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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. CUELLAR).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC.
September 22, 2010.

I hereby appoint the Honorable HENRY CUELLAR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Reverend Douglas Fisher, Grace Episcopal Church, Millbrook, New York, offered the following prayer:

Gracious God, these elected leaders of our Nation gather together today in anticipation of Your guidance. They want to do what is right and good and holy. They want to be an inspiration to Your people in a trying time. Fill them with Your creative, dynamic Spirit.

Outside these walls Your people—among them immigrants, the unemployed, the brave men and women of our Armed Forces—live in hope of wise decisions from this body. Indeed, Your whole creation itself is profoundly affected in so many ways by what happens here. Compassionate God, enlighten us, show us Your will, and give us the courage to fulfill it.

At the end of this day, may the United States of America be closer to being a light unto the nations, a beacon of hope in this world. Living God, we ask Your blessing upon this House and upon this Nation. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WAMP led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND DOUGLAS FISHER

The SPEAKER pro tempore. Without objection, the gentleman from New York (Mr. MURPHY) is recognized for 1 minute.

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, I rise today to honor and thank Father Doug Fisher from Millbrook, New York, for serving as the guest chaplain today for the House of Representatives.

For over 10 years, Father Doug has served as the rector of Grace Episcopal Church, which is located in the 20th District in Millbrook, New York. Previously, he served as the Episcopal Chaplain at the United States Military Academy at West Point, and he continues to correspond with many of the graduates who are serving their country throughout the world.

Father Doug has been a leader for our community in difficult times, serving on the board of directors of Rural and Migrant Ministry. Grace Church is known throughout Dutchess County for its many outreach programs, including its food pantries, service and support groups for the unemployed and underemployed, its AA groups, its nursery school. He has brought together people of diverse socioeconomic, cultural, racial, and religious backgrounds to promote dialogue, social justice, and hope.

On behalf of the 20th Congressional District and my colleagues in this House, I thank Father Doug for his work on behalf of our community and for his invocation here today.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 16, 2010.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 16, 2010 at 4:39 p.m.:

That the Senate passed without amendment H.R. 6102.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 21, 2010.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 21, 2010 at 2:40 p.m.:

That the Senate passed without amendment H.R. 4505.

That the Senate passed S. 624.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

ON THE SELECTION OF THE STATE OF HAWAII AS A RECIPIENT OF THE FREEDOM AWARD FOR ITS OUTSTANDING SUPPORT OF MEMBERS OF THE NATIONAL GUARD AND RESERVE

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

Ms. HIRONO. Mr. Speaker, every year the Secretary of Defense recognizes employers for their support of employees serving in the National Guard and Reserve. This year, the Government of the State of Hawaii was selected for the Freedom Award, the highest employer recognition award given by the Defense Department. Hawaii Army National Guardsman K. Mark Takai submitted the nomination.

The State of Hawaii provides credit toward retirement for the time their Guard and Reserve employees are activated and offers preferential hiring for those who have been deployed. The State also held a farewell ceremony and a welcome home parade for our 29th Brigade. Notably, Hawaii is the only State to recognize its fallen war heroes by awarding them the State Medal of Honor.

As we celebrate National Employer Support of the Guard and Reserve Week, warmest ''aloha'' goes out to employers like the State of Hawaii for recognizing the unique challenges that members of the Guard and Reserve face in balancing their civilian lives with their military service.

MAKING THE 1099 SITUATION WORSE

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

Mr. PITTS. Mr. Speaker, throughout the month of August, I met with small business owners in my district who are anxious about the coming 1099 reporting requirements created by ObamaCare. They see a mountain of tax paperwork in their future, a mountain that will increase their accounting costs and prevent them from growing their businesses.

The 1099 reporting requirement has nothing to do with improving health care in this Nation. It was only included as another revenue raiser to pay for a massive new government health care entitlement program that the American people don't want.

H.R. 5297, the small business bill the House will take up tomorrow, makes a bad situation even worse. Instead of repealing this burdensome requirement, the bill actually increases penalties and expands the number of transactions subject then to 1099 reporting requirements. The Congressional Budget Office estimates this proposal will raise over $2.5 billion. That's $2.5 billion that will go to the government instead of job creators.

How long will it take our friends on the other side to figure out you can't increase the burden on our Nation's small businesses and then expect them to hire more Americans?

□ 1410

HONORING JOHN ELKINGTON

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

Mr. WAMP. Mr. Speaker, I am honored to recognize the induction of John Elkington of Memphis, Tennessee, into the Beale Street Brass Note Walk of Fame. The Walk of Fame recognizes the accomplishments of nearly 100 individuals and groups who have had a significant influence on American music, particularly blues music.

As a developer with an extraordinary vision, Elkington revitalized a two-block section of historic Beale Street that had fallen into disrepair during the urban renewal of the 1970s. When Elkington started the project, only one business remained open. Where others failed, Elkington redeveloped Beale Street, turning it into one of America's premier entertainment districts. From the handful of night clubs and restaurants that opened in the early 1980s, the Beale Street Historic District has blossomed into a place where fans from around the world come to hear America's original art form, the blues.

John Elkington possesses a rare combination of perseverance and optimism. His love for Memphis is unrivaled, and he is indeed one of Tennessee's most important developers. After 27 years of hard work and dedication to Beale Street, John Elkington deserves a recognition of inclusion into the Beale Street Brass Note Walk of Fame.

Congratulations, Elk.

TAX CUTS

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

Mr. NEAL. Mr. Speaker, it did not take a lot of courage for the Republican leader in the Senate to announce his tax cut plan last week, which would cost about $4 trillion. Handing out tax cuts is not a tough business.

Oddly enough, while he ensured that those households with incomes of more than $1 million would get a tax cut of $104,000 next year, he forgot about the households of working poor people who count on the earned income tax credit and the child tax credit.

Why? Because the GOP plan extends the estate tax cuts but doesn't extend improvements to the tax credits for low-income working families, which the Congress passed last year. In Massachusetts alone, 210,000 families will lose some or all of the child credit under the Republican plan and 167,000 Massachusetts families will lose all or some of the earned income tax credit.

I urge our Republican friends here to reject this plan from their Senate leader and to stand up for working families.

OBAMA-NOMICS

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

Mr. POE of Texas. Mr. Speaker, the proposed administration tax hikes are the largest tax increases in American history. The government spends money that we don't have; 42 cents of every dollar spent is borrowed money.

Now the plan is to hike taxes sky high and how is that going to create those jobs? It has been said ''you can't legislate the poor into freedom by legislating the wealthy out of freedom. When the government gives money to one person, the government first has to take that money from somebody else.''

''When half the people get the idea that they do not have to work because they think the other half is going to take care of them, and when the working people get the idea it does no good to work because the government is going to take away what they worked for, that discourages all citizens to work.''

Obama-nomics is the failed philosophy of more government, more spending, more borrowing and more taxes; and it's a failed philosophy.

And that's just the way it is.

ECONOMIC POLICIES

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

Mr. DEFAZIO. Mr. Speaker, the President was on television this week defending his economic policies talking about the progress, and I am going to admit that after yesterday we are about halfway back to where this administration needs to be in putting Americans and America back to work.

Yesterday—congratulations are in order—Larry Summers was either fired or encouraged to leave. It doesn't matter, he's gone.

It's about a year since I asked the President to fire Geithner and Summers, two people of, by, and for Wall Street. Wall Street has received enough attention, and the Republicans would shower even more attention on Wall Street, should they take over

again, against Main Street American working people.

It's time this President came back to his Democratic roots, his Democratic values. Geithner needs to go too. Let's bring in a team that cares about working Americans.

VICTORY IN IRAQ

(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, at the end of August the goal was achieved of a transition of security in Iraq from an active combat role of Americans to the security forces of the people of Iraq. All Americans should express gratitude for the courage and resolve of our military and military families.

Newsweek's cover page of March 8 declared: ''Victory at Last,'' with the emergence of a democratic Iraq. The Wall Street Journal editorialized ''Victory in Iraq'' on August 30, citing ''the courage of the Americans who will fight in our defense.'' On September 6 the Washington Times proclaimed ''Mission Accomplished'' in Iraq.

As the grateful father of two sons who served in Iraq and as cochairman of the Victory in Iraq Caucus established with our former colleague, Mark Green of Wisconsin, I know firsthand of the achievements of the American military personnel. I am confident with the leadership of General David Petraeus, based on the Bush success of Iraq, that the Obama surge in Afghanistan will promote liberty and peace.

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

U.S., ISRAELI, AND PALESTINIAN LEADERS DESERVE SUPPORT ON PEACE TALKS

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

Mr. McGOVERN. Mr. Speaker, I commend the U.S., Israeli, and Palestinian leaders for renewing direct peace talks in Washington earlier this month and continuing them in the Middle East.

Prime Minister Netanyahu and President Abbas have shown great courage in deciding to end the conflict within 1 year. We know it won't be easy, but I felt such hope when I saw these two leaders stand together and condemn the deadly attacks on Israel citizens by Hamas. Neither let the enemies of peace undermine the start of negotiations. This speaks volumes about their commitment to finally achieving a two-state solution.

Making peace means making tough choices. Each side will have to make painful concessions. The U.S. can provide support to both parties as they make these tough decisions, choices that have to be made for a better, more secure future for all their peoples.

I support the return to direct talks to achieve a lasting peace in the Middle East. And I call on all my colleagues in the international community to support this process.

HALT TAX HIKES

(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. Mr. Speaker, I stand to voice my support for protecting small business on Main Street from the Obama tax hikes that start January 1. To create jobs, we need lower tax rates for everyone.

Most small businesses pay taxes based on the individual tax rate. Increasing the individual tax rate means mom-and-pop business owners will have less money for business investment and job creation. It's not smart to raise taxes ever and certainly not in the wake of America's longest recession.

How will raising taxes put people back to work?

As a former small business owner, I know that the very threat of tax hikes, combined with the new health care law and the countless new rules and mandates coming from the Democrats, are impacting the ability and willingness of small businesses to create jobs.

We need an up-or-down vote on freezing tax rates for everyone before election day so the American people can see for themselves who supports or opposes small business and free enterprise.

TAX PROPOSAL AND HONORING 49TH ANNIVERSARY OF PEACE CORPS

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

Mr. GARAMENDI. Mr. Speaker, I intended to speak to the 49th anniversary of the Peace Corps. On this day, 49 years ago, Congress passed and the President signed the authorization for the Peace Corps. Over those 49 years, tens of thousands, indeed hundreds of thousands, of Americans have served this country in what is known as the most difficult job you will ever love, and my wife and I did, indeed, love it.

However, the tax proposal that's before us is that every American taxpayer will receive a lower tax rate on the first $250,000 that they have in adjusted gross income, whether they are a small business or an individual taxpayer. Those that have greater would pay somewhat higher tax. The other alternative is to run up the deficit another $700 billion, which I think is a particularly bad idea.

But back to the Peace Corps. It's a great institution, and it's been supported by both Democrats and Republicans, and we think that's a good thing.

And that's the rest of the story.

□ 1420

TAX RELIEF FOR STRUGGLING AMERICANS

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

Mr. PENCE. Mr. Speaker, the American people are hurting in the city and on the farm. Our economy continues to struggle. Unless Congress acts before the end of this year, every American will see a tax increase—every single one.

That's why I rise in disbelief with the news that this Congress is poised to adjourn for the fall's elections without even taking a vote on extending current tax relief. Let me say that again. I know there are proposals on the majority side about trying to extend the tax relief for some and not others, but what we are hearing is they intend to adjourn before Election Day without ever voting to make sure that no American sees a tax increase in January of next year.

Mr. Speaker, higher taxes won't get anybody hired. Raising taxes on job creators won't create jobs. Let's have the debate. There's a growing bipartisan majority in this House that is prepared to extend all tax relief for every American in this, the worst economy in 25 years.

And so I say, no extension of tax relief, no adjournment. Congress must not adjourn until we take an up-or-down vote on extending all tax relief for every American.

HONORING THE SERVICE AND SACRIFICE OF U.S. ARMY SPECIALIST BRYN TODD RAVER

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

Mr. BOOZMAN. Mr. Speaker, I rise today to honor a brave American soldier who sacrificed his life in support of Operation Enduring Freedom, U.S. Army Specialist Bryn Todd Raver.

Bryn joined the Army in December of 2007, following in the steps of his grandfather, a Korean War veteran. Bryn was assigned to the 1st Brigade Special Troops Battalion, 101st Airborne Division at Fort Campbell, Kentucky. He served as a military policeman and deployed to Afghanistan in April of 2010. Commanding officers noted that Specialist Raver was the first to prepare for a mission and the last to leave.

His commitment to this country is second to none. Family members say he loved serving his country and talked about his desire to continue his service for 4 more years working to become an Army drill sergeant.

On August 28, 2010, Specialist Raver died of injuries sustained when insurgents attacked the armored vehicle he was driving. He was 20 years old.

Mr. Speaker, Specialist Raver and his family made a tremendous sacrifice for our country. Bryn is a true American

hero. I ask my colleagues to keep his family and friends in their thoughts and prayers during this very difficult time.

ALZHEIMER'S AWARENESS DAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, there is a thief abroad in this country stealing the cognitive powers of more than 5.3 million Americans. It costs $172 billion annually, but the money is not the true loss.

The loss is a son who can still take his father to a ball game, but only the shell of a man remains in the bleacher seat beside him. The loss is a wife who sits at the dinner table with her husband but knows there will be no reciprocal conversation. The loss is a grandchild whose best friend can no longer play games with him.

The robber who steals our relatives is Alzheimer's disease. There is no felony that can be charged against this killer, even though it is the seventh leading cause of death in this country. And most discouraging is that there is no known cure.

The disease afflicts African Americans and Hispanics at a higher rate than others, and those with a family history of Alzheimer's are also more at risk. But regardless, every 70 seconds, someone in this country will develop this disease.

September 21 was Alzheimer's Awareness Day. It is worth the time to think about ways to support the fight against this disease.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 22, 2010.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 22, 2010 at 12:25 p.m.:

That the Senate passed S. 3814.

That the Senate passed S. 3717.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER.

AUTHORIZING THE SPEAKER TO ENTERTAIN MOTIONS TO SUSPEND THE RULES ON TOMORROW

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to entertain motions to suspend the rules on the legislative day of Thursday, Sept. 23, 2010, relating to the following measures:

S. 1674; H.R. 5307; House Resolution 1545; House Resolution 1560; House Resolution 1582; a bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in state child welfare programs; and a bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

DEPARTMENT OF THE INTERIOR TRIBAL SELF-GOVERNANCE ACT OF 2010

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4347) to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4347

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Department of the Interior Tribal Self-Governance Act of 2010''.

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

Sec. 1. Short title; table of contents.

TITLE I—INDIAN SELF-DETERMINATION

Sec. 101. Definitions; reporting and audit requirements; application of provisions.

Sec. 102. Contracts by Secretary of Interior.

Sec. 103. Administrative provisions.

Sec. 104. Contract funding and indirect costs.

Sec. 105. Contract or grant specifications.

TITLE II—TRIBAL SELF-GOVERNANCE

Sec. 201. Tribal self-governance.

TITLE I—INDIAN SELF-DETERMINATION

SEC. 101. DEFINITIONS; REPORTING AND AUDIT REQUIREMENTS; APPLICATION OF PROVISIONS.

(a) DEFINITIONS.—Section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) is amended by striking subsection (j) and inserting the following:

''(j) 'self-determination contract' means a contract entered into under title I (or a grant or cooperative agreement used under section 9) between a tribal organization and the appropriate Secretary for the planning, conduct, and administration of programs or services that are otherwise provided to Indian tribes and members of Indian tribes pursuant to Federal law, subject to the condition that, except as provided in section 105(a)(3), no contract entered into under title I (or grant or cooperative agreement used under section 9) shall be—

''(1) considered to be a procurement contract; or

''(2) except as provided in section 107(a)(1), subject to any Federal procurement law (including regulations);''.

(b) REPORTING AND AUDIT REQUIREMENTS.—Section 5(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450c(b)) is amended—

(1) by striking ''after completion of the project or undertaking referred to in the preceding subsection of this section'' and inserting ''after the retention period for the report that is submitted to the Secretary under subsection (a)''; and

(2) by adding at the end the following: ''The retention period shall be defined in regulations promulgated by the Secretary pursuant to section 415.''

(c) APPLICATION OF OTHER PROVISIONS.—Sections 4, 5, 6, 7, 102(c) 104, 105(a)(1), 105(f), 110, and 111 of the Indian Self-Determination and Education Assistance Act, as amended, (25 U.S.C. 450 et seq.) (Public Law 93-638; 88 Stat. 2203) and section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1991 (Public Law 101-512; 104 Stat. 1959), apply to compacts and funding agreements entered into under title IV.

SEC. 102. CONTRACTS BY SECRETARY OF INTERIOR.

Section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f) is amended—

(1) in subsection (c)(2), by striking ''economic enterprises'' and all that follows through ''except that'' and inserting ''economic enterprises (as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452)), except that''; and

(2) by adding at the end the following:

''(f) GOOD FAITH REQUIREMENT.—In the negotiation of contracts and funding agreements, the Secretary shall—

''(1) at all times negotiate in good faith to maximize implementation of the self-determination policy; and

''(2) carry out this Act in a manner that maximizes the policy of tribal self-determination, in a manner consistent with the purposes specified in section 3.

''(g) RULE OF CONSTRUCTION.—Each provision of this Act and each provision of a contract or funding agreement shall be liberally construed for the benefit of the Indian tribe participating in self-determination, and any ambiguity shall be resolved in favor of the Indian tribe.''.

SEC. 103. ADMINISTRATIVE PROVISIONS.

Section 105 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j) is amended—

(1) in subsection (b), in the first sentence, by striking ''pursuant to'' and all that follows through ''of this Act'' and inserting ''pursuant to sections 102 and 103''; and

(2) by adding at the end the following:

''(m) INTERPRETATION BY SECRETARY.—Except as otherwise provided by law, the Secretary shall interpret all Federal laws (including regulations) and Executive orders in a manner that facilitates, to the maximum extent practicable—

''(1) the inclusion in self-determination contracts and funding agreements of—

''(A) applicable programs, services, functions, and activities (or portions thereof); and

''(B) funds associated with those programs, services, functions, and activities;

''(2) the implementation of self-determination contracts and funding agreements; and

''(3) the achievement of tribal health objectives.''.

SEC. 104. CONTRACT FUNDING AND INDIRECT COSTS.

Section 106(a)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j–1(a)(3)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking '', and'' and inserting ''; and''; and

(B) in clause (ii), by striking ''expense related to the overhead incurred'' and inserting ''expense incurred by the governing body of the Indian tribe or tribal organization and any overhead expense incurred'';

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

''(B) In calculating the reimbursement rate for expenses described in subparagraph (A)(ii), not less than 50 percent of the expenses described in subparagraph (A)(ii) that are incurred by the governing body of an Indian tribe or tribal organization relating to a Federal program, function, service, or activity carried out pursuant to the contract shall be considered to be reasonable and allowable.''.

SEC. 105. CONTRACT OR GRANT SPECIFICATIONS.

Section 108 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450l) is amended—

(1) in subsection (a)(2), by inserting ''subject to subsections (a) and (b) of section 102,'' before ''contain''; and

(2) in subsection (f)(2)(A)(ii) of the model agreement contained in subsection (c), by inserting ''subject to subsections (a) and (b) of section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f),'' before ''such other provisions''.

TITLE II—TRIBAL SELF-GOVERNANCE

SEC. 201. TRIBAL SELF-GOVERNANCE.

Title IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aa et seq.) is amended to read as follows:

''TITLE IV—TRIBAL SELF-GOVERNANCE

''SEC. 401. DEFINITIONS.

''In this title:

''(1) COMPACT.—The term 'compact' means a self-governance compact entered into under section 404.

''(2) CONSTRUCTION PROGRAM; CONSTRUCTION PROJECT.—The term 'construction program' or 'construction project' means a tribal undertaking relating to the administration, planning, environmental determination, design, construction, repair, improvement, or expansion of roads, bridges, buildings, structures, systems, or other facilities for purposes of housing, law enforcement, detention, sanitation, water supply, education, administration, community, health, irrigation, agriculture, conservation, flood control, transportation, or port facilities, or for other tribal purposes.

''(3) DEPARTMENT.—The term 'Department' means the Department of the Interior.

''(4) FUNDING AGREEMENT.—The term 'funding agreement' means a funding agreement entered into under section 405.

''(5) GROSS MISMANAGEMENT.—The term 'gross mismanagement' means a significant violation, shown by a preponderance of the evidence, of a compact, funding agreement, or statutory or regulatory requirement applicable to Federal funds—

''(A) for a program administered by an Indian tribe; or

''(B) under a compact or funding agreement that results in a significant reduction of funds available for the programs assumed by an Indian tribe.

''(6) INHERENT FEDERAL FUNCTION.—The term 'inherent Federal function' means a Federal function that may not legally be delegated to an Indian tribe.

''(7) PROGRAM.—The term 'program' means any program, function, service, or activity (or portion thereof) within the Department that is included in a funding agreement.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

''(9) SELF-GOVERNANCE.—The term 'self-governance' means the Tribal Self-Governance Program established under section 402.

''(10) TRIBAL SHARE.—The term 'tribal share' means an Indian tribe's portion of all funds and resources that—

''(A) support any program within the Bureau of Indian Affairs, the Office of Special Trustee, or the Office of the Assistant Secretary for Indian Affairs; and

''(B) are not required by the Secretary for the performance of an inherent Federal function.

''SEC. 402. ESTABLISHMENT.

''The Secretary shall establish and carry out a program within the Department to be known as the 'Tribal Self-Governance Program'.

''SEC. 403. SELECTION OF PARTICIPATING INDIAN TRIBES.

''(a) IN GENERAL.—

''(1) PARTICIPANTS.—

''(A) IN GENERAL.—The Secretary, acting through the Director of the Office of Self-Governance, may select up to 50 new Indian tribes per year from those eligible under subsection (b) to participate in self-governance.

''(B) JOINT PARTICIPATION.—On the request of each participating Indian tribe, 2 or more otherwise eligible Indian tribes may be treated as a single Indian tribe for the purpose of participating in self-governance.

''(2) OTHER AUTHORIZED INDIAN TRIBE OR TRIBAL ORGANIZATION.—If an Indian tribe authorizes another Indian tribe or a tribal organization to plan for or carry out a program on its behalf under this title, the authorized Indian tribe or tribal organization shall have the rights and responsibilities of the authorizing Indian tribe (except as otherwise provided in the authorizing resolution).

''(3) JOINT PARTICIPATION.—2 or more Indian tribes that are not otherwise eligible under subsection (b) may be treated as a single Indian tribe for the purpose of participating in self-governance as a tribal organization if—

''(A) each Indian tribe so requests; and

''(B) the tribal organization itself, or at least 1 of the Indian tribes participating in the tribal organization, is eligible under subsection (b).

''(4) TRIBAL WITHDRAWAL FROM A TRIBAL ORGANIZATION.—

''(A) IN GENERAL.—An Indian tribe that withdraws from participation in a tribal organization, in whole or in part, shall be entitled to participate in self-governance if the Indian tribe is eligible under subsection (b).

''(B) EFFECT OF WITHDRAWAL.—If an Indian tribe withdraws from participation in a tribal organization, the Indian tribe shall be entitled to its tribal share of funds and resources supporting the programs that the Indian tribe is entitled to carry out under the compact and funding agreement of the Indian tribe.

''(C) PARTICIPATION IN SELF-GOVERNANCE.—The withdrawal of an Indian tribe from a tribal organization shall not affect the eligibility of the tribal organization to participate in self-governance on behalf of 1 or more other Indian tribes, if the tribal organization still qualifies under subsection (b).

''(D) WITHDRAWAL PROCESS.—

''(i) IN GENERAL.—An Indian tribe may, by tribal resolution, fully or partially withdraw its tribal share of any program in a funding agreement from a participating tribal organization.

''(ii) NOTIFICATION.—The Indian tribe shall provide a copy of the tribal resolution described in clause (i) to the Secretary.

''(iii) EFFECTIVE DATE.—

''(I) IN GENERAL.—A withdrawal under clause (i) shall become effective on the date that is specified in the tribal resolution and mutually agreed upon by the Secretary, the withdrawing Indian tribe, and the tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian tribe or tribal organization.

''(II) NO SPECIFIED DATE.—In the absence of a date specified in the resolution, the withdrawal shall become effective on—

''(aa) the earlier of—

''(AA) 1 year after the date of submission of the request; and

''(BB) the date on which the funding agreement expires; or

''(bb) such date as may be mutually agreed upon by the Secretary, the withdrawing Indian tribe, and the tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian tribe or tribal organization.

''(E) DISTRIBUTION OF FUNDS.—If an Indian tribe or tribal organization eligible to enter into a self-determination contract under title I or a compact or funding agreement under this title fully or partially withdraws from a participating tribal organization, the withdrawing Indian tribe—

''(i) may elect to enter into a self-determination contract or compact, in which case—

''(I) the withdrawing Indian tribe or tribal organization shall be entitled to its tribal share of unexpended funds and resources supporting the programs that the Indian tribe will be carrying out under its own self-determination contract or compact and funding agreement (calculated on the same basis as the funds were initially allocated to the funding agreement of the tribal organization); and

''(II) the funds referred to in subclause (I) shall be withdrawn by the Secretary from the funding agreement of the tribal organization and transferred to the withdrawing Indian tribe, on the condition that sections 102 and 105(i), as appropriate, shall apply to the withdrawing Indian tribe; or

''(ii) may elect not to enter into a self-determination contract or compact, in which case all unexpended funds and resources associated with the withdrawing Indian tribe's returned programs (calculated on the same basis as the funds were initially allocated to the funding agreement of the tribal organization) shall be returned by the tribal organization to the Secretary for operation of the programs included in the withdrawal.

''(F) RETURN TO MATURE CONTRACT STATUS.—If an Indian tribe elects to operate all or some programs carried out under a compact or funding agreement under this title through a self-determination contract under title I, at the option of the Indian tribe, the resulting self-determination contract shall be a mature self-determination contract as long as the Indian tribe meets the requirements set forth in section 4(h).

''(b) ELIGIBILITY.—To be eligible to participate in self-governance, an Indian tribe shall—

''(1) successfully complete the planning phase described in subsection (c);

''(2) request participation in self-governance by resolution or other official action by the tribal governing body; and

''(3) demonstrate, for the 3 fiscal years preceding the date on which the Indian tribe requests participation, financial stability and financial management capability as evidenced by the Indian tribe having no uncorrected significant and material audit exceptions in the required annual audit of its self-determination or self-governance agreements with any Federal agency.

''(c) PLANNING PHASE.—

''(1) IN GENERAL.—An Indian tribe seeking to begin participation in self-governance shall complete a planning phase as provided in this subsection.

''(2) ACTIVITIES.—The planning phase shall—

''(A) be conducted to the satisfaction of the Indian tribe; and

''(B) include—

''(i) legal and budgetary research; and

''(ii) internal tribal government planning, training, and organizational preparation.

''(d) GRANTS.—

''(1) IN GENERAL.—Subject to the availability of appropriations, an Indian tribe or tribal organization that meets the requirements of paragraphs (2) and (3) of subsection (b) shall be eligible for grants—

''(A) to plan for participation in self-governance; and

''(B) to negotiate the terms of participation by the Indian tribe or tribal organization in self-governance, as set forth in a compact and a funding agreement.

''(2) RECEIPT OF GRANT NOT REQUIRED.—Receipt of a grant under paragraph (1) shall not be a requirement of participation in self-governance.

''SEC. 404. COMPACTS.

''(a) IN GENERAL.—The Secretary shall negotiate and enter into a written compact with each Indian tribe participating in self-governance in a manner consistent with the trust responsibility of the Federal Government, treaty obligations, and the government-to-government relationship between Indian tribes and the United States.

''(b) CONTENTS.—A compact under subsection (a) shall—

''(1) specify and affirm the general terms of the government-to-government relationship between the Indian tribe and the Secretary; and

''(2) include such terms as the parties intend shall control during the term of the compact.

''(c) AMENDMENT.—A compact under subsection (a) may be amended only by agreement of the parties.

''(d) EFFECTIVE DATE.—The effective date of a compact under subsection (a) shall be—

''(1) the date of the execution of the compact by the parties; or

''(2) another date agreed upon by the parties.

''(e) DURATION.—A compact under subsection (a) shall remain in effect—

''(1) for so long as permitted by Federal law; or

''(2) until termination by written agreement, retrocession, or reassumption.

''(f) EXISTING COMPACTS.—An Indian tribe participating in self-governance under this title, as in effect on the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2010, shall have the option at any time after that date—

''(1) to retain its negotiated compact (in whole or in part) to the extent that the provisions of the compact are not directly contrary to any express provision of this title; or

''(2) to negotiate a new compact in a manner consistent with this title.

''SEC. 405. FUNDING AGREEMENTS.

''(a) IN GENERAL.—The Secretary shall negotiate and enter into a written funding agreement with the governing body of an Indian tribe or tribal organization in a manner consistent with the trust responsibility of the Federal Government, treaty obligations, and the government-to-government relationship between Indian tribes and the United States.

''(b) INCLUDED PROGRAMS.—

''(1) BUREAU OF INDIAN AFFAIRS AND OFFICE OF SPECIAL TRUSTEE.—

''(A) IN GENERAL.—A funding agreement shall, as determined by the Indian tribe, authorize the Indian tribe to plan, conduct, consolidate, administer, and receive full tribal share funding for all programs carried out by the Bureau of Indian Affairs, the Office of the Assistant Secretary for Indian Affairs, and the Office of the Special Trustee, without regard to the agency or office within which the program is performed (including funding for agency, area, and central office functions in accordance with section 409(c)), that—

''(i) are provided for in the Act of April 16, 1934 (25 U.S.C. 452 et seq.);

''(ii) the Secretary administers for the benefit of Indians under the Act of November 2, 1921 (25 U.S.C. 13), or any subsequent Act;

''(iii) the Secretary administers for the benefit of Indians with appropriations made to agencies other than the Department of the Interior; or

''(iv) are provided for the benefit of Indians because of their status as Indians.

''(B) INCLUSIONS.—Programs described in subparagraph (A) shall include all programs with respect to which Indian tribes or Indians are primary or significant beneficiaries.

''(2) DISCRETIONARY PROGRAMS OF SPECIAL SIGNIFICANCE.—

''(A) IN GENERAL.—A funding agreement under subsection (a) may, in accordance with such additional terms as the parties consider to be appropriate, include programs, services, functions, and activities (or portions thereof), administered by the Secretary, in addition to programs described in paragraphs (1) and (3), that are of special geographical, historical, or cultural significance to the Indian tribe.

