. Notwithstanding the fact that the ''Hamburg'' Beatles played cover songs which could have encourage them to write their original tunes, the more simple truth points to what McCartney observes in himself as some mystical talent with which he has been gifted, something for which he has no explanation. The difference between the Beatles and thousands of other bands can be found in these ''gifts'' of unusual talent.

Not to be too grand, but the book ''The 100: A Ranking of the 100 Most Influential People in History'' by M.H. Hart is a primer for the study of people with extraordinary talent and abilities. For example, Genghis Kahn was a late bloomer and certainly had no training as a military leader, but no one else in military history, save perhaps Alexander, shows anything close to his record of achievements. And how many in the realm of physics approach the works of Newton, Maxwell and Einstein? I realize this is a leap from Sir Paul, but pure talent, while it surely needs to be developed, is really a gift that defies description. It seems that some things just ''are'' and that's the name of that tune. And upon such random distributions of talent and ability the upward curve of the course of history will continue to remain reliant.

Sir Paul, author of over 300 popular songs, also played ''Blackbird,'' a very pleasing and interesting composition. But I was hoping he'd do, ''Fixing a Hole'' as a nod to BP who could certainly use a little mystical talent about now, no?

RECOGNIZING THE JONES FAMILY AS THE SEBASTIAN COUNTY FARM FAMILY OF THE YEAR

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. BOOZMAN. Madam Speaker, I rise today to congratulate the Jones family for its excellence in operating a thriving family farm and the honor of being named the Sebastian County Farm Family of the Year.

Cody and Angela Jones, along with their daughter Hallie, operate a successful farm consisting of three poultry houses, and twenty-four head of cattle located on one-hundred and sixty acres. Through inventive ideas such as automating many of their farm processes and utilizing LED lighting in their poultry houses, the Jones family is expanding the business at a time when many companies are scaling back.

The Jones' also share their knowledge of the industry with other farmers in the community. Cody serves as a board member of both the Sebastian County Farm Bureau and the University of Arkansas Extension Service and Angela serves as Chairperson for the Sebastian County Farm Bureau Women's Committee.

There is no doubt that the Jones' hard work and sharing of expertise benefits not just their farm but also farms and families within their community, the state and throughout America. I ask my colleagues today to join with me in congratulating the Jones family successes in the farming industry and the honor of being named Sebastian County Farm Family of the Year.

HONORING SERGEANT BARRY MICKLEBURGH

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. STARK. Madam Speaker, I rise today to recognize Sergeant Barry Mickleburgh's retirement from the Pleasanton, California Police Department, and to honor his 30 years of exemplary service in law enforcement and community service.

Sergeant Mickleburgh began his law enforcement career in 1981 as a security officer with the Alameda County Sheriff's Department. In 1982, he became a reserve Deputy Sheriff and in 1984, he was hired as a full-time deputy where he served at the Santa Rita Jail.

Sergeant Mickleburgh worked on a variety of assignments over the course of his career, including SWAT, Bicycle Officer, Field Training Officer, Detective, and Narcotic Investigator.

After being promoted to the rank of Sergeant on May 14, 2002, Sergeant Mickleburgh served as a patrol supervisor and the supervisor of the Special Operations Unit which addressed drug and vice related crimes. Sergeant Mickleburgh was also the Field Training Program coordinator and department liaison to the Department of Homeland Security.

Sergeant Mickleburgh received his AA Degree from Chabot Community College in 1981. While working full time, he earned his BA degree from San Jose State University in 1994.

Sergeant Mickleburgh has been instrumental in teaching Problem Oriented Policing. He became an expert in identifying problems that needed specific attention and he shared his knowledge with the rest of the police force.

Sergeant Mickleburgh has enjoyed a highly productive career. His employment file is filled with letters of commendation and appreciation for his attention to detail and his commitment to helping others. I join the City of Pleasanton in expressing appreciation for his commitment and leadership and I wish him all the best in his retirement.

HONORING THE USS McCAWLEY (APA 4) SURVIVORS ASSOCIATION

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. PUTNAM. Madam Speaker, I rise today to honor the USS McCawley (APA 4) Survivors Association as they commemorate the 67th anniversary of the sinking of the ''Mighty Wacky Mac.'' Last weekend, these members of America's ''greatest generation'' gathered together for a reunion in Florida to commemorate a fateful day in their lives.

Named after the eighth Commandant of the U.S. Marine Corps, the USS *McCawley* was commissioned in September, 1940 and received five battle stars for its service in World War II.

In the summer of 1942, *McCawley* sailed from the Atlantic Ocean through the Panama Canal and joined the Amphibious Force, South Pacific where she became the flagship of the Force commander, Rear Admiral Richmond K.

Turner. On August 7, 1942, *McCawley* participated in the counterinvasion of Guadalcanal, the first Allied amphibious operation of the Pacific War. *McCawley* continued to unload needed cargo even as nearby U.S. and Allied ships were lost or damaged and managed to destroy three to four enemy aircraft. According to Naval records, ''over the following six months, *McCawley* made several transport voyages into the fiercely contested waters near Guadalcanal, taking in personnel and materiel that contributed to securing the island in February, 1943.''

Unfortunately, on the afternoon of June 30, 1943, at the start of a campaign to seize the island of New Georgia, *McCawley* was attacked by enemy aircraft. *McCawley's* gunfire brought down four planes; but an aerial torpedo struck *McCawley's* engineroom, killing 15 of her crew, and shut off all power.

Shortly after the crew was rescued by the USS *Ralph Talbot* (DD 390), *McCawley* was attacked by dive bombers, but little damage was done after the remaining salvage party manned the guns and successfully struck one of the three attacking planes. Later that afternoon, the salvage party boarded the USS *McCalla* (DD 488), and pulled away from the damaged ship with all remaining hands safely accounted for.

That night, the final blow came when *McCawley* was again torpedoed and sank 340 fathoms in a matter of seconds. According to the Department of the Navy, ''the following day it was learned that six U.S. motor torpedo boats had torpedoed an 'enemy' transport in Blanche Channel, after having been informed there were no friendly forces in the area. USS *McCawley's* loss to 'friendly fire' led to the urgent imposition of measures to reduce the risk of further such accidents.''

June 30th, 1943, was an unforgettable day in the lives of these sailors, and as the remaining survivors gather in Florida this weekend to remember that fateful day, I ask my colleagues in the House of Representatives to join me in honoring their service.

TRIBUTE TO COLONEL THOMAS H. MAGNESS IV

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to southern California are exceptional. Southern California has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Colonel Thomas Magness IV is one such individual. On July 1, 2010, Colonel Magness will be honored at the Change of Command Ceremony as the 58th Commander, Los Angeles District, for the U.S. Army Corps of Engineers.

Colonel Magness was born in Fort Campbell, KY. He graduated from the United States Military Academy in 1985 with a Bachelor of Science degree and was commissioned a Second Lieutenant and began serving in the Army Corps of Engineers. He later earned a Master's degree in Civil Engineering from the University of Texas at Austin. His professional military education includes the Engineer Officer Basic and Advanced Courses and the Command and General Staff College.

Colonel Magness has served in the 2nd Armored Division at Fort Hood, TX; the 1st Armored Division in Germany; and the 4th Infantry Division at Fort Hood, TX. He has been a platoon leader, battalion supply officer, company commander, and battalion operations officer. He deployed with the 1st Armored Division as part of Operation Desert Shield/Desert Storm. Colonel Magness served as the District Commander for the Detroit District, U.S. Army Corps of Engineers. Prior to coming to Los Angeles, Colonel Magness was a Senior Service College Fellow at the University of Texas at Austin. Colonel Magness has served as an instructor and assistant professor in the Department of Geography and Environmental Engineering at West Point. He has also served two tours as an observer/controller (trainer) at the National Training Center at Fort Irwin, CA where he led the Sidewinder team, preparing engineer and maneuver support units and their leaders for combat operations.

Colonel Thomas H. Magness assumed command of the Los Angeles District, U.S. Army Corps of Engineers on July 10, 2007. Upon assuming command of the Los Angeles District, Colonel Magness understood the importance of managing water resources in a more comprehensive manner. Working closely with local watershed stakeholders, Colonel Magness took an innovative and forward looking approach to developing Corps of Engineers water resource projects. Among his many accomplishments while Commander, Colonel Magness played a significant role in advancing the construction of the Santa Ana River Mainstem Project, which is one of the largest Corps of Engineers projects in the Nation. When completed, the Santa Ana River Mainstem Project will provide Orange County with dramatically enhanced flood protection.

Colonel Magness' military awards and decorations include the Legion of Merit, Bronze Star Medal, Meritorious Service Medal (four awards), and the Army Commendation Medal (four awards). He has been awarded the Parachutist Badge, Air Assault Badge, and the Ranger Tab. He is a licensed Professional Engineer in the Commonwealth of Virginia and is an Accredited Professional for Leadership in Energy and Environmental Design (LEED).

Colonel Magness is married to the former Michelle Carnes of Killeen, Texas. They have two daughters, Jenna and Shelby.