''(B) GOVERNING PROVISIONS.—A funding agreement described in subparagraph (A), including the additional terms, shall be governed by this title, except that, subject to the discretion of the Secretary—

''(i) in accordance with section 406(d), the Indian tribe may have reallocation, consolidation, and redesign authority over any program assumed under this paragraph;

''(ii) notwithstanding section 408, the Secretary may require special terms and conditions regarding a construction program or project assumed under this paragraph;

''(iii) all Federal regulations that otherwise govern the operation of any program assumed under this paragraph apply to the Indian tribe, unless a specific regulation is waived by the Secretary under the procedures set forth in section 410(b)(2), which waiver request may be denied upon a specific finding by the Secretary that the waiver is prohibited by Federal law or is inconsistent with the express provisions of the funding agreement; and

''(iv) a stable base budget, as described in paragraph (7)(B), may be provided for any program assumed under this paragraph.

''(3) PROGRAMS OTHERWISE AVAILABLE.—A funding agreement shall, as determined by the Indian tribe, authorize the Indian tribe to plan, conduct, consolidate, administer, and receive full tribal share funding for any program administered by the Department other than through the Bureau of Indian Affairs, the Office of the Assistant Secretary for Indian Affairs, or the Office of the Special Trustee, that the Secretary has determined is otherwise available to Indian tribes or Indians under section 102. Nothing in this paragraph may be construed to provide any Indian tribe with a preference with respect to the opportunity of that Indian tribe to administer programs, services, functions, or activities, or portions thereof, unless that preference is otherwise provided for by law.

''(4) COMPETITIVE BIDDING.—Nothing in this section—

''(A) supersedes any express statutory requirement for competitive bidding; or

''(B) prohibits the inclusion in a funding agreement of a program in which non-Indians have an incidental or legally identifiable interest.

''(5) EXCLUDED FUNDING.—A funding agreement shall not authorize an Indian tribe to plan, conduct, administer, or receive tribal share funding under any program that—

''(A) is provided under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.); and

''(B) is provided for elementary and secondary schools under the formula developed under section 1127 of the Education Amendments of 1978 (25 U.S.C. 2007).

''(6) SERVICES, FUNCTIONS, AND RESPONSIBILITIES.—A funding agreement shall specify—

''(A) the services to be provided under the funding agreement;

''(B) the functions to be performed under the funding agreement; and

''(C) the responsibilities of the Indian tribe and the Secretary under the funding agreement.

''(7) BASE BUDGET.—

''(A) IN GENERAL.—A funding agreement pursuant to paragraphs (1) and (3) shall, at the option of the Indian tribe, provide for a stable base budget specifying the recurring funds (which may include funds available under section 106(a)) to be transferred to the Indian tribe, for such period as the Indian tribe specifies in the funding agreement, subject to annual adjustment only to reflect changes in congressional appropriations.

''(B) DISCRETIONARY PROGRAMS OF SPECIAL SIGNIFICANCE.—Upon agreement by the Secretary, a funding agreement under paragraph (2) may also provide for a stable base budget.

''(8) NO WAIVER OF TRUST RESPONSIBILITY.—A funding agreement shall prohibit the Secretary from waiving, modifying, or diminishing in any way the trust responsibility of the United States with respect to Indian tribes and individual Indians that exists under treaties, Executive orders, court decisions, and other laws.

''(c) AMENDMENT.—The Secretary shall not revise, amend, or require additional terms in a new or subsequent funding agreement without the consent of the Indian tribe, unless such terms are required by Federal law.

''(d) EFFECTIVE DATE.—A funding agreement shall become effective on the date specified in the funding agreement.

''(e) EXISTING AND SUBSEQUENT FUNDING AGREEMENTS.—

''(1) SUBSEQUENT FUNDING AGREEMENTS.—Absent notification from an Indian tribe that the Indian tribe is withdrawing or retroceding the operation of 1 or more programs identified in a funding agreement under paragraph (1) or (3) of subsection (b), or unless otherwise agreed to by the parties to the funding agreement or by the nature of any noncontinuing program, service, function, or activity contained in a funding agreement—

''(A) a funding agreement shall remain in full force and effect until a subsequent funding agreement is executed, with funding paid annually for each fiscal year the agreement is in effect; and

''(B) the term of the subsequent funding agreement shall be retroactive to the end of the term of the preceding funding agreement for the purposes of calculating the amount of funding to which the Indian tribe is entitled.

''(2) DISPUTES.—Disputes over the implementation of paragraph (1)(A) shall be subject to section 407(c).

''(3) EXISTING FUNDING AGREEMENTS.—An Indian tribe that was participating in self-governance under this title on the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2010 shall have the option at any time after that date—

''(A) to retain its existing funding agreement (in whole or in part) to the extent that the provisions of that funding agreement are not directly contrary to any express provision of this title; or

''(B) to negotiate a new funding agreement in a manner consistent with this title.

''(4) MULTIYEAR FUNDING AGREEMENTS.—An Indian tribe may, at the discretion of the Indian tribe, negotiate with the Secretary for a funding agreement with a term that exceeds 1 year.

''SEC. 406. GENERAL PROVISIONS.

''(a) APPLICABILITY.—An Indian tribe and the Secretary shall include in any compact or funding agreement provisions that reflect the requirements of this title.

''(b) CONFLICTS OF INTEREST.—An Indian tribe participating in self-governance shall ensure that internal measures are in place to address, pursuant to tribal law and procedures, conflicts of interest in the administration of programs.

''(c) AUDITS.—

''(1) SINGLE AGENCY AUDIT ACT.—Chapter 75 of title 31, United States Code, shall apply to a funding agreement under this title.

''(2) COST PRINCIPLES.—An Indian tribe shall apply cost principles under the applicable Office of Management and Budget circular, except as modified by—

''(A) any provision of law, including section 106; or

''(B) any exemptions to applicable Office of Management and Budget circulars subsequently granted by the Office of Management and Budget.

''(3) FEDERAL CLAIMS.—Any claim by the Federal Government against an Indian tribe relating to funds received under a funding agreement based on any audit under this subsection shall be subject to section 106(f).

''(d) REDESIGN AND CONSOLIDATION.—An Indian tribe may redesign or consolidate programs or reallocate funds for programs in any manner that the Indian tribe determines to be in the best interest of the Indian community being served, so long as that the redesign or consolidation does not have the effect of denying eligibility for services to population groups otherwise eligible to be served under applicable Federal law, except that, with respect to the reallocation, consolidation, and redesign of programs described in section 405(b)(2), a joint agreement between the Secretary and the Indian tribe shall be required.

''(e) RETROCESSION.—

''(1) IN GENERAL.—An Indian tribe may fully or partially retrocede to the Secretary any program under a compact or funding agreement.

''(2) EFFECTIVE DATE.—

''(A) AGREEMENT.—Unless an Indian tribe rescinds a request for retrocession under paragraph (1), the retrocession shall become effective on the date specified by the parties in the compact or funding agreement.

''(B) NO AGREEMENT.—In the absence of a specification of an effective date in the compact or funding agreement, the retrocession shall become effective on—

''(i) the earlier of—

''(I) 1 year after the date on which the request is submitted; and

''(II) the date on which the funding agreement expires; or

''(ii) such date as may be mutually agreed upon by the Secretary and the Indian tribe.

''(f) NONDUPLICATION.—A funding agreement shall provide that, for the period for which, and to the extent to which, funding is provided to an Indian tribe under this title, the Indian tribe—

''(1) shall not be entitled to contract with the Secretary for funds under section 102, except that the Indian tribe shall be eligible for new programs on the same basis as other Indian tribes; and

''(2) shall be responsible for the administration of programs in accordance with the compact or funding agreement.

''(g) RECORDS.—

''(1) IN GENERAL.—Unless an Indian tribe specifies otherwise in the compact or funding agreement, records of an Indian tribe shall not be considered to be Federal records for purposes of chapter 5 of title 5, United States Code.

''(2) RECORDKEEPING SYSTEM.—An Indian tribe shall—

''(A) maintain a recordkeeping system; and

''(B) on a notice period of not less than 30 days, provide the Secretary with reasonable access to the records to enable the Department to meet the requirements of sections 3101 through 3106 of title 44, United States Code.

''SEC. 407. PROVISIONS RELATED TO THE SECRETARY.

''(a) TRUST EVALUATIONS.—A funding agreement shall include a provision to monitor the performance of trust functions by the Indian tribe through the annual trust evaluation.

''(b) REASSUMPTION.—

''(1) IN GENERAL.—A compact or funding agreement shall include provisions for the Secretary to reassume a program and associated funding if there is a specific finding relating to that program of—

''(A) imminent jeopardy to a trust asset, natural resources, or public health and safety that—

''(i) is caused by an act or omission of the Indian tribe; and

''(ii) arises out of a failure to carry out the compact or funding agreement; or

''(B) gross mismanagement with respect to funds transferred to an Indian tribe under a compact or funding agreement, as determined by the Secretary in consultation with the Inspector General, as appropriate.

''(2) PROHIBITION.—The Secretary shall not reassume operation of a program, in whole or part, unless—

''(A) the Secretary first provides written notice and a hearing on the record to the Indian tribe; and

''(B) the Indian tribe does not take corrective action to remedy the mismanagement of the funds or programs, or the imminent jeopardy to a trust asset, natural resource, or public health and safety.

''(3) EXCEPTION.—

''(A) IN GENERAL.—Notwithstanding paragraph (2), the Secretary may, on written notice to the Indian tribe, immediately reassume operation of a program if—

''(i) the Secretary makes a finding of imminent and substantial jeopardy and irreparable harm to a trust asset, a natural resource, or the public health and safety caused by an act or omission of the Indian tribe; and

''(ii) the imminent and substantial jeopardy, and irreparable harm to the trust asset, natural resource, or public health and safety arises out of a failure by the Indian tribe to carry out the terms of an applicable compact or funding agreement.

''(B) REASSUMPTION.—If the Secretary reassumes operation of a program under subparagraph (A), the Secretary shall provide the Indian tribe with a hearing on the record not later than 10 days after the date of reassumption.

''(c) INABILITY TO AGREE ON COMPACT OR FUNDING AGREEMENT.—

''(1) FINAL OFFER.—If the Secretary and a participating Indian tribe are unable to agree, in whole or in part, on the terms of a compact or funding agreement (including funding levels), the Indian tribe may submit a final offer to the Secretary.

''(2) DETERMINATION.—Not more than 60 days after the date of delivery of a final offer to the designated officials under paragraph (4), the Secretary shall review and make a determination with respect to the final offer.

''(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.

''(4) DESIGNATED OFFICIALS.—The Secretary shall designate 1 or more appropriate officials in the Department to receive a copy of the final offer described in paragraph (1).

''(5) NO TIMELY DETERMINATION.—If the Secretary fails to make a determination with respect to a final offer within the period specified in paragraph (2), the Secretary shall be deemed to have agreed to the offer.

''(6) REJECTION OF FINAL OFFER.—

''(A) IN GENERAL.—If the Secretary rejects a final offer (or 1 or more provisions or funding levels in a final offer), the Secretary shall—

''(i) provide timely written notification to the Indian tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—

''(I) the amount of funds proposed in the final offer exceeds the applicable funding level to which the Indian tribe is entitled under this title because the final offer would reduce the funds that any other Indian tribe or tribal organization is entitled to receive under Federal law;

''(II) the program that is the subject of the final offer is an inherent Federal function or is subject to the discretion of the Secretary under section 405(b)(2);

''(III) the Indian tribe cannot carry out the program in a manner that would not result in significant danger or risk to the public health;

''(IV) the Indian tribe is not eligible to participate in self-governance under section 403(b); or

''(V) the funding agreement would violate a Federal statute or regulation;

''(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i);

''(iii) provide the Indian tribe with—

''(I) a hearing on the record with the right to engage in full discovery relevant to any issue raised in the matter; and

''(II) the opportunity for appeal on the objections raised (except that the Indian tribe may, in lieu of filing such appeal, directly proceed to initiate an action in a United States district court under section 110(a)); and

''(iv) provide the Indian tribe the option of entering into the severable portions of a final proposed compact or funding agreement (including a lesser funding amount, if any), that the Secretary did not reject, subject to any additional alterations necessary to conform the compact or funding agreement to the severed provisions.

''(B) EFFECT OF EXERCISING CERTAIN OPTION.—If an Indian tribe exercises the option specified in subparagraph (A)(iv)—

''(i) the Indian tribe shall retain the right to appeal the rejection by the Secretary under this section; and

''(ii) clauses (i), (ii), and (iii) of subparagraph (A) shall apply only to the portion of the proposed final compact or funding agreement that was rejected by the Secretary.

''(d) BURDEN OF PROOF.—In any administrative action, hearing, or appeal or civil action brought under this section, the Secretary shall have the burden of demonstrating—

''(1) by a preponderance of the evidence, the validity of the grounds for a reassumption under subsection (b); and

''(2) by clear and convincing evidence, the grounds for rejecting a final offer made under subsection (c).

''(e) GOOD FAITH.—

''(1) IN GENERAL.—In the negotiation of compacts and funding agreements, the Secretary shall at all times negotiate in good faith to maximize implementation of the self-governance policy.

''(2) POLICY.—The Secretary shall carry out this title in a manner that maximizes the policy of tribal self-governance.

''(f) SAVINGS.—

''(1) IN GENERAL.—To the extent that programs carried out for the benefit of Indian tribes and tribal organizations under this title reduce the administrative or other responsibilities of the Secretary with respect to the operation of Indian programs and result in savings that have not otherwise been included in the amount of tribal shares and other funds determined under section 409(c), except for funding agreements entered into for programs under section 405(b)(2), the Secretary shall make such savings available to the Indian tribes or tribal organizations for the provision of additional services to program beneficiaries in a manner equitable to directly served, contracted, and compacted programs.

''(2) DISCRETIONARY PROGRAMS OF SPECIAL SIGNIFICANCE.—For any savings generated as a result of the assumption of a program by an Indian tribe under section 405(b)(2), such savings shall be made available to that Indian tribe.

''(g) TRUST RESPONSIBILITY.—The Secretary may not waive, modify, or diminish in any way the trust responsibility of the United States with respect to Indian tribes and individual Indians that exists under treaties, Executive orders, other laws, or court decisions.

''(h) DECISIONMAKER.—A decision that constitutes final agency action and relates to an appeal within the Department conducted under subsection (c)(4) may be made by—

''(1) an official of the Department who holds a position at a higher organizational level within the Department than the level of the departmental agency in which the decision that is the subject of the appeal was made; or

''(2) an administrative law judge.

''(i) RULES OF CONSTRUCTION.—Each provision of this title and each provision of a compact or funding agreement shall be liberally construed for the benefit of the Indian tribe participating in self-governance, and any ambiguity shall be resolved in favor of the Indian tribe.

''SEC. 408. CONSTRUCTION PROGRAMS AND PROJECTS.

''(a) IN GENERAL.—Indian tribes participating in tribal self-governance may carry out construction projects under this title.

''(b) TRIBAL OPTION TO CARRY OUT CERTAIN FEDERAL ENVIRONMENTAL ACTIVITIES.—In carrying out a construction project under this title, an Indian tribe may, subject to the agreement of the Secretary, elect to assume some Federal responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and related provisions of law and regulations that would apply if the Secretary were to undertake a construction project, by adopting a resolution—

''(1) designating a certifying tribal officer to represent the Indian tribe and to assume the status of a responsible Federal official under those Acts or regulations; and

''(2) accepting the jurisdiction of the United States courts for the purpose of enforcing the responsibilities of the certifying tribal officer assuming the status of a responsible Federal official under those Acts or regulations.

''(c) SAVINGS CLAUSE.—Notwithstanding subsection (b), nothing in this Act authorizes the Secretary to include in any compact or funding agreement duties of the Secretary under the National Environmental Policy Act (42 U.S.C. 4321 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and other related provisions of law that are inherent Federal functions.

''(d) CODES AND STANDARDS.—In carrying out a construction project under this title, an Indian tribe shall—

''(1) adhere to applicable Federal, State, local, and tribal building codes, architectural and engineering standards, and applicable Federal guidelines regarding design, space, and operational standards, appropriate for the particular project; and

''(2) use only architects and engineers who—

''(A) are licensed to practice in the State in which the facility will be built; and

''(B) certify that—

''(i) they are qualified to perform the work required by the specific construction involved; and

''(ii) upon completion of design, the plans and specifications meet or exceed the applicable construction and safety codes.

''(e) TRIBAL ACCOUNTABILITY.—

''(1) IN GENERAL.—In carrying out a construction project under this title, an Indian tribe shall assume responsibility for the successful completion of the construction project and of a facility that is usable for the purpose for which the Indian tribe received funding.

''(2) REQUIREMENTS.—For each construction project carried out by an Indian tribe under this title, the Indian tribe and the Secretary shall negotiate a provision to be included in the funding agreement that identifies—

''(A) the approximate start and completion dates for the project, which may extend over a period of 1 or more years;

''(B) a general description of the project, including the scope of work, references to design criteria, and other terms and conditions;

''(C) the responsibilities of the Indian tribe and the Secretary for the project;

''(D) how project-related environmental considerations will be addressed;

''(E) the amount of funds provided for the project;

''(F) the obligations of the Indian tribe to comply with the codes referenced in subsection (c)(1) and applicable Federal laws and regulations;

''(G) the agreement of the parties over who will bear any additional costs necessary to meet changes in scope, or errors or omissions in design and construction; and

''(H) the agreement of the Secretary to issue a certificate of occupancy, if requested by the Indian tribe, based upon the review and verification by the Secretary, to the satisfaction of the Secretary, that the Indian tribe has secured upon completion the review and approval of the plans and specifications, sufficiency of design, life safety, and code compliance by qualified, licensed, and independent architects and engineers.

''(f) FUNDING.—

''(1) IN GENERAL.—Funding appropriated for construction projects carried out under this title shall be included in funding agreements as annual or semiannual advance payments at the option of the Indian tribe.

''(2) ADVANCE PAYMENTS.—The Secretary shall include all associated project contingency funds with each advance payment, and the Indian tribe shall be responsible for the management of such contingency funds.

''(g) NEGOTIATIONS.—At the option of the Indian tribe, construction project funding proposals shall be negotiated pursuant to the statutory process in section 105, and any resulting construction project agreement shall be incorporated into the funding agreement as addenda.

''(h) FEDERAL REVIEW AND VERIFICATION.—

''(1) IN GENERAL.—The Secretary shall have—

''(A) at least 1 opportunity to review and verify, to the satisfaction of the Secretary, that project planning and design documents prepared by the Indian tribe in advance of initial construction are in conformity with the obligations of the Indian tribe under subsection (c); and

''(B) before the project planning and design documents are implemented, at least 1 opportunity to review and verify to the satisfaction of the Secretary that subsequent document amendments which result in a significant change in construction are in conformity with the obligations of the Indian tribe under subsection (c).

''(2) REPORTS.—The Indian tribe shall provide the Secretary with project progress and financial reports not less than semiannually.

''(3) OVERSIGHT VISITS.—The Secretary may conduct onsite project oversight visits semiannually or on an alternate schedule agreed to by the Secretary and the Indian tribe.

''(i) APPLICATION OF OTHER LAWS.—Unless otherwise agreed to by the Indian tribe and except as otherwise provided in this Act, no provision of the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), the Federal Acquisition Regulations issued pursuant to that Act, or any other law or regulation pertaining to Federal procurement (including Executive orders) shall apply to any construction program or project carried out under this title.

''(j) FUTURE FUNDING.—Upon completion of a facility constructed under this title, the Secretary shall include the facility among those eligible for annual operation and maintenance funding support comparable to that provided for similar facilities funded by the Department as annual appropriations are available and to the extent that the facility size and complexity and other factors do not exceed the funding formula criteria for comparable buildings.

''SEC. 409. PAYMENT.

''(a) IN GENERAL.—At the request of the governing body of an Indian tribe and under the terms of an applicable funding agreement, the Secretary shall provide funding to the Indian tribe to carry out the funding agreement.

''(b) ADVANCE ANNUAL PAYMENT.—At the option of the Indian tribe, a funding agreement shall provide for an advance annual payment to an Indian tribe.

''(c) AMOUNT.—

''(1) IN GENERAL.—Subject to subsection (e) and sections 405 and 406, the Secretary shall provide funds to the Indian tribe under a funding agreement for programs in an amount that is equal to the amount that the Indian tribe would have been entitled to receive under contracts and grants under this Act (including amounts for direct program and contract support costs and, in addition, any funds that are specifically or functionally related to the provision by the Secretary of services and benefits to the Indian tribe or its members) without regard to the organization level within the Department at which the programs are carried out.

''(2) SAVINGS CLAUSE.—Nothing in this section reduces programs, services, or funds of, or provided to, another Indian tribe.

''(d) TIMING.—

''(1) IN GENERAL.—Pursuant to the terms of any compact or funding agreement entered into under this title, the Secretary shall transfer to the Indian tribe all funds provided for in the funding agreement, pursuant to subsection (c), and provide funding for periods covered by joint resolution adopted by Congress making continuing appropriations, to the extent permitted by such resolution.

''(2) TRANSFERS.—Not later than 1 year after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2010, in any instance in which a funding agreement requires an annual transfer of funding to be made at the beginning of a fiscal year or requires semiannual or other periodic transfers of funding to be made commencing at the beginning of a fiscal year, the first such transfer shall be made not later than 10 days after the apportionment of such funds by the Office of Management and Budget to the Department, unless the funding agreement provides otherwise.

''(e) AVAILABILITY.—Funds for trust services to individual Indians shall be available under a funding agreement only to the extent that the same services that would have been provided by the Secretary are provided to individual Indians by the Indian tribe.

''(f) MULTIYEAR FUNDING.—A funding agreement may provide for multiyear funding.

''(g) LIMITATIONS ON AUTHORITY OF THE SECRETARY.—The Secretary shall not—

''(1) fail to transfer to an Indian tribe its full share of any central, headquarters, regional, area, or service unit office or other funds due under this title for programs eligible under paragraph (1) or (3) of section 405(b), except as required by Federal law;

''(2) withhold any portion of such funds for transfer over a period of years; or

''(3) reduce the amount of funds required under this title—

''(A) to make funding available for self-governance monitoring or administration by the Secretary;

''(B) in subsequent years, except as necessary as a result of—

''(i) a reduction in appropriations from the previous fiscal year for the program to be included in a compact or funding agreement;

''(ii) a congressional directive in legislation or an accompanying report;

''(iii) a tribal authorization;

''(iv) a change in the amount of pass-through funds subject to the terms of the funding agreement; or

''(v) completion of an activity under a program for which the funds were provided;

''(C) to pay for Federal functions, including—

''(i) Federal pay costs;

''(ii) Federal employee retirement benefits;

''(iii) automated data processing;

''(iv) technical assistance; and

''(v) monitoring of activities under this title; or

''(D) to pay for costs of Federal personnel displaced by self-determination contracts under this Act or self-governance under this title.

''(h) FEDERAL RESOURCES.—If an Indian tribe elects to carry out a compact or funding agreement with the use of Federal personnel, Federal supplies (including supplies available from Federal warehouse facilities), Federal supply sources (including lodging, airline transportation, and other means of transportation, including the use of interagency motor pool vehicles), or other Federal resources (including supplies, services, and resources available to the Secretary under any procurement contracts in which the Department is eligible to participate), the Secretary shall, as soon as practicable, acquire and transfer such personnel, supplies, or resources to the Indian tribe under this title.

''(i) PROMPT PAYMENT ACT.—Chapter 39 of title 31, United States Code, shall apply to the transfer of funds due under a compact or funding agreement authorized under this title.

''(j) INTEREST OR OTHER INCOME.—

''(1) IN GENERAL.—An Indian tribe may retain interest or income earned on any funds paid under a compact or funding agreement to carry out governmental purposes.

''(2) NO EFFECT ON OTHER AMOUNTS.—The retention of interest or income under paragraph (1) shall not diminish the amount of funds an Indian tribe is entitled to receive under a funding agreement in the year the interest or income is earned or in any subsequent fiscal year.

''(3) INVESTMENT STANDARD.—Funds transferred under this title shall be managed by the Indian tribe using the prudent investment standard, provided that the Secretary shall not be liable for any investment losses of funds managed by the Indian tribe that are not otherwise guaranteed or insured by the Federal Government.

''(k) CARRYOVER OF FUNDS.—

''(1) IN GENERAL.—Notwithstanding any provision of an appropriations Act, all funds paid to an Indian tribe in accordance with a compact or funding agreement shall remain available until expended.

''(2) EFFECT OF CARRYOVER.—If an Indian tribe elects to carry over funding from 1 year to the next, the carryover shall not diminish the amount of funds the Indian tribe is entitled to receive under a funding agreement in that fiscal year or any subsequent fiscal year.

''(l) LIMITATION OF COSTS.—

''(1) IN GENERAL.—An Indian tribe shall not be obligated to continue performance that requires an expenditure of funds in excess of the amount of funds transferred under a compact or funding agreement.

''(2) NOTICE OF INSUFFICIENCY.—If at any time the Indian tribe has reason to believe that the total amount provided for a specific activity under a compact or funding agreement is insufficient, the Indian tribe shall provide reasonable notice of such insufficiency to the Secretary.

''(3) SUSPENSION OF PERFORMANCE.—If, after notice under paragraph (2), the Secretary does not increase the amount of funds transferred under the funding agreement, the Indian tribe may suspend performance of the activity until such time as additional funds are transferred.

''(4) SAVINGS CLAUSE.—Nothing in this section reduces any programs, services, or funds of, or provided to, another Indian tribe.

''(m) DISTRIBUTION OF FUNDS.—The Office of Self-Governance shall be responsible for distribution of all Bureau of Indian Affairs funds provided under this title unless otherwise agreed by the parties to an applicable funding agreement.

''SEC. 410. FACILITATION.

''(a) IN GENERAL.—Except as otherwise provided by law, the Secretary shall interpret each Federal law and regulation in a manner that facilitates—

''(1) the inclusion of programs in funding agreements; and

''(2) the implementation of funding agreements.

''(b) REGULATION WAIVER.—

''(1) REQUEST.—An Indian tribe may submit to the Secretary a written request for a waiver of applicability of a Federal regulation, including—

''(A) an identification of the specific text in the regulation sought to be waived; and

''(B) the basis for the request.

''(2) DETERMINATION BY THE SECRETARY.—Not later than 120 days after receipt by the Secretary and the designated officials under paragraph (4) of a request under paragraph (1), the Secretary shall approve or deny the requested waiver in writing to the Indian tribe.

''(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.

''(4) DESIGNATED OFFICIALS.—The Secretary shall designate 1 or more appropriate officials in the Department to receive a copy of the waiver request described in paragraph (1).

''(5) GROUND FOR DENIAL.—The Secretary may deny a request under paragraph (1)—

''(A) for a program eligible under paragraph (1) or (3) of section 405(b), only upon a specific finding by the Secretary that the identified text in the regulation may not be waived because such a waiver is prohibited by Federal law; and

''(B) for a program eligible under section 405(b)(2), upon a specific finding by the Secretary that the waiver is prohibited by Federal law or is inconsistent with the express provisions of the funding agreement.

''(6) FAILURE TO MAKE DETERMINATION.—If the Secretary fails to approve or deny a waiver request within the period required under paragraph (2), the Secretary shall be deemed to have approved the request.

''(7) FINALITY.—A decision of the Secretary under this section shall be final for the Department.

''SEC. 411. DISCLAIMERS.

''Nothing in this title expands or alters any statutory authority of the Secretary in a manner that authorizes the Secretary to enter into any agreement under section 405—

''(1) with respect to an inherent Federal function;

''(2) in a case in which the law establishing a program explicitly prohibits the type of participation sought by the Indian tribe (without regard to whether 1 or more Indian tribes are identified in the authorizing law); or

''(3) that limits or reduces in any way the services, contracts, or funds that any other Indian tribe or tribal organization is eligible to receive under section 102 or any other applicable Federal law.

''SEC. 412. DISCRETIONARY APPLICATION OF OTHER SECTIONS.

''(a) IN GENERAL.—Except as otherwise provided in section 101(c), at the option of a participating Indian tribe or Indian tribes, any of the provisions of title I may be incorporated in any compact or funding agreement under this title.

''(b) EFFECT.—Each incorporated provision under subsection (a) shall—

''(1) have the same force and effect as if set out in full in this title;

''(2) supplement or replace any related provision in this title; and

''(3) apply to any agency otherwise governed by this title.

''(c) EFFECTIVE DATE.—If an Indian tribe requests incorporation at the negotiation stage of a compact or funding agreement, the incorporation shall—

''(1) be effective immediately; and

''(2) control the negotiation and resulting compact and funding agreement.

''SEC. 413. FUNDING NEEDS.

''(a) REQUIREMENT OF ANNUAL BUDGET REQUEST.—

''(1) IN GENERAL.—The President shall identify in a report to accompany the annual budget request submitted to Congress under section 1105 of title 31, United States Code, all amounts necessary to fully fund all funding agreements entered into under this Act.

''(2) DUTY OF SECRETARY.—The Secretary shall identify in a report to accompany each

budget request the amount of funds that are sufficient for planning and negotiation grants and sufficient to cover any shortfall in funding identified under subsection (b).

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection authorizes the Secretary to reduce the programs, services, or funds to an Indian tribe.

''(b) PRESENT FUNDING; SHORTFALLS.—

''(1) IN GENERAL.—In each report described in subsection (a)(2), the Secretary shall identify the level of need presently funded and any shortfall in funding (including direct program costs, tribal shares, and contract support costs) for each Indian tribe, directly by the Secretary, under self-determination contracts, or compacts, or funding agreements.

''(2) SCHEDULE.—

''(A) FIRST REPORT.—The first report required under subsection (a)(1) shall be—

''(i) limited to the Bureau of Indian Affairs agency office; and

''(ii) due on February 1, 2012.

''(B) SECOND REPORT.—The second report required under subsection (a)(1) shall—

''(i) include all funding at the Bureau of Indian Affairs agency and regional offices; and

''(ii) due on February 1, 2013.

''(C) SUBSEQUENT REPORT.—Beginning with the third report required under subsection (a)(1), which shall be due on February 1, 2014, all reports required under subsection (a)(1) shall include all funding at the Bureau of Indian Affairs agency, regional, and central offices, the Office of the Assistant Secretary for Indian Affairs, and the Office of the Special Trustee.

''SEC. 414. REPORTS.

''(a) IN GENERAL.—

''(1) REQUIREMENT.—Not later than February 1 of each year, the Secretary shall submit to Congress a report regarding the administration of this title.

''(2) ANALYSIS.—A report under paragraph (1) shall include a detailed analysis of unmet need for each Indian tribe, regardless of whether the Indian tribe is served directly by the Secretary, under self-determination contracts under title I, or under compacts and funding agreements authorized under this title.

''(3) NO ADDITIONAL REPORTING REQUIREMENTS.—In preparing reports under paragraph (1), the Secretary may not impose any reporting requirements on participating Indian tribes not otherwise provided by this title.