Colonel Magness' tireless commitment to the U.S. Army Corps of Engineers and his role as Commander of the Los Angeles District has contributed immensely to the betterment of southern California. I am proud to call Colonel Magness a fellow community member, American and friend. I know that many people are grateful for his service and salute him as he completes his tour as the 58th Commander, Los Angeles District, for the U.S. Army Corps of Engineers. I also wish him well as he assumes command on July 8, 2010 to help rebuild northern Afghanistan with the U.S. Army Corps of Engineers.

SUPPORT OF THE DIGITAL GOODS AND SERVICES TAX FAIRNESS ACT OF 2010

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. BOUCHER. Madam Speaker, I rise today to introduce the Digital Goods and Services Tax Fairness Act. I am pleased to be joined by my colleague from Texas LAMAR SMITH, the Ranking Member of the Judiciary Committee, as the lead Republican cosponsor of the legislation.

Presently, consumers and businesses engaged in digital commerce may be subject to multiple, confusing and burdensome taxation because of inconsistent rules across the thousands of state and local jurisdictions. Disparate treatment of digital goods and services across these jurisdictions creates further confusion for consumers and businesses.

Digital commerce extends far beyond the digital music, movies and games downloaded by consumers to the electronic delivery of professional services, educational services and health care services.

The existing sales and use tax laws are inadequate and ill-equipped to address today's digital economy. The borderless marketplace and complex nature of digital transactions create new problems that must be addressed uniformly and on a national level to avoid double taxation and to ensure the fair and equitable treatment of digital goods and services.

Unfair, multiple and inconsistent taxation of these digital goods and services will increase costs for U.S. businesses and make them less competitive in the global economy. The additional costs will also hinder investment by high-tech businesses in the broadband networks used to provide new and innovative digital goods and services.

Unfair taxes on digital goods and services also discourage lower-income consumers from using innovative digital services and technologies.

The first state tax on digital goods was imposed in 2007. One year later, eleven additional states considered legislation to impose new taxes on digital goods, and in 2009 fourteen states considered legislation addressing the taxation of digital goods and services. Several states have attempted to impose telecommunication-specific taxes on downloaded music sold by communication providers, taxes which would not be imposed on similar products sold by non-communication companies.

A consistent, national framework for the state and local taxation of digital goods and services is therefore needed to ensure the fair, consistent and equitable taxation of these goods and services.

The Digital Goods and Services Tax Fairness Act addresses this clear need by establishing a uniform national framework for the taxation of digital goods and services.

Our measure prohibits state and local jurisdictions from imposing multiple or discriminatory taxes on the sale or use of digital goods and services, ensuring that digital goods and services are not taxed differently from their physical counterparts.

It provides that taxes may only be imposed on the retail sale or use of digital goods or services, preventing repeated taxation of digital goods and services at multiple stages of the transaction.

The legislation also ensures that only the jurisdiction encompassing the customers' tax address may impose taxes on digital goods and services, preventing the consumer from being taxed by multiple states. For example, a consumer who lives in Virginia could download a digital application from a server in Washington while on vacation in Idaho. Without our national framework, all three states could potentially try and impose taxes on this transaction.

Our measure also prevents state and local tax administrators from retroactively construing taxes imposed on tangible personal property to also apply to digital goods and services through administrative rulings or regulations.

Finally, in recognition of the critical role that online health, energy management and education services play in our economy, our measure exempts these services from all state and local taxes.

Our legislation has been endorsed by a wide range of stakeholders, including the Recording Industry Association of America, Verizon, Apple, Time Warner and Electronic Arts, among others.

I hope my colleagues will join with us in enacting into law the Digital Goods and Services Tax Fairness Act of 2010.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $13,037,542,715,703.81.

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 $2,399,116,969,410.01 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans.

HONORING BRENDA MARIE PAGE ON HER RETIREMENT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. GORDON of Tennessee. Madam Speaker, I rise today to honor Brenda Marie Page, who is retiring after more than two decades of dedicated service as Clerk and Master of Tennesssee's 18th Judicial District.

A lifetime Middle Tennessean, Brenda attended Maplewood High School, then earned her degree at Middle Tennessee State University, my own alma mater. She began her career at Tennessee's Department of Education and went on to work as a secretary at Volunteer State Community College. Then-Dean of Students Tom E. Gray recognized her abilities and brought her in as secretary upon being elected judge, then Chancellor of Sumner County.

Brenda was appointed to the constitutional office of Clerk and Master of the 18th Judicial District in 1988. In her role as Clerk and Master, Brenda has worn many hats. In addition to overseeing the operations and budget of the Clerk's office, Brenda is appointed Special Master in cases involving the division of property. She has played critical roles in the execution of thousands of civil and domestic cases throughout her 22 years of service.

Outside of her contributions to the district, Brenda has served as a division president of the State Court Clerk's Association and an active member of the County Officials Association of Sumner County. She has also served as treasurer of the Sumner County Democratic Party and has been a valued organizer for many years.

Brenda, I hope you enjoy a long and happy retirement with your husband, Robert, and your children and grandchildren. I wish you all the best.

IN RECOGNITION OF WESTERN RODEO DAYS IN FOLSOM

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. DANIEL E. LUGREN of California. Madam Speaker, I rise today to recognize Western Rodeo Days in Folsom, and call upon the public to join in the festivities and celebrate the fiftieth anniversary of the Folsom Pro Rodeo.

The Annual Cattle Drive, commencing tomorrow night, will travel to historic Sutter Street led by the second annual Running of the Bullipedes run followed by the Wells Fargo stagecoach and other entertaining events.

This year is the Folsom Pro Rodeo's 50th anniversary and is being held at the Dan Russell Arena on July 2nd, 3rd, and 4th. The annual rodeo is a cornerstone of Folsom's link to its colorful past, and is thoroughly enjoyed by residents and visitors alike.

The 50th Anniversary highlights include all the traditional rodeo events such as saddle and bareback bronco riding, steer wrestling, team roping, barrel racing, and bull riding. There will also be special events such as a performance by the Painted Ladies Drill Team, the rodeo clowns, the crowd-pleasing mutton busting, the arrival of a 35′ American flag via parachute, and an in-arena fireworks and laser light show.

I would also like to commend the hundreds of volunteers and the community support that has made these events possible every year.

I am pleased to recognize Western Rodeo Days in Folsom for their contribution to the area, and extend my best wishes to the Folsom Chamber of Commerce for a successful rodeo season.

IN TRIBUTE TO LOS ROBLES HOSPITAL & MEDICAL CENTER

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. GALLEGLY. Madam Speaker, I rise in tribute to Los Robles Hospital & Medical Center, which has been designated eastern Ventura County's first Level II Trauma Center by the Ventura County, California, Board of Supervisors.

Beginning tomorrow, Los Robles will provide Level II Trauma Treatment for residents living in the Greater Conejo Valley and the surrounding communities in eastern Ventura County. The Ventura County Medical Center in Ventura will provide trauma treatment for critical patients in western Ventura County.

With its designation as a trauma center, Los Robles will be staffed and equipped to provide trauma care for any type of emergency patient, 24 hours a day, seven days a week.

Ventura County had been only one of two counties in the state without an approved trauma plan. Two years ago, Ventura County began the process to develop a trauma plan and in March the state approved the county's plan to designate one trauma center in the west part of the county and one in the east.

To be designated a trauma center, hospitals must meet stringent requirements. Los Robles Hospital's Trauma Center will offer immediate availability of specialized personnel, equipment and services to treat the most severe and critical injuries. The Trauma Center includes ready-to-go teams that perform immediate surgery and other necessary procedures for people with serious or life-threatening injuries caused by traumatic events.

It involves working together with emergency services throughout the county including EMS services, ambulances, helicopters and other healthcare emergency resources in a coordinated and pre-planned way.

Being named the Trauma Center for eastern Ventura County speaks volumes to the solid commitment from the Los Robles Hospital's Trauma Team members, Emergency Department staff, hospital support staff and medical staff.

Madam Speaker, I know my colleagues join me in congratulating Los Robles Hospital & Medical Center for being named the Trauma Center for eastern Ventura County and in thanking Los Robles doctors and staff for their commitment to providing high quality care for the most seriously injured patients.

RECOGNIZING THE 40TH ANNIVERSARY OF THE CANADIAN CONSULATE GENERAL IN MINNEAPOLIS

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Ms. MCCOLLUM. Madam Speaker, I rise today to join my fellow Minnesotans in celebrating Canada Day and to recognize the 40th anniversary of the Canadian Consulate General in Minneapolis that serves the Upper Midwest region of the United States.

Canada and Minnesota are great neighbors, and the past 40 years have helped to strengthen our friendship through growing bilateral trade and investment ties. Canada remains as Minnesota's number one international trading partner, with an average of $16 billion in trade each year. Approximately 141,000 Minnesota jobs and more than 8 million jobs across the United States result from trade with Canada. Additionally, our Canadian neighbors make 2 million visits to states in the

Upper Midwest and more than 645,000 residents of our region visit Canada each year for business and tourism.