''(b) CONTENTS.—Each report under subsection (a)(1) shall—

''(1) be compiled from information contained in funding agreements, annual audit reports, and data of the Secretary regarding the disposition of Federal funds;

''(2) identify—

''(A) the relative costs and benefits of self-governance;

''(B) with particularity, all funds that are specifically or functionally related to the provision by the Secretary of services and benefits to self-governance Indian tribes and members of Indian tribes;

''(C) the funds transferred to each Indian tribe and the corresponding reduction in the Federal employees and workload;

''(D) the funding formula for individual tribal shares of all Central Office funds, together with the comments of affected Indian tribes, developed under subsection (d); and

''(E) amounts expended in the preceding fiscal year to carry out inherent Federal functions, including an identification of inherent Federal functions;

''(3) contain a description of the methods used to determine the individual tribal share of funds controlled by all components of the Department (including funds assessed by any other Federal agency) for inclusion in compacts or funding agreements;

''(4) before being submitted to Congress, be distributed to the Indian tribes for comment (with a comment period of not less than 30 days); and

''(5) include the separate views and comments of each Indian tribe or tribal organization.

''(c) REPORT ON NON-BIA, NON-OST PROGRAMS.—

''(1) IN GENERAL.—In order to optimize opportunities for Indian tribes participating in self-governance under this title, the Secretary shall—

''(A) review all programs administered by the Department, other than through the Bureau of Indian Affairs, the Office of the Assistant Secretary for Indian Affairs, or the Office of Special Trustee, without regard to the agency or office concerned; and

''(B) not later than January 1 of each year, submit to Congress—

''(i) a list of all such programs that the Secretary determines, with the concurrence of Indian tribes participating in self-governance under this title, are eligible to be included in a funding agreement at the request of a participating Indian tribe; and

''(ii) a list of all such programs for which Indian tribes have requested to include in a funding agreement under paragraph (2) or (3) of section 405(b), indicating whether each request was granted or denied, and stating the grounds for any denial.

''(2) PROGRAMMATIC TARGETS.—The Secretary shall establish programmatic targets, after consultation with Indian tribes participating in self-governance, to encourage bureaus of the Department to ensure that a significant portion of the programs identified in paragraph (1) are included in funding agreements.

''(3) PUBLICATION.—The lists and targets under paragraphs (1) and (2) shall be—

''(A) published in the Federal Register; and

''(B) made available to Indian tribes.

''(4) ANNUAL REVIEW.—

''(A) IN GENERAL.—The Secretary shall annually review and publish in the Federal Register, after consultation with Indian tribes participating in self-governance, revised lists and programmatic targets.

''(B) CONTENTS.—The revised lists and programmatic targets shall include all programs that were eligible for contracting in the original list published in the Federal Register in 1995, except for programs specifically determined not to be contractible as a matter of law.

''(d) REPORT ON CENTRAL OFFICE FUNDS.—Not later than February 1, 2012, the Secretary shall, in consultation with Indian tribes, develop a funding formula to determine the individual tribal share of funds controlled by the Central Office of the Bureau of Indian Affairs, the Office of the Special Trustee, and the Office of the Assistant Secretary for Indian Affairs for inclusion in the compacts.

''SEC. 415. REGULATIONS.

''(a) IN GENERAL.—

''(1) PROMULGATION.—Not later than 90 days after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2010, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5, United States Code, to negotiate and promulgate such regulations as are necessary to carry out this title.

''(2) PUBLICATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this title shall be published in the Federal Register not later than 18 months after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2010.

''(3) EXPIRATION OF AUTHORITY.—The authority to promulgate regulations under paragraph (1) shall expire on the date that is 24 months after the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2010.

''(b) COMMITTEE.—

''(1) MEMBERSHIP.—A negotiated rulemaking committee established pursuant to section 565 of title 5, United States Code, to carry out this section shall have as its members only representatives of the Federal Government and tribal government.

''(2) LEAD AGENCY.—Among the Federal representatives described in paragraph (1), the Office of Self-Governance shall be the lead agency for the Department.

''(c) ADAPTATION OF PROCEDURES.—The Secretary shall adapt the negotiated rulemaking procedures to the unique context of self-governance and the government-to-government relationship between the United States and Indian tribes.

''(d) EFFECT.—

''(1) REPEAL.—The Secretary may repeal any regulation that is inconsistent with this Act.

''(2) CONFLICTING PROVISIONS.—This title shall supersede any conflicting provision of law (including any conflicting regulations).

''(3) EFFECTIVENESS WITHOUT REGARD TO REGULATIONS.—The lack of promulgated regulations on an issue shall not limit the effect or implementation of this title.

''SEC. 416. EFFECT OF CIRCULARS, POLICIES, MANUALS, GUIDANCES, AND RULES.

''Unless expressly agreed to by a participating Indian tribe in a compact or funding agreement, the participating Indian tribe shall not be subject to any agency circular, policy, manual, guidance, or rule adopted by the Department, except for—

''(1) the eligibility provisions of section 105(g); and

''(2) regulations promulgated pursuant to section 415.

''SEC. 417. APPEALS.

''Except as provided in section 407(d), in any administrative action, appeal, or civil action for judicial review of any decision made by the Secretary under this title, the Secretary shall have the burden of proof of demonstrating by a preponderance of the evidence—

''(1) the validity of the grounds for the decision; and

''(2) the consistency of the decision with the requirements and policies of this title.

''SEC. 418. APPLICATION OF OTHER PROVISIONS.

''Section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1991 (Public Law 101–512; 104 Stat. 1959), shall apply to compacts and funding agreements entered into under this title.

''SEC. 419. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated such sums as are necessary to carry out this title.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair now recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

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

Mr. Speaker, under self-governance, Indian tribes assume the duties of the Federal Government for certain programs within the Department of the Interior and the Department of Health and Human Services. Self-governance empowers tribes to exercise their inherent sovereignty and make key decisions that will impact their nations. The widespread success of self-governance since its inception demonstrates that when tribes make the decisions that directly impact their tribal citizens, the outcomes are far greater.

Introduced by our colleague from Oklahoma (Mr. BOREN), H.R. 4347 would amend the self-determination contracting program to allow title 1 tribes to become familiar with the self-governance compacting program. This legislation would also amend the Department of the Interior self-governance program to make it consistent with the self-governance program at the Department of Health and Human Services. It allows Indian tribes to step into the shoes of the Federal Government to administer programs at the Department of the Interior using rules and procedures similar to those used at the Indian Health Service.

I would like to commend Mr. BOREN from Oklahoma for his leadership on this issue, and I urge my colleagues to support this measure.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill under consideration today is an amended version of the bill as reported, and I thank the chairman of the committee and the sponsor of the legislation for their willingness to engage the Republicans on a bipartisan basis in what is a rather complex body of law.

The Republicans hope this bill accomplishes its primary goal, which is to increase the outsourcing to tribes of programs and functions of the Department of the Interior that are provided to Indians because of their status as Indians.

At the core of H.R. 4347 is the principle that Washington, DC, is not capable of managing tribal programs as effectively as the governments of Indian people—the Indian tribes. This bill could be a template for proposals to outsource Federal programs, where appropriate, to States, tribes, and the private sector.

I must say, Mr. Speaker, I'm disappointed that the Obama administration has not provided a formal statement on the position of H.R. 4347, as amended.

□ 1430

Bipartisan staff sought to address concerns expressed by the Department of the Interior in its testimony on the bill as introduced. For this reason, I think the House is owed something in writing from the Department clarifying its views on the amended bill. Regardless, I do not see this silence from the administration as a reason to hold up the progress on the bill.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H.R. 4347, which authorizes the Secretary of the Department of the Interior to select up to 50 new Indian tribes per year to participate in self-governance programs. I am proud to co-sponsor the Department of the Interior Tribal Self-Governance Act, and I thank my colleague, Congressman BOREN for introducing this legislation.

As a member of the Native American Caucus, I have worked with my colleagues in Congress to address the needs of Native Americans. This legislation will allow eligible tribes to assume the duties of the Federal Government for certain programs within the Department of the Interior and the Department of Health and Human Services.

Mr. Speaker, the Government Accounting Office has shown that tribes that participate in self-governance have seen greater gains in employment than tribes that do not. The passage of this legislation will allow more tribes to participate in self-governance programs and increase the financial prospects for its members.

California is home to over 100 federally recognized tribes. These tribes deserve the opportunity to participate in self-governance programs should they desire to do so.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 4347 and allow Native American tribes the opportunity to enter into self-governance agreements. Native Americans should be afforded the opportunity to administer their programs and increase employment among its members.

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

Mrs. CHRISTENSEN. 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 the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 4347, 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.

ALLOWING YSLETA DEL SUR PUEBLO TRIBE TO DETERMINE BLOOD REQUIREMENT FOR MEMBERSHIP

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5811) to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5811

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

SECTION 1. BLOOD QUANTUM REQUIREMENT DETERMINED BY TRIBE.

Section 108(a)(2) of the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act (25 U.S.C. 1300g–7(a)(2)) is amended to read as follows:

''(2) any person of Tigua Ysleta del Sur Pueblo Indian blood enrolled by the tribe.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

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

One of the greatest exercises of tribe sovereignty is the ability of a tribe to determine its tribal membership. This measure would allow a Texas tribe to determine the blood quantum requirement for membership in that tribe.

My colleague, the gentleman from Texas (Mr. REYES), introduced H.R. 5811 to restore the tribe's right to determine its own membership requirements by deleting a blood quantum requirement specified in a 1987 law. Passage of this legislation would extend to the tribe the same sovereign right possessed by all other Indian tribes: The ability to determine who is and who is not a member of that tribe.

This measure is long overdue. I commend my colleague for introducing it. Similar legislation passed the House last Congress by unanimous consent. I urge Members to support this measure.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, the gentlelady from the Virgin Islands has adequately described this legislation.

I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as he may consume to the sponsor of this legislation, the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Speaker, I want to thank the gentlelady for yielding me this time, and the ranking member and the chairman for supporting this bill. It is a very important bill for us, for the Ysleta del Sur Pueblo Tribe and Alabama and Coushatta Indian Tribes.

Mr. Speaker, I rise to support H.R. 5811, a bill I introduced to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act of 1987 to allow the Ysleta del Sur Pueblo Tigua tribe the authority to determine the blood quantum requirement for membership in their tribe. Since

coming to Congress, I have been proud to represent the Tiguas and I have continually fought to lift this requirement.

My Congressional district in El Paso is home to the Tigua Ysleta del Sur Pueblo, the oldest community in Texas. They are one of the three Native American tribes and the only Pueblo tribe in the state. The Tiguas have maintained a significant presence in the El Paso region with tribal enrollment currently over 1,600 citizens. The Tiguas have also been very active participants in the regional business community for almost 40 years. The tribe strives to establish a business-friendly environment while maintaining their culture and traditions. The tribe owns and operates a diverse set of enterprises and corporations that provide employment for both tribal members and the El Paso community.

However, the Tiguas are one of a very few federally-recognized tribes still required by Federal law to use a specified degree of blood quantum to determine membership. If the current ⅛ degree requirement remains in effect, Tigua tribal membership will decline significantly within three generations.

For decades, other tribal governments have used a variety of methods to determine membership. The decision to use a blood quantum requirement has been at the discretion of the tribe as a part of their tribal sovereignty. Tribes have also been able to determine if lineal and collateral descendents of members listed in their base rolls are eligible to be enrolled.

My bill will allow the Tiguas the same opportunity as other recognized tribes to use these methods, and specifically blood quantum levels, to determine membership. With H.R. 5811, individuals removed from the rolls in previous years and others will be able to petition for enrollment. Historically, many of these members would normally have been included as members of the tribe.

This bill is the life blood of the tribe. By modifying the tribal enrollment requirements, the Tiguas will be able to preserve the unique character and traditions of their tribe based on shared history, customs, and language in addition to tribal blood. This bill will ensure their survival as the oldest community in Texas and the only Pueblo still in existence in the State. This bill has passed twice before in the House of Representatives, and I urge my colleagues to support passage of this bill.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H.R. 5811, which allows the Ysleta del Sur Pueblo Tribe to determine the blood quantum requirement for membership in their tribe. I thank my colleague, Congressman REYES for introducing this legislation.

This legislation will specifically allow the Ysleta del Sur Pueblo Indian tribe to determine their membership. Native American tribes should be afforded the opportunity to determine the qualifications for membership in their tribes.

Mr. Speaker, as a member of the Native American Caucus, I will continue to work with my colleagues in Congress to address the unique needs of Native Americans.

California is home to over one hundred federally recognized tribes. Earlier this month, I was able to meet with the Pauma Band of Mission Indians. The reservation is located in Pauma Valley, California. The Pauma Band of Mission Indians and others across the nation should be permitted to determine their requirements to be a member, rather than having to rely on some outside body to make this determination.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 5811.

Mr. HASTINGS of Washington. I yield back the balance of my time.

Mrs. CHRISTENSEN. 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 the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 5811.

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.

CASA GRANDE RUINS NATIONAL MONUMENT BOUNDARY MODIFICATION ACT OF 2010

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5110) to modify the boundary of the Casa Grande Ruins National Monument, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5110

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 ''Casa Grande Ruins National Monument Boundary Modification Act of 2010''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map entitled ''Proposed Casa Grande Ruins Boundary Modification'', numbered 303/100,934, and dated January 2010.

(2) MONUMENT.—The term ''Monument'' means the Casa Grande Ruins National Monument in the State of Arizona.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) STATE.—The term ''State'' means the State of Arizona.

SEC. 3. ACQUISITION AND TRANSFER OF ADMINISTRATIVE JURISDICTION OF LANDS.

(a) ACQUISITION OF LANDS.—The Secretary is authorized to acquire by donation, exchange, or purchase with donated or appropriate funds from willing owners only, the private or State lands or interests in lands generally depicted on the map, to be administered as part of the Monument.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION TO NPS.—The following Federal lands as generally depicted on the map are hereby withdrawn from all forms of entry, appropriation, and disposal under the public land laws; location, entry, and patent under the mining laws; and operation of the mineral leasing and geothermal leasing laws and mineral materials laws, and administrative jurisdiction of such Federal lands is hereby transferred to the National Park Service to be administered as part of the Monument:

(1) The approximately 3.8 acres of Federal land administered by the Bureau of Land Management.

(2) The approximately 7.41 acres of Federal land of administered by the Bureau of Indian Affairs.

(c) TRANSFER OF ADMINISTRATIVE JURISDICTION TO BIA.—Administrative jurisdiction of the approximately 3.5 acres of Federal land administered by the National Park Service as generally depicted on the map as ''Lands to be Transferred to BIA'' are hereby transferred to the Bureau of Indian Affairs for the purposes of the San Carlos Irrigation Project.

(d) ADMINISTRATION.—Upon acquisition or transfer of the lands identified in subsections (a) and (b), the Secretary shall administer those lands as part of the Monument in accordance with the laws generally applicable to units of the National Park System, including—

(1) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(2) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(e) BOUNDARY AND MAP UPDATE.—

(1) TRANSFERS.—Upon completion of the transfers pursuant to subsection (b), the Secretary shall modify the boundary of the Monument accordingly, and shall update the map to reflect such transfers.

(2) ACQUISITIONS.—Upon completion of any of the acquisitions pursuant to subsection (a), the Secretary shall modify the boundary of the Monument accordingly, and shall update the map to reflect such acquisitions.

(f) MAP ON FILE.—The map shall be on file and available for inspection in the appropriate offices of the National Park Service, U.S. Department of the Interior.

SEC. 4. ADMINISTRATION OF STATE TRUST LANDS.

The Secretary may enter in to an agreement with the State to provide for cooperative management of the approximately 200 acres of State trust lands generally depicted on the map.

SEC. 5. BOUNDARY STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study to identify any additional lands that the Secretary considers appropriate to be a part of any future adjustments to the boundary of the Monument.

(b) CRITERIA.—The study shall examine the natural, cultural, recreational, and scenic values and characteristics of the lands identified under subsection (a).

(c) REPORT.—Not later than 3 years after the date funds are made available for the study under this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations of the study.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 5110 would add 415 acres to Casa Grande Ruins National Monument located south of Phoenix, Arizona.

Currently, the 472-acre monument represents only part of the historic Native American community that once existed in that area. A 2003 National

Park Service report identified seven parcels for potential addition to this monument.

H.R. 5110 authorizes the acquisition of three properties ''by donation, exchange, or purchase with donated or appropriated funds from willing owners only.''

Mr. Speaker, H.R. 5110 is a good bill. Representative ANN KIRKPATRICK has worked hard to bring it to the floor, and I urge the House to approve it.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are many things in my view that are wrong with this bill, but I just want to point out three of them. First, this bill represents wasteful and unnecessary spending at a time of exploding Federal debt. Second, it lacks needed protection for private property rights. Third, it expands the already bloated Federal Government at a time when our priority should be on jobs and economic growth, not the growth of government.

It shouldn't be necessary to point out that at a time of near double-digit unemployment and trillion-dollar debt, we really ought to be working to unleash private-sector economic growth so more Americans can find jobs, can pay their mortgages, and provide for a better life for their families. Instead, as usual, with the current Democrat leadership, we are talking about borrowing more money from foreign countries to pass a bill to further aggrandize the Federal estate.

The National Park Service estimates that it would cost $10 million to buy the land targeted in this bill. Now this isn't beachfront property in the Virgin Islands like we saw targeted earlier in this Congress. Instead, it is in the Arizona desert. But we are hearing the same argument why we should go along with this.

Are these private lands in danger of being injured by development? Hardly. It seems some of the land may be owned by the State or a wealthy nonprofit presumably created to protect the land from development. There is no urgent need to borrow money to buy this land right now. No one can claim that these lands are in imminent danger.

Further, this legislation does not protect the rights of private property owners. Instead it continues the disturbing practice of Congress drawing boundaries of Federal land management areas around private property, even in cases where the landowners have not given their written approval.

When Congress expands Federal boundaries to encircle private property, we sometimes shower ourselves in praise for protecting private property from the dreaded private property owner. But Congress should only draw boundaries around lands the Federal Government already owns, not around what it wants to own.

I know the bill purports to protect private property, but it does nothing, Mr. Speaker, and this is important, it does nothing to restrain the eminent domain authority already possessed by the Secretary of the Interior according to both Federal case law and the Congressional Research Service. This bill expands an area previously designated under the Antiquities Act. As the Committee on Natural Resources learned from recently leaked Department of the Interior documents, this administration is strongly interested in creating new national monuments or expanding existing ones, and doing so with or without Congress.

The American people are way ahead of Washington on these issues, Mr. Speaker. They know that what we should be doing is controlling spending, protecting private property, taking better care of the land we already own, and reducing the dead weight of taxation and Federal bureaucracy that is stifling free enterprise, which is the engine of economic growth.

□ 1440

With that being said, there are parts of this bill that I could support, such as clearing up administrative jurisdiction issues and a boundary modification to remedy trespassing issues for an irrigation project. However, I am sorry that these sections, which had broad support, weren't allowed to stand on their own.

So for those reasons I've cited, I urge a ''no'' vote on H.R. 5110.

I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as she may consume to the sponsor of this important piece of legislation, the gentlewoman from Arizona, Representative ANN KIRKPATRICK.

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, I rise in support of my legislation, H.R. 5110, the Casa Grande Ruins National Monument Boundary Modification Act.

In Coolidge, Arizona, we have the largest prehistoric structure in the Nation—the Casa Grande Ruins National Monument. Throughout Coolidge and the nearby city of Florence, there is evidence of prehistoric structures—homes, irrigation canals and potential recreational facilities.

Each year, thousands of visitors come to Pinal County to visit the ruins, to learn about the ancient Hohokam culture that lived there, and to see the amazing prehistoric architecture they left behind. Protecting more of these sensitive areas will allow further development of tourism to the area, and it will help fulfill the mission of the monument.

The legislation under consideration today does two things. First, it allows an expansion of the boundary of the monument to include land nearby, which will greatly enhance the existing site. Second, it provides for a study to determine what additional sites in Coolidge and Florence could be incorporated in the future.

This bill is critical to the economic development of Coolidge and Florence and of the entire county. It is critical for the preservation of cultural and historical sites, which is unequaled anywhere else on the continent. It is the kind of low-cost, job-creating project we need in Arizona.

Mr. Speaker, since I have been in Congress, I have been the voice of fiscal discipline, and I have been looking for low-cost, job-creating projects. This is one of them. This project would create hundreds of jobs in an area where it does have double-digit unemployment. Talk about double-digit unemployment—that's in my district. That is what this is going to address. This is a low-cost jobs project.

Let me tell you that this is exactly why the American people right now are so angry and frustrated. It is why I am angry and frustrated, and it is why you are angry and frustrated. It is because Washington is not listening to the local people. The people of Coolidge and Florence have worked on this project for years. It is not about partisanship. They have come together as local community leaders and as private businesses to support this job-creation project. It makes common sense. Yet, once again, Washington is not going to listen to the voices of the American people. Once again, Washington is going to impose its partisan bickering to stop jobs and to not listen to the American people. That is what is wrong with Washington.

I urge my colleagues to vote ''yes'' on this critical legislation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members that it is not in order to address occupants of the gallery.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Speaker, I am sorry the gentlewoman from Arizona did not yield to me so I could ask her a question as we have heard a great deal of talk here on the floor about jobs creation. I am certainly one who believes that we need to create jobs, particularly in the private sector, because the private sector is the engine of growth in our country.

I was simply going to ask the gentlewoman if she could document officially how many jobs have been created. The reason, Mr. Speaker, is that this existing area is already some 1,600 acres. To suggest that an area which is 1,600 acres is not creating jobs but that adding some 400-plus acres would create jobs flies in the face of common sense.

What this bill is all about, once again, is the Federal Government's buying more land when we have a backlog of some $9 billion of maintenance in this country. Yet here we are, trying to add more land, which presumably adds more to the backlog. The American people get it. They understand it. While this is small, I understand, Mr. Speaker, it is the reason I think this bill is ill-advised today. I urge my colleagues to vote ''no.''

I yield back the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I also want to commend Congresswoman KIRKPATRICK for her leadership in preserving the culture, history and artifacts of this important area.

Just like Castle Nugent, enacting this bill spends no money and acquires no land—none. What it does is puts in place the authority necessary to acquire these invaluable pieces of our ancient past if and when the time is right and the money is available. Given the value of the resources involved, this should be an easy decision. It would be a shame if political gamesmanship and partisan bickering allowed these pieces of our past, the jobs that would be created, and the hard work of the people of this part of Arizona to be lost forever.

I ask my colleagues to vote ''yes'' on this legislation.

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 the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 5110, as amended.

The question was taken.

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

SEDONA-RED ROCK NATIONAL SCENIC AREA ACT OF 2010

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4823) to establish the Sedona-Red Rock National Scenic Area in the Coconino National Forest, Arizona, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4823

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 ''Sedona-Red Rock National Scenic Area Act of 2010''.

SEC. 2. SEDONA-RED ROCK NATIONAL SCENIC AREA, COCONINO NATIONAL FOREST, ARIZONA.

(a) ESTABLISHMENT.—There is established in the Coconino National Forest, Arizona, the Sedona-Red Rock National Scenic Area (in this section referred to as the ''Scenic Area'') for the purposes of—

(1) limiting exchanges of land involving National Forest System land included in the Scenic Area; and

(2) managing the National Forest System land included in the Scenic Area as provided in the land and resource management plan for the Coconino National Forest.

(b) BOUNDARIES.—The Scenic Area shall consist of approximately 160,000 acres of National Forest System land in the Coconino National Forest, as generally depicted on the map entitled ''Sedona-Red Rocks National Scenic Area'' and dated June 7, 2010. The Scenic Area shall not include any land located outside the boundaries of the Coconino National Forest.

(c) MAP AND BOUNDARY DESCRIPTION.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall file a map and boundary description of the Scenic Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. The map and boundary description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and description. The map and boundary description shall be on file and available for public inspection in the Office of the Chief of the Forest Service.

(d) ADMINISTRATION.—The Secretary of Agriculture shall administer the Scenic Area in accordance with this Act, the land and resource management plan for the Coconino National Forest (including any subsequent amendment or revision of the plan), and the laws and regulations generally applicable to the National Forest System. In the event of conflict between this Act and such other laws and regulations, this Act shall take precedence.

(e) RESTRICTION ON SCENIC AREA LAND EXCHANGES.—With regard to acquisitions of land for public purposes, land exchanges that dispose of National Forest System land included in the Scenic Area may occur only if—

(1) the exchange results in the acquisition of land within the boundaries of the Scenic Area from a willing seller for inclusion in the Scenic Area;

(2) there is no net loss of National Forest System land within the boundaries of the Scenic Area; and

(3) an environmental analysis in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and consistent with the applicable forest plan amendment is completed before any land exchange within the boundaries of the Scenic Area.

(f) DEPOSIT OF CONSIDERATION FROM CERTAIN LAND SALES; USE.—

(1) DEPOSIT OF PROCEEDS.—Moneys received by the Secretary of Agriculture from the sale or exchange of land located in the Coconino National Forest shall be deposited in the fund established by Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a).

(2) USE OF FUNDS.—Notwithstanding the limitations on the use of moneys deposited in the fund established by Public Law 90–171, moneys deposited under paragraph (1) shall be available for use by the Secretary of Agriculture, without further appropriation and until expended, for the acquisition of land or interests in land within the National Forest System in Arizona.

(g) NO EFFECT ON SURROUNDING LAND, ROADS, OR EASEMENTS.—The establishment of the Scenic Area does not affect—

(1) the maintenance or use of public, private, or Forest Service roads within the Scenic Area;

(2) the legal status, maintenance, or use of rights-of-way and utility easements within the Scenic Area;

(3) the management of State, municipal, or private land located in the vicinity of or within the boundaries of the Scenic Area;

(4) the management of National Forest System land that is not included in the Scenic Area; or

(5) the construction or siting of transportation projects or water projects (and associated facilities) within the Scenic Area or in areas outside the Scenic Area.

(h) NO CAUSE OF ACTION.—Nothing in this Act creates a private cause of action in any Federal, state or tribal court.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

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

Mr. Speaker, H.R. 4823, introduced by Congresswoman ANN KIRKPATRICK, would authorize the establishment of the Sedona-Red Rock National Scenic Area in the Coconino National Forest in northern Arizona.

This legislation would protect approximately 160,000 acres by restricting land exchanges within the scenic area and by managing the land within the scenic area for conservation purposes. The bill specifically provides that the establishment of the national scenic area shall not impact surrounding land, roads or easements nor will it impact utility easements, the management of State, municipal or private land or the management of surrounding national forest land.

Mr. Speaker, 4823 is a good bill. Representative KIRKPATRICK has worked diligently with residents, officials, and business owners to craft this legislation, making it widely popular in the community of Sedona.

I urge Members to support H.R. 4823.

I reserve the balance of my time.

□ 1450

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have concerns about how this ''National Scenic Area'' designation will affect the safety, welfare, and economic livelihoods of those who live and work within this 160,000-acre proposal.

Mr. Speaker, there is no underlying act for national scenic areas, as is the case for wilderness proposals and wild and scenic river designations. Instead, unless guidelines are set limiting how restrictive the designation will be, a National Scenic Area designation is accompanied by only hope and uncertainty.

H.R. 4823 is silent on everything but the fact that land exchanges are prohibited. This sort of vague and open-ended delegation of authority is an invitation to litigation and bureaucratic overreach. So for that reason, Mr. Speaker, I cannot support this legislation in its current form.

I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Arizona, Representative KIRKPATRICK.

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, I rise in support of my legislation, H.R. 4823, the Sedona Red Rocks National Scenic Area Act.

I have often said that the congressional district I am fortunate to represent is the most beautiful in the country. The iconic red rocks that surround the Sedona community and extend into the Verde Valley are indeed a national treasure that is unparalleled. Millions of visitors come from across the Nation and around the globe each year to see the red rocks.

The communities throughout Red Rock Country in Arizona have, for years, discussed the long-term protection of the amazing national resource that surrounds the area. A nonpartisan community coalition came together to advocate for protection of the red rocks through a National Scenic Area, as designated by Congress.

Preserving the natural beauty of the red rocks will ensure that our great-grandchildren will be able to enjoy this unique site just as we do. Just as important, it will attract new visitors and more business to the surrounding communities, getting folks to work during this economic downturn. This bill is necessary to secure these tremendous benefits.

Last year, I circulated draft legislation to local stakeholders, to supporters, and to those with concerns. The Forest Service, the city government, the local Chamber of Commerce, the coalition, Realtors, small business owners, and concerned citizens provided valuable comments and edits to the text of this proposed bill. Through the House Natural Resources Committee, the bill has been further amended by both Republicans and Democrats and was reported from committee without objection.

Good ideas and good policy come from the people, and this bill is the culmination of much debate and feedback in the communities it will affect. Thanks to the involvement of so many people with so many different perspectives, we have put together legislation that will work better for the Sedona area now and in the future. It is the first step forward in moving towards meaningful, long-term protection of the area and towards economic development for the region.

Once again, Mr. Speaker, this is a low-cost jobs project. There is no cost to this. It is a project that I have been looking for that creates jobs that requires Federal action, not Federal spending.

It's appalling, but not surprising, that my esteemed colleagues on the other side of the aisle oppose a low-cost jobs project. They clearly do not understand what's happening to the American people who do not have a job. And when you do not have a job right now, nothing else matters. And it is unbelievable to me that, again, partisan bickering in Washington—not in Sedona—is going to stop a job creation bill.

It's time that Washington started listening to the American people. The people in Sedona are able to put aside partisan bickering and come together for the good of the community and to create jobs, and Washington cannot do the same? Believe me, I will let the folks back home know who rose in opposition, who let partisan bickering drown out their voices and drown out their common sense.

I have always said it is the American people that are going to turn this country around, not Washington, and this is exactly why. This is exactly why: Partisan bickering that gridlocks Washington.

Shame on you.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Apparently the gentlelady from Arizona wasn't listening to what I said in my opening remarks as to what concerns I had with this bill. I wish that she had yielded to me because I could have asked a question and maybe she could have enlightened me. But my understanding is there is absolutely nothing in Federal law that designates or describes what a scenic area is. Unlike a wilderness area, unlike a wild and scenic river, nothing describes what a scenic area is. I said in my opening remarks that the reason I oppose this is simply because the vagueness of this opens up potential litigation that will likely affect those surrounding this area. That's what my concern is. I would be willing to work with anybody to try to resolve these issues, but to suggest that my opposition to this is because I am opposed to jobs, it simply misses the point. The gentlelady was simply not listening to what I was saying.

Now, I do have a concern when there are Federal dollars that are spent, but there are no Federal dollars on this; it's simply that we don't have what a designation is. In fact, one could say, Mr. Speaker, if one were thinking in a mischievous way, that the only job creation that legislation like this would create, if it were passed, would be for the trial bar because they could sue over something that is not described in statute. Who wins by that? I don't think the private property owners around this area would win by that.

So I'm disappointed that she would use the tone of argument against our opposition as not trying to work together. There is just simply no designation for ''scenic'' in Federal statute. Don't you think we ought to have some designation before we designate something ''scenic''?

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

Mrs. CHRISTENSEN. Mr. Speaker, it's been clear from listening to my colleague Mrs. KIRKPATRICK that not only she, but the community, recognizes that this bill is good for business and good for jobs. People come from all over the world to enjoy the unique red rock landscape and the world-class recreational opportunities this place offers.

This bill helps conserve that landscape that the community relies on for tourism. In fact, there were several amendments offered by the other side of the aisle at markup, and all of the amendments offered by the minority were accepted and they addressed their concerns then. In markup, Mr. FLAKE also added to this clause a section that provided that the construction or siting of transportation projects or water projects within the scenic area or outside the scenic area would not be impacted.

This is a good bill which the people of Mrs. KIRKPATRICK's district strongly support. The community has diligently worked together to help get this bill here today, and I urge my colleagues to support it.

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 the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 4823, as amended.

The question was taken.

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

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1500

DISTRICT OF COLUMBIA LAND CONVEYANCE

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5494) to direct the Director of the National Park Service and the Secretary of the Interior to transfer certain properties to the District of Columbia, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5494

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

SECTION 1. TRANSFER OF CERTAIN PROPERTIES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Interior shall transfer to the District of Columbia by quitclaim deed all right, title, and interest of the United States to the following properties in the District of Columbia:

(1) Square 336, Lot 828, as shown on Assessment and Taxation Plat 3761–Y among the records of the Surveyor of the District of Columbia (Shaw Junior High School recreation fields).

(2) Square 542, Lot 85, as referenced on page 104 of Subdivision Book 141 and shown on Map 8634 among the records of the Surveyor of the District of Columbia (Southwest Library).

(3) Square 2864, Lot 830, as shown on Assessment and Taxation Plat 3495–G among the records of the Surveyor of the District of Columbia (Meyer Elementary School).

(4) Reservation 277–A, as shown on page 4 of Subdivision Book 134 among the records of the Surveyor of the District of Columbia.

(5) Square 2558, Lot 803, as shown on Assessment and Taxation Plat 65 among the records of the Surveyor of the District of Columbia (a portion of the Marie H. Reed Community Learning Center).

(6) Square 2558, Lot 810, as shown on Assessment and Taxation Plat 65 among the records of the Surveyor of the District of Columbia (a portion of the Marie H. Reed Community Learning Center).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 5494 was introduced by Congresswoman ELEANOR HOLMES NORTON of the District of Columbia in June 2010. The bill would direct the Secretary of the Interior to transfer title to six small Federal properties to the District of Columbia.

This land transfer will allow the city government to better maintain these properties as well as plan for their future development.

Mr. Speaker, Congresswoman NORTON is a tireless advocate for the people of the District and should be commended for her work on this bill. I congratulate her on her efforts and urge the House to support this bill.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, the gentlelady from the Virgin Islands has adequately explained this bill.

I yield back the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, the sponsor of H.R. 5494, Congresswoman ELEANOR HOLMES NORTON, is chairing a committee meeting at this time, so she is unable to be on the floor. Therefore under general leave, I am submitting the statement of Congresswoman NORTON for the RECORD.

Ms. NORTON. Mr. Speaker, I want to thank the chairman of the Committee on Natural Resources, NICK RAHALL, and sucommittee chair RAÚL GRIJALVA for their delightful work in moving this important bill to the House floor. H.R. 5494 will transfer ownership of certain properties in the District from the National Park Service (NPS) to the District of Columbia. NPS supports the transfer of these small, scattered properties. These isolated parcels are of no use to NPS, but can be useful for overall livability in the city.

The District of Columbia is land-poor because the federal government owns much of the land here, and certainly the best located land. In fact, these transfers achieve a balance between the city and NPS, by addressing the city's growing need for land in a manner consistent with NPS's mission to protect parkland. These small parcels are scattered throughout the city and include a portion of the Marie H. Reed Community Learning Center, the old Meyer Elementary School site, the Shaw Junior High School recreational fields, the Southwest Library site, and a small traffic island at the intersection of North Capitol Street and Florida Avenue. The transfer of these small parcels will allow the District to develop recreational fields, encourage economic development and improve livability in the District of Columbia.

As we begin to emerge from the Great Recession, the District needs all available tools and resources to help promote economic recovery. For years, the District has managed and maintained these properties, which have no national, regional or historical significance, and are of no interest to the federal government. My bill simply allows the District to better utilize the limited land here for the benefit of the city and its residents.

I ask my colleagues to pass this non-partisan, non-controversial land transfer bill.

Mrs. CHRISTENSEN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 5494, as amended.

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

The title was amended so as to read: ''A bill to direct the Secretary of the Interior to transfer certain properties to the District of Columbia.''

A motion to reconsider was laid on the table.

AUTHORIZING PEACE CORPS COMMEMORATIVE WORK

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4195) to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4195

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

SECTION 1. MEMORIAL TO COMMEMORATE THE ESTABLISHMENT OF THE PEACE CORPS AND TO HONOR THE IDEALS UPON WHICH IT WAS FOUNDED.

(a) AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.—The Peace Corps Commemorative Foundation may establish a commemorative work on Federal land in the District of Columbia and its environs to commemorate the formation of the Peace Corps and to honor the ideals upon which the Peace Corps was founded.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS ACT.—The establishment of the commemorative work shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act'').

(c) USE OF FEDERAL FUNDS PROHIBITED.—Federal funds may not be used to pay any expense of the establishment of the commemorative work. The Peace Corps Commemorative Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work.

(d) DEPOSIT OF EXCESS FUNDS.—If, upon payment of all expenses for the establishment of the commemorative work (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), or upon expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Peace Corps Commemorative Foundation shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

SEC. 2. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 4195 would authorize the Peace Corps Commemorative Foundation to establish a commemorative work on Federal land in the District of Columbia. The Foundation was created to promote a memorial to ''honor the preeminent historical and lasting significance of the establishment of the Peace Corps . . . and the American ideals and values upon which it was founded.''

H.R. 4195 was introduced by Congressman FARR, one of six Members of Congress who have served in the Peace Corps. I commend Representative FARR for his persistence in championing the Peace Corps and this legislation, and I urge Members to support H.R. 4195.

I reserve the balance of my time.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Speaker, H.R. 4195 has once again been adequately explained by the gentlelady from the Virgin Islands. However, I would like to emphasize—and I

think this is important in the discussion we're having today—that this project would be planned, constructed, and maintained using non-Federal funds. We ought to look at that probably more often in programs we address here.

I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as he may consume to the sponsor of this legislation, the gentleman from California, Congressman FARR.

Mr. FARR. Mr. Speaker, I rise on behalf of my colleagues in Congress who are return Peace Corps volunteers—Congressman PETRI, Congressman HONDA, Congressman DRIEHAUS, and Congressman GARAMENDI.

Fifty years ago this October in a predawn address, then-Presidential candidate, John F. Kennedy, challenged students at the University of Michigan to give 2 years of their lives to improve America's image by serving abroad.

This impromptu exhortation ultimately set the stage for the Peace Corps, redefined U.S. global engagement, and elevated American moral standing at the height of the Cold War.

The idea ignited the public imagination and the executive branch initiated the program rapidly. Losing no time, President Kennedy ordered Sargent Shriver to do a feasibility study. Sargent Shriver said at the time, ''We received more letters from people offering to work in or to volunteer for the Peace Corps, which did not then exist, than for all other existing Federal agencies.''

I was one of those early recruits who found in the Peace Corps an avenue for national service. And just as 8,000 current volunteers are doing today around the world, I did many years ago in Medellin, Colombia, South America.

As a member of the Peace Corps, you wake up in a distant country, without any modern amenities, and start working with your neighbors to prioritize community projects. You labor shoulder-to-shoulder to make those projects a reality. And in the process, you build hope and understanding and demonstrate American generosity.

The understanding is a two-way street. When I was in Colombia, I learned as much as I taught. I took away as much as I gave.

When I was in Colombia, my mother passed away from cancer. My father brought my two sisters to visit me to have a family reunion. My youngest sister, Nancy, 17-years-old, a junior in high school, was killed in an accident. She was thrown from a horse. Her death was avoidable. Better health care, a better hospital could have saved her.

I was angry at Colombia, at sort of Third World poverty, at my community, and at myself for having brought my family to visit me.

I stuck with it, though, and over time with reflection, I came to terms with my anger. It was not Colombia. It was not Colombian doctors who flew hundreds of miles in the middle of the night to try to save her. It was not my community in Colombia. When the landing strip was too dark for a plane to land, members of the community put out burning lanterns to guide the plane in. They consoled me. They took care of our family.

It was poverty, the grinding poverty that still exists today, that exposes women and men, young and old, to enormous vulnerabilities.

I might add that those vulnerabilities aren't protected by an American passport or an American ability to find monetary solutions. If you're stuck in an underserved, poverty part of the world with a crisis in front of you, you have to deal with the tools at hand.

I committed then at that moment, and throughout my life, to work to end the culture of poverty. My life was changed. It was the Peace Corps that changed me.

My story is one of a quarter of a million volunteer stories and millions of more Peace Corps stories if you talk to the communities that receive the volunteers.

Peace Corps was then, and continues to be today, a story of the goodness of the United States of America. Next year, Peace Corps will celebrate its 50th anniversary.

□ 1510

In anticipation of this momentous occasion, the 111th Congress is poised to take action on two very important measures to honor the Peace Corps. First, the House will vote today to celebrate a half century of the Peace Corps with a commemorative work in the District of Columbia. The commemorative work authorized by this bill is compliant with both the letter and the intent of the Commemorative Works Act. It costs zero taxpayer dollars, not a penny.

This bill provides a space where the creation of the Peace Corps will find its place in American history. It will be a modest commemorative work, a place to contemplate the spirit of hope that gave rise to the idea of sending a cadre of Americans into the world to serve their country by serving the poorest and most vulnerable in the world. It commemorates the creation of a unique form of public service that seeks peace through international service, people-to-people diplomacy, and cross-cultural understanding.

I appreciate the work of Chairman RAHALL and Chairman GRIJALVA and their staffs; the minority staff and Mr. DOC HASTINGS, and I particularly would like to recognize the staffs of both of the majority and minority committee members who helped bring this bill to the floor.

Later this year we'll have another opportunity to show our appreciation for the Peace Corps when we vote for the House funding for Peace Corps in the FY11 State, Foreign Operations Appropriations Act. The House has met the President's ask of $446 million, the subcommittee marked it at that, which can renew the promise of the Peace Corps in anticipation of its 50th anniversary.

President Obama has directed the Peace Corps to aggressively reform programming and training and open up and expand missions around the world, specifically in North Africa, Central Asia, and the Middle East. Just as President Kennedy did 50 years ago, President Obama inspired a Nation with his call to service. He has redefined the way the United States engages with the world, emphasizing direct communication and people-to-people diplomacy. Peace Corps represents those ideals at a time when diplomacy is a global imperative.

Please join me in voting for H.R. 4195 to commemorate the 50th anniversary of the Peace Corps and allow a commemorative mark to be done at no cost to the taxpayers.

Mr. PETRI. Mr. Speaker, I support passage of H.R. 4195, a bill that would authorize the Peace Corps Commemorative Foundation to establish a commemorative work to honor the formation of the Peace Corps and the ideals upon which it was founded.

I served in the Peace Corps in Somalia in 1966–67, just 5 years after the program's founding, and saw first hand the contribution that Peace Corps volunteers make to the communities they serve. Fifty years later, the continued selfless and noble service outside our borders remains a testament to the timeless American ideals embodied by the Peace Corps volunteers I served with and those that are serving today. Indeed, the creation of the Peace Corps by Congress and President John F. Kennedy in 1961 marked a fundamental turning point in American foreign policy. The values and ideals of America were put into action to help meet the needs of people in developing countries through volunteer service abroad.

The memorials and commemoratives of Washington, DC, tell the story of the people and events that have shaped our nation's history and our fundamental ideals. The founding of the Peace Corps was an expression of those ideals and will continue to inspire new generations of Americans to embrace the belief that we can and should reach out to uplift those around us. As such, I believe the Peace Corps's founding, and the American ideals it represents, deserve an essential and meaningful part of the national capital landscape to commemorate the preeminent, lasting significance of a watershed moment in the nation's history, the founding of the Peace Corps 50 years ago. I ask my colleagues to join me in supporting H.R. 4195.

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

Mrs. CHRISTENSEN. 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 the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 4195, 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.

KENNESAW MOUNTAIN NATIONAL BATTLEFIELD PARK BOUNDARY ADJUSTMENT ACT OF 2010

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5152) to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5152

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 ''Kennesaw Mountain National Battlefield Park Boundary Adjustment Act of 2010''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Kennesaw Mountain National Battlefield Park was authorized as a unit of the National Park System on June 26, 1935. Prior to 1935, parts of the park had been acquired and protected by Civil War veterans and the War Department.

(2) Kennesaw Mountain National Battlefield Park protects Kennesaw Mountain and Kolb's Farm, which are battle sites along the route of General Sherman's 1864 campaign to take Atlanta.

(3) Most of the park protects Confederate positions and strategy. The Wallis House is one of the few original structures remaining from the Battle of Kennesaw Mountain associated with Union positions and strategy.

(4) The Wallis House is strategically located next to a Union signal station at Harriston Hill.

SEC. 3. BOUNDARY ADJUSTMENT; LAND ACQUISITION; ADMINISTRATION.

(a) BOUNDARY ADJUSTMENT.—The boundary of the Kennesaw Mountain National Battlefield Park is modified to include the approximately 8 acres identified as ''Wallis House and Harriston Hill'', and generally depicted on the map titled ''Kennesaw Mountain National Battlefield Park, Proposed Boundary Adjustment'', numbered 325/80,020, and dated February 2010.

(b) MAP.—The map referred to in subsection (a) shall be on file and available for inspection in the appropriate offices of the National Park Service.

(c) LAND ACQUISITION.—The Secretary of the Interior is authorized to acquire, from willing owners only, land or interests in land described in subsection (a) by donation or exchange.

(d) ADMINISTRATION OF ACQUIRED LANDS.—The Secretary of the Interior shall administer land and interests in land acquired under this section as part of the Kennesaw Mountain National Battlefield Park in accordance with applicable laws and regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

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

H.R. 5152 was introduced by Representative GINGREY of Georgia. The bill would adjust the boundaries of the Kennesaw Mountain National Battlefield Park to include two additional historic sites associated with that battle.

Pursuant to the legislation, Cobb County would donate the properties to the National Park Service. This bill has the full support of the National Park Service and current property owners.

Mr. Speaker, we do not oppose H.R. 5152.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Kennesaw Mountain National Battlefield Park was authorized as a unit of the National Park System in 1935 as one of the first battlefield parks. Most of the park consists of Confederate positions. This bill will allow the Wallis House, one of the few remaining structures associated with Union forces, to be added to the park.

This bill authorizes the Secretary of the Interior to acquire approximately 8 acres that are owned by Cobb County and will be donated to the National Park Service. Congressman GINGREY should be commended for his work on this bipartisan bill.

Mr. GINGREY of Georgia. Mr. Speaker, I rise in strong support of H.R. 5152, the Kennesaw Mountain National Battlefield Park Boundary Adjustment Act of 2010. As the author of this legislation, I appreciate the work of the Chairman and Ranking Member of the Natural Resources Committee—Mr. RAHALL from West Virginia and Mr. HASTINGS from Washington—for working in a bipartisan manner to bring this bill to the House floor today.

The Kennesaw Mountain National Battlefield Park was first authorized as a unit of the National Park System within the National Park Service on June 26, 1935. This park preserves the area surrounding the location of the Battle of Kennesaw Mountain, which took place in June of 1864. This battle was the last major battle of Union General William T. Sherman's campaign to capture Atlanta during the Civil War.

Mr. Speaker, H.R. 5152 will adjust the boundary of the Kennesaw Mountain National Battlefield Park to include approximately 8 acres which contain the historic Wallis House and Harriston Hill. The Wallis House is one of the few remaining structures from the battle and adds significant historical significance to the park. Currently, the park focuses on Confederate positions and strategy. With the addition of these 8 acres, the park will now include important strategic positions of the Union.

In fact, Union General O.O. Howard used the Wallis House as his headquarters during the Battle of Kennesaw Mountain, and General Sherman was stationed at the Wallis House during the preceding Battle of Kolb's Farm. Additionally, Harriston Hill—which is adjacent to the Wallis House—was used as signaling position by General Howard and offers a picturesque view of the valley leading to the top of Kennesaw Mountain where Confederate troops were positioned.

Mr. Speaker, adding these 8 acres to the Kennesaw Mountain National Battlefield Park would only enhance a visitor's experience at the park by providing critical information about the positions of both Union and Confederate troops during the battle. Most importantly, adding the 8 acres to the park will have no cost to the American taxpayers.

H.R. 5152 only authorizes the National Park Service to acquire the land in question from willing landowners by donation or exchange only. The 8 acres that will be added to the park has already been purchased by Cobb County and the Cobb Land Trust for the purposes of donating it to the National Park Service.

This legislation is the culmination of years of hard work and commitment by the National Park Service, the Cobb Land Trust, the Georgia Civil War Commission, and the Cobb County Government.

Specifically, I want to commend the Superintendent of the Kennesaw Mountain National Battlefield Park—Stanley Bond—and the park's Chief Ranger—Lloyd Morris—for their service to the park and this expansion. I also want to thank Cobb County Commissioner Helen Goreham—who represents the Park, the Wallis House, and Harriston Hill—for coming to Washington to testify on behalf of this legislation before the Natural Resources Committee.

Mr. Speaker, as a long time resident of Cobb County, I can personally attest to the historical significance and beauty of the Kennesaw Mountain National Battlefield Park. This park—which is second only to Gettysburg National Battlefield Park in terms of annual visitors out of all of the Civil War parks—is important to the local community and the preservation of our national heritage. I believe that H.R. 5152 only adds to the significance of the park and will enhance the experience of visitors for years to come.

I urge all of my colleagues to support H.R. 5152.

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

Mrs. CHRISTENSEN. 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 the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 5152.

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.

MT. ANDREA LAWRENCE DESIGNATION ACT OF 2010

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 5194) to designate Mt. Andrea Lawrence, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5194

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 ''Mt. Andrea Lawrence Designation Act of 2010''.

SEC. 2. FINDINGS.

Congress finds that Andrea Mead Lawrence—

(1) was born in Rutland County, Vermont, on April 19, 1932, where she developed a lifelong love of winter sports and appreciation for the environment;

(2) competed in the 1948 Winter Olympics in St. Moritz, Switzerland, and the 1956 Winter Olympics in Cortina d'Ampezzo, Italy, and was the torch lighter at the 1960 Winter Olympics in Squaw Valley, California;

(3) won 2 Gold Medals in the Olympic special and giant slalom races at the 1952 Winter Olympics in Oslo, Norway, and remains the only United States double-gold medalist in alpine skiing;

(4) was inducted into the U.S. National Ski Hall of Fame in 1958 at the age of 25;

(5) moved in 1968 to Mammoth Lakes in the spectacularly beautiful Eastern Sierra of California, a place that she fought to protect for the rest of her life;

(6) founded the Friends of Mammoth to maintain the beauty and serenity of Mammoth Lakes and the Eastern Sierra;

(7) served for 16 years on the Mono County Board of Supervisors, where she worked tirelessly to protect and restore Mono Lake, Bodie State Historic Park and other important natural and cultural landscapes of the Eastern Sierra;

(8) worked, as a member of the Great Basin Air Pollution Control District, to reduce air pollution that had been caused by the dewatering of Owens Lake;

(9) founded the Andrea Lawrence Institute for Mountains and Rivers in 2003 to work for environmental protection and economic vitality in the region she loved so much;

(10) testified in 2008 before the Mono County Board of Supervisors in favor of the Eastern Sierra and Northern San Gabriel Wild Heritage Act, a bill that was enacted the day before she died;

(11) passed away on March 31, 2009, at 76 years of age, leaving 5 children, Cortlandt, Matthew, Deirdre, Leslie, and Quentin, and 4 grandchildren; and

(12) leaves a rich legacy that will continue to benefit present and future generations.

SEC. 3. DESIGNATION OF MT. ANDREA LAWRENCE.

(a) IN GENERAL.—Peak 12,240 (located 0.6 miles northeast of Donahue Peak on the northern border of the Ansel Adams Wilderness and Yosemite National Park (UTM coordinates Zone 11, 304428 E, 4183631 N)) shall be known and designated as ''Mt. Andrea Lawrence''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, record, or other paper of the United States to the peak described in subsection (a) shall be considered to be a reference to ''Mt. Andrea Lawrence''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

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

H.R. 5194, introduced by Representative BUCK MCKEON, would designate a mountain in California's Sierra Nevadas as Mt. Andrea Lawrence. Andrea Mead Lawrence was the first American to win two Olympic gold medals in alpine skiing. She followed her Olympic career with a career as an ardent conservationist.

H.R. 5194 designates Peak 12,240 as Mt. Andrea Lawrence. The mountain is located on the northern border of the Ansel Adams Wilderness and the Yosemite National Park. This seems a fitting tribute to the life and work of Ms. Lawrence.

I urge Members to support H.R. 5194.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, Andrea Lawrence was a successful Olympic skier, a long-time member of the Mono County Board of Supervisors, and founder of the Andrea Lawrence Institute for Mountains and Rivers. This bill, as was explained, designates an unnamed 12,000-foot peak located on the boundary between the Ansel Adams Wilderness Area and Yosemite National Park as Mt. Andrea Lawrence.

This designation is a fitting tribute to Andrea Lawrence, who died last year at the age of 76 after a long career as a pioneering woman and civic leader. Congressman MCKEON should be commended for his work on this bill.

Mr. MCKEON. Mr. Speaker, for the time to speak in favor of my legislation, H.R. 5194, to name a peak in the Eastern Sierra in honor of Andrea Mead Lawrence. Let me also express my appreciation to the leaders of the Committee on Natural Resources, Chairmen RAHALL and GRIJALVA, and Ranking Members HASTINGS and BISHOP who worked to help bring this legislation to the floor today.

Andrea Mead Lawrence was a remarkable woman. I was honored to know and work with her for the protection of the Eastern Sierra, a cause she championed for much of her life. Born in Rutland County, Vermont, on April 19, 1932, she developed a life-long love of winter sports and appreciation for the environment. A skilled skier, she competed in the 1948 Winter Olympics in St. Moritz, Switzerland as well as the 1956 Winter Olympics in Cortina d'Ampezzo Italy. She also served as the torch lighter at the 1960 Winter Olympics in Squaw Valley, California. In the 1952 Winter Olympics in Oslo Norway, she won two Gold Medals in the Olympic special and giant slalom races. To this day, she remains the only United States double-gold medalist in alpine skiing. For her significant accomplishments, she was inducted into the U.S. National Ski Hall of Fame in 1958, at the age of 25.

These remarkable achievements at a young age, however, were just the beginning of a life of service to her community and environmental preservation. In 1968, Andrea moved to Mammoth Lakes in the spectacularly beautiful Eastern Sierra of California. It was in this special region she spent the rest of her life working to protect the area's natural treasures.

Never one to rest on her accomplishments, she founded the Friends of Mammoth to maintain the beauty and serenity of Mammoth Lakes and the Eastern Sierra. She served for 16 years on the Mono County Board of Supervisors, where she worked tirelessly to protect and restore Mono Lake, Bodie State Historic Park, and other important natural and cultural landscapes of the Eastern Sierra. As a member of the Great Basin Air Pollution Control District, she worked to reduce air pollution caused by the dewatering of Owens Lake. In 2003, she founded the Andrea Lawrence Institute for Mountains and Rivers to protect the environment and the economic vitality of this important region.

In 2008, she testified before the Mono County Board of Supervisors in favor of the Eastern Sierra and Northern San Gabriel Wild Heritage Act, a bill enacted the day before she died on March 31, 2009 at the age of 76. Andrea left a rich legacy of a family of five children and four grandchildren, as well as a distinguished record in skiing. Her tireless efforts have left a better legacy for the people who live and recreate in the Eastern Sierra.

Andrea Mead Lawrence's life philosophy is summed up in her quote ''Your life doesn't stop by winning medals. It's only the beginning. And if you have the true Olympic spirit, you have to put it back into the world in meaningful ways.''

Mr. Speaker, it is very fitting to name Peak 12,240 ''Mt. Andrea Lawrence''; both in her honor, and as a visible point of inspiration for future generations.

Mr. HASTINGS of Washington. I yield back the balance of my time.

Mrs. CHRISTENSEN. 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 the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 5194.

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.

COMMEMORATING 75TH ANNIVERSARY OF THE BLUE RIDGE PARKWAY

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 294) commemorating the 75th Anniversary of the Blue Ridge Parkway.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 294

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 Blue Ridge Parkway's final stretch of road was completed in 1987 with the construction of the Linn Cove Viaduct;

Whereas the Blue Ridge Parkway provides recreational opportunities for American families at picnic areas, campgrounds, and on scenic drives through Appalachian mountain passes;

Whereas the diverse topography and numerous vista points along the Blue Ridge Parkway make it the most accessible way to visit and experience Southern Appalachian rural landscapes and mountains;

Whereas the Parkway is world-renowned for its biodiversity, which includes 74 species of mammals, 50 salamander species, 35 reptile species, 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 it 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 $2.3 billion in North Carolina and Virginia annually;

Whereas the Blue Ridge Parkway has received volunteer support from thousands of Virginians and North Carolinians, including 1,400 volunteers in 2008 who provided 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 Virginia and North Carolina; and

Whereas this crown jewel of the National Park Service deserves the support of Congress to preserve its ecological and cultural integrity, maintain its infrastructure, and protect its famously scenic views: Now, therefore, be it

Resolved by the House of Representatives (the Senate 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.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

□ 1520

Mrs. CHRISTENSEN. Mr. Speaker, House Concurrent Resolution 294 was introduced on June 30, 2010, by Representative TOM PERRIELLO of Virginia and is cosponsored by Members on both sides of the aisle from Virginia and North Carolina.

The resolution celebrates the 75th anniversary of the most visited unit of the national park system, the Blue Ridge Parkway, which links Great Smoky Mountains National Park to Shenandoah National Park.

Mr. Speaker, it is fitting that we recognize this great public works achievement and its significance to the American people. I commend Representative PERRIELLO for bringing this resolution before us and urge the House to approve this measure.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I am pleased to join with the measure's many sponsors recognizing the anniversary of the Blue Ridge Parkway, which was first proposed by Senator Harry Byrd in 1933, but was completed under President Ronald Reagan in 1987.

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

Mrs. CHRISTENSEN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 294.

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.

SUPPORTING NATIONAL ESTUARIES DAY

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1503) expressing support for the goals and ideals of National Estuaries Day, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1503

Whereas the estuary regions of the United States comprise a significant share of the national economy, with 43 percent of the population, 40 percent of employment, and 49 percent of economic output located in such regions;

Whereas coasts and estuaries contribute more than $800,000,000,000 annually in trade and commerce to the Nation's economy;

Whereas more than 43 percent of all adults in the United States visit a sea coast or estuary at least once a year to participate in some form of recreation, generating $8,000,000,000 to $12,000,000,000 in revenue annually;

Whereas more than 28,000,000 jobs in the United States are supported through commercial and recreational fishing, boating, tourism, and other coastal industries that rely on healthy estuaries;

Whereas estuaries provide vital habitat for countless species of fish and wildlife, including many that are listed as threatened species or endangered species;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization and erosion prevention, and protection of coastal communities during extreme weather events;

Whereas 55,000,000 acres of estuarine habitat have been destroyed over the last 100 years;

Whereas bays once filled with fish and oysters have become dead zones filled with excess nutrients, chemical wastes, harmful algae, and marine debris;

Whereas sea level rise is accelerating the degradation of estuaries by submerging low-lying lands, eroding beaches, converting wetlands to open water, exacerbating coastal flooding, and increasing the salinity of estuaries and freshwater aquifers;

Whereas in the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.), Congress found and declared that it is national policy to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone, including estuaries, for current and future generations;

Whereas scientific study leads to better understanding of the benefits of estuaries to human and ecological communities;

Whereas Federal, State, local, and tribal governments, national and community organizations, and private citizens work together to effectively manage our Nation's estuaries;

Whereas estuary restoration efforts cost-effectively restore natural infrastructure in local communities, helping to create jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas September 25, 2010, has been designated National Estuaries Day to increase awareness among all citizens, including local, State, and Federal officials, about the importance of healthy estuaries and the need to protect and restore them: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Estuaries Day;

(2) acknowledges the importance of estuaries to the Nation's economic well-being and productivity;

(3) recognizes the persistent threats that undermine the health of the Nation's estuaries;

(4) applauds the work of national and community organizations and public partners to

promote public awareness, protection, and restoration of estuaries; and

(5) reaffirms its support for estuaries, including the preservation, protection, and restoration thereof, and expresses its intent to continue working to protect and restore the estuaries of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of House Resolution 1503 and would like to commend the sponsor of the resolution, Representative KATHY CASTOR of Florida, for her continued leadership in recognizing the importance of our Nation's estuaries.

National Estuaries Day was established in 1988 to celebrate the importance of these coastal ecosystems to the Nation's trade, commerce, industry, recreation and environmental quality and to recognize the work of national and community organizations to promote the need to preserve, protect, and restore these vital areas.

In light of the recent disaster in the Gulf of Mexico, it is clear that now, more than ever, we should pause to recognize the essential role estuaries play in economic and environmental health of the United States.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, this resolution expresses support for the goals and ideals of National Estuaries Day, which has been designated for September 25, 2010.

We have no objection to this resolution.

I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as she may consume to the sponsor of this legislation, Representative KATHY CASTOR of Florida.

Ms. CASTOR of Florida. I would like to thank my colleague, Mrs. CHRISTENSEN, very much for yielding the time and also thank my cosponsor, MIKE CASTLE, the Congressman from Delaware, for also being a leader on behalf of National Estuaries Day and thanks to the other 36 cosponsors in the House.

Estuaries are deeply connected to our Nation's economy and vital to a healthy environment. They are an integral part of our coastal ecosystems and support not only wildlife but also human livelihoods. In these unique habitats, ecological resources and millions of jobs in tourism, fishing and other coastal industries intersect.

Estuaries have given rise to iconic port cities central to our culture, and they remain the refuge of unique species that define our environment. It is this balance that makes estuaries one of the most important ecosystems in the United States, one worth recognizing as we do here with House Resolution 1503.

Estuary regions contain 43 percent of the population, 49 percent of the economic output while occupying only 13 percent of the U.S. continental land area. As coastal regions continue to further experience development, it is important to maintain this balance between economic prosperity and ecological health.

The BP Deepwater Horizon oil disaster in the Gulf of Mexico calls attention to this delicate balance between maintaining our quality of life and sustaining our precious natural resources. Coastal health and restoration have taken on a new level of significance in light of the oil disaster, making our awareness of estuary ecosystems all the more important.

Estuaries provide critical ecosystem services that protect human health and public safety, such as water filtration, flood control, erosion prevention. They also protect coastal communities during extreme weather events like hurricanes and floods.