I must also be highlighted that during peace and war time, Canada has always been a vital ally. During the current conflicts in Iraq and Afghanistan, the Canadian people have shared their enormous sacrifices with our military, and our nation is grateful for their deep contributions to national and international security.

It is an honor to join all residents in Minnesota's 4th Congressional District in commemorating the 40th anniversary of the Canadian Consulate General in Minneapolis, and for the celebration of the many ties between Canada and Minnesota on this grand opening of the ''Canadiana'' exhibit at the Minnesota History Center in Saint Paul.

FUNDING RELIEF TO MULTIEMPLOYER DEFINED BENEFIT PLANS

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. LEVIN. Madam Speaker, Section 211(a) of the bill before us gives funding relief to multiemployer defined benefit plans, by giving them more time to make up for the severe investment losses that they suffered in 2008 and the first quarter of 2009.

One of the options would give multiemployer plans that meet a solvency test permission to amortize the net investment losses incurred either or both of the first 2 plan years ending after August 31, 2008 over 30 years. The other option—which can be elected independent of the plans' decisions on the first choice—would allow multiemployer plans to smooth those losses up to 10 years, in determining the actuarial value of their assets. The full market value of the investment loss is intended to be calculated as the difference between the actual market value of the assets and the expected market value of those assets, calculated using the assumed rate of return used by the actuary for valuation purposes, at the end of the relevant plan year, with adjustments for contributions and disbursements. In addition, it is also intended that multiemployer plans are to be permitted to reflect the full amount of those losses in their funding calculations, including those portions of the losses that will be recognized over a period of up to 10 years in the actuarial value of assets.

The bill limits the circumstances under which plans that elect either or both of the funding relief approaches may only be amended to increase benefits. It is intended that those restrictions apply for the first 2 plan years after the plan year in which relief is first reflected in the funding standard account. For instance, if the multiemployer plan chooses extended amortization for the losses incurred in the 2008 plan year, that would first be reflected in the funding standard account for the 2009 plan year, and the benefit-increase restrictions would apply for the 2010 and 2011 plan years; if extended amortization (or 10-year smoothing) is also used for losses incurred in 2009, the restrictions would apply for the 2011 and 2012 plan years. I note that a special effective date rule applies the restrictions only to benefit increases that become effective after the date of enactment.

The funding relief approaches are also intended to be available to plans that use actuarial funding methods that do not identify experience gains and losses as separate items. Treasury and the IRS is expected to allow all multiemployer plans to use the relief, either as an overlay to a funding method that otherwise does not produce experience gains and losses or by giving blanket permission to multiemployer plans to switch to a method that does produce them, effective for all relevant plan years, and without regard to procedural restrictions in relevant Treasury and IRS guidance (such as Revenue Procedure 2001–40) on the number of method changes a plan can adopt within a given period of years or the deadline for electing the change for a given plan year.

It is also intended that the funding relief approaches be made available in the case of a plan for which the deadline for determining funded status has already passed, and for a plan for which the deadline is approaching so quickly that plan sponsors and actuaries will have little time to take the relief into account in making these determinations. It is intended that Treasury and the IRS will provide a reasonable period for plan actuaries, if directed to do so by plan trustees, to withdraw their zone certifications for the first plan year that started after September 30, 2009, and substitute revised certifications if the result is different when the relief is taken into account. Treasury and the IRS is also expected to treat plan actuaries as not violating the deadlines for pending status certifications, even if they are completed within a reasonable period after the statutory due date, so that they can take account of changes due to the relief.

Finally, because time is of the essence, it is expected that the Secretary of the Treasury and IRS will issue guidance under this legislation promptly after the bill's enactment and that such guidance will provide that an action taken in good faith based on a reasonable interpretation of the legislation (including these statements) until the guidance is issued will be deemed to comply with the legislative provisions.

HONORING ROBERT L. TADE

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. HUNTER. Madam Speaker, today I rise to pay tribute to one of our nation's most dedicated veterans, Robert L. Tade, Commander, American Legion El Cajon Post 303, which I have the honor of representing.

In the early 90s, Rob joined the American Legion and quickly became involved in El Cajon Post 303, serving as Post Commander for the past 3 years. Having been a dedicated service member of the Armed Forces for over 40 years, Rob understands the importance of advocating patriotism and honor to our nation's youth and devoting time to fellow service veterans. Since he joined the American Legion, Rob has displayed an endless enthusiasm in ensuring the success of his post, having almost tripled the membership and instituting more than two dozen programs to support the local community.

On June 26, 2010, Commander Tade was bestowed with the California Department of the American Legion's highest honor: Legionnaire of the Year for 2010. He was selected out of 117,000 dedicated members who serve our worthy veterans and youth groups today. Rob is truly deserving of such an award and is a prime example of the patriotism that makes our country the best in the world.

Madam Speaker, let us all applaud the devoted service that Mr. Robert Tade has provided to El Cajon and the rest of San Diego. I urge all my colleagues to join me in celebrating the many achievements of this great public servant.

ON THE 100TH ANNIVERSARY OF THE BELEN HARVEY HOUSE

HON. MARTIN HEINRICH

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. HEINRICH. Madam Speaker, I rise today to pay tribute to a notable constituent of New Mexico's First Congressional District, Ms. Maurine McMillan, who is the director of the Harvey House Museum in Belen, New Mexico.

The Harvey House Museum was founded in 1910 and served as an important gathering space for scores of railroad patrons during the first half of the 20th century. During that time, the Santa Fe line and its accompanying railroad industry defined development in central New Mexico but offered little in the way of comfort to travelers.

Fred Harvey's company brought elegant restaurants, hotel services and amenities to the traveling public throughout the Southwest and established a reputation for cleanliness and friendliness. At its peak, Mr. Harvey's company operated 84 unique Harvey Houses and was the first ''chain'' business in the world, with an average of one house every 100 miles of the Santa Fe rail line, from Kansas to California.

Many of those Harvey Houses have since been abandoned, demolished or converted to office or storage space for the railroad, but the Harvey House Museum in Belen has been preserved. It is now listed on the National Register and visitors are able to tour its many exhibits. Many community events are also held at the Harvey House Museum, earning the building high regard as a true ''place of the heart'' in New Mexico.

I am proud to honor Ms. Maurine McMillan of New Mexico's First Congressional District for her continued leadership in preserving the rich value of the Harvey House Museum of Belen to New Mexicans, on its 100th anniversary, this month of June, 2010.

HONORING OFFICER KELLY O'NEAL

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. STARK. Madam Speaker, I rise today to recognize Officer Kelly O'Neal's retirement from the Pleasanton, California Police Department, and to honor his thirty-four years of exemplary service in law enforcement.

Officer O'Neal began his law enforcement career as a Reserve Police Officer with the City of Pleasanton in 1976. For 8 years, he volunteered his time working alongside full-time officers during patrol operations and during special events.

Beginning in 1985, Officer O'Neal worked as a full-time police officer. He worked on a variety of assignments, including patrol, detective, two assignments as a Motorcycle Officer, and as SWAT team member.

During his 34 years of service, his true passion was investigating drug-related crimes. Not only was he widely respected in the law enforcement community as a Drug Recognition Expert Instructor, but also by those who he arrested because of the fair and understanding manner he treated everyone. In 1999, the National Highway Traffic Safety Administration and the California Highway Patrol recognized Officer O'Neal for arresting over 100 drug- or alcohol-impaired drivers. He was selected as the Officer of the Year for his outstanding accomplishments.

Throughout his career, Officer O'Neal served as a Field Training Officer and was responsible for training dozens of officers. His passion for new and innovative firearms and safety training brought the most realistic training scenarios possible to fellow officers.

He gave everything he had to the department and its members, and set a fine example of responsibility and dedication.

I join the City of Pleasanton in applauding Officer O'Neal's leadership within the Pleasanton Police Department and expressing appreciation for his commitment to public safety. He is an outstanding role model for others in law enforcement to follow and I wish him well in his retirement.

CONFERENCE REPORT ON H.R. 2194, COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010

SPEECH OF

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2010

Mrs. DAVIS of California. Mr. Speaker, I rise in strong support of H.R. 2194, the Comprehensive Iran Sanctions, Accountability, and Divestment Act.

Mr. Speaker, it is in the national security interests of the United States and our allies to compel Iran's leaders to halt their nuclear program.

Sanctions, combined with unified international diplomatic pressure, are our best hope for peacefully achieving this goal.

The tools we use to confront this threat should not be go-it-alone military action, but diplomacy and international pressure.

I have long believed that Iran will only be convinced to give up their nuclear weapons program if a strong, unified international community rallies against Iran's nuclear ambitions.

With President Obama's diplomatic efforts over the past 18 months, we are getting closer to this reality.

This bill follows on President Obama's successful work to pass a very strong fourth round of sanctions through the United Nations Security Council.

The U.N. resolution brought Russia and China on board for globally-binding U.N. sanctions on Iran's banking, finance, shipping and energy sectors.

Now it is time for Congress to act.

The bill before us today complements the diplomatic gains made at the U.N. by expanding sanctions on foreign companies that sell Iran goods, services, or know-how that assist it in developing its energy sector.

In addition, H.R. 2194 imposes significant financial penalties and travel restrictions on Iran's human rights abusers.

Ultimately, this bill provides Iran, and the people and companies that do business with the Islamic Republic a stark choice: comply with the will of the international community, or face the consequences of diplomatic and financial isolation.

Until Iran makes the strategic choice to abandon their nuclear ambitions, this body and the international community have a responsibility to act.

I urge my colleagues to vote for this important legislation.

INTRODUCTION OF THE GULF COAST RESTORATION ACT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. MCDERMOTT. Madam Speaker, I rise today to announce the introduction of the Gulf Coast Restoration Act, legislation that would create jobs and national service positions to clean and restore the Gulf Coast, and help rebuild communities throughout the Gulf Coast region. Funding for these jobs and services would be provided by BP in accordance with the company's liability under the Oil Pollution Act of 1990.

We have now learned twice—both in the wake of the Exxon Valdez spill and the ongoing cleanup of this disaster—that oil companies will never hold themselves accountable for their mistakes. Negotiating or trying to work with oil companies is futile. We have heard from BP over and over again that it is prepared to fund the cleanup of the Gulf Coast and compensate those whose livelihoods have been devastated by the spill. And over and over again, the American public has seen how unprepared BP was to handle a catastrophic event like the Deepwater Horizon incident. It's going to take Congress and the Administration to force oil companies to do their fair share. This bill will both help clean up the Gulf and provide a much-needed infusion of jobs into the region.

I want to thank Representatives ISRAEL, HIMES, CONNOLLY, LANGEVIN, SUTTON, HINCHEY, BLUMENAUER, and JOHN LEWIS for signing on as original co-sponsors. I also want to thank the continued commitment of the 54 members of the Sustainable Energy and Environment Coalition, who have endorsed the bill and whose dedication has been invaluable.

An estimated one million Gulf Coast residents will likely face permanent job loss as a result of the Deepwater Horizon accident, and experts predict that it will take years, if not decades, to recover from the environmental devastation. We've already heard that some fisheries and ecosystems will likely never fully recover. If we learned anything from the Exxon Valdez spill, it's that we're going to need an enormous and continued effort to clean up this mess, and this bill will help us do just that.

PAULA HAWKINS POST OFFICE BUILDING

SPEECH OF

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, today, I rise in support of legislation to honor Senator Paula Hawkins by designating the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the ''Paula Hawkins Post Office Building.''

Senator Hawkins was born in Salt Lake City, Utah on January 24th, 1927 where she attended Utah State University. In 1947 she moved with her husband to Atlanta, Georgia, before finally relocating to Winter Park, Florida, in 1955 where she became active in local politics.

In 1972, she became the first woman elected to statewide office in Florida by winning a seat on the Florida Public Service Commission. After years of hard work and dedication, she ran for the U.S. Senate in 1980 and won, becoming the first woman to be elected to the U.S. Senate with no previous familial ties to the institution.

Serving a 6-year term in the Senate, Senator Hawkins worked hard to defend abused children, fought drugs, championed stay-at-home mothers and fought for freedom across the globe. Her signature pieces of legislation were the Missing Children's Assistance Act and the creation of the National Center for Missing and Exploited Children.

We lost Senator Paula Hawkins this past December. On behalf of the Florida delegation, I would like to express my condolences to her family and friends. For her contributions as a Senator and her hard work for the State of Florida and the Nation, I rise in remembrance of the late Senator Paula Hawkins and also to express my support for this legislation in her honor.

HONORING OFFICERS DAVID CURTIS AND JEFFREY KOCAB

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. BILIRAKIS. Madam Speaker, I rise today to honor the lives of David Curtis and Jeffrey Kocab, Tampa police officers who were shot and killed in the line of duty Tuesday morning. Both officers were highly revered by their peers.

Officer Curtis is remembered fondly for his positive outlook on life, his rational demeanor, and his devotion to this family. Many of those who know him comment about his dedication to his wife, Kelly, and four sons Austin, Sean, Tyler, and Hunter. He chose to work midnight shifts so that he would have more time to spend with them.

Officer Kocab is described as a highly motivated individual—active and productive—always looking for the "bad guys" and an exceptional learner. He exuded a caring and compassionate temperament toward those around him. His colleagues comment that his family was the main focus of his life. He was tragically taken from his pregnant wife, Sara.

Fine officers such as David Curtis and Jeffrey Kocab, who so selflessly sacrifice their lives, keep us safe in our communities. Though truly proud to have such upstanding officers in my community, it is with great remorse that I rise and commemorate their lives. It is such a tragedy that these remarkable men were taken at the prime of their lives. I extend my condolences to their families, friends, and colleagues. Although I did not have the honor of knowing Officer Curtis or Officer Kocab, I am thankful to know that because of their tireless work, so many lives have been enhanced and made safer.

IN HONOR OF ROBIN MOSELEY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. WILSON of South Carolina. Madam Speaker, during my 17-year service in the South Carolina State Senate, I met many dedicated Senate staffers who were devoted to serving the public. One of the most outstanding was Robin McIntyre Moseley of Irmo who was always enthusiastic about being accountable and accessible. She has been the right hand of State Senate Education Committee Chairman John Courson, who has been so successful serving South Carolina promoting quality education.

Robin is retiring on July 1, 2010, and her service was recognized by the South Carolina State Senate Resolution below that was unanimously adopted:

A SENATE RESOLUTION

CONGRATULATING ROBIN MCINTYRE MOSELEY ON THE OCCASION OF HER RETIREMENT FROM THE STAFF OF THE SOUTH CAROLINA SENATE, THANKING HER FOR HER DEDICATION TO THE PEOPLE OF SOUTH CAROLINA, AND WISHING HER WELL IN ALL OF HER FUTURE ENDEAVORS

Whereas, the members of the Senate have learned that Robin Moseley, Director of Research for Higher Education with the Senate Education Committee, will be retiring on July 1, 2010; and

Whereas, Senator John E. Courson hired Robin in January 1991 to assist him in his Senate office; and

Whereas, as Senator Courson's Chief of Staff, Robin has faithfully and compassionately assisted the people of Senate District 20, Richland and Lexington Counties, and throughout the State for twenty legislative sessions; and

Whereas, Robin has had a distinguished career of public service working for the Senate Invitations Committee and the Senate Education Committee; and

Whereas, Robin McIntyre Moseley is from Marion, South Carolina and is the daughter of Dorothy Dozier ''Dot'' McIntyre and the late Robert Joseph McIntyre; and

Whereas, Robin has two brothers, Joe and Al, and one sister, Betsy; and

Whereas, Robin is the proud mother of Scott Moseley, married to Melinda Moseley, and is the doting grandmother, known as ''Grandma Robin,'' to Alex and Kate; and

Whereas, Robin is a faithful and active member of McGregor Presbyterian Church in Irmo where she is an elder and Sunday school teacher, and has served as Clerk of the Session; and

Whereas, Robin is an involved member of the Irmo community and was the longest serving president of the Ballentine-Dutch Fork Civic Association; and

Whereas, in her free time, Robin enjoys gardening and photography. In 2005, she was honored when one of her many wonderful State House photographs graced the cover of the 2005 Legislative Manual; and

Whereas, Robin's decision to retire from her current position will leave her time to delight in caring for her grandchildren and spend time on her family's farm in Marion where her mother and siblings reside; and

Whereas, it is fitting and proper for the members of the South Carolina Senate to recognize Robin's achievements on the occasion of her retirement. Now, therefore,

Be it resolved by the Senate:

That the members of the Senate, by this resolution, congratulate Robin McIntyre Moseley on the occasion of her retirement from the staff of the South Carolina Senate, thank her for her dedication to the people of South Carolina, and wish her well in all of her future endeavors.

Be it further resolved that a copy of this resolution be forwarded to Robin Moseley.

TRIBUTE TO MS. EDNA MITCHELL-STEWART

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. DAVIS of Illinois. Madam Speaker, I rise to pay tribute to one of the most admired, most loved and most influential members of my community, and of my congressional district. She was not a minister, she was not a physician, she was not an athlete, she was not a gangster and she was not a public educator or well known philanthropist. She was a queen, the queen of soul, the queen of soul food. She was the owner of Edna's Soul Food Restaurant where she fed kings and queens but never lost the common touch.

Edna and her father, the late Mr. Sam Mitchell Sr. opened Edna's in the 1960's and operated a number of businesses in the Garfield Park Community. Their good food, personality and community spirit propelled Edna's into becoming a community institution.

During his stay in Chicago, it was one of Dr. Martin Luther King Jr.'s, favorite eating places and of course they fed him and his staff often times for free. Over the years Edna's became the place to be, it was a meeting place for ministers, politicians, business persons and others. I have held regular meetings there for both my political and government activities.