The Tampa Bay area, my home district, is known internationally for its collaborative approach to watershed management, which has led to significant improvements in the quality of our estuary, the beautiful Tampa Bay.

The Tampa Bay Estuary Program has worked closely with the public and private sector to develop and implement a watershed management plan to bring about positive changes. The results have been obvious in Tampa Bay. Water is as clear now as it was in 1950.

We have about 10,000 more acres of sea grass now than we did in the 1980s, and we are seeing an increase of an additional 500 acres per year because of this clear, cleaner water. This is the location of an active port as well, so business and a clean and healthy environment can coexist.

Nationally, coasts and estuaries contribute more than $800 billion annually in trade and commerce to our economy. Nearly 75 percent of all commercial fish and shellfish catch contain species that depend on estuary habitats, making ecosystems vital to commerce.

Twenty-eight million U.S. jobs are supported through commercial and recreational fishing, boating, tourism and other coastal industries that rely on healthy estuaries. Human activities are degrading estuaries at a rapid pace and threaten the health of these ecosystems unless restoration efforts are supported.

National Estuaries Day has the very worthy goals of raising awareness and educating our constituents about estuaries and getting people excited about the natural beauty to be found there.

I ask my colleagues to vote today to support those goals and ideals by making September 25 National Estuaries Day.

Mrs. CAPPS. Mr. Speaker, I rise today to express my support for H. Res. 1503, a resolution supporting the goals and ideals of National Estuaries Day.

I want to thank my colleague, KATHY CASTOR, for introducing this resolution, which I have cosponsored.

We each represent coastal districts that are home to estuaries—places where the rivers meet the sea—and these estuaries are of great importance to the health of our coastal communities and environment.

In my district, the Morro Bay National Estuary is an ecological treasure.

Lagoons and wetlands that were once common along the southern California coast are nearly all filled and developed. But we are fortunate that the Morro Bay Estuary has largely survived. And we must continue to protect this natural resource.

The Estuary provides vital habitat for birds and fish. It is an important stop-over for over 150 species of migratory birds during their annual migration. And it is a critical winter home to several other bird species. The estuary also acts as a nursery for commercial fish in the area.

Since the Morro Bay Estuary was incorporated into the National Program in 1995, the inspiring team of staff and volunteers has spearheaded numerous efforts to preserve and restore the estuary.

For example, partnering with local ranchers, the Estuary Program has installed fencing along nearly 75,000 feet of creek to limit cattle access. This has protected water quality and improved riparian habitat on seven creeks.

The Program has provided funding to the City of Morro Bay to remove derelict vessels before they pollute local waters and damage habitat.

They have also established the Estuary Nature Center and WaterFest, to educate the general public about the beauty of the estuary and its importance to water quality and conservation.

In addition, dedicated volunteers collect and provide important water quality data for the Estuary Program each year. These data are critical to evaluating the health of the estuary and watershed, as well as compiling a plan to address problems.

Estuaries are among the richest habitats known on earth—providing immeasurable economic and ecological benefits. But they are threatened by human activities.

We all live in a watershed. We must understand that our actions directly affect our nation's waterways. By working together we can work to lower our impact and protect our valuable water resources.

I urge all of my colleagues to vote in support of H. Res. 1503—to recognize National Estuaries Day and the community organizations that fight to preserve these invaluable resources.

Mr. HASTINGS of Washington. I have no requests for time, and I yield back the balance of my time.

Mrs. CHRISTENSEN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and agree to the resolution, H. Res. 1503.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

CELEBRATING 200TH ANNIVERSARY OF JOHN JAMES AUDUBON IN HENDERSON, KENTUCKY

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1508) celebrating the 200th Anniversary of John James Audubon in Henderson, Kentucky.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1508

Whereas, John James Audubon arrived in the river town of Henderson, Kentucky, in 1810 with his wife and infant son, determined to make his fortune;

Whereas, as a businessman in Henderson, he met with some initial success, and in 1816 he undertook his most ambitious project to date, building a steam-powered saw-and-grist mill in the city on the banks of the Ohio River;

Whereas, Audubon loved the frontier spirit in Henderson, and throughout his years there, he roamed the woods, observing and painting the many species of birds abundant in the area;

Whereas, Audubon ultimately lived in Henderson, Kentucky, for nine years, longer than anywhere else in the United States, during which time two of his four children were born;

Whereas, he went on to publish his ornithological works in the masterpiece, ''The Birds of America'';

Whereas, present-day Henderson, Kentucky, boasts the John James Audubon State Park & Museum, where Audubon's life is interpreted through his art and personal memorabilia, framed within a timeline of world events and paying reverence to its namesake through its Nature Center, which is comprised of three areas: a wildlife Observation Room; the Discovery Center with hands-on exhibits; and the Learning Center, where the park naturalist and art educator conduct environmental and art programs;

Whereas, Henderson's position on the Mississippi Flyway migration route also offers visitors the chance to take part in many of the same spectacular birdwatching opportunities that Audubon enjoyed, both at the park and at the nearby 10,000 acre Sloughs Wildlife Management Area, a National Audubon Society Important Birding Area; and

Whereas, in celebration of the bicentennial of Audubon's 1810 arrival in Henderson County, the Friends of Audubon, Ohio Valley Art League, and the Kentucky Department of Fish & Wildlife Resources are planning a full slate of events, which can be found at www.audubon2010.com.

Resolved, That the House of Represenatives honors John James Audubon for his life's contribution to nature and art in Henderson, Kentucky, for 200 years and the continued showcase of his life, nature, and art at the John James Audubon State Park & Museum.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of House Resolution 1508, a resolution introduced by our colleague, Representative ED WHITFIELD, to celebrate the 200th anniversary of John James Audubon's arrival in the town of Henderson, Kentucky.

This community on the banks of the Ohio River in western Kentucky is surrounded by rolling hills and verdant woods which were the inspiration for many of the illustrations which are published in ''The Birds of America.'' This book was Audubon's seminal contribution to wildlife conservation and remains a valuable source of information for bird lovers across the United States.

□ 1530

John James Audubon was a pioneer in the history of wildlife conservation in the United States, and I'm pleased to support this resolution which acknowledges and celebrates his many achievements.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, this resolution would celebrate the 200th anniversary of John James Audubon's arrival in Henderson, Kentucky. John James Audubon spent nearly a decade living in Henderson, Kentucky, and it is certainly appropriate that residents of this community would want to celebrate the accomplishments of one of its most famous citizens.

I want to compliment the author of this resolution, Congressman ED WHITFIELD, who is a classmate of mine, who worked extremely hard on this resolution.

I urge support of this resolution.

Mr. Speaker, I am very pleased to yield such time as he may consume to, as I mentioned, the author of this resolution, the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. I want to thank Members on both sides of the aisle for working with us on this resolution.

Mr. Speaker, as it has already been said, John James Audubon came to Henderson, Kentucky, in 1810, 200 years ago this year. He was an ornithologist, naturalist, and painter. He also painted and catalogued the birds of North America in a more precise way than any other naturalist in this Nation's history.

Not only was he a tremendous painter, he also was a great businessman, and in 1816, he brought one of the first steam-powered saw-and-grist mills on the banks of the Ohio River to Kentucky.

To commemorate John James Audubon's commitment to his community and wildlife, the Commonwealth of Kentucky dedicated the John James Audubon State Park on October 3, 1934. It is an impressive structure designed as a replica of a Norman-French inn to honor Audubon's French heritage. The museum structure has a round tower in which there is a lot of nesting birds, I must say. A cobbled courtyard with a French garden graces the immediate grounds of the museum. It also contains the world's largest oils and water colors of birds. And today, the park enjoys thousands of visitors who come and admire the work of John James Audubon.

This year their bicentennial celebration has been occurring throughout the year, and it's going to end on October 23 in Henderson with a huge gala in the community celebrating the works of John James Audubon.

I would urge the Members of the House to support this legislation, and, once again, I want to thank both sides of the aisle for working with us on it.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and agree to the resolution, H. Res. 1508.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

MULTINATIONAL SPECIES CONSERVATION FUNDS SEMIPOSTAL STAMP ACT OF 2010

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1454) to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp.

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.

This Act may be cited as the ''Multinational Species Conservation Funds Semipostal Stamp Act of 2010''.

SEC. 2. MULTINATIONAL SPECIES CONSERVATION FUNDS SEMIPOSTAL STAMP.

(a) IN GENERAL.—In order to afford a convenient way for members of the public to contribute

to funding for the operations supported by the Multinational Species Conservation Funds, the United States Postal Service shall issue a semipostal stamp (hereinafter in this Act referred to as the ''Multinational Species Conservation Funds Semipostal Stamp'') in accordance with succeeding provisions of this section.

(b) COST AND USE.—

(1) IN GENERAL.—The Multinational Species Conservation Funds Semipostal Stamp shall be offered at a cost equal to the cost of mailing a letter weighing 1 ounce or less at the nonautomation single-piece first-ounce letter rate, in effect at the time of purchase, plus a differential of not less than 15 percent.

(2) VOLUNTARY USE.—The use of any semipostal issued under this section shall be voluntary on the part of postal patrons.

(3) SPECIAL RATE.—The special rate of postage of an individual stamp under this section shall be an amount that is evenly divisible by 5.

(c) OTHER TERMS AND CONDITIONS.—The issuance and sale of the Multinational Species Conservation Funds Semipostal Stamp shall be governed by the provisions of section 416 of title 39, United States Code, and regulations issued under such section, subject to subsection (b) and the following:

(1) DISPOSITION OF PROCEEDS.—

(A) IN GENERAL.—All amounts becoming available from the sale of the Multinational Species Conservation Funds Semipostal Stamp (as determined under section 416(d) of such title 39) shall be transferred to the United States Fish and Wildlife Service, for the purpose described in subsection (a), through payments which shall be made at least twice a year, with the proceeds to be divided equally among the African Elephant Conservation Fund, the Asian Elephant Conservation Fund, the Great Ape Conservation Fund, the Marine Turtle Conservation Fund, the Rhinoceros and Tiger Conservation Fund, and other international wildlife conservation funds authorized by the Congress after the date of the enactment of this Act and administered by the Service as part of the Multinational Species Conservation Fund.

(B) PROCEEDS NOT TO BE OFFSET.—In accordance with section 416(d)(4) of such title 39, amounts becoming available from the sale of the Multinational Species Conservation Funds Semipostal Stamp (as so determined) shall not be taken into account in any decision relating to the level of appropriations or other Federal funding to be furnished in any year to—

(i) the United States Fish and Wildlife Service; or

(ii) any of the funds identified in subparagraph (A).

(2) DURATION.—The Multinational Species Conservation Funds Semipostal Stamp shall be made available to the public for a period of at least 2 years, beginning no later than 12 months after the date of the enactment of this Act.

(3) LIMITATION.—The Multinational Species Conservation Funds Semipostal Stamp shall not be subject to, or taken into account for purposes of applying, any limitation under section 416(e)(1)(C) of such title 39.

(4) RESTRICTION ON USE OF FUNDS.—Amounts transferred under paragraph (1) shall not be used to fund or support the Wildlife Without Borders Program or to supplement funds made available for the Neotropical Migratory Bird Conservation Fund.

(d) DEFINITION.—For purposes of this Act, the term ''semipostal stamp'' refers to a stamp described in section 416(a)(1) of title 39, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H.R. 1454, the Multinational Species Conservation Funds Semipostal Stamp Act of 2009, that was introduced by our colleague from South Carolina, HENRY BROWN.

The Multinational Species Conservation Funds promote wildlife conservation around the world for keystone species, including great apes, tigers, and elephants. These programs consistently generate high-quality conservation projects and leverage $3 or $4 from non-Federal contributors for every Federal dollar spent.

Mr. Speaker, revenues generated from the sale of a wildlife semipostal stamp, as authorized under this legislation, would fund these important grant programs. I am a cosponsor of H.R. 1454 and supported its original passage by the House nearly a year ago. I urge my colleagues to support the amended version and send it on to the President so it may become law.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, having Congress authorize semipostal stamps to raise funds to support causes is indeed a rare event. As the ranking Republican on the Insular Affairs, Wildlife and Oceans Subcommittee, the gentleman from South Carolina, HENRY BROWN, was tireless in clearing this bill through the Committee on Government Oversight and Reform, the Committee on Natural Resources, and through the Senate. So I want to compliment the gentleman from South Carolina for his persistence and leadership in crafting this bipartisan bill.

With that, Mr. Speaker, I yield such time as he may consume to the author of this resolution, the gentleman from South Carolina (Mr. BROWN).

Mr. BROWN of South Carolina. I appreciate the gentleman from the State of Washington's yielding, my good friend DOC HASTINGS; and also Dr. CHRISTENSEN for her leadership on the other side of the aisle.

Mr. Speaker, I rise in strong support of H.R. 1454, a bill I was pleased to introduce along with the subcommittee chairlady, MADELEINE BORDALLO and 153 other Members of the House of Representatives.

This legislation was unanimously adopted by the House of Representatives on December 7, 2009, and it was approved by the Senate on July 29 of this year. Prior to its passage, the Senate made several modifications to H.R. 1454. These included a reduction in the duration of time that the semipostal stamp will be available to the public and a stipulation that only one flagship species may be depicted on the stamps.

I reviewed these changes and believe they do not undermine the fundamental goal of this measure, which is to create an alternative funding source for highly endangered African and Asian elephants, rhinoceroses and tigers, great apes and marine turtles at no cost to U.S. taxpayers.

While it is true that the U.S. Postal Service has had statutory authority to issue semipostal stamps for over a decade, it has been the Congress that has directed that they be issued for breast cancer research, 9/11 responders, and victims of domestic violence.

Under H.R. 1454, the American public would have the opportunity to support these six multinational species by purchasing these semipostal stamps. They would be sold at a premium price, and after the Postal Service has deducted all of its administrative costs, the remaining proceeds will be transferred to the U.S. Fish and Wildlife Service. It will be the Service's responsibility to select those conservation projects that best achieve the goal of protecting the remaining populations of these highly imperiled animals.

I am confident that once these stamps are available, they will be extremely popular with the American people. I have been assured that they will be widely sold at aquariums, post offices, and zoos throughout this country. Based on previous experience, we know that a large number of people will buy these semipostals and will never use them. As a result, the Postal Service will realize a significant profit from their sale.

This legislation offers us a unique opportunity to establish a new creative funding mechanism, for a limited period of time, at no cost to the American taxpayer, to help save some of the most iconic and endangered species on this planet.

Finally, I want to thank those Members who co-sponsored this legislation, and also Chairman RAHALL and ranking Republican DOC HASTINGS, Chairman ED TOWNS, and ranking Republican DARRELL ISSA, Chairman JOE LIEBERMAN and Senators SAM BROWNBACK and LINDSEY GRAHAM, as well as my friend from Columbia, South Carolina, the Honorable JIM CLYBURN, for his assisting in this effort.

I would also like to express my appreciation to the more than 40 conservation organizations that have assisted in this effort, including the Wildlife Conservation Society, the World Wildlife Fund, the Humane Society of the United States, the Association of Zoos and Aquariums, Feld Entertainment, and Safari Club International.

□ 1540

These groups worked tirelessly for the passage of this bill. I thank them.

I urge an ''aye'' vote on H.R. 1454. There is no question it will help stamp out extinction.

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

Mrs. CHRISTENSEN. Mr. Speaker, I also want to mention our colleague the gentlewoman from Guam's strong support for this bill. Though Ms. BORDALLO could not be here today to speak in support of H.R. 1454 as she is on Guam conducting official business, she asked that I relay her thanks to the gentleman from South Carolina for his efforts with this legislation, and for the bipartisan manner in which he has worked with her and all of our Members on the Democratic side of the aisle as the ranking member of the subcommittee.

I too am among the over 150 cosponsors of H.R. 1454, and recognize its value as a longtime member of the International Conservation Caucus. I continue to urge a ''yes'' vote.

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 the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1454.

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.

COLTSVILLE NATIONAL HISTORICAL PARK ACT

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5131) to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5131

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 ''Coltsville National Historical Park Act''.

SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) CITY.—The term ''city'' means the city of Hartford, Connecticut.

(2) COMMISSION.—The term ''Commission'' means the Coltsville National Historical Park Advisory Commission established by subsection 6(a).

(3) HISTORIC DISTRICT.—The term ''Historic District'' means the Coltsville Historic District.

(4) MAP.—The term ''map'' means the map titled ''Coltsville National Historical Park—Proposed Boundary'', numbered T25/102087, and dated May 11, 2010.

(5) PARK.—The term ''park'' means the Coltsville National Historical Park in the State of Connecticut.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) STATE.—The term ''State'' means the State of Connecticut.

SEC. 3. COLTSVILLE NATIONAL HISTORICAL PARK.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to paragraph (2), there is established in the State a unit of the National Park System to be known as the ''Coltsville National Historical Park''.

(2) CONDITIONS FOR ESTABLISHMENT.—The park shall not be established until the date on which the Secretary determines that—

(A) the Secretary has acquired by donation sufficient land or an interest in land within the boundary of the park to constitute a manageable unit;

(B) the State, city, or private property owner, as appropriate, has entered into a written agreement with the Secretary to donate at least 10,000 square feet of space in the East Armory which would include facilities for park administration and visitor services;

(C) the Secretary has entered into a written agreement with the State, city, or other public entity, as appropriate, providing that—

(i) land owned by the State, city, or other public entity within the Coltsville Historic District shall be managed consistent with this section; and

(ii) future uses of land within the historic district shall be compatible with the designation of the park and the city's preservation ordinance; and

(D) the Secretary has reviewed the financial resources of the owners of private and public property within the boundary of the proposed park to ensure the viability of the park based on those resources.

(b) BOUNDARIES.—The park shall include and provide appropriate interpretation and viewing of the following sites, as generally depicted on the map:

(1) The East Armory.

(2) The Church of the Good Shepherd.

(3) The Caldwell/Colt Memorial Parish House.

(4) Colt Park.

(5) The Potsdam Cottages.

(6) Armsmear.

(7) The James Colt House.

(c) COLLECTIONS.—The Secretary shall enter into a written agreement with the State of Connecticut State Library, Wadsworth Atheneum, and the Colt Trust, or other public entities, as appropriate, to gain appropriate access to Colt-related artifacts for the purposes of having items routinely on display in the East Armory or within the park as determined by the Secretary as a major function of the visitor experience.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the park in accordance with—

(1) this Act; and

(2) the laws generally applicable to units of the National Park System, including—

(A) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(b) STATE AND LOCAL JURISDICTION.—Nothing in this Act enlarges, diminishes, or modifies any authority of the State, or any political subdivision of the State (including the city)—

(1) to exercise civil and criminal jurisdiction; or

(2) to carry out State laws (including regulations) and rules on non-Federal land located within the boundary of the park.

(c) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—As the Secretary determines to be appropriate to carry out this Act, the Secretary may enter into cooperative agreements with the owner of any property within the Coltsville Historic District or any nationally significant properties within the boundary of the park, under which the Secretary may identify, interpret, restore, rehabilitate, and provide technical assistance for the preservation of the properties.

(2) RIGHT OF ACCESS.—A cooperative agreement entered into under paragraph (1) shall provide that the Secretary, acting through the Director of the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by the agreement for the purposes of—

(A) conducting visitors through the properties; and

(B) interpreting the properties for the public.

(3) CHANGES OR ALTERATIONS.—No changes or alterations shall be made to any properties covered by a cooperative agreement entered into under paragraph (1) unless the Secretary and the other party to the agreement agree to the changes or alterations.

(4) CONVERSION, USE, OR DISPOSAL.—Any payment by the Secretary under this subsection shall be subject to an agreement that the conversion, use, or disposal of a project for purposes contrary to the purposes of this section, as determined by the Secretary, shall entitle the United States to reimbursement in an amount equal to the greater of—

(A) the amounts made available to the project by the United States; or

(B) the portion of the increased value of the project attributable to the amounts made available under this subsection, as determined at the time of the conversion, use, or disposal.

(5) MATCHING FUNDS.—

(A) IN GENERAL.—As a condition of the receipt of funds under this subsection, the Secretary shall require that any Federal funds made available under a cooperative agreement shall be matched on a 1-to-1 basis by non-Federal funds.

(B) FORM.—With the approval of the Secretary, the non-Federal share required under subparagraph (A) may be in the form of donated property, goods, or services from a non-Federal source, fairly valued.

(d) ACQUISITION OF LAND.—Land or interests in land owned by the State or any political subdivision of the State may be acquired only by donation.

(e) TECHNICAL ASSISTANCE AND PUBLIC INTERPRETATION.—The Secretary may provide technical assistance and public interpretation of related historic and cultural resources within the boundary of the historic district.

SEC. 5. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 fiscal years after the date on which funds are made available to carry out this Act, the Secretary, in consultation with the Commission, shall complete a management plan for the park in accordance with—

(1) section 12(b) of Public Law 91–383 (commonly known as the National Park Service General Authorities Act) (16 U.S.C. 1a–7(b)); and

(2) other applicable laws.

(b) COST SHARE.—The management plan shall include provisions that identify costs to be shared by the Federal Government, the State, and the city, and other public or private entities or individuals for necessary capital improvements to, and maintenance and operations of, the park.

(c) SUBMISSION TO CONGRESS.—On completion of the management plan, the Secretary shall submit the management plan to—

(1) the Committee on Natural Resources of the House of Representatives; and

(2) the Committee on Energy and Natural Resources of the Senate.

SEC. 6. COLTSVILLE NATIONAL HISTORICAL PARK ADVISORY COMMISSION.

(a) ESTABLISHMENT.—There is established a Commission to be known as the Coltsville National Historical Park Advisory Commission.

(b) DUTY.—The Commission shall advise the Secretary in the development and implementation of the management plan.

(c) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 11 members, to be appointed by the Secretary, of whom—

(A) 2 members shall be appointed after consideration of recommendations submitted by the Governor of the State;

(B) 1 member shall be appointed after consideration of recommendations submitted by the State Senate President;

(C) 1 member shall be appointed after consideration of recommendations submitted by the Speaker of the State House of Representatives;

(D) 2 members shall be appointed after consideration of recommendations submitted by the Mayor of Hartford, Connecticut;

(E) 2 members shall be appointed after consideration of recommendations submitted by Connecticut's 2 United States Senators;

(F) 1 member shall be appointed after consideration of recommendations submitted by Connecticut's First Congressional District Representative;

(G) 2 members shall have experience with national parks and historic preservation;

(H) all appointments must have significant experience with and knowledge of the Coltsville Historic District; and

(I) 1 member of the Commission must live in the Sheldon/Charter Oak neighborhood within the Coltsville Historic District.

(2) INITIAL APPOINTMENTS.—The Secretary shall appoint the initial members of the Commission not later than the earlier of—

(A) the date that is 30 days after the date on which the Secretary has received all of the recommendations for appointments under paragraph (1); or

(B) the date that is 30 days after the park is established.

(d) TERM; VACANCIES.—

(1) TERM.—

(A) IN GENERAL.—A member shall be appointed for a term of 3 years.

(B) REAPPOINTMENT.—A member may be reappointed for not more than 1 additional term.

(2) VACANCIES.—A vacancy on the Commission shall be filled in the same manner as the original appointment was made.

(e) MEETINGS.—The Commission shall meet at the call of—

(1) the Chairperson; or

(2) a majority of the members of the Commission.

(f) QUORUM.—A majority of the Commission shall constitute a quorum.

(g) CHAIRPERSON AND VICE CHAIRPERSON.—

(1) IN GENERAL.—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

(2) VICE CHAIRPERSON.—The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson.

(3) TERM.—A member may serve as Chairperson or Vice Chairperson for not more than 1 year in each office.

(h) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—

(A) IN GENERAL.—Members of the Commission shall serve without compensation.

(B) TRAVEL EXPENSES.—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duty of the Commission.

(2) STAFF.—

(A) IN GENERAL.—The Secretary shall provide the Commission with any staff members and technical assistance that the Secretary, after consultation with the Commission, determines to be appropriate to enable the Commission to carry out the duty of the Commission.

(B) DETAIL OF EMPLOYEES.—The Secretary may accept the services of personnel detailed from the State or any political subdivision of the State.

(i) FACA NONAPPLICABILITY.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(j) TERMINATION.—

(1) IN GENERAL.—Unless extended under paragraph (2), the Commission shall terminate on the date that is 10 years after the date of the enactment of this Act.

(2) EXTENSION.—Eight years after the date of the enactment of this Act, the Commission shall make a recommendation to the Secretary if a body of its nature is still necessary to advise on the development of the park. If, based on a recommendation under this paragraph, the Secretary determines that the Commission is still necessary, the Secretary may extend the life of the Commission for not more than 10 years.

SEC. 7. AUTHORIZATION OF APPROPRIATION.

There is authorized to be appropriated $10,000,000 for the development of the park.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 5131 was introduced by the gentleman from Connecticut (Mr. LARSON) in April 2010. This bill would establish Coltsville National Historic Park on the former site of the Colt Fire Arms Company in Hartford, Connecticut.

H.R. 5131 would create the park as part of a collaborative partnership between willing public and private landowners in the Coltsville historic district. It would also help revitalize one of Hartford's most economically challenged neighborhoods with new investments.

A study conducted by the National Park Service found Coltsville to be of national significance but identified several technical challenges. Congressman LARSON has worked with the committee and the National Park Service to include provisions in the bill addressing all of the agency's concerns. Mr. LARSON is to be commended for his hard work on this legislation. This bill is good for the people of Connecticut, and it is good for our National Park System. I support H.R. 5131.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5131 proposes to create a new unit of the National Park System honoring the Colt family and their contribution to our Nation through the innovation of precision manufacturing. Unfortunately, Mr. Speaker, there has been so little precision, apparently, in developing this legislation, that even the National Park Service has opposed the bill.

I know the sponsor of this bill has worked extremely hard on this legislation, but the National Park Service conducted a study on this proposal and found that although the Coltsville site is ''nationally significant,'' there are so many unresolved issues that they were unable to conclude that the park proposal is feasible. In fact, they were unable to determine which parts of the site they would own or even manage.

Further complicating this proposal, the Park Service found—or rather I should say didn't find—that the public would have basic access to the site because it is under private ownership, among a variety of parties, including 55 condominiums and nine cottages.

It probably goes without saying that visitors to this park would want to see the factory where the famous revolvers and other firearms were produced. Upon their arrival, they will probably be very disappointed because, quoting the Park Service, ''no commitments to permit visitors internal access to the Colt Fire Arms factory building currently exist.''

How about a stop at the historic home of Samuel Colt? It is now a private, multiunit residential complex whose owners have determined that visitors touring through their homes would be, as the Park Service report states, ''problematic.''

Regardless of the will of these property owners, this legislation would create Federal boundaries around their property and raise serious questions about whether their property rights are being violated. We talked about that a few times earlier today. This is yet another reason why this bill in my view is not ready to move today.

In addition to the Park Service report, the agency testified in June on this legislation, and to quote from that testimony: ''The department does not support enactment of this legislation due to the uncertainty associated with the ownership and long-term financial sustainability of the Coltsville development project.''

They continue, ''In concert with the lack of feasibility, the study was also unable to determine the need for the National Park Service management, or specifically which resources the National Park Service would manage.''

As a very basic matter of priorities, I would remind my colleagues that the National Park Service already has a $9 billion maintenance backlog. Authorizing $10 million more for a new park that the Park Service doesn't believe is feasible to me makes no sense.

The American public is pleading for this Congress to stop out-of-control spending. While the concept and the intent behind this proposal may have merit, and I think it does have merit, we need to also acknowledge that the taxpayers will be on the hook for millions of dollars in rehabilitation costs just to prepare this site for visitors, if the visitors could get in, plus additional millions to manage the site from now to eternity.

Mr. Speaker, I remind my colleagues that at the request of this Congress,

the National Park Service conducted a study on this proposal and found substantial obstacles to it becoming a successful park. They reiterated that in testimony in June in front of the Natural Resources Committee. While this proposal may have its day, and I think it should have its day because of the historical significance of the Colt factory, in my view we are not there yet. So I urge my colleagues to oppose this legislation.

I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I am pleased to yield such time as he may consume to the chair of our caucus, the Honorable JOHN LARSON from Connecticut.

Mr. LARSON of Connecticut. I thank the gentlelady from the Virgin Islands, and I thank my colleague from Washington. I can't wait to invite him up to Coltsville so he will see the accessibility and be exposed to what is part of this Nation's industrial revolution and part of our DNA when it comes to manufacturing.

The gentleman points out clearly that the National Park Service has established its national significance. Its national significance, I think, is worth going into in as much as I don't think all of our colleagues here are aware of the great effort of Samuel Colt and actually his wife Elizabeth who managed the company for 39 years after his death. And even though she couldn't vote, managed one of the Nation's top companies that would have been then a Fortune Five company in this Nation. Indeed, its spawned the industrial revolution here. And as a lot of people know from the Colt signature iconic name, it was the gun that won the West. And I hope it wins your hearts today because along with recognizing its national historic significance and its suitability within the park system, it was modeled after what are difficult things for urban areas.

□ 1550

Unlike a lot of people out West who have spacious land, we are limited. This would be Connecticut's only national park because of its historic significance and also because of its economic significance. Hartford is the fourth poorest city in the Nation. Yes, there were obstacles that were put out in front over the last several years and then specifically in testimony. So, along with the committee, we sat down and worked through those issues.

The issues centered mainly around the third criterion, knowing it was nationally significant, that it was suitable within the scheme of things, and that it followed the precedent established in Lowell, established in Rosie the Riveter in California, and then also, most recently, established in 2010 with Patterson Falls. It follows all of those criteria, but it goes beyond that for exactly the points that the gentleman raises. This is why I think it is so important and why I encourage the dialogue.

We were on the phone with the National Park Service. They have no objection to this because this meets all of those criteria and those concerns. What are they?

First and foremost, the gentleman is correct, any time you are in an urban area, you are going to enter into different property rights concerns than you would in an area which is less congested, shall I say. The point is this:

Between all of the participants, including the Governor of the State, our economic development commission, the city of Hartford, their economic development commission, and the more than 88 property owners, everything was individually worked out. All are welcoming this with great pride and with the understanding of what this will mean to their city and with the understanding of what Coltsville and Elizabeth and Sam Colt mean to the State of Connecticut. This is, perhaps, not important to everybody here; but in a small State and in a small city that is economically depressed, it is enormously important.

The gentleman raises the point that there were feasibility questions raised. There were. The developer has been replaced with a major and significant developer who has the feasibility and capability. A cap has been placed on any potential liability and cost for the National Park Service, which is another important hurdle, I dare say, which is not in most pieces of legislation. It is also with the understanding that the Park Service has veto power over this legislation, even though all of the hurdles have been addressed, should it prove not to be economically feasible.

So I would plead with my colleague. I know, perhaps, in terms of the norm of national parks in an urban setting that in a congested and densely populated area like Connecticut, it's not going to meet a lot of those criteria. There are going to be property concerns. Though, you can go bipartisanly within your State, work with all the development authorities, go within the neighborhoods, work with everybody in the neighborhood, and then can look at this historic significance. Henry Ford went there to make sure he studied the assembly line. Pratt & Whitney were both apprentices there. It spawned the typewriter, the bicycle. The automobile we can even take credit for, though we are here to talk about the significance and the importance of this historic landmark.

The urgency is that this structure, the 10,000 square feet that actually the Park Service would be in charge of, is in desperate need, in urgent need. It should have been passed years ago. This is a tough process. We have worked—and I really implore my colleagues, and many of you know this from having gone through this locally—to have every local entity, down to the basic property holder, sign off on this enthusiastically, to experience all of the different hurdles that we have had to overcome and to go forward bipartisanly with the Governor of the State of Connecticut. I think it underscores how important this is to our great State of Connecticut.

With that, Mr. Speaker, I would urge its passage.

I understand the concerns that you have raised, but the Park Service has absolute veto power over that, and I think we in good faith have met every single one of those concerns. It is my hope that any disagreement or lack of understanding that has transpired can be overcome. Yet the urgency of this passage, of its importance and significance, I'd say to my good colleague and friend, is truly important to the people of the State of Connecticut.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. LARSON of Connecticut. I yield to the gentleman.

Mr. HASTINGS of Washington. We may as well have a discussion here. If you need time, I will yield the time.

First of all, I can see the passion that the gentleman has on this issue. Coming from the West, where that manufacturing facility won the West, I can understand that and respect that, but I do want to point out that there is a process here.

We had a hearing on this in June. The Park Service expressed their concerns here in testimony. I quoted part of those concerns. They expressed their concerns, and we expressed some concerns that we may have had because the private property aspect to it was part of the dialogue. We marked the bill up in July, once again, expressing our concerns.

I am one who respects when Members want to put something in their districts. Listen, they know their districts better than anybody else, and they should be given a lot of leeway; but there is a responsibility, if we are going to have national input, to know what the facts are so that we can respond accordingly, as it is not just the citizen taxpayers of Connecticut who are funding this; it is the taxpayers of the 50 States, so we need to have some answers.

Now, this bill was put on the suspension calendar last night. I have checked with my staff. We have yet to hear from the Park Service as to if it has changed its mind or not. You alluded to that fact, but we haven't gotten anything at all.

The gentleman knows that the approval rating of this Congress is very, very low, and it is precisely for these reasons. Even though we don't have the answers, albeit on a project that is small in terms of the overall scope of the Federal Government, it deserves to have answers, especially when we have been working on this. You said that you've been working on it, I think, if not publicly, then in private conversations for at least 10 years. These concerns that we have raised go back to this summer. They should at least be raised or answered, and they have not been adequately answered.

So, in the waning days of this session, I will tell the gentleman that I am more than willing to work with him, if this does not pass the Congress this year, to get these things resolved so that, indeed, we can memorialize that factory. Yet, with the information I have right now, I respectfully say to my friend that we have focused on the Park Service, but there is a cost associated with this, which I alluded to in my opening remarks, and there is a private property aspect. Those are all important issues.

With that, I thank the gentleman for yielding, but I have to say that I oppose this, and I am going to urge my colleagues to vote ''no,'' though I certainly want to revisit this sometime in the future so we can get this legislation passed.

Mr. LARSON of Connecticut. I thank the gentleman for his comments.

The future for the city of Hartford and for Coltsville is now, and the sense of urgency is upon us. My good friend and colleague from Washington State is an honest broker and an independent person.

I appreciate your comments and everything that you attributed to my enthusiasm and zeal. Let me say that that extends to the people of the State of Connecticut, as I indicated in a nonpartisan way, who are very much committed to this.

The gentleman is correct that at the hearing, which I believe was in June, these issues were raised. We then sat down with the Park Service, and we addressed every one of their concerns. Representative GRIJALVA then introduced an amendment that we felt addressed those concerns as well.

□ 1600

In the push-and-shove of business here in Congress and on the floor, I understand sometimes in the process—and certainly the gentleman is correct in making process points. I just would say that this goes beyond process in terms of what it means.

We are a small State, Connecticut, but a very proud State. This is a project—certainly, everybody recognizes—that has national significance and historic value and deserves to be preserved. The problem is that postponing it yet again doesn't work.

And so I understand your position, but I would implore people on the other side of the aisle. If you were in a similar situation—and understanding all the fiscal responsibility that we have as a Congress, and to say that you have ultimate veto power that you give to the National Park Service that the project cannot go forward unless everything has been met—and the State, its economic development authority, the City of Hartford, its municipality authority, all the property owners all embrace this and have done so enthusiastically. And the National Park Service has signed off on it, they told me.

I respect what the gentleman said, you haven't received that. That's unfortunate and unfair. I know you don't doubt my word, and I certainly don't doubt yours. I can only ask and implore that you support this, what I think is a very important and nationally significant bill.

Mr. HASTINGS of Washington. Mr. Speaker, I have made my points on this. I appreciate the gentleman's input, but I stand by my opening remarks on this just because we haven't got the information. So I urge my colleagues to vote ''no'' on this.

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

Mrs. CHRISTENSEN. Mr. Speaker, I urge my colleagues on both sides of the aisle to support this important legislation.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LANGEVIN). The question is on the motion offered by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 5131, as amended.

The question was taken.

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

STRENGTHENING MEDICARE ANTI-FRAUD MEASURES ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6130) to amend title XI of the Social Security Act to expand the permissive exclusion from participation in Federal health care programs to individuals and entities affiliated with sanctioned entities, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6130

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 ''Strengthening Medicare Anti-Fraud Measures Act of 2010''.

SEC. 2. PERMISSIVE EXCLUSION FROM FEDERAL HEALTH CARE PROGRAMS EXPANDED TO INDIVIDUALS AND ENTITIES AFFILIATED WITH SANCTIONED ENTITIES.

Section 1128(b)(15) of the Social Security Act (42 U.S.C. 1320a–7(b)(15)) is amended to read as follows:

''(15) INDIVIDUALS OR ENTITIES AFFILIATED WITH A SANCTIONED ENTITY.—(A) Any of the following:

''(i) Any individual who—

''(I) is a person with an ownership or control interest (as defined in section 1124(a)(3)) in a sanctioned entity or an affiliated entity of such sanctioned entity (or was a person with such an interest at the time of any of the conduct that formed a basis for the conviction or exclusion described in subparagraph (B)); and

''(II) knows or should know (as defined in section 1128A(i)(7)) (or knew or should have known) of such conduct.

''(ii) Any individual who is an officer or managing employee (as defined in section 1126(b)) of a sanctioned entity or affiliated entity of such sanctioned entity (or was such an officer or managing employee at the time of any of the conduct that formed a basis for the conviction or exclusion described in subparagraph (B)).

''(iii) Any affiliated entity of a sanctioned entity.

''(B) For purposes of this paragraph, the term 'sanctioned entity' means an entity—

''(i) that has been convicted of any offense described in subsection (a) or in paragraph (1), (2), or (3) of this subsection; or

''(ii) that has been excluded from participation under a program under title XVIII or under a State health care program.

''(C)(i) For purposes of this paragraph, the term 'affiliated entity' means, with respect to a sanctioned entity—

''(I) an entity affiliated with such sanctioned entity; and

''(II) an entity that was so affiliated at the time of any of the conduct that formed the basis for the conviction or exclusion described in subparagraph (B).

''(ii) For purposes of clause (i), an entity shall be treated as affiliated with another entity if—

''(I) one of the entities is a person with an ownership or control interest (as defined in section 1124(a)(3)) in the other entity (or had such an interest at the time of any of the conduct that formed a basis for the conviction or exclusion described in subparagraph (B));

''(II) there is a person with an ownership or control interest (as defined in section 1124(a)(3)) in both entities (or had such an interest at the time of any of the conduct that formed a basis for the conviction or exclusion described in subparagraph (B)); or

''(III) there is a person who is an officer or managing employee (as defined in section 1126(b)) of both entities (or was such an officer or managing employee at the time of any of the conduct that formed a basis for the conviction or exclusion described in subparagraph (B)).''.

SEC. 3. BUDGETARY EFFECTS OF PAYGO LEGISLATION.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. 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 New Jersey?

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 6130. The legislation expands the authority of the Health and Human Services Office of Inspector General to allow it to ban corporate executives from doing business with Medicare if their companies were convicted of fraud. It also gives the inspector general the ability to exclude parent companies that may be committing fraud through shell companies.

This important bill will close two loopholes in current law so that criminal offenders who defraud our Nation's seniors will have to pay for their crimes. Mr. Speaker, for every dollar put into the pockets of criminals, a dollar is taken out of the system to provide much-needed care to millions of Medicare patients, including two of our Nation's most vulnerable populations—seniors and the disabled.

This morning, my subcommittee held a hearing on Medicare fraud in which we talked about the many important provisions of the new health care law that will assist CMS, the OIG, and the Justice Department in identifying abusive suppliers and fraudulent billing practices. In that hearing, we heard from the inspector general about how this bill will help fight fraud by closing two remaining gaps.

The first gap allows an executive who has left the company being charged with fraud by the time of conviction to continue to participate in Federal health programs. This shortfall willingly permits these criminals to move from one company to another and continue to steal from Medicare seniors and taxpayers. H.R. 6130 would give the OIG the authority to ban these executives from doing business with Medicare.

The second gap allows companies that engage in fraud who have set up shell companies to insulate themselves from liability and get off scot-free. Once these shell organizations dissolve, there is no real penalty to the parent company. So H.R. 6130 would give the OIG the authority to ban these parent companies from doing business with Medicare.

Mr. Speaker, all forms of fraud undermine the integrity of our public health system, and I applaud my colleagues from the Ways and Means Committee—particularly Mr. STARK—for working on this important legislation.

I urge my colleagues to support this bill.

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

Mr. WHITFIELD. Mr. Speaker, I rise today to support H.R. 6130, a commonsense solution to combating fraud in Medicare. This legislation will provide the Health and Human Services Office of the Inspector General with tools to properly combat Medicare fraud.

First, it will close an important loophole in current law and give the Office of the Inspector General additional authority to fight fraud. Under current law, for example, if an executive leaves a company before the company is convicted of Medicare fraud, that executive cannot be barred from participating in Federal health programs. Under current law, an executive intent on defrauding Medicare could simply move from one company to another and continue to inequitably use American taxpayers' money.

Second, this law will prevent companies from hiding behind corporate shells. Some companies use shell companies to protect the parent company from any liability. If the company is caught participating in fraud, the shell could be dissolved, leaving the parent company fully intact. Under this bill, the Office of Inspector General can exclude parent companies when such punishment is merited.

I am glad that we are continuing to find ways to combat fraud in Medicare because we know that health care costs are out of control. And I might say, I am sure every Member had the same experiences that I did when we were home over this recent 3-week work period in which people were coming up asking all sorts of questions about the health care reform bill, and we really do not know the answers to it because HHS is basically going to be writing these regulations. And we are not going to fully know the outcome of this legislation for many years to come, which I think merits, once again, the importance of starting to have oversight hearings to have some questions answered that the American people are asking for.

□ 1610

I would ask unanimous consent at this time to yield the balance of my time to the gentleman from California (Mr. HERGER).

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

There was no objection.

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

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that the gentleman from California (Mr. STARK), the Health Subcommittee chair on the Ways and Means Committee, control the remainder of the time on the majority side.

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

There was no objection.

Mr. STARK. Mr. Speaker, I yield myself such time as I may consume and rise in support of H.R. 6130, which strengthens the Medicare Anti-Fraud Measures Act, as you have heard described here.

This bipartisan fraud and abuse-fighting legislation was co-authored by our ranking member, Mr. HERGER, and was cosponsored on our side of the aisle by Mr. LEWIS, who chairs the Oversight Subcommittee on Ways and Means.

It was developed in a way that I think Congress should do more legislation. It was a problem that was called to the attention of Mr. HERGER and myself, and we worked together with the Office of the Inspector General and the Centers for Medicare and Medicaid and expanded the authority to ban executives from companies who have been convicted of fraud from the program.

As you have heard, many of those executives can come back and repeatedly take money from the Medicare or Medicaid program to which they're not entitled, and this would put an end to that. It expands the permissive authority to exclude affiliates, and it sees that the funds thereby go to the services that beneficiaries need. The bill has been endorsed by AARP, which states that the bill would expand the authority of the United States Health and Human Services to accomplish just that.

I want to thank my ranking member, Mr. HERGER, and Mr. LEWIS, for cooperating on this. I think we have unanimous agreement that it's a bill that's necessary, a bill that will reduce fraud and abuse, and a bill that will aid the Medicare and Medicaid programs.

I reserve the balance of my time.

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

Mr. Speaker, there is broad agreement that more needs to be done to combat waste, fraud, and abuse in Medicare. In fact, fraud is such an issue in Medicare, that the chief counsel to the HHS Inspector General, Lewis Morris, who testified before the Ways and Means Health Subcommittee this summer, said, ''A lot of career criminals and organized criminals have decided that building a Medicare fraud scam is far safer than dealing in crack or dealing in stolen cars, and it's far more lucrative. Right now, it's a good bet that you can take millions from us, and chances are you're not going to get caught.''

Mr. Speaker, it's clear more must be done to ensure that taxpayer dollars and seniors' premiums are being used wisely and efficiently. That is why Chairman STARK and I authored the legislation before us today, H.R. 6130, the Strengthening Medicare Anti-Fraud Measures Act.

When Mr. Morris testified at our subcommittee, he identified ways in which the current law could be improved. This legislation seeks to address those areas.

The bill makes two improvements to current law. First, it provides authority to exclude from Federal health programs executives whose companies have been convicted of fraud. The HHS Office of Inspector General would be allowed to exclude executives who were in positions of authority at the time the fraud was committed but subsequently left those positions.

Because the current statute is written in the present tense, it only punishes officers, managing employees, and owners at the exact time OIG levels punishment. Therefore, the individual who was the CEO of a company that engaged in criminal fraud can

evade Medicare penalties if he or she resigns before the company is convicted. The ex-CEO is then free to take on jobs with other health care entities and commit fraud all over again.

Under H.R. 6130, OIG could exclude the individuals who are responsible corporate officials at the time fraud was being committed, regardless of where they are employed later.

The second change this bill makes prevents companies that are convicted of fraud from hiding behind corporate shells and evading punishment. The bill does this by strengthening OIG's ability to impose penalties on corporations affiliated with convicted entities, or to use ''permissive exclusion'' authority to exclude them from program participation.

Currently, corporations that engage in health care fraud can resolve the criminal case through a guilty plea of a non-operating subsidiary. OIG's only remedy in such a case doesn't allow for any meaningful punishment against the company that's actually behind the Medicare fraud.

This legislation gives OIG the authority to exclude corporate parents or other affiliates from the Medicare program so that OIG will be better positioned to require significant changes at these companies beyond the remedies that are generally required in civil cases. This would provide a significant incentive to corporate parents to promote compliance and police the activities within their corporate families.

With these additional tools, OIG will be better able to stop those individuals who commit fraud but who have been able to stay one step ahead of law enforcement, saving taxpayer dollars and protecting seniors.

Medicare fraud is a crime that hurts senior citizens, law-abiding health care providers, and every American who pays taxes.

I thank Chairman STARK for working with me on this legislation and urge the support of my colleagues.

I reserve the balance of my time.

Mr. STARK. Mr. Speaker, at this time I would like to yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), the distinguished chair of our Oversight Subcommittee on Ways and Means, who, like Mr. HERGER, recognizes the seriousness of this problem and was helpful in our hearings in calling attention to many of the problems.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend, my colleague, Chairman STARK, for yielding time.

Mr. Speaker, we as a Nation have a duty to provide the very best health care to our seniors and our disabled brothers and sisters. For them, Medicare is a blessing, a lifeline.

Each time someone steals money from Medicare, it weakens the public trust, it hurts our seniors, and threatens the future of Medicare. We must not, and we will not allow, criminals to rob Medicare. If you defraud Medicare once, you will never, ever do it again. CEOs who defraud Medicare should not be able to simply move to a different company and continue to bill Medicare. Their companies should not be able to hide behind corporate shells that rob Medicare. This legislation will strengthen the anti-fraud laws and stop these bad practices.

□ 1620

I want to thank Mr. HERGER and again the chairman of our Subcommittee on Health, Chairman STARK, for working side by side with the Oversight Subcommittee to end these abuses.

I ask all my colleagues on both sides of the aisle to support this necessary bipartisan bill.

Mr. HERGER. In closing, I urge all Members to vote ''yes'' on H.R. 6130, and I yield back the balance of my time.

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

I want to thank my distinguished ranking member for his support and work in bringing this bill to the floor, and thank the staff who have worked on this bill; John Barket, who was a fellow in our subcommittee, got it started. He has now moved to Health and Human Services, but I wanted to recognize his leadership. I would like to thank Erik Rasmussen and Dan Elling on Mr. HERGER's staff for their work and help in this area. And as always, Debbie Curtis and Hannah Neprash on my subcommittee as well for their good work. And again to thank Mr. HERGER for joining with us to see that we bring an end to these bad practices.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6130, 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.

EMERGENCY MEDIC TRANSITION ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3199) to amend the Public Health Service Act to provide grants to State emergency medical service departments to provide for the expedited training and licensing of veterans with prior medical training, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3199

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 ''Emergency Medic Transition Act of 2010'' or the ''EMT Act of 2010''.

SEC. 2. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO BECOME STATE-LICENSED OR CERTIFIED EMERGENCY MEDICAL TECHNICIANS (EMTS).

(a) IN GENERAL.—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 314 the following:

''SEC. 315. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO BECOME STATE-LICENSED OR CERTIFIED EMERGENCY MEDICAL TECHNICIANS (EMTS).

''(a) PROGRAM.—The Secretary shall establish a program consisting of awarding grants to States to assist veterans who received and completed military emergency medical training while serving in the Armed Forces of the United States to become, upon their discharge or release from active duty service, State-licensed or certified emergency medical technicians.

''(b) USE OF FUNDS.—Amounts received as a grant under this section may be used to assist veterans described in subsection (a) to become State-licensed or certified emergency medical technicians as follows:

''(1) Providing to such veterans required course work and training that take into account, and are not duplicative of, medical course work and training received when such veterans were active members of the Armed Forces of the United States, to enable such veterans to satisfy emergency medical services personnel certification requirements in the civilian sector, as determined by the appropriate State regulatory entity.

''(2) Providing reimbursement for costs associated with—

''(A) such course work and training; or

''(B) applying for licensure or certification.

''(3) Expediting the licensing or certification process.

''(4) Entering into an agreement with any institution of higher education, or other educational institution certified to provide course work and training to emergency medical personnel, for purposes of providing course work and training under this section if such institution has developed a suitable curriculum that meets the requirements of paragraph (1).

''(c) ELIGIBILITY.—To be eligible for a grant under this section, a State shall demonstrate to the Secretary's satisfaction that the State has a shortage of emergency medical technicians.

''(d) REPORT.—The Secretary shall submit to the Congress an annual report on the program under this section.

''(e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $5,000,000 for each of fiscal years 2011 through 2015.''.

(b) GAO STUDY AND REPORT.—The Comptroller General of the United States shall—

(1) conduct a study on the barriers experienced by veterans who received training as medical personnel while serving in the Armed Forces of the United States and, upon their discharge or release from active duty service, seek to become licensed or certified in a State as civilian health professionals; and

(2) not later than 2 years after the date of the enactment of this Act, submit to the Congress a report on the results of such study, including recommendations on whether the program established under section 315 of the Public Health Service Act, as added by subsection (a), should be expanded to assist veterans seeking to become licensed or certified in a State as health providers other than emergency medical technicians.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 3199, the Emergency Medic Transition Act of 2010. H.R. 3199 will help military medics transition to work as civilian emergency medic technicians. This bill authorizes grants for States that have a shortage of emergency medic technicians to create programs to train returning veterans with emergency medical training that they become State-certified EMTs.

The goal of this legislation is twofold: to help vets with medical training transition back into civilian life and to shore up our civilian emergency response capabilities, particularly in States with a demonstrated need for these services. Programs like the ones authorized by this legislation may be helpful for veterans with other health care experience. That's why this legislation also requires the GAO to conduct a study to understand the barriers experienced by returning vets with medic experience from becoming civilian health care professionals. GAO will make recommendations to Congress whether it makes sense to expand this program to other health care professions.

I would like to thank in particular of course Representative HARMAN and Representative SARBANES, both from our Energy and Commerce Committee, for their dedication to and leadership on this important issue.

I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I rise today also in support of H.R. 3199, the Emergency Medic Transition Act.

This legislation would provide grants to States with a shortage of EMTs to assist veterans who have completed military emergency training and assist them in becoming State-licensed or certified EMTs.

Through their service in the Armed Forces, these veterans have received some of the best emergency response training available. Our Nation is currently blessed with thousands of men and women who, through their honorable service in Iraq and Afghanistan and around the world, are equipped with unmatched credentials and vast practical experience.

We have heard of stories from around the country of there being a shortage of EMTs and about the training and licensing barriers returning veterans face when they transition to the civilian workforce. If the Federal Government has provided training in emergency management services to these veterans, it would be beneficial to use that investment to fill EMT needs in communities once the veteran has left the service. It makes sense to me that we should help veterans with life-saving skills to use them in our communities after they come home.

I would certainly like to thank also Congresswoman HARMAN and Chairman PALLONE as well as Congressman BUYER of Indiana, all of whom have worked hard on this legislation.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield to the bill's sponsor, the gentlewoman from California (Ms. HARMAN), such time as she may consume.

Ms. HARMAN. Mr. Speaker, I want to thank my friend and subcommittee chair, Mr. PALLONE, and his ace staff for working to bring this bipartisan bill, the Emergency Medic Transition, or EMT Act, to the floor. I also want to thank Mr. SARBANES, Mr. WHITFIELD, Mr. BUYER and others for their support in committee. Truly, it might be said that bipartisanship broke out in our committee during the debate on this bill.

As you heard from Mr. PALLONE, the bill will help our brave men and women who serve as medics in Afghanistan and Iraq to transition into EMT jobs when they return. The act authorizes grants for States that have a shortage of EMTs to create a fast-track program for vets who received and completed military emergency medical training to become emergency responders. The funds authorized in this bill can be used to provide coursework and training, and reimbursement for the cost of coursework, and any certification fees.

Obviously, the bill is a win-win for the country and our vets. Its passage will enhance the surge capacities of local medical facilities and provide jobs for our vets, especially during this critical economic downturn.

It is worth noting that the unemployment rate last year for Iraq and Afghanistan veterans 18 to 24 years old was 21.1 percent. Let me repeat that. Our returning vets' unemployment rate was 21.1 percent unemployment, which is significantly higher than the 16.6 percent rate for nonveterans of the same age.

Presently, military medics who wish to become first responders must restart their training from scratch, fulfilling the same entry level criteria as people with no prior training or experience. These duplicative efforts waste time, money, and talent. At the same time, many hospitals and emergency medical services throughout the country operate at or near capacity, and a terrorist attack or natural disaster would result in a surge of patients that would overwhelm medical facilities. Correcting this requires having the largest possible pool of experienced medical personnel on hand.

With military medics' recent experience administering trauma care in Afghanistan and Iraq, these vets are ideally suited to respond to large-scale medical emergencies. They are ideal first responders, making life or death decisions amid a backdrop of chaos and confusion. Their work at the scenes of IED attacks, suicide bombings, and firefights prepares them for this.

In conclusion, the GAO study that Mr. PALLONE referenced will report on barriers experienced by veteran medics and whether or not we should expand this program to other health care providers.

I urge support for the bill. It demonstrates in tangible form our appreciation for the service and skills of our returning military medics.

□ 1630

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

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to the other person who did a lot of work on their legislation, the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. I thank the gentleman for yielding.

I rise in strong support of this bill, and I salute Congresswoman HARMAN for her excellent work on this and perceiving where there was a need and how that need could be met.

There are plenty of studies out there, and there's also a lot of anecdotal evidence that there are really severe shortages across our health workforce, and this is an area to which I brought particular attention, looking at where these shortages are, in trying to think not just how we look at the traditional pipelines to bring people into these positions, but how we think outside of the box at some of the nontraditional sources where we can find the expertise and the experience to bring that through the pipeline and to fill these shortages.

H.R. 3199 proposes a very innovative way to meet the needs that we have across the country for emergency medical technicians. It recognizes that military medics who are returning have acquired very valuable experience during their service, which positions them extremely well to meet those needs and to fill those positions.

It also recognizes that there's obstacles, that there's significant costs sometimes associated with the training that goes with certification, that it can be difficult in terms of getting that done in a timely fashion. What this bill does is address those issues. It would award grants to States to begin to streamline the licensing process, provide some resources to assist with the costs of training, and do other things to basically expedite this process of getting these experienced people into these jobs where we need them.

It makes a lot of common sense. I think that's why it's garnered bipartisan support, and I certainly urge my colleagues to support it.

Mr. PALLONE. Mr. Speaker, I yield such time as she may consume to the

gentlewoman from South Dakota, Congresswoman HERSETH SANDLIN.

Ms. HERSETH SANDLIN. I thank the chairman, the gentleman from New Jersey, for yielding.

Mr. Speaker, I rise today in strong support of H.R. 3199, the Emergency Medic Transition Act of 2010. This is a collaborative effort, and I would like to thank Representatives HARMAN, BEAN, SARBANES and so many others for their collaborative partnership on drafting the bill.

I also want to thank Representative STEVE BUYER with whom I have worked closely on the Veterans' Affairs Committee. Representative BUYER offered some commonsense suggestions as the ranking member of our full committee on how to improve H.R. 3199. He is also a member of the House Energy and Commerce Committee, and he helped make the final product a better piece of legislation.

This bill takes important steps to improve the ability of veterans to translate their military experience into the civilian workforce, specifically working to help veterans with military medical experience to become civilian emergency medical technicians. The legislation creates a grant program that will assist individual States in the creation of a fast-track EMT certification process that takes into account the experience a veteran gained while serving in the military.

Recent estimates from the United States Bureau of Labor Statistics suggests that veterans between the ages of 18 and 24 had an unemployment rate of 21.6 percent in 2009. This is a terribly troubling number and the Veterans' Affairs Economic Opportunity Subcommittee, which I have the honor of chairing, has held a series of hearings during the 111th Congress on a variety of issues related to veterans employment.

These hearings have shown that one of the critical barriers facing newly separated veterans trying to enter the workforce is the challenge of translating their military experience to the civilian market. So I am pleased that the legislation the House is considering today not only increases access to health care, but does so by increasing employment opportunities for veterans and allows them to use their skills gained in service to our country to serve their local communities in civilian life.

H.R. 3199 also requires an assessment of whether this new program should be expanded to help veterans with medical training to obtain certification in other health professions.

I urge all of my colleagues on both sides of the aisle to support this important legislation.

Mr. PALLONE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. I thank the chairman very much for presiding over this very important legislation. As I have noted, any number of bills from the Energy and Commerce committee have been very constructive.

I thank the manager from our friends on the other side of the aisle, and I thank in particular Representative HARMAN and the collaborative effort between Energy and Commerce and, as well, Veterans' Affairs.

This bill, modest in funding—and I would like to emphasize that before I even speak about its importance—modest in funding, $5 million per year between 2011, I believe, and 2015, takes an important step toward the value that we place on our service men and women. One, we thank them while they are serving, and we have made a commitment to thank them when their service is finished.

My State happens to be unique in having the highest percentage of returning soldiers, in particular from Iraq and Afghanistan, in the State of Texas. In addition, many of you are aware of many of the bases in our State, but, as well, you are aware of the horrific tragedy that occurred at Fort Hood just a few months ago and, of course, coming up on its first-year recognition.

In that instance, many were lost, but some were injured; and the idea of using soldiers who have been trained by the military to return home for first responder utilization is a brilliant idea and one that is long in coming. It is well known that veterans do have a higher unemployment in the general population in many instances.

But also, Mr. Speaker, we know that many of our veterans, because of a number of serious issues, find themselves homeless. Where is our continued promise about treating them with the same respect and dignity that we have done so while they were in the service and then when they are out?

So this particular legislation, H.R. 3199, does two things that I think are enormously important, takes advantage of the important talent that is coming home, that wonderful training that saves lives on the battlefield to use in America's emergency rooms.

Then I was so delighted to be able to hear that as we move to have this massive and important change in medical reform, health care reform that is going to save lives—particularly, I think, tomorrow will be a number of new provisions coming out in the health care bill—now we have the ability to assess the training of these very fine men and women to serve in America's medical professions. This is key. It's a great partnership.

I thank the author of the bill. I rise to support it. I am loudly saying to those who are returning home to Texas and other States around the Nation that we now have an opportunity to use your great talents to save lives, to be in America's hospitals, to be in fire stations, to assist police officers and to be there when danger and disaster comes to face Americans on the home soil.

What better way of using the great talent that we have. The men and women who were willing to offer their lives on the battlefield now can come home and serve their fellow Americans in one of the highest professions we have and that is the health care profession, where you can say that no matter where you are, you have the ability to save lives.

I ask my colleagues to support enthusiastically H.R. 3199.

Mr. BUYER. Mr. Speaker, I rise today in support of H.R. 3199 the "Emergency Medic Transition (EMT) Act." This bill, introduced by Congresswoman HARMAN, was originally included as an amendment to the House passed version of the Health Reform bill. Congresswoman HARMAN, at my request, kindly withdrew the amendment so we could properly vet this with our VA Committee professional staff. I want to thank Congresswoman HARMAN for allowing my staff to review the bill and contribute suggestions. I am pleased to announce my full support of this legislation to help veterans and states alike.

By funding this HHS program that will award grants to state entities with jurisdiction over emergency medical personnel training and licensing, states will be provided the resources for our veterans to receive the EMT training and certification they need, help fill state shortages in emergency medical technicians, and avoid duplicative training courses and costs. Further, the included GAO study will help Congress assess the program's effectiveness going forward.

Licensing and certification of returning veterans for civilian jobs for skills that they have been trained and are well-experienced in from their military service has been a long standing point of frustration and a barrier to many returning veterans finding meaningful employment in a timely manner. Recent reports from the Bureau of Labor Statistics show that the unemployment rate among our newest cohort of veterans is at an alarming rate of 19.3% for the month of August. It is my hope that H.R. 3199 will alleviate a portion of this problem and help our combat medics get their EMT licenses with as little bureaucratic red tape as possible.

Lastly, in order for this bill to meet its full intent and potential, it is critical for the Governors of our states to swiftly create consistent licensing standards necessary to fill EMT shortages and put veterans to work. I look forward to working with the states to accomplish this goal.

Mr. PALLONE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 3199, as amended.

The question was taken.

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

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further

proceedings on this motion will be postponed.

□ 1640

NATIONALLY ENHANCING THE WELLBEING OF BABIES THROUGH OUTREACH AND RESEARCH NOW ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3470) to authorize funding for the creation and implementation of infant mortality pilot programs in standard metropolitan statistical areas with high rates of infant mortality, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3470

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 ''Nationally Enhancing the Wellbeing of Babies through Outreach and Research Now Act'' or the ''NEWBORN Act''.