Mayors, governors, Presidents, entertainers, athletes and other well known personalities were there on a regular basis. Edna and her family were not just proprietors; they were a community institution, her parents, her sisters, including Judge Judy Mitchell Davis, her brother Sam, Sister Alice, all contributed greatly to the community. One former governor always called it Edna's Kitchen and would inquire about meeting there. Governor Pat Quinn earlier this year proclaimed Edna's Day while feasting on black-eyed peas and cornbread.

Edna would hire young people and help them go to college. I cannot count the times she asked me about scholarships and financial aid for students.

Edna did more than just manage a restaurant. She was a guidance counselor, a community resource, she hired people fresh out of prison, she fed the hungry, she clothed those who were naked, and she gave hope to the hopeless and provided help for the helpless. She was active in her church, participated in politics and played a substantial role in community affairs.

Although Edna is gone, her spirit lives on in her recipes and in her legacy of generosity. Goodbye to our Queen of Soul . . . that is soul food.

HONORING VENEZUELAN INDEPENDENCE DAY ON JULY 5, 2010

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, on July 5th, just one day after we celebrate our country's birth, Venezuela will celebrate its independence from Spain.

The Venezuelan people know and love freedom, but that land of heroes has been hijacked by a crazy, corrupt dictator, Hugo Chavez.

His government has limited freedom of the press by forcing independent TV stations and newspapers to shut down, has silenced its critics by jailing opposition party members and even members of the judiciary, and continues to put millions of dollars in the hands of terrorists and narco-traffickers around the world. Chavez has also deepened ties with Iran, through training exercises with Iran's Islamic Revolutionary Guards Corps Qods Force.

Chavez is leading his nation down the road to tyranny and that, Madame Speaker, is unacceptable. Venezuela is the land of Simon Bolivar, home to his decedents, freedom-loving people who value liberty, justice and the rule of law.

As Chavez furthers his corrupt and anti-democratic activities in our hemisphere, the United States must stand firm on the side of freedom and support our democratic allies in the region and all the people who value democratic principles, both inside and outside of Venezuela.

I want to thank and commend all Venezuelans living in exile in the United States for

their dedication and commitment to preserving their culture and ensuring that freedom, democracy and justice once again ring true in Venezuela.

South Florida is home to the largest Venezuelan and Venezuelan American community in the United States. They have embraced the values and ideals that we as Americans hold true. They make valuable contributions to our Nation, serve in our military, and take an active part in the democratic process.

At the same time, they hold tight to their traditions, culture and language, work tirelessly to support and promote democracy in Venezuela and hope to one day soon be a part of a democratic Venezuela.

On their day of Independence, I urge the United States to stand in solidarity with the Venezuelan people in their struggle to preserve freedom and restore democracy.

CONFERENCE REPORT ON H.R. 2194, COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010

SPEECH OF

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2010

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in support of approving stronger, tougher sanctions against Iran, protecting the security of the United States and sending a strong message that the U.S. government will not allow a nuclear-armed Iran.

As an original co-sponsor of the Comprehensive Iran Sanctions, Accountability, and Divestment Act, I am so proud that this Congress has put together the most comprehensive Iran sanctions legislation that the United States Congress has ever passed. It adds sanctions on refined petroleum, but more importantly, it broadens the categories of sanctionable activities by applying sanctions on those who sell Iran technology, services, or know-how that help the country develop its energy sector.

It can not be overstated: A nuclear-armed Iran is an urgent and deadly threat to peace and stability in the Middle East and at home. As citizens of the United States—a global power and nuclear leader—we have a priority to make sure that nuclear capability does not get into the wrong hands. We must protect ourselves, and our ally Israel, from the dangers of the Iran regime.

This legislation will help us quash Iran's continued attempts at developing nuclear weapons. With Tehran importing 25 to 40 percent of its refined petroleum needs, these economic sanctions will have a dramatic impact on Iran's economy. They are critical to suspending Iran's nuclear program and ensuring security and stability in the Middle East and at home.

Daily Digest

HIGHLIGHTS

Senate agreed to H. Con. Res. 293, Adjournment Resolution.

House agreed to the conference report to accompany H.R. 4173, Wall Street Reform and Consumer Protection Act.

Senate

Chamber Action

Routine Proceedings, pages S5637–S5719

Measures Introduced: Thirteen bills and six resolutions were introduced, as follows: S. 3551–3563, S. Res. 575–578, and S. Con. Res. 66–67. **Page S5699**

Measures Passed:

Homebuyer Assistance and Improvement Act: Senate passed H.R. 5623, to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, clearing the measure for the President. **Page S5679**

National Flood Insurance Program Extension Act: Senate passed H.R. 5569, to extend the National Flood Insurance Program until September 30, 2010, clearing the measure for the President. **Page S5679**

Airport and Airway Extension Act: Senate passed H.R. 5611, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, clearing the measure for the President. **Page S5716**

130 Years of United States-Romanian Diplomatic Relations: Senate agreed to S. Con. Res. 67, celebrating 130 years of United States-Romanian diplomatic relations, congratulating the Romanian people on their achievements as a great nation, and reaffirming the deep bonds of trust and values between the United States and Romania, a trusted and most valued ally. **Page S5716**

National ESIGN Day 2010: Senate agreed to S. Res. 576, expressing support for designation of June 30, 2010, as "National ESIGN Day 2010". **Pages S5716–17**

Life of Chaplain Henry Vinton Plummer: Senate agreed to S. Res. 577, commemorating the remarkable life of patriotism, conviction, and compassion led by Chaplain Henry Vinton Plummer. **Page S5717**

Summer Food Service Program Awareness Month: Senate agreed to S. Res. 578, designating June 2010 as "Summer Food Service Program Awareness Month". **Pages S5716–17**

Adjournment Resolution: Senate agreed to H. Con. Res. 293, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Pages S5717–18**

House Messages:

American Jobs and Closing Tax Loopholes Act: Senate continued consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, taking action on the following amendments proposed thereto: **Pages S5651–79**

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 4425 (to the amendment of the House to the amendment of the Senate to the bill), in the nature of a substitute. **Page S5651**

Reid Amendment No. 4426 (to Amendment No. 4425), to change the enactment date. **Page S5651**

Reid motion to refer in the amendment of the House to the amendment of the Senate to the bill

to the Committee on Finance, with instructions, Reid Amendment No. 4427, to provide for a study. **Page S5651**

Reid Amendment No. 4428 (to the instructions (Amendment No. 4427) of the motion to refer), of a perfecting nature. **Page S5651**

Reid Amendment No. 4429 (to Amendment No. 4428), of a perfecting nature. **Page S5651**

During consideration of this measure today, Senate also took the following action:

By 58 yeas to 38 nays (Vote No. 204), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to concur in the House amendment to the Senate amendment to the bill, with Reid Amendment No. 4425 (to the amendment of the House to the amendment of the Senate to the bill), in the nature of a substitute. **Page S5679**

Senator Reid entered a motion to reconsider the vote by which cloture was not invoked on the motion to concur in the House amendment to the Senate amendment to the bill, with Reid Amendment No. 4425 (listed above). **Page S5679**

Appointments:

United States Commission on International Religious Freedom: The Chair, on behalf of the President pro tempore, upon the recommendation of the Majority Leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, reappointed the following individual to the United States Commission on International Religious Freedom:

Dr. Don H. Argue of Washington. **Page S5718**

Executive Reports of Committees: Senate received the following executive reports of a committee:

Report to accompany Tax Convention with Malta (Treaty Doc. 111–1) (Ex. Rept. 111–3); and

Report to accompany Protocol Amending Tax Convention with New Zealand (Treaty Doc. 111–3) (Ex. Rept. 111–4). **Page S5698**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 99 yeas (Vote No. EX. 203), Gen. David H. Petraeus, U.S. Army **Pages S5648–51, S5718**

Victor H. Ashe, of Tennessee, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Walter Isaacson, of Louisiana, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

Walter Isaacson, of Louisiana, to be Chairman of the Broadcasting Board of Governors.

Michael Lynton, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

Susan McCue, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2011.

Michael P. Meehan, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Dennis Mulhaupt, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2011.

Dana M. Perino, of the District of Columbia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

S. Enders Wimbush, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Theodore Sedgwick, of Virginia, to be Ambassador to the Slovak Republic.

S. Leslie Ireland, of Massachusetts, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

3 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

32 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Foreign Service, Marine Corps, and Navy. **Pages S5679–81, S5718–19**

Messages from the House: **Page S5696**

Measures Placed on the Calendar: **Pages S5638, S5696**

Measures Read the First Time: **Pages S5696 S5718**

Enrolled Joint Resolution Presented: **Page S5696**

Executive Communications: **Pages S5696–97**

Executive Reports of Committees: **Pages S5698–99**

Additional Cosponsors: **Pages S5699–S5700**

Statements on Introduced Bills/Resolutions: **Pages S5700–04**

Additional Statements: **Pages S5691–96**

Amendments Submitted: **Pages S5704–15**

Notices of Intent: **Page S5715**

Notices of Hearings/Meetings: **Page S5715**

Authorities for Committees to Meet: **Pages S5715–16**

Privileges of the Floor: **Page S5716**

Record Votes: Two record votes were taken today. (Total—204) **Pages S5651, S5679**

Adjournment: Senate convened at 9:30 a.m. and adjourned, pursuant to the provisions of H. Con. Res. 293, at 9:40 p.m., until 2 p.m. on Monday,

July 12, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5718.)