SEC. 2. INFANT MORTALITY PILOT PROGRAMS.

Section 330H of the Public Health Service Act (42 U.S.C. 254c–8) is amended—

(1) by redesignating subsection (e) as subsection (f);

(2) by inserting after subsection (d) the following:

''(e) INFANT MORTALITY PILOT PROGRAMS.—

''(1) IN GENERAL.—The Secretary, acting through the Administrator, shall award grants to eligible entities to create, implement, and oversee infant mortality pilot programs.

''(2) PERIOD OF A GRANT.—The period of a grant under this subsection shall be 5 consecutive fiscal years.

''(3) PREFERENCE.—In awarding grants under this subsection, the Secretary shall give preference to eligible entities proposing to serve any of the 15 counties or groups of counties with the highest rates of infant mortality in the United States in the past 3 years.

''(4) USE OF FUNDS.—Any infant mortality pilot program funded under this subsection may—

''(A) include the development of a plan that identifies the individual needs of each community to be served and strategies to address those needs;

''(B) provide outreach to at-risk mothers through programs deemed appropriate by the Administrator;

''(C) develop and implement standardized systems for improved access, utilization, and quality of social, educational, and clinical services to promote healthy pregnancies, full-term births, and healthy infancies delivered to women and their infants, such as—

''(i) counseling on infant care, feeding, and parenting;

''(ii) postpartum care;

''(iii) prevention of premature delivery; and

''(iv) additional counseling for at-risk mothers, including smoking cessation programs, drug treatment programs, alcohol treatment programs, nutrition and physical activity programs, postpartum depression and domestic violence programs, social and psychological services, dental care, and parenting programs;

''(D) establish a rural outreach program to provide care to at-risk mothers in rural areas;

''(E) establish a regional public education campaign, including a campaign to—

''(i) prevent preterm births; and

''(ii) educate the public about infant mortality; and

''(F) provide for any other activities, programs, or strategies as identified by the community plan.

''(5) LIMITATION.—Of the funds received through a grant under this subsection for a fiscal year, an eligible entity shall not use more than 10 percent for program evaluation.

''(6) REPORTS ON PILOT PROGRAMS.—

''(A) IN GENERAL.—Not later than 1 year after receiving a grant, and annually thereafter for the duration of the grant period, each entity that receives a grant under paragraph (1) shall submit a report to the Secretary detailing its infant mortality pilot program.

''(B) CONTENTS OF REPORT.—The reports required under subparagraph (A) shall include information such as the methodology of, and outcomes and statistics from, the grantee's infant mortality pilot program.

''(C) EVALUATION.—The Secretary shall use the reports required under subparagraph (A) to evaluate, and conduct statistical research on, infant mortality pilot programs funded through this subsection.

''(7) DEFINITIONS.—For the purposes of this subsection:

''(A) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Health Resources and Services Administration.

''(B) ELIGIBLE ENTITY.—The term 'eligible entity' means a State, county, city, territorial, or tribal health department that has submitted a proposal to the Secretary that the Secretary deems likely to reduce infant mortality rates within the standard metropolitan statistical area involved.

''(C) TRIBAL.—The term 'tribal' refers to an Indian tribe, a Tribal organization, or an Urban Indian organization, as such terms are defined in section 4 of the Indian Health Care Improvement Act.''; and

(3) by amending subsection (f), as so redesignated—

(A) in paragraph (1)—

(i) by amending the paragraph heading to read: ''HEALTHY START INITIATIVE''; and

(ii) by inserting after ''carrying out this section'' the following: ''(other than subsection (e))'';

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

(C) by inserting after paragraph (1) the following:

''(2) INFANT MORTALITY PILOT PROGRAMS.—To carry out subsection (e), there is authorized to be appropriated $10,000,000 for each of fiscal years 2011 through 2015.''; and

(D) in paragraph (3)(A), as so redesignated, by striking ''the program under this section'' and inserting ''the program under subsection (a)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. 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 New Jersey?

There was no objection.

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

Mr. Speaker, this bill authorizes a pilot program to address a serious public health problem, and that is infant mortality. According to the Centers for Disease Control and Prevention, the U.S. infant mortality rate is about 50 percent higher than the national goal of 4.5 infant deaths for per 1,000 births. As of 2005, the United States ranked 30th in the world in infant mortality. The pilot program authorized in this legislation would give grants to eligible entities to fight infant mortality in the most impacted areas.

I want to thank Representative COHEN, the sponsor of the NEWBORN Act, as it is called, for his deep commitment to and tireless leadership on this very important issue. I would also like to thank Ranking Member BARTON and Ranking Member SHIMKUS and their staffs for working in a bipartisan manner to help get this legislation to the House floor.

I reserve the balance of my time.

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

There has been a lot of debate in the United States about infant mortality. And when we hear that the U.S. ranks 30th in the world, it certainly bothers all of us.

I do think it is important that we also recognize, just for informational purposes, that not every country in the world uses the same method to determine infant mortality. For example, in the United States, all live births at any birthweight or gestational age must be reported. In France, for example, only live births of at least 22 weeks of gestation or weighing at least 500 grams must be reported. So some of these countries use different reporting facts to determine their mortality rates.

There is no question that certain communities in the United States have infant mortality rates that are persistently high. And this legislation authorizes HHS to award grants for pilot projects to reduce infant mortality in the communities with the highest infant mortality rates and would require these projects be evaluated to ensure we are on the right track to reducing infant mortality rates in those areas and in the United States.

I want to thank Congressman COHEN for his leadership on this issue as well as Congressmen PALLONE and SHIMKUS.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to the sponsor of the bill, Representative COHEN of Tennessee.

Mr. COHEN. I want to thank Mr. PALLONE for the time, and I want to thank Mr. PALLONE, Mr. ANDREWS, and Chairman WAXMAN for their help in getting this particular proposal to the floor; and the minority side as well, Mr. WHITFIELD, my friend, Mr. SHIMKUS, and everyone who has worked on this.

Mr. Speaker, this is a particularly important bill to me, and it's an important bill to my district. September is Infant Mortality Awareness Month, and it's appropriate that this month this bill will be brought up for consideration, the NEWBORN Act. ''NEWBORN'' is an acronym. Everything in

Washington seems to be an acronym, and this acronym, ''NEWBORN,'' stands for ''Nationally Enhancing the Wellbeing of Babies through Outreach and Research Now.''

It is so important that we give children an opportunity to live and mothers and fathers an opportunity to see their children born and have a chance. My parents lost a child at about 4 months of age in 1946. They never got over it. There are so many people who have lost children, and it is something that stays with you forever.

In my particular city of Memphis—while we talked about the United States' rate, we know it is too high no matter what it is and how you keep statistics—the city of Memphis has one of the highest infant mortality rates in the Nation. It is said to be second by the CDC among the 60 largest urban areas in the year 2002. In one particular ZIP code in my district, 38108, in the year 2007—it's in north Memphis, a predominately low-income African American neighborhood. I say predominately; it's an entirely low-income African American neighborhood—had an infant mortality rate of 31 deaths per 1,000 live births. That is almost five times the Nation's 2007 rate of seven deaths per 1,000 live births. And that ranks 38108 as worse than the developing nations of Iran, Indonesia, Nicaragua, El Salvador, Syria, and Vietnam in infant mortality for that year.

It's an issue that can strike people of any race, but it is divided largely along racial lines, and there's a great racial disparity. The Office of Minority Health at the CDC has found that African Americans have 2.4 times the infant mortality rate than whites, that African Americans are four times as likely to die as infants due to complications related to low birthweight when compared to white infants. The CDC study found that African American mothers were 2.5 times more likely than white mothers to begin prenatal care in their third trimester or not receive prenatal care at all. That's where a lot of research and outreach can be done, particularly the outreach. That is why the NEWBORN bill is so needed, and that is why our office decided to make this our top priority.

My chief of staff, Marilyn Dilihay; my district director, Randy Wade; and our whole team met in Memphis. Brittany Johnson, who is my legislative director in the area of health care, and my legislative director, Reisha Phills, the whole office worked on the issue and we brought it as a bill. But we also had it included in the health care bill that passed this House. And it was featured in the Speaker's bullet points about what it could possibly do for infant mortality. This would be the largest outreach program the Federal Government has ever engaged in. It's an authorization to find answers for the problem of infant mortality.

Of course, because of the situation of the politics in the Senate and because we had to go to reconciliation, there wasn't a conference committee, and this part of the health care bill wasn't included because the Senate didn't have it, and reconciliation didn't allow consideration of proposals like this that didn't add to or decrease from the budget. This was an authorization. So it didn't make it through the final phase because of what happened in Massachusetts, and that hurt us in what could be an important step forward for mothers and children.

We hope that the bill will pass here today and that the Senate will pick it up. We hope Senator MIKULSKI or Senator DODD or somebody will help us with it, or Senator HARKIN, and see that it gets through the Senate and the authorization is approved.

It will authorize the Secretary of the Department of Health and Human Services to award 5-year-long grants to 15 municipalities or States to create infant mortality pilot programs. The legislation sets forth guidelines on what practices the pilot programs may employ in their quest to lower the infant mortality rate of the area they serve, and those include outreach to at-risk mothers, increased access to educational clinic services for pregnant women or potential mothers and families.

The language suggests each program provide infant care counseling, postpartum care, additional care for at-risk mothers, a rural outreach program, and a public education program.

All of these can save money in the long run in health care because some of the most expensive treatment rendered is for premature babies, and care in these particular ages of life can be very expensive. And if we can have better prenatal care and less problems, not only is it the right thing to do in every way possible, but it also saves money.

It is my hope that those entities who apply for this funding will do so in conjunction with existing local, private, and not-for-profit groups that have already involved themselves in the fight against infant mortality. And there are several in Memphis that have done that. Our Governor, Phil Bredesen, and our city mayor and county mayor, A C Wharton, have headed up programs in our community, and our county mayor, Mark Luttrell, is continuing them.

The cultivation of partnerships between local leaders is essential in order to ensure the problem is addressed in as efficient a manner as possible.

I introduced the NEWBORN Act because of the number of devastating instances of infant mortality in Memphis, but I hope its passage and eventual enactment will help the incalculable number of people across the country who are possibly at risk to lose a child or grandchild in the years to come.

Again, I thank Mr. PALLONE and the other Members, particularly Mr. WAXMAN, for their help in getting this bill to the floor, and I hope that we will have the help in the Senate that the mothers, children, and grandchildren in this Nation deserve.

□ 1650

Mr. WHITFIELD. Mr. Speaker, I urge all Members to support this legislation, and I thank the gentleman from Tennessee (Mr. COHEN) and others who worked hard on this legislation.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I urge that the bill pass, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 3470, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

TRAINING AND RESEARCH FOR AUTISM IMPROVEMENTS NATIONWIDE ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5756) to amend title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide for grants and technical assistance to improve services rendered to children and adults with autism, and their families, and to expand the number of University Centers for Excellence in Developmental Disabilities Education, Research, and Service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5756

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 ''Training and Research for Autism Improvements Nationwide Act of 2010'' or the ''TRAIN Act of 2010''.

SEC. 2. UNIVERSITY CENTERS FOR EXCELLENCE INITIATIVES ON AUTISM SPECTRUM DISORDERS.

(a) IN GENERAL.—Subtitle D of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15061 et seq.) is amended—

(1) by inserting before section 151 the following:

''PART 1—GENERAL GRANT PROGRAMS FOR UNIVERSITY CENTERS FOR EXCELLENCE''

; and

(2) by adding at the end the following:

''PART 2—UNIVERSITY CENTERS FOR EXCELLENCE INITIATIVES ON AUTISM SPECTRUM DISORDERS

''SEC. 157. AUTISM SPECTRUM DISORDERS INITIATIVE GRANTS AND TECHNICAL ASSISTANCE.

''(a) GRANTS.—

''(1) IN GENERAL.—The Secretary shall award multiyear grants for the purpose described in paragraph (2) to University Centers for Excellence in Developmental Disabilities Education, Research, and Service

that are funded under part 1 and engaged in the core functions described in section 153(a)(2).

''(2) PURPOSE.—The purpose described in this paragraph is to provide individuals with interdisciplinary training, continuing education, technical assistance, and information for the purpose of improving services rendered to children and adults on the autism spectrum, and their families, to address unmet needs related to autism spectrum disorder. For purposes of the previous sentence, individuals shall include children and adults on the autism spectrum, families of such children and adults, health professionals (including allied health professionals), and vocational training and educational professionals.

''(3) APPLICATION REQUIREMENTS.—A University Center for Excellence in Developmental Disabilities Education, Research, and Service that desires to receive a grant under this section shall submit to the Secretary an application—

''(A) demonstrating that the Center has capacity to—

''(i) provide training and technical assistance in evidence-based practices to evaluate, and provide effective interventions, services, treatments, and supports to, children and adults on the autism spectrum and their families;

''(ii) provide individuals on the autism spectrum, and the families of such individuals, opportunities to advise and direct activities under the grant to ensure that an individual-centered, and family-centered, approach is used;

''(iii) share and disseminate materials and practices that are developed for, and evaluated to be effective in, the provision of training and technical assistance; and

''(iv) provide training, technical assistance, interventions, services, treatments, and supports under this section statewide;

''(B) providing assurances that the Center will—

''(i) provide trainees under this section with an appropriate balance of interdisciplinary didactic and community-based experiences; and

''(ii) provide to the Secretary, in the manner prescribed by the Secretary, data regarding the number of individuals who have benefitted from, and outcomes of, the provision of training and technical assistance under this section;

''(C) providing assurances that training, technical assistance, dissemination of information, and services under this section will—

''(i) be consistent with the goals of this Act, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act, and the Elementary and Secondary Education Act of 1965;

''(ii) supplement, and not supplant, activities funded under this subtitle (other than this section);

''(iii) be planned and designed with the participation of individuals on the autism spectrum and the families of such individuals; and

''(iv) be conducted in coordination with relevant State agencies, institutions of higher education, and service providers; and

''(D) containing such other information and assurances as the Secretary may require.

''(4) AMOUNT OF GRANTS.—The amount of a grant to a University Center for Excellence in Developmental Disabilities Education, Research, and Service for a fiscal year under this section shall be not less than $250,000.

''(b) TECHNICAL ASSISTANCE.—The Secretary may reserve not more than 2 percent of the amount appropriated to carry out this section for a fiscal year to make a grant to a national organization with demonstrated capacity for providing training and technical assistance to—

''(1) assist in national dissemination of specific information, including evidence-based best practices, from interdisciplinary training programs, and when appropriate, other entities whose findings would inform the work performed by University Centers for Excellence in Developmental Disabilities Education, Research, and Service awarded grants under this section;

''(2) compile and disseminate strategies and materials that prove to be effective in the provision of training and technical assistance so that the entire network can benefit from the models, materials, and practices developed in individual centers;

''(3) assist in the coordination of activities of grantees under this section;

''(4) develop a (or enhance an existing) Web portal that will provide linkages to each of the individual training initiatives and provide access to training modules, promising training, and technical assistance practices and other materials developed by grantees;

''(5) serve as a research-based resource for Federal and State policymakers on information concerning the provision of training and technical assistance for the assessment, and provision of supports and services for, children and adults on the autism spectrum;

''(6) convene experts from multiple interdisciplinary training programs, individuals on the autism spectrum, and the families of such individuals to discuss and make recommendations with regard to training issues related to assessment, interventions, services, treatment, and supports for children and adults on the autism spectrum; and

''(7) undertake any other functions that the Secretary determines to be appropriate.

''(c) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $17,000,000 for each of the fiscal years 2012 through 2016.

''SEC. 158. CAPACITY BUILDING GRANTS.

''(a) GRANTS.—The Secretary shall award multiyear grants to not more than 4 University Centers for Excellence in Developmental Disabilities Education, Research, and Service described in paragraph (1) of section 157(a) to—

''(1) collaborate with minority institutions to—

''(A) provide services described in such section to individuals on the autism spectrum who are from racial and ethnic minority populations and to their families; and

''(B) conduct research and education focused on racial and ethnic minority populations; and

''(2) build capacity within such institutions to enable such institutions to apply to become University Centers for Excellence in Developmental Disabilities Education, Research, and Service capable of providing such services, research, and education.

''(b) APPLICABLE PROVISIONS.—The provisions of paragraphs (2) and (3) of section 157(a) shall apply with respect to grants under this section to the same extent and in the same manner as such provisions apply with respect to grants under section 157.

''(c) PRIORITIZATION.—In awarding grants under this section, the Secretary shall give priority to applicants that demonstrate collaboration with minority institutions that—

''(1) have demonstrated capacity to meet the requirements of this section and provide services to individuals on the autism spectrum and their families; or

''(2) are located in a State with one or more underserved populations.

''(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $1,000,000 for each of the fiscal years 2012 through 2016.

''SEC. 159. DEFINITIONS.

''In this part:

''(1) The term 'interventions' means educational methods and positive behavioral support strategies designed to improve or ameliorate symptoms associated with autism spectrum disorder.

''(2) The term 'minority institution' has the meaning given to such term in section 365 of the Higher Education Act of 1965.

''(3) The term 'services' means services to assist individuals on the autism spectrum to live more independently in their communities.

''(4) The term 'treatments' means health services, including mental health services, designed to improve or ameliorate symptoms associated with autism spectrum disorder.''.

(b) CONFORMING AMENDMENTS.—(1) Such subtitle is further amended—

(A) in section 152(a)(1), by striking ''subtitle'' and inserting ''part'';

(B) in section 153(a)(2)(D), by striking ''subtitle'' and inserting ''part'';

(C) in each of subparagraphs (B) and (D) of section 154(a)(3), by striking ''subtitle'' and inserting ''part'';

(D) in each of paragraphs (1) and (3) of section 154(d), by striking ''subtitle'' and inserting ''part''; and

(E) in each of subsections (a)(1) and (b) of section 156, by striking ''subtitle'' and inserting ''part''.

(2) The table of contents in section 1(b) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 is amended—

(A) by inserting before the item relating to section 151 the following:

''PART 1—GENERAL GRANT PROGRAMS FOR UNIVERSITY CENTERS FOR EXCELLENCE''

; and

(B) by inserting at the end of the items relating to subtitle D of title I the following:

''PART 2—UNIVERSITY CENTERS FOR EXCELLENCE INITIATIVES ON AUTISM SPECTRUM DISORDERS

''Sec. 157. Autism spectrum disorders initiative grants and technical assistance.

''Sec. 158. Capacity building grants.

''Sec. 159. Definitions.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. 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 New Jersey?

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 5756, the Training and Research for Autism Improvements Nationwide Act of 2010, or the TRAIN Act, as it is called.

The TRAIN Act builds upon the important work of University Centers for Excellence in Developmental Disabilities Education, Research, and Service, or the acronym UCEDD, in addressing the needs of individuals with developmental disabilities.

H.R. 5756 authorizes targeted grants to support interdisciplinary training, continuing education, and technical assistance for children and adults on the autism spectrum, as well as their families. The Centers for Disease Control and Prevention has stated that autism spectrum disorders are an urgent public health concern. Autism affects an estimated 1 in 110 children nationwide, and there are currently no cures for autism. However, research shows that early intervention services can greatly improve the development of children with autism. H.R. 5756 also seeks to promote the expansion of the UCEDD network to include minority-serving institutions. This parallels a 2009 effort to support partnerships between the existing UCEDDs and minority-serving institutions for all forms of development disabilities.

UCEDDs play a critical role in providing a range of training activities and services, and in building capacity within communities. Experts and advocates have called for increased funding to ensure that these centers can continue their important work and meet the needs of people with developmental disabilities, particularly those with autism.

It is also important not to lose sight of people from diverse backgrounds who oftentimes face greater challenges than others with autism in accessing services.

Mr. Speaker, I am pleased that we have an opportunity today to consider a bill that both supports the efforts of UCEDDs and works to ensure that we do all that we can for people with and directly affected by autism.

I want to mention that Representative DOYLE has been a tireless advocate for autism issues. He is the bill's sponsor, and he current chairs the Congressional Autism Caucus, along with CHRIS SMITH from my State, who I see on the floor, and I want to commend Representative DOYLE for his work on this bill and for his leadership on this issue.

If I could add, personally, during the August recess, I met on one occasion with a large group of families of children with autism, and I was amazed at how few services are available. Obviously anything like this that makes a difference for them and other children with autism and their families is really significant. I also want to recognize and thank Ranking Member SHIMKUS and Ranking Member BARTON for working with Chairman WAXMAN and myself to bring this bill to the floor. I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. WHITFIELD. I also want to thank Congressman DOYLE for his leadership on this issue.

Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH), who has been particularly involved in the issue of autism.

Mr. SMITH of New Jersey. I want to thank my good friend for yielding, and for his leadership. This is truly a bipartisan issue, and I especially want to thank my good friend and colleague MIKE DOYLE. We are co-chairs of the Autism Caucus. It shows that bipartisanship still survives. And for a tremendous cause, a good cause like combating autism, it is great to join him in sponsoring this bill. He is the prime sponsor, and I am the principal cosponsor.

I believe it is accurate to say that the provisions of this bill are not only important but essential in providing tangible assistance to those with autism spectrum disorder and their families. Implementation of the TRAIN Act will significantly expand the ranks of qualified service providers, who are equipped with the knowledge and tools of state-of-the-science, evidence-based educational, medical, and social interventions.

Personally, Mr. Speaker, I became involved in autism as far back as 1982 when I first visited Eden Institute in Princeton. Coincidentally, Eden is breaking ground tomorrow on a new, uniquely designed autism school designed by Eden teachers who have utilized three decades of knowledge and best practices in teaching individuals with autism to reach their full potential. Huge gaps in the Federal response to autism came into sharp focus back in 1998 when I was visited by Bobbie and Billie Gallagher, the parents of two daughters with autism from my district who told me of their concern about a perceived explosion in the prevalence of autism in Brick Township. Rosemarie and Geoff Dubrowsky, whose son Daniel was diagnosed with autism as well in 1997, are another couple who told me of the realities of autism, and they were very concerned about this perceived spike.

I would note that at the time, Centers for Disease Control spent a paltry $287,000 per year, straight line, 1995, 1996, 1997, and 1998. That doesn't even buy a desk, it is so little. Now we are up to $22 million.

After meeting with these families and others, we initiated an investigation led by the CDC, and they confirmed that cases of autism were significantly higher than expected in Brick. But the evidence gathered indicated a larger, potentially nationwide prevalence problem. I then introduced a bill which was accepted by Chairman Mike Bilirakis as Title I of the Children's Health Act mandating increased surveillance. You can't fight something if you don't know the who, what, when, where, and even the why of it.

As established, the legislation created Centers of Excellence, and now we know that nationwide, autism affects 1 in every 110 children, 1 in 70 boys. Sadly, in my own State, it is even higher. Faced with this epidemic, MIKE DOYLE and I formed the Coalition on Autism Research and Education, which today has 157 members.

The legislation we are considering today, the TRAIN Act, offers an opportunity for us to do something with the 1.5 million individuals living with autism every day. The legislation authorizes grants to existing University Centers for Excellence in Developmental Disabilities Education, Research, and Service, or comparable entities, to provide individuals, including parents, vocational, educational, and health professionals, with interdisciplinary training, continuing education, technical assistance, and information for the purpose of improving services to children and adults with autism in their families.

The bill also provides for the establishment of up to four new university centers for developmental disabilities, giving priority to minority institutions or institutions that would serve currently underserved populations.

Another important provision is the selection of a nationwide organization to disseminate nationally evidence-based best practices and other models, materials, and practices developed by the university centers, or from other sources, including development of a Web portal. People need to know the information because there is often a conflict about autism.

I urge Members to support this legislation. It is an excellent bill. It will help those who are afflicted.

Mr. PALLONE. Mr. Speaker, I now yield such time as he may consume to the sponsor of the bill, the gentleman from Pennsylvania (Mr. DOYLE).

Mr. DOYLE. Mr. Speaker, first I want to thank Chairman WAXMAN, Chairman PALLONE, Ranking Member JOE BARTON and Representative SHIMKUS, and my good friend and colleague, CHRIS SMITH, who for so many years has joined with me as we tried to work on behalf of families who are dealing with this every day of their lives.

□ 1700

You know, as many of you know, autism has been the primary focus of my time here in Congress. Even though there is still much we don't know, in just the time that I've been here, we have seen light years' worth of improved understanding of the condition. One of the most important things we have learned is that early intervention works. That's why I have always appreciated that Chairman WAXMAN and Chairman PALLONE have worked with me during health care reform in making sure that plans in the exchange have included needed behavioral health benefits.

Among the many items that the House passed in our health reform bill that the Senate did not was a services training and research initiative for children and adults with autism, so we decided to introduce it as a standalone bill, H.R. 5756, the Training and Research for Autism Improvements Nationwide, or TRAIN Act. I am glad that it is on the House floor today.

Individuals on the autism spectrum often need assistance in the areas of comprehensive early intervention,

health, recreation, job training, employment, housing, transportation, and early, primary, secondary, and postsecondary education. With access to and assistance with these types of services and supports, individuals on the autism spectrum can live rich, full and productive lives. We know that services for youth who are on the autism spectrum and who are transitioning to adulthood are an especially pressing need.

Thanks to the reports from the GAO, we also know that there is a critical shortage of appropriately trained personnel across numerous important disciplines who can provide the services and supports to children and adults with autism spectrum disorders and related developmental disabilities and to their families. The bill, the TRAIN Act, will help this. This bill will help practicing professionals, as well as those in training, to become professionals, to get the most up-to-date practices, and to be informed by the most current research findings.

There is an urgent need to translate current and future research results into effective practices that can be implemented to support children and adults with autism spectrum disorders and related disabilities, including early intervention in preschool programs, in child care, in community schools, to health providers, to employment sites, in community living, and to first responders. This bill will do that, too.

I think it is important to note for my colleagues and I want them to know we are not re-creating the wheel. The bill is based on expanding and enhancing the network of University Centers of Excellence on developmental disabilities, known as Yoo-Seds. My colleagues should know that the bill helps minority-serving institutions gain the skillsets and resources to work with and to serve currently underserved populations. People like NFL star Rodney Peete's wife, Holly Robinson Peete, have helped others understand that autism doesn't know race and can affect any family.

You should also know that this bill is supported by groups like Autism Speaks, the Autism Society of America, self-advocates from the Autism Self-Advocate Network, and many other organizations. For those reasons, I ask my colleagues to vote ''yes'' on this bill.

Before I forget, I would like to thank Anne Morris with Chairman WAXMAN, Emily Gibbons with Chairman PALLONE, and Kenneth DeGraff on my staff for their hard work on this bill.

Thank you again, Chairman PALLONE. I hope you and I can continue to work on other items on the autism agenda, including a reauthorization of the CAA law.

Mr. WHITFIELD. I would just like to reiterate what the gentleman from Pennsylvania said, which is that early detection can make all the difference in the world. This legislation goes a long way in providing assistance and in aiding in early detection.

Mr. BURTON of Indiana. Mr. Speaker, I rise in support of the ''Training and Research for Autism Improvements Nationwide Act'' (H.R. 5756). Upon the diagnosis of only grandson, who is autistic, I took it upon myself to be active in promoting autism awareness and advocating more research for the disorder. I am also a member of the Congressional Autism Caucus. About twenty years ago, autism was considered a rare disease affecting about 1 in 10,000 children. Today, the Center for Disease Control and Prevention estimates that an average of 1 in 110 children in the United States are diagnosed with an Autism Spectrum Disorder (ASD) every year. ASD occur in all racial, ethnic, and socioeconomic groups, but are four times more likely to occur in boys than in girls. In my home state of Indiana, we experienced a 923% cumulative growth rate for autism from 1992–2003.

The ''Training and Research for Autism Improvements Nationwide Act'' is desperately needed in our country. Thousands of families living with autism on a daily basis have to cope in their own way and fight to find available resources and services for their children, or in the case of adult individuals with autism services to help them live independent and productive lives. All too often, there is little to no coordination between service providers, government agencies, and the medical/academic community who are researching and trying to unlock the mysteries of ASDs. The ''Training and Research for Autism Improvements Nationwide Act'' is a first step in filling these gaps.

Specifically, the ''Training and Research for Autism Improvements Nationwide Act'' would authorize the establishment of a new Federal program to provide technical assistance to improve services rendered to children and adults with autism, and their families and to expand the number of University Centers for Excellence in Developmental Disabilities Education, Research, and Service. Grants would go to University Centers for Excellence to provide individuals—including parents, health, allied health, vocational, and educational professionals—with interdisciplinary training, continuing education, technical assistance, and information to improve services provided to children and adults with autism and their families. The bill also authorizes grant money to a national organization to provide training and technical assistance to do the following: assist in the dissemination of information; develop a web portal; compile and disseminate materials for training and technical assistance so that the entire network can benefit from items developed at individual centers; and convene expert panels to exchange ideas and make recommendations that further training, assessment, interventions, services, and support for individuals living with autism.

Another grant would be awarded to not more than 4 new University Centers to facilitate outreach and collaboration with minority institutions.

I want to thank Representatives SMITH and DOYLE for working to bring this important bill to the House floor for a vote. As a member of the Coalition on Autism Research and Education also known as the Congressional Autism Caucus, I have worked closely with both Representative DOYLE and SMITH on autism awareness issues and I'm proud to join them in supporting this initiative. While I believe that the ''Training and Research for Autism Improvements Nationwide Act'' will go a long way to provide needed resources and information to families living with autism, I also believe that as a Nation we need to do more. This epidemic of autism is an immediate crisis to our education system, and our health care systems, our long-term housing and care system for the disabled.

Autism is a condition that can be treated to a degree but it has no known cure; it will not go away and neither should our efforts to research this disorder and aide American Families.

Autism is not bound or limited to the walls of a household. I believe that our Nation's educational, labor, housing, law enforcement and medical communities are currently ill-equipped and undertrained to handle this underrepresented generation of autistic individuals and that it is going to take a national commitment driven from the highest levels to marshal the necessary resources and energy to catch up. That is why I introduced legislation H.R. 3703 to require the President to call, not later than December 31, 2010, a White House Conference on Autism. Therefore, in addition to lending their support to the ''Training and Research for Autism Improvements Nationwide Act'', I am also urging all of my colleagues to join in cosponsoring H.R. 3703.

Mr. Speaker, I thank you for the opportunity to speak in support of both the ''Training and Research for Autism Improvements Nationwide Act'' and the ''White House Conference on Autism Act of 2009.''

Mr. WHITFIELD. I urge Members to support this legislation, and I yield back the balance of my time.

Mr. PALLONE. I urge the passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 5756, as amended.

The question was taken.

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

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

COMBAT METHAMPHETAMINE ENHANCEMENT ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2923) to enhance the ability to combat methamphetamine, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2923

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 ''Combat Methamphetamine Enhancement Act of 2010''.

SEC. 2. REQUIREMENT OF SELF-CERTIFICATION BY ALL REGULATED PERSONS SELLING SCHEDULED LISTED CHEMICALS.