Committee Meetings

(Committees not listed did not meet)

EXPANDING OUR FOOD AND FIBER SUPPLY

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine expanding our food and fiber supply through a strong United States farm policy, after receiving testimony from Thomas J. Vilsack, Secretary of Agriculture; Roger Johnson, National Farmers Union, and Bob Stallman, American Farm Bureau Federation, both of Washington, D.C.; Christopher Pawelski, Pawelski Farms, Goshen, New York; Laudies Dow Brantley III, England, Arkansas; Johnny Cochran, Sylvester, Georgia; and Mark Watne, Jamestown, North Dakota.

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported the nominations of Elisabeth Ann Hagen, of Virginia, to be Under Secretary for Food Safety, and Catherine E. Woteki, of the District of Columbia, to be Under Secretary for Research, Education, and Economics, both of the Department of Agriculture, and Sara Louise Faivre-Davis, of Texas, Lowell Lee Junkins, of Iowa, and Myles J. Watts, of Montana, all to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation, Farm Credit Administration.

ENERGY EFFICIENT BUILDINGS

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development concluded a hearing to examine green housing for the 21st century, focusing on retrofitting the past and building an energy-efficient future, including S. 1379, to encourage energy efficiency and conservation and development of renewable energy sources for housing, commercial structures, and other buildings, and to create sustainable communities, after receiving testimony from Senator Whitehouse; Representative Perlmutter; Ron Sims, Deputy Secretary of Housing and Urban Development; David Caldwell, Jr., Caldwell and Johnson, Inc., North Kingstown, Rhode Island; Trisha Miller, Enterprise Community Partners, Columbia, Maryland; and Kenneth Gear, Leading Builders of America, Washington, D.C.

DEEPWATER HORIZON TRAGEDY

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine the Deepwater Horizon tragedy, focusing on holding industry accountable, after receiving testimony from Thomas C. Galligan, Jr., Colby-Sawyer College, New London, New Hampshire; Fred McCallister, Allegiance Capital Corporation, Dallas, Texas; Shelley Anderson, Midfield, Texas; and Natalie Roshto, Liberty, Mississippi.

VALLES CALDERA NATIONAL PRESERVE MANAGEMENT ACT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 3452, to designate the Valles Caldera National Preserve as a unit of the National Park System, after receiving testimony from Senator Udall (NM); Daniel N. Wenk, Deputy Director, National Park Service, Department of the Interior; Harris Sherman, Under Secretary, Natural Resources and Environment, Department of Agriculture; Jemez Pueblo Governor Joshua Madalena, Jemez Pueblo, New Mexico; Pueblo of Santa Clara Governor Walter Dasheno, Espanola, New Mexico; Michael E. Wismer, Incorporated County of Los Alamos, Los Alamos, New Mexico; Stephen E. Henry, Valles Caldera Trust, Jemez Springs, New Mexico; and Jeremy Vesbach, New Mexico Wildlife Federation, Albuquerque.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported S. 3516, to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, with amendments.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 3305, to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, with an amendment in the nature of a substitute;

S. 3515, to authorize and enhance the programs of the Department of the Interior relating to the detection of, response to, and mitigation and cleanup of oil spills on Federal land managed by the Department, with an amendment in the nature of a substitute;

S. 1311, to amend the Federal Water Pollution Control Act to expand and strengthen cooperative efforts to monitor, restore, and protect the resource productivity, water quality, and marine ecosystems of the Gulf of Mexico, with an amendment in the nature of a substitute;

An original bill entitled, ''Columbia River Basin Restoration Act of 2010'';

S. 3073, to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes, with an amendment in the nature of a substitute;

S. 3539, to amend the Federal Water Pollution Control Act to establish a grant program to assist in the restoration of San Francisco Bay, with an amendment in the nature of a substitute;

H.R. 4715, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, with an amendment in the nature of a substitute;

S. 1816, to amend the Federal Water Pollution Control Act to improve and reauthorize the Chesapeake Bay Program, with an amendment in the nature of a substitute;

S. 2739, to amend the Federal Water Pollution Control Act to provide for the establishment of the Puget Sound Program Office, with an amendment in the nature of a substitute;

S. 3119, to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship, with an amendment in the nature of a substitute;

S. 3481, to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution;

S. 3354, to redesignate the North Mississippi National Wildlife Refuges Complex as the Sam D. Hamilton North Mississippi National Wildlife Refuges Complex;

H.R. 3562, to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the ''James Chaney, Andrew Goodman, and Michael Schwerner Federal Building'', with an amendment in the nature of a substitute; and

A proposed resolution relating to the General Services Administration.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

S.J. Res. 29, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; and

The nominations of Francisco J. Sanchez, of Florida, to be Under Secretary of Commerce for International Trade, and Richard Sorian, of New York, to be Assistant Secretary of Health and Human Services.

NUCLEAR TERRORISM

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine nuclear terrorism, focusing on strengthening our domestic defenses, after receiving testimony from Gene Aloise, Director, Natural Resources and Environment, Government Accountability Office; Dana A. Shea, Specialist in Science and Technology Policy, Resources, Science, and Industry Division, Congressional Research Service, Library of Congress; and Micah D. Lowenthal, National Research Council of the National Academies, Washington, D.C.

INTERAGENCY CONTRACTS

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Contracting Oversight concluded a hearing to examine interagency contracts, after receiving testimony from John K. Needham, Director, Acquisition and Sourcing Management, Government Accountability Office; Daniel I. Gordon, Administrator, Office of Federal Procurement Policy, Office of Management and Budget; Steven J. Kempf, Acting Commissioner, Federal Acquisition Service, General Services Administration; Richard K. Gunderson, Acting Chief Procurement Officer, Department of Homeland Security; and Diane Frasier, Director, Office of Acquisition and Logistics Management, National Institutes of Health, Department of Health and Human Services.

DIABETES IN INDIAN COUNTRY

Committee on Indian Affairs: Committee concluded an oversight hearing to examine diabetes in Indian country and beyond, after receiving testimony from Judith E. Fradkin, Director, Division of Diabetes, Endocrinology, and Metabolic Diseases, National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health, Department of Health and Human Services; Gary Hall, Jr., Seattle, Washington, on behalf of the Juvenile Diabetes Research Foundation International; Melvina McCabe, University of New Mexico School of Medicine Department of Family Medicine, Albuquerque; Caitlin Baker, CAITLINB, Norman, Oklahoma; Wes Studi, Santa Fe, New Mexico; and Isabel Burger, Silver Spring, Maryland.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following bills:

H.R. 3553, to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family; and

S. 3235, to amend the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of

long-term leases'', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, with an amendment.

NOMINATION

Committee on the Judiciary: Committee continued hearings to examine the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States, after the nominee testified and answered questions in her own behalf.

Hearings recessed subject to the call and will meet again on Thursday, July 1, 2010.

PRESCRIPTION DRUG WASTE AND DISPOSAL

Special Committee on Aging: Committee concluded a hearing to examine drug waste and disposal, focusing on when prescriptions become poison, after receiving testimony from R. Gil Kerlikowske, Director, National Drug Control Policy, Executive Office of the President; Joseph T. Rannazzisi, Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice; Mary L. Hendrickson, Genco Pharmaceutical Services, Milwaukee, Wisconsin; Stevan Gressitt, University of Maine Center on Aging, Unity; Bruce Behringer, East Tennessee State University Office of Rural and Community Health, Johnson City; and Bernie A. Strain, Philadelphia, Pennsylvania.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 5641–5657; and 9 resolutions, H. Con. Res. 292–294; and H. Res. 1489, 1491–1494, 1497 were introduced. **Pages H5302–03**

Additional Cosponsors: **Pages H5303–04**

Reports Filed: Reports were filed today as follows:

H. Res. 1490, providing for consideration of the conference report to accompany the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, and to regulate the over-the-counter derivatives markets (H. Rept. 111–518);

H. Res. 1495, providing for consideration of the bill (H.R. 5618) to continue Federal unemployment programs, and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 111–519);

H. Res. 1496, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 111–520); and

H.R. 5503, to revise laws regarding liability in certain civil actions arising from maritime incidents, with an amendment (H. Rept. 111–521, Pt. 1). **Page H5302**

Chaplain: The prayer was offered by the Guest Chaplain, Reverend Dr. Robert Henderson, First Baptist Church, Lincoln, Illinois. **Page H5205**

Providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center: The House agreed to S. Con. Res. 65, to provide for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the United States Senate Chamber for the Honorable Robert C. Byrd, late a Senator from the State of West Virginia. **Page H5209**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Monday, June 28th:

Recognizing the work and importance of special education teachers: H. Con. Res. 284, amended, to recognize the work and importance of special education teachers, by a ⅔ yea-and-nay vote of 415 yeas with none voting ''nay'', Roll No. 402, and **Pages H5209–10**

Paula Hawkins Post Office Building Designation Act: H.R. 5395, to designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the ''Paula Hawkins Post Office Building'', by a ⅔ yea-and-nay vote of 409 yeas with none voting ''nay'', Roll No. 403. **Pages H5210–11**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, June 29th:

Recognizing the residents of the City of Tracy, California, on the occasion of the 100th anniversary of the city's incorporation: H. Res. 1446, to recognize the residents of the City of Tracy, California, on the occasion of the 100th anniversary of the city's incorporation, for their century of dedicated service to the United States, by a ⅔ yea-and-nay vote of 419 yeas with none voting "nay", Roll No. 404; **Page H5211**

Alejandro Renteria Ruiz Department of Veterans Affairs Clinic Designation Act: H.R. 4307, to name the Department of Veterans Affairs community-based outpatient clinic in Artesia, New Mexico, as the "Alejandro Renteria Ruiz Department of Veterans Affairs Clinic", by a ⅔ yea-and-nay vote of 417 yeas with none voting "nay", Roll No. 405; **Pages H5211–12**

Enabling State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces: H.R. 4505, to enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces, by a ⅔ yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 408; **Pages H5222–23**

Fountainhead Property Land Transfer Act: H.R. 1554, amended, to take certain property in McIntosh County, Oklahoma, into trust for the benefit of the Muscogee (Creek) Nation, by a ⅔ yea-and-nay vote of 421 yeas to 1 nay, Roll No. 411; and **Pages H5232–33**

Indian Pueblo Cultural Center Clarification Act: H.R. 4445, amended, to amend Public Law 95–232 to repeal a restriction on treating as Indian country certain lands held in trust for Indian pueblos in New Mexico, by a ⅔ recorded vote of 411 yeas with none voting "nay", Roll No. 414. **Pages H5261–62**

Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules: The House agreed to H. Res. 1487, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, by a recorded vote of 237 ayes to 189 noes, Roll No. 407, after agreeing to order the previous question by a yea-and-nay vote of 243 yeas to 182 nays, Roll No. 406. **Pages H5212–22**

Adjournment Resolution: The House agreed to H. Con. Res. 293, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, by a yea-and-nay vote of 222 yeas to 186 nays, Roll No. 409. **Pages H5231–32**

Wall Street Reform and Consumer Protection Act—Conference Report: The House agreed to the conference report to accompany H.R. 4173, to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, and to regulate the over-the-counter derivatives markets, by a yea-and-nay vote of 237 yeas to 192 nays, Roll No. 413. **Pages H5223–31, H5232, H5233–61**

Rejected the Bachus motion to recommit the conference report with instructions by a yea-and-nay vote of 198 yeas to 229 nays, Roll No. 412. **Pages H5260–61**

H. Res. 1490, the rule providing for consideration of the conference report, was agreed to by a yea-and-nay vote of 234 yeas to 189 nays, Roll No. 410, after the previous question was ordered without objection. **Pages H5223, H5232**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Cruise Vessel Security and Safety Act of 2010: Concurred in the Senate amendment to H.R. 3360, to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels; **Pages H5262–67**

Directing the Clerk of the House of Representatives to make a technical correction in the enrollment of H.R. 3360: H. Con. Res. 289, to direct the Clerk of the House of Representatives to make a technical correction in the enrollment of H.R. 3360; **Page H5267**

Permanently authorizing Radio Free Asia: S. 3104, to permanently authorize Radio Free Asia; and **Pages H5275–77**

Independent Living Centers Technical Adjustment Act: H.R. 5610, amended, to provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers. **Pages H5280–81**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Expressing the sense of the House of Representatives that the political situation in Thailand be solved peacefully and through democratic means: H. Res. 1321, amended, to express the sense of the House of Representatives that the political situation in Thailand be solved peacefully and through democratic means; **Pages H5267–70**

Congratulating the people of the 17 African nations that in 2010 are marking the 50th year of

their national independence: H. Res. 1405, amended, to congratulate the people of the 17 African nations that in 2010 are marking the 50th year of their national independence; **Pages H5270–72**

Congratulating the Government of South Africa upon its first two successful convictions for human trafficking: H. Res. 1412, amended, to congratulate the Government of South Africa upon its first two successful convictions for human trafficking; **Pages H5272–75**

Expressing support for the people of Guatemala, Honduras, and El Salvador as they persevere through the aftermath of Tropical Storm Agatha: H. Res. 1462, amended, to express support for the people of Guatemala, Honduras, and El Salvador as they persevere through the aftermath of Tropical Storm Agatha which swept across Central America causing deadly floods and mudslides; and **Pages H5277–79**

Expressing support for designation of June 30 as "National ESIGN Day": H. Con. Res. 290, to express support for designation of June 30 as "National ESIGN Day". **Pages H5279–80**

Senate Message: Message received from the Senate today appears on pages H5222 and H5291.

Quorum Calls—Votes: Eleven yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H5209–10, H5210–11, H5211, H5211–12, H5221, H5221–22, H5223, H5231–32, H5232, H5232–33, H5260–61, H5261 and H5262. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:01 a.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Agriculture: Ordered reported the following bills: H.R. 2476, as amended, Ski Area recreational Opportunity Enhancement Act; H.R. 4658, as amended, Benton MacKaye Cherokee National Forest Land Consolidation Act; H.R. 5414, To provide for the conveyance of a small parcel of National Forest System land in the Francis Marion National Forest in South Carolina; and H.R. 4645, Travel Restriction Reform and Export Enhancement Act.

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies approved for full Committee action the FY 2011 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill.

STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs approved for full Committee action the FY 2001 State, Foreign Operations, and Related Programs Appropriations bill.

ARLINGTON CEMETERY MISMANAGEMENT

Committee on Armed Services: Held a hearing to review the Army investigation of Arlington National Cemetery. Testimony was heard from the following officials of the Department of the Army, Department of Defense: John McHugh, Secretary of the Army; and LTG R. Steven Whitcomb, USA, Army Inspector General.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection approved for full Committee action, as amended, the following bills: H.R. 4501, Guarantee of a Legitimate Deal Act of 2009; H.R. 2480, Truth in Fur Labeling Act of 2009; H.R. 5156, Clean Energy Technology Manufacturing and Export Assistance Act of 2010; H.R. 1796, Residential Carbon Monoxide Poisoning Prevention Act, and H.R. 4678, Foreign Manufacturers Legal Accountability Act of 2010.

TWENTY-FIRST CENTURY COMMUNICATIONS AND VIDEO ACCESSIBILITY ACT

Committee on Energy and Commerce: Subcommittee on Communications, Technology, and the Internet approved for full Committee action, as amended, H.R. 3101, Twenty-first Century Communications and Video Accessibility Act of 2009.

BP OIL SPILL RESPONSE AND WELL BLOWOUT PREVENTION

Committee on Energy and Commerce: Subcommittee on Energy and Environment held a hearing entitled "Legislation to Respond to the BP Oil Spill and to Prevent Future Oil Well Blowouts." Testimony was heard from David J. Hayes, Deputy Secretary of the Interior; and public witnesses.

PASSENGER AIRCRAFT CARGO SCREENING

Committee on Homeland Security: Subcommittee on Transportation Security and Infrastructure Protection held a hearing entitled "100% Air Cargo Screening:

Remaining Steps to Secure Passenger Aircraft.'' Testimony was heard from John Sammon, Assistant Administrator, Transportation Sector Network Management, Transportation Security Administration, Department of Homeland Security; Stephen Lord, Director, Homeland Security and Justice Issues, GAO; and public witnesses.

FEDERAL ENERGY AND MINERALS LEASING REFORM

Committee on Natural Resources: Held a hearing on the Discussion Draft, Amendment in the Nature of a Substitute to H.R. 3534, Consolidated Land, Energy, and Aquatic Resources Act of 2009. Testimony was heard from Ken Salazar, Secretary of the Interior; and public witnesses.

TEMPORARY EMPLOYEES PRACTICES

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, Postal Service, and the District of Columbia held a hearing entitled ''Temporary Employees Practices: How Long Does Temporary Last?'' Testimony was heard from Jerry Simpson, Associate Director, Workforce Management, National Park Service, Department of the Interior; Hank Kashdan, Associate Chief, Forest Service, USDA; Angela Bailey, Deputy Associate Director, Recruitment and Diversity, OPM; and public witnesses.

CONFERENCE REPORT—WALL STREET REFORM AND CONSUMER PROTECTION ACT OF 2009

Committee on Rules: Granted, by a non-record vote, a rule for consideration of the conference report on H.R. 4173, the ''Wall Street Reform and Consumer Protection Act of 2009.'' The rule waives all points of order against the conference report and against its consideration. The rule provides that the conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) two hours of debate; and (2) one motion to recommit if applicable. Testimony was heard from Chairman Frank of Massachusetts and Representative Bachus.

RESTORATION OF EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 2010

The Committee on Rules: granted, by a nonrecord vote, a closed rule providing for consideration of H.R. 5618, the ''Restoration of Emergency Unemployment Compensation Act of 2010.'' The rule provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report shall be considered as adopted. The rule provides that the bill, as amended, shall be considered as read. The rule waives all points of order against the bill, as amended. The rule provides one motion to recommit with or without instructions.

Finally, the rule waives clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any resolution reported through the legislative day of July 3, 2010. Testimony was heard from Chairman Levin and Representative McDermott.

SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

The Committee on Rules: granted, by a nonrecord vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any resolution reported through the legislative day of July 3, 2010.

BP CLAIMS FUND FOR SMALL BUSINESSES

Committee on Small Business: Held a hearing entitled ''Recovery in the Gulf: What the $20 Billion BP Claims Fund Means for Small Businesses.'' Testimony was heard from Kenneth Feinberg, Administrator, Gulf Coast Claims Facility.

FEDERAL MARITIME COMMISSION; VESSEL CAPACITY EXAMINATION

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on Update on Federal Maritime Commission's Examination of Vessel Capacity. Testimony was heard from the following officials of the Federal Maritime Commission: Richard A. Lidinsky, Jr., Chairman; and Rebecca F. Dye, Commissioner.

AUTOMATED TRAFFIC ENFORCEMENT

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held a hearing on Utilization and Impacts of Automated Traffic Enforcement. Testimony was heard from Michael Geraci, Director, Office of Safety Programs, National Highway Traffic Safety Administration, Department of Transportation; Barry Loudermilk, State Representative, Georgia; Ron Reagan, State Representative, Florida; and public witnesses.

VA OFFICE OF GENERAL COUNSEL

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on Evaluating the U.S. Department of Veterans Affairs Office of General Counsel. Testimony was heard from Will A. Gunn, General Counsel, Department of Veterans Affairs.

BRIEFING—INTELLIGENCE ACTIVITIES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Intelligence Activities. The Committee was briefed by Leon E. Panetta, Director, CIA; and Robert S. Mueller III, Director, FBI, Department of Justice.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, JULY 1, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Judiciary: to continue hearings to examine the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States, 4 p.m., SH–216.

House

Committee on Agriculture, Subcommittee on Conservation, Credit, Energy, and Research, hearing to review the administration and delivery of conservation programs, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Legislative Branch, to mark up the FY 2011 Legislative Branch Appropriations bill, 9 a.m., H–144 Capitol.

Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies, to mark up the Transportation, and Housing and Urban Development, and Related Agencies Appropriations bill, 10 a.m., 2358–A Rayburn.

Committee on the Budget, hearing on Perspectives on the U.S. Economy, 1 p.m., 210 Cannon.

Committee on Education and Labor, hearing on H.R. 5504, Improving Nutrition for America's Children Act, 9:15 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Environment, to mark up H.R. 5626, Blowout Prevention Act of 2010, 9:30 a.m., 2123 Rayburn.

Subcommittee on Health, hearing entitled "The Battle Against Diabetes: Progress Made; Challenges Unmet," 10 a.m., 2322 Rayburn.

Committee on Oversight and Government Reform, and the Subcommittee on Government Management, Organization, and Procurement, joint oversight hearing entitled "Cloud Computing: Benefits and Risks of Moving Federal IT into the Cloud," 10 a.m., 2154 Rayburn.

Subcommittee on Information Policy, Census, and National Archives, to consider H.R. 5616, National Historical Publications and Records Commission Act of 2010, 2:30 p.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Technology and Innovation, hearing on Smart Grid Architecture and Standards: Assessing Coordination and Progress, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, to consider the following measures: the Oil Spill Accountability and Environmental Protection Act of 2010; H.R. 5604, Surface Transportation Savings Act of 2010; H.R. 5226, Appalachian Veterans Outreach Improvement Act; H.R. 5266. National Commission on Children and Disasters Reauthorization Act of 2010; H.R. 5301, To extend the period during which the Administrator of the Environmental Protection Agency and States are prohibited from requiring a permit under section 402 of the Federal Water Pollution Control Act for certain discharges that are incidental to normal operations of vessels; H.R. 5545, To deauthorize a portion of the project for navigation, Potomac River, Washington Channel, District of Columbia, under the jurisdiction of the Corps of Engineers; H. Con. Res. 258, Congratulating the Commandant of the Coast Guard and the Superintendent of the Coast Guard Academy and its staff for 100 years of operation of the Coast Guard Academy in New London, Connecticut; H. Res. 1366, Recognizing and honoring the freight rail industry; H. Res. 1401, Expressing gratitude for the contributions that the air traffic controllers of the United States make to keep the traveling public safe and the airspace of the United States running efficiently; H. Res. 1463, Supporting the goals and ideals of Railroad Retirement Day; General Services Administration Capital Investment and Leasing Program resolutions; General Services Administration Public Building Project Survey resolution, and other pending business, 11 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, hearing on the following: H.R. 3407, Severely Injured Veterans Benefit Improvement Act of 2009; H.R. 3787, To amend title 38, United States Code, to deem certain service in the reserve components as active service for purposes of laws administered by the Secretary of Veterans Affairs; H.R. 4541, Veterans Pensions Protection Act of 2010; H.R. 5064, Fair Access to Veterans Benefits Act of 2010; and draft legislation, 10 a.m., 334 Cannon.

Next Meeting of the SENATE

2 p.m., Monday, July 12

Senate Chamber

Program for Monday: Senate will be in a period of morning business. Senators should expect a rollcall vote on confirmation of a judicial nomination at approximately 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, July 1

House Chamber

Program for Thursday: Consideration of H.R. 5618—Restoration of Emergency Unemployment Compensation Act of 2010 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Aderholt, Robert B., Ala., E1236
Adler, John H., N.J., E1253
Berman, Howard L., Calif., E1249, E1251
Bilirakis, Gus M., Fla., E1236, E1258
Blumenauer, Earl, Ore., E1252, E1253
Boozman, John, Ark., E1233, E1235, E1254
Boucher, Rick, Va., E1255
Brady, Kevin, Tex., E1252
Buyer, Steve, Ind., E1250
Calvert, Ken, Calif., E1255
Chaffetz, Jason, Utah, E1238
Christensen, Donna M., The Virgin Islands, E1234
Coffman, Mike, Colo., E1244, E1256
Costa, Jim, Calif., E1250
Davis, Danny K., Ill., E1237, E1239, E1259
Davis, Susan A., Calif., E1258
Delahunt, Bill, Mass., E1249
Diaz-Balart, Lincoln, Fla., E1258
Diaz-Balart, Mario, Fla., E1259
Engel, Eliot L., N.Y., E1244
Eshoo, Anna G., Calif., E1251
Faleomavaega, Eni F.H., American Samoa, E1246
Fattah, Chaka, Pa., E1252
Gallegly, Elton, Calif., E1256
Gerlach, Jim, Pa., E1248
Gordon, Bart, Tenn., E1256
Grayson, Alan, Fla., E1234
Hall, John J., N.Y., E1248
Halvorson, Deborah L., Ill., E1241
Hastings, Alcee L., Fla., E1236, E1241
Heinrich, Martin, N.M., E1257
Hensarling, Jeb, Tex., E1247, E1248
Holt, Rush D., N.J., E1233
Hunter, Duncan, Calif., E1257
Israel, Steve, N.Y., E1252
Jackson Lee, Sheila, Tex., E1234, E1237, E1240, E1242, E1244, E1246
Johnson, Henry C. ''Hank'', Jr., Ga., E1236, E1240, E1243
Kilroy, Mary Jo, Ohio, E1247
Kirk, Mark Steven, Ill., E1242
Larson, John B., Conn., E1246
Levin, Sander M., Mich., E1257
Lewis, Jerry, Calif., E1253
Lungren, Daniel E., Calif., E1256
McCollum, Betty, Minn., E1256
McDermott, Jim, Wash., E1258
Maloney, Carolyn B., N.Y., E1247, E1253
Marshall, Jim, Ga., E1239
Miller, Gary G., Calif., E1239
Moran, James P., Va., E1241
Oberstar, James L., Minn., E1244
Paul, Ron, Tex., E1251
Perriello, Thomas S.P., Va., E1243
Poe, Ted, Tex., E1249
Putnam, Adam H., Fla., E1254
Rahall, Nick J., II, W.Va., E1233
Reyes, Silvestre, Tex., E1242
Richardson, Laura, Calif., E1242
Stark, Fortney Pete, Calif., E1238, E1247, E1254, E1257
Stearns, Cliff, Fla., E1241, E1254
Thompson, Mike, Calif., E1253
Visclosky, Peter J., Ind., E1234, E1248
Walz, Timothy J., Minn., E1247
Wasserman Schultz, Debbie, Fla., E1260
Waxman, Henry A., Calif., E1241
Wilson, Joe, S.C., E1259

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to 866–512–1800 (toll free), 202–512–1800 (D.C. area), or fax to 202–512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.