Section 310(e)(2) of the Controlled Substances Act (21 U.S.C. 830(e)(2)) is amended by inserting at the end the following:

''(C) Each regulated person who makes a sale at retail of a scheduled listed chemical product and is required under subsection (b)(3) to submit a report of the sales transaction to the Attorney General may not sell any scheduled listed chemical product at retail unless such regulated person has submitted to the Attorney General a self-certification including a statement that the seller understands each of the requirements that apply under this paragraph and under subsection (d) and agrees to comply with the requirements. The Attorney General shall by regulation establish criteria for certifications of mail-order distributors that are consistent with the criteria established for the certifications of regulated sellers under paragraph (1)(B).''.

SEC. 3. PUBLICATION OF SELF-CERTIFIED REGULATED SELLERS AND REGULATED PERSONS LISTS.

Section 310(e)(1)(B) of the Controlled Substances Act (21 U.S.C. 830(e)(1)(B)) is amended by inserting at the end the following:

''(v) PUBLICATION OF LIST OF SELF-CERTIFIED PERSONS.—The Attorney General shall develop and make available a list of all persons who are currently self-certified in accordance with this section. This list shall be made publicly available on the website of the Drug Enforcement Administration in an electronically downloadable format.''.

SEC. 4. REQUIREMENT THAT DISTRIBUTORS OF LISTED CHEMICALS SELL ONLY TO SELF-CERTIFIED REGULATED SELLERS AND REGULATED PERSONS.

Section 402(a) of the Controlled Substances Act (21 U.S.C. 842(a)) is amended—

(1) in paragraph (13), by striking ''or'' after the semicolon;

(2) in paragraph (14), by striking the period and inserting ''; or'';

(3) by inserting after paragraph (14) the following:

''(15) to distribute a scheduled listed chemical product to a regulated seller, or to a regulated person referred to in section 310(b)(3)(B), unless such regulated seller or regulated person is, at the time of such distribution, currently registered with the Drug Enforcement Administration, or on the list of persons referred to under section 310(e)(1)(B)(v).''; and

(4) by inserting at the end the following: ''For purposes of paragraph (15), if the distributor is temporarily unable to access the list of persons referred to under section 310(e)(1)(B)(v), the distributor may rely on a written, faxed, or electronic copy of a certificate of self-certification submitted by the regulated seller or regulated person, provided the distributor confirms within 7 business days of the distribution that such regulated seller or regulated person is on the list referred to under section 310(e)(1)(B)(v).''.

SEC. 5. NEGLIGENT FAILURE TO SELF-CERTIFY AS REQUIRED.

Section 402(a)(10) of the Controlled Substances Act (21 U.S.C. 842(a)(10)) is amended by inserting before the semicolon the following: ''or negligently to fail to self-certify as required under section 310''.

SEC. 6. EFFECTIVE DATE AND REGULATIONS.

(a) EFFECTIVE DATE.—This Act and the amendments made by this Act shall take effect 180 days after the date of enactment of this Act.

(b) REGULATIONS.—In promulgating the regulations authorized by section 2, the Attorney General may issue regulations on an interim basis as necessary to ensure the implementation of this Act by the effective date.

SEC. 7. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 2923, the Combat Methamphetamine Enhancement Act of 2010.

H.R. 2923 is designed to respond to problems that the Drug Enforcement Agency has identified in the implementation of the Combat Methamphetamine Epidemic Act of 2006. That 2006 law required retail sellers of ephedrine and pseudoephedrine products to file a self-certification attesting that they have trained their personnel about the law and its requirements. According to the DEA, thousands of sellers have not yet self-certified. This legislation is designed to improve compliance with the 2006 law, and it will provide the DEA with enforcement tools, like civil fines.

I want to commend Representative GORDON as well as Senator FEINSTEIN for their leadership on this legislation. I also want to thank Ranking Members SHIMKUS and BARTON for working with us in moving this bill forward so quickly.

Mr. Speaker, I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. WHITFIELD. I want to thank Congressmen PALLONE and SHIMKUS for bringing this important legislation to the floor. We all recognize the devastating effect of methamphetamines.

Mr. Speaker, at this time I yield 5 minutes to the gentleman from Tennessee (Mr. WAMP), who has been a true leader in combating methamphetamines.

Mr. WAMP. I thank the committees of jurisdiction, and I thank the leadership from the majority side and from the minority side.

Mr. Speaker, this is a bill that effectively gives our drug enforcement leadership the tools that they need to continues this fight.

Twelve years ago, much like Mr. DOYLE was just talking about his tenure here in the House being defined by his extraordinary work in the area of autism, in many ways mine has been defined over the last 12 years by fighting methamphetamine production in the Southeast, particularly in east Tennessee, where it surfaced in the late 1990s after coming to this country, really, in terms of production, in about 1993. It surfaced first in California. Then it came to the mountains of east Tennessee.

Much like moonshine did two generations earlier, it was a clandestine process where citizens would put together the chemicals to make it. It stunk really bad, so they would do it out in the middle of the mountains and the hills, and they would get as far away from urban centers as they could; but because the drug is so deadly and addictive, it encroached on other areas.

We saw, frankly, the States that took the leadership take ephedrine and pseudoephedrine from behind the counter. They made it harder to get. They enforced a lot of rules at the State level, and it really knocked back the domestic production of methamphetamine. We still have a huge problem of methamphetamine coming in across the border, particularly through the transit country of Mexico, but this has helped us greatly combat the production.

In east Tennessee, we formed the Southeast Tennessee Meth Task Force, which is a premiere local, State, and Federal partnership because methamphetamine production can't be combated exclusively at the State and local levels. It just simply can't. They didn't have the resources to surveil it. It became a toxic site where it was made, and they didn't have the resources to clean it up, so we formed this partnership. It grew to become the East Tennessee Meth Task Force, and now it is a premiere statewide task force.

We have had tremendous success in combating methamphetamine production in Tennessee, but we have to continue to modernize the laws, including adding a Federal component, in order for drug professionals to be able to keep ephedrine and pseudoephedrine out of the hands of people who are addicted to methamphetamine, because they produce this most of the time for use. As a result, this is just a deadly, deadly disease out in the hinterland of America, and we have got to fight it. This bill is another step in the right direction.

Congressman GORDON from Tennessee and I have been working together. Congressman COOPER from Tennessee and I passed a bill a few years ago to actually create Federal grant support for the children who are taken out of meth homes because when a meth home is infected by this plague, many times the children become wards of the State, and there was little help there at the State level as well.

□ 1710

So if this plague of methamphetamine has not come to your hometown, unfortunately, it will soon, and it's something that requires a Federal component.

This is a good bill. I urge the entire House to stand together and pass this piece of legislation, thanking the committees of jurisdiction and the original sponsor, Mr. BART GORDON of Tennessee.

Mr. PALLONE. Mr. Speaker, I continue to reserve.

Mr. WHITFIELD. When you talk to law enforcement officers anywhere in America today, they will tell you that about 80 percent of the crimes committed in America are the direct result of some type of drug. Methamphetamine is certainly one of those.

In Kentucky, we have the Pennyrile Drug Task Force. And when I think about the passage of this legislation, I think of a gentleman named Cheyenne Albro who started that task force and who was a true leader in combatting methamphetamine and who, unfortunately, died a couple of weeks ago, but I know he would be very proud of this act.

I would urge that this legislation be adopted.

Mr. SENSENBRENNER. Mr. Speaker, in 2006, Congress took significant steps to reduce methamphetamine production and distribution by passing the Combat Methamphetamine Epidemic Act. Today, the House will consider H.R. 2923, the Combat Methamphetamine Enhancement Act, which will address problems that the Drug Enforcement Administration (DEA) has identified in the implementation of the Combat Methamphetamine Epidemic Act. H.R. 2923 aims to strengthen enforcement measures and ensure that retailers are in full compliance with the law.

Prior to passage of the Combat Methamphetamine Epidemic Act, it was common practice for methamphetamine dealers to go into stores, load up shopping carts with cold medicines, break open the blister packs, and use the pseudoephedrine and ephedrine to make methamphetamine. The Combat Methamphetamine Epidemic Act stopped this practice, by requiring that cold medicines containing pseudoephedrine and ephedrine be placed behind a pharmacy counter, requiring signature and proof of identification before purchase, and limiting how much of these medicines a person can buy in a day or month. However, the law contains a loophole that allows retailers to continue to sell products containing pseudoephedrine and ephedrine without showing that their employees are complying with the law's requirement.

H.R. 2923 will require retailers of pseudoephedrine and ephedrine products to verify with the DEA that they have trained their staff in the requirements of the Combat Methamphetamine Epidemic Act. If they don't, they simply won't be able to purchase pseudoe phedrine products from distributors. The DEA needs every resource available to enforce the tough drug laws already on the books. This measure will curb drug manufacturers' access to ephedrine or pseudoe phedrine, while keeping these products available to responsible consumers.

Over the past decade, methamphetamines have emerged as one of the most dangerous homegrown drugs. Ranking as one of the most widely used illicit drugs in the world, it has become the most prevalent drug problem in many Western and Midwestern states, and is emerging on the East Coast. Congress made great efforts in the fight against methamphetamines with the enactment of the Combat Methamphetamine Epidemic Act. However, while many of the provisions in the comprehensive legislation have had positive results, including a sharp decline in national methamphetamine lab seizures; manufacturers, traffickers and abusers continue to search for loopholes in the law.

H.R. 2923 is a common sense bill, designed to strengthen the implementation of the Combat Methamphetamine Epidemic Act. This bill would create incentives to ensure that the verification process of the law is made both effective and enforceable. I urge my colleagues to support this legislation.

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

Mr. PALLONE. Mr. Speaker, I yield back the balance of my time and ask that the bill pass.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2923, 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.

FAMILY HEALTH CARE ACCESSIBILITY ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1745) to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1745

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 ''Family Health Care Accessibility Act of 2010''.

SEC. 2. LIABILITY PROTECTIONS FOR HEALTH PROFESSIONAL VOLUNTEERS AT COMMUNITY HEALTH CENTERS.

Section 224 of the Public Health Service Act (42 U.S.C. 233) is amended by adding at the end the following:

''(g)(1) For purposes of this section, a health professional volunteer at an entity described in subsection (g)(4) shall, in providing a health professional service eligible for funding under section 330 to an individual, be deemed to be an employee of the Public Health Service for a calendar year that begins during a fiscal year for which a transfer was made under paragraph (4)(C). The preceding sentence is subject to the provisions of this subsection.

''(2) In providing a health service to an individual, a health care practitioner shall for purposes of this subsection be considered to be a health professional volunteer at an entity described in subsection (g)(4) if the following conditions are met:

''(A) The service is provided to the individual at the facilities of an entity described in subsection (g)(4), or through offsite programs or events carried out by the entity.

''(B) The entity is sponsoring the health care practitioner pursuant to paragraph (3)(B).

''(C) The health care practitioner does not receive any compensation for the service from the individual or from any third-party payer (including reimbursement under any insurance policy or health plan, or under any Federal or State health benefits program), except that the health care practitioner may receive repayment from the entity described in subsection (g)(4) for reasonable expenses incurred by the health care practitioner in the provision of the service to the individual.

''(D) Before the service is provided, the health care practitioner or the entity described in subsection (g)(4) posts a clear and conspicuous notice at the site where the service is provided of the extent to which the legal liability of the health care practitioner is limited pursuant to this subsection.

''(E) At the time the service is provided, the health care practitioner is licensed or certified in accordance with applicable law regarding the provision of the service.

''(3) Subsection (g) (other than paragraphs (3) and (5)) and subsections (h), (i), and (l) apply to a health care practitioner for purposes of this subsection to the same extent and in the same manner as such subsections apply to an officer, governing board member, employee, or contractor of an entity described in subsection (g)(4), subject to paragraph (4) and subject to the following:

''(A) The first sentence of paragraph (1) applies in lieu of the first sentence of subsection (g)(1)(A).

''(B) With respect to an entity described in subsection (g)(4), a health care practitioner is not a health professional volunteer at such entity unless the entity sponsors the health care practitioner. For purposes of this subsection, the entity shall be considered to be sponsoring the health care practitioner if—

''(i) with respect to the health care practitioner, the entity submits to the Secretary an application meeting the requirements of subsection (g)(1)(D); and

''(ii) the Secretary, pursuant to subsection (g)(1)(E), determines that the health care practitioner is deemed to be an employee of the Public Health Service.

''(C) In the case of a health care practitioner who is determined by the Secretary pursuant to subsection (g)(1)(E) to be a health professional volunteer at such entity, this subsection applies to the health care practitioner (with respect to services performed on behalf of the entity sponsoring the health care practitioner pursuant to subparagraph (B)) for any cause of action arising from an act or omission of the health care practitioner occurring on or after the date on which the Secretary makes such determination.

''(D) Subsection (g)(1)(F) applies to a health care practitioner for purposes of this subsection only to the extent that, in providing health services to an individual, each of the conditions specified in paragraph (2) is met.

''(4)(A) Amounts in the fund established under subsection (k)(2) shall be available for transfer under subparagraph (C) for purposes of carrying out this subsection.

''(B) Not later May 1 of each fiscal year, the Attorney General, in consultation with the Secretary, shall submit to the Congress a report providing an estimate of the amount of claims (together with related fees and expenses of witnesses) that, by reason of the acts or omissions of health professional volunteers, will be paid pursuant to this section during the calendar year that begins in the following fiscal year. Subsection (k)(1)(B) applies to the estimate under the preceding sentence regarding health

professional volunteers to the same extent and in the same manner as such subsection applies to the estimate under such subsection regarding officers, governing board members, employees, and contractors of entities described in subsection (g)(4).

''(C) Not later than December 31 of each fiscal year, the Secretary shall transfer from the fund under subsection (k)(2) to the appropriate accounts in the Treasury an amount equal to the estimate made under subparagraph (B) for the calendar year beginning in such fiscal year, subject to the extent of amounts in the fund.

''(5)(A) This subsection takes effect on October 1, 2011, except as provided in subparagraph (B).

''(B) Effective on the date of the enactment of this subsection—

''(i) the Secretary may issue regulations for carrying out this subsection, and the Secretary may accept and consider applications submitted pursuant to paragraph (3)(B); and

''(ii) reports under paragraph (4)(B) may be submitted to the Congress.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. 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 New Jersey?

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 1745, the Family Health Care Accessibility Act. The bill is authored by my colleagues on the Energy and Commerce Committee, Mr. MURPHY of Pennsylvania and Mr. GREEN of Texas, and obviously it enjoys strong bipartisan support.

The bill would provide liability protections for health care workers who volunteer to work at community health centers. Very similar protections are already provided for the employees and contractors of such centers. The bill, as introduced, would have provided such protection only to physicians and psychologists, but the committee adopted an amendment that expanded coverage to all health care workers who are volunteers at CHCs so long as they are working within their appropriate scope of practice and licensure and are performing work that is appropriate to the center.

CBO has estimated that the bill will not affect mandatory spending or revenue and is not subject to the PAYGO rules. Versions of this legislation have passed in the House in previous years, so I hope this bill will become law.

Again, I want to thank Mr. MURPHY and Mr. GREEN for all their hard work on this legislation. As well, I want to express my appreciation to our minority leaders on health legislation in the committee, Mr. SHIMKUS and Mr. BARTON, for their support and commitment in getting this bill to the floor.

I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. WHITFIELD. I also want to thank Mr. GREEN of Texas and Mr. MURPHY for their leadership on this issue.

All of us recognize the importance of community health centers. They are spreading throughout the country and they are playing an important role in providing primary health care for the American people.

At this time I would like to yield 5 minutes to one of the real leaders in this area, Mr. MURPHY of Pennsylvania.

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, community health centers provide a neighborhood medical home that is both high quality and lower cost. They are more than just a doctor's office; they are a place where a child can see a pediatrician and an adult can see an internist. You can get dental care, mental health services, or prenatal care. You can go there when you are getting a cold instead of running up big costs at an emergency room.

The doctors, dentists, nurse practitioners, and other medical professionals are under one roof; and they coordinate your care, working as a team for your family's health in a one-stop wellness center, and the costs per patient are far, far below the costs one would pay if you went to a hospital or private practice. That coordinated effort saves a lot of money through preventative care, keeping you up with immunizations and providing quality medical intervention when you need it at one of these 1,250 nonprofit community health centers.

In our Nation's $2.4 trillion health care system, the community health centers are credited with saving nearly $25 billion each year. Families save money and Medicaid saves money. On average, a person using a community health center saves $1,100 per year on health care costs, according to a recent study by George Washington University. That's the good news. The sad news is that there is a serious shortage of health care providers at these centers, and no matter now great the center, if there are long delays because of the shortage, then health care delayed is health care denied.

Health centers located in medically underserved urban or rural areas report a 27 percent shortage of dentists, a 26 percent shortage of OB/GYNs that could be providing prenatal care, and a 13 percent shortage of family physicians. The centers simply do not have enough money to hire the additional staff required to cover the growing patient needs, but there is an answer.

Many health professionals, especially part-time workers or highly qualified, semi-retired medical providers are willing and able, but not allowed to do so. That's right. They want to volunteer their time, but they cannot. They cannot because the centers are not able to cover the costs of medical liability insurance for the doctors and nurses.

Medical liability insurance can cost tens of thousands of dollars, and, in some cases, well over $100,000 per year per doctor, and the clinics simply cannot cover that expense. Here's why: Practitioners employed by the community health centers are covered by the Federal Torts Claim Act, which extends Federal liability protection to those volunteer doctors. Oddly enough, the opposite applies at free clinics, where volunteers are covered by the FTCA, while those who are employed at free clinics are not covered.

The Congressional Budget Office said that medical liability insurance costs pose a ''significant barrier'' for many providers who otherwise would be eager to volunteer at health centers. This bill, H.R. 1745, fixes this disparity and opens the door for volunteer providers at clinics all over America. This bill, which I introduced with Representative GENE GREEN, will eliminate the barriers for millions of patients seeking care in these neighborhood health care homes and will allow thousands of practitioners to volunteer their expertise for high-quality, low-cost patient care.

The Congressional Budget Office estimated that the cost of this bill could be as little as $5 million a year for 5 years, and, in return, the clinics receive hundreds of millions of dollars worth of free health care services for those living in underserved communities. And because this funding is part of the health centers program's annual appropriations, this funding is not a scored cost. The dedicated health center fund means that the slight additional cost to the FTCA program will require no new appropriations. I repeat: The slight additional cost will require no new annual appropriations.

I am grateful for the support of my colleagues—Representative GENE GREEN, FRANK PALLONE, JOHN SHIMKUS, PHIL GINGREY, Ranking Member JOE BARTON, and Chairman HENRY WAXMAN—for working with me on this legislation, and also my staff—Brad Grantz and Susan Mosychuk.

Mr. Speaker, we in Congress have a chance to do something to expand care to millions of Americans with this act without raising the health care bills for families. This is an example of real bipartisan reform that helps people get the health care they need when they need it close to home at an affordable cost. Isn't that what we all want with health care?

So let's say ''yes'' to community health centers, ''yes'' to families, ''yes'' to doctors who want to volunteer their care, ''yes'' to affordable and accessible care to millions of families, and please say ''yes'' to H.R. 1745, the Family Health Care Accessibility Act.

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to my colleague from Texas, Representative GREEN. But before I do that, let me just

say that he has been an outstanding leader on community health centers. He sponsored the bill that reauthorized the community health centers, and he is always looking out for ways to improve what goes on there.

□ 1720

Mr. GENE GREEN of Texas. I thank the chairman of the Health Subcommittee for those kind words but also for this legislation. I would also like to thank the full committee chair, HENRY WAXMAN; and our ranking member, JOE BARTON; along with our ranking member on our subcommittee, Congressman SHIMKUS from Illinois, for the support of this bill; and all of the Members on the Energy and Commerce Committee.

I rise in strong support of H.R. 1745, the Family Health Care Accessibility Act. H.R. 1745 will extend Federal Tort Claim coverage for licensed volunteer practitioners for section 330 services provided under the Public Health Service Act in community health centers.

This legislation will allow licensed practitioners to volunteer and provide them adequate tort claims protection equal to employees of the community health centers.

A March 2006 study in the Journal of the American Medical Association found community health centers had a 13 percent vacancy rate for family physicians, 9 percent for internists, a 20 percent vacancy rate for OB–GYNs, an 8 percent vacancy rate for podiatrists, a 22 percent vacancy rate for psychiatrists, and an 18 percent vacancy rate for dentists. If we rely on community health centers as medical homes, we need to increase the number of health care providers—including volunteer practitioners. So many qualified individuals want to volunteer their time but are afraid to do so because they do not have Federal Tort Claim protection and the Government Accountability Office has found that doctors and nurses choose not to volunteer their skills at community health centers because medical liability insurance is too costly for individuals to purchase on their own.

We can address the workforce shortage in health centers by clarifying that medical malpractice coverage is provided to clinicians who wish to volunteer their time working at the community health center.

I want to thank Congressman MURPHY from Pennsylvania for sponsoring the legislation. Again, this will mark the third time we've worked together to pass this legislation in the House. It was in the health care reform bill, but the Senate did not include it in their version.

Again, Mr. Speaker, I want to thank the House, and hopefully we'll pass this bill today again and give the Senate another opportunity.

Mr. WHITFIELD. Mr. Speaker, I think all of our speakers have explained very clearly why we need to support this legislation. I urge all of our Members to support it.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I also urge passage of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1745, as amended.

The question was taken.

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

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

NATIONAL ALL SCHEDULES PRESCRIPTION ELECTRONIC REPORTING REAUTHORIZATION ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5710) to amend and reauthorize the controlled substance monitoring program under section 399O of the Public Health Service Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5710

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 ''National All Schedules Prescription Electronic Reporting Reauthorization Act of 2010''.

SEC. 2. AMENDMENT TO PURPOSE.

Paragraph (1) of section 2 of the National All Schedules Prescription Electronic Reporting Act of 2005 (Public Law 109–60) is amended to read as follows:

''(1) foster the establishment of State-administered controlled substance monitoring systems in order to ensure that—

''(A) health care providers have access to the accurate, timely prescription history information that they may use as a tool for the early identification of patients at risk for addiction in order to initiate appropriate medical interventions and avert the tragic personal, family, and community consequences of untreated addiction; and

''(B) appropriate law enforcement, regulatory, and State professional licensing authorities have access to prescription history information for the purposes of investigating drug diversion and prescribing and dispensing practices of errant prescribers or pharmacists; and''.

SEC. 3. AMENDMENTS TO CONTROLLED SUBSTANCE MONITORING PROGRAM.

Section 399O of the Public Health Service Act (42 U.S.C. 280g–3) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking ''or'';

(B) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(C) to maintain and operate an existing State-controlled substance monitoring program.'';

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

''(b) MINIMUM REQUIREMENTS.—The Secretary shall maintain and, as appropriate, supplement or revise (after publishing proposed additions and revisions in the Federal Register and receiving public comments thereon) minimum requirements for criteria to be used by States for purposes of clauses (ii), (v), (vi), and (vii) of subsection (c)(1)(A).'';

(3) in subsection (c)—

(A) in paragraph (1)(B)—

(i) in the matter preceding clause (i), by striking ''(a)(1)(B)'' and inserting ''(a)(1)(B) or (a)(1)(C)'';

(ii) in clause (i), by striking ''program to be improved'' and inserting ''program to be improved or maintained''; and

(iii) in clause (iv), by striking ''public health'' and inserting ''public health or public safety'';

(B) in paragraph (3)—

(i) by striking ''If a State that submits'' and inserting the following:

''(A) IN GENERAL.—If a State that submits'';

(ii) by inserting before the period at the end ''and include timelines for full implementation of such interoperability''; and

(iii) by adding at the end the following:

''(B) MONITORING OF EFFORTS.—The Secretary shall monitor State efforts to achieve interoperability, as described in subparagraph (A).'';

(C) in paragraph (5)—

(i) by striking ''implement or improve'' and inserting ''establish, improve, or maintain''; and

(ii) by adding at the end the following: ''The Secretary shall redistribute any funds that are so returned among the remaining grantees under this section in accordance with the formula described in subsection (a)(2)(B).'';

(4) in the matter preceding paragraph (1) in subsection (d), by striking ''In implementing or improving'' and all that follows through ''(a)(1)(B)'' and inserting ''In establishing, improving, or maintaining a controlled substance monitoring program under this section, a State shall comply, or with respect to a State that applies for a grant under subparagraph (B) or (C) of subsection (a)(1)'';

(5) in subsections (e), (f)(1), and (g), by striking ''implementing or improving'' each place it appears and inserting ''establishing, improving, or maintaining'';

(6) in subsection (f)—

(A) in paragraph (1)(B) by striking ''misuse of a schedule II, III, or IV substance'' and inserting ''misuse of a controlled substance included in schedule II, III, or IV of section 202(c) of the Controlled Substance Act''; and

(B) by adding at the end the following:

''(3) EVALUATION AND REPORTING.—Subject to subsection (g), a State receiving a grant under subsection (a) shall provide the Secretary with aggregate data and other information determined by the Secretary to be necessary to enable the Secretary—

''(A) to evaluate the success of the State's program in achieving its purposes; or

''(B) to prepare and submit the report to Congress required by subsection (k)(2).

''(4) RESEARCH BY OTHER ENTITIES.—A department, program, or administration receiving nonidentifiable information under paragraph (1)(D) may make such information available to other entities for research purposes.'';

(7) by redesignating subsections (h) through (n) as subsections (i) through (o), respectively;

(8) in subsections (c)(1)(A)(iv) and (d)(4), by striking ''subsection (h)'' each place it appears and inserting ''subsection (i)'';

(9) by inserting after subsection (g) the following:

''(h) EDUCATION AND ACCESS TO THE MONITORING SYSTEM.—A State receiving a grant under subsection (a) shall take steps to—

''(1) facilitate prescriber use of the State's controlled substance monitoring system; and

''(2) educate prescribers on the benefits of the system both to them and society.'';

(10) by amending subsection (l), as redesignated, to read as follows:

''(l) PREFERENCE.—Beginning 3 years after the date on which funds are first appropriated to

carry out this section, the Secretary, in awarding any competitive grant under title V that is related to drug abuse (as determined by the Secretary) and for which only States or tribes are eligible to apply, may give preference to eligible States with applications approved under this section, to eligible States or tribes with existing controlled substance monitoring programs that meet minimum requirements under this section, or to eligible States or tribes that put forth a good faith effort to meet those requirements (as determined by the Secretary).''.

(11) in subsection (m)(1), as redesignated, by striking ''establishment, implementation, or improvement'' and inserting ''establishment, improvement, or maintenance'';

(12) in subsection (n)(8), as redesignated, by striking ''and the District of Columbia'' and inserting '', the District of Columbia, and any commonwealth or territory of the United States''; and

(13) by amending subsection (o), as redesignated, to read as follows:

''(o) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $15,000,000 for fiscal year 2011 and $10,000,000 for each of fiscal years 2012 and 2013.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 5710, the National All Schedules Prescription Electronic Reporting Reauthorization Act, or as I call it, NASPER.

State prescription drug monitoring programs track prescriptions so that law enforcement officials can address and prevent diversion, and so prescribers and public health authorities can prevent and respond to the potentially devastating effects of prescription drug abuse.

The NASPER program, as it's known, was first authorized in 2005 and allows the Secretary to make grants to support these State programs, and it also sets standards for privacy and interoperability. H.R. 5710 reauthorizes the NASPER program, enhances evaluation and reporting, and makes other updates to the program.

An amendment agreed to in our subcommittee changed the authorization period from 5 to 3 years so the next reauthorization can take into account the results of an agency evaluation of the program scheduled to be completed in 2012. The amendment also clarified language regarding granting preference in certain other SAMSA programs to States that have prescription drug monitoring programs.

I would like to thank Mr. WHITFIELD for his leadership on this issue as well as Mr. STUPAK—both of them have been involved with the NASPER bill for some time, including the original authorization—and also our ranking members, SHIMKUS and BARTON.

I urge my colleagues to join me in supporting H.R. 5710.

I reserve the balance of my time.

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

Mr. Speaker, this legislation, H.R. 5710, would reauthorize the National All Schedules Prescription Electronic Reporting Act, known as NASPER, which provides grants through HHS to the States to establish and operate prescription drug monitoring programs.

I also want to thank Congressman STUPAK for his tremendous leadership. Without him we wouldn't have this bill on the floor. Chairman PALLONE has been helpful, Ranking Members BARTON and SHIMKUS. And I would also like to thank our late friend Charlie Norwood of Georgia, who was very much interested in this legislation.

NASPER was designed to reduce prescription drug abuse by providing physicians with the tools to stop the abuse before it starts. The law allows physicians to provide proper medication therapy to patients while also cracking down on the interstate diversion of prescription medications.

Importantly, the law contains safeguards to ensure this sensitive information is protected and accessed appropriately.

This is an important piece of legislation. I urge all of our Members to support it.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. STUPAK), who, as I said, has been involved with this NASPER legislation from the beginning.

Mr. STUPAK. I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of this legislation. Five years ago, Congress passed the National All Schedules Prescription Electronic Reporting Act, or NASPER, into law, making it the only statutory authorized program to assist States in combating prescription drug abuse of controlled substances through prescription drug monitoring programs.

Congress realized that more needed to be done to aid States to set up or improve symptoms that enable authorities to identify prescription drug abusers as well as the problem doctors who betray the high ethical standards of their profession by over or incorrectly prescribing prescription drugs.

Five years ago, NASPER was passed with bipartisan support after many years of hard work by many members of our committee and Members on both sides of the aisle.

Today, I'm honored to again work with my colleagues, Mr. WHITFIELD, Mr. PALLONE, Mr. SHIMKUS, to reauthorize this important public health program.

Minor but important changes have been made to the program, including allowing the use of grants to help States maintain their existing programs. This will allow cash-strapped States to continue to operate their monitoring programs under difficult economic times. The legislation will also allow territories to be eligible for grants.

I urge my colleagues to vote in favor of this legislation.

Mr. WHITFIELD. Mr. Speaker, I urge passage.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I would like to yield such time as she may consume to the gentlewoman from Texas, Ms. SHEILA JACKSON LEE.

□ 1730

Ms. JACKSON LEE of Texas. I want to thank the manager of the bill, Chairman PALLONE; and thank the author and, if you will, visionary of the bill, Mr. STUPAK; and Mr. WHITFIELD for their leadership.

I rise today because this is an interesting and important bit of legislation as relates to physicians under the Energy and Commerce and HHS. It's important because it helps to track or determine who might be an addict, and as well to engage the medical profession in helping to end or to stem the tide of prescription drug abuse.

Interestingly enough, in this legislation there are privacy provisions, which I want to applaud and to say to all those who may be listening, this is a lifeline to stop the prescription drug abuse through legitimate medical resources and professionals, and as well for those who are legitimately ill, prescription drugs are prescribed and they find themselves addicted.

When I left Texas in the last 24 hours, interestingly there was another effort going forward, Mr. PALLONE, that had to do with our Drug Enforcement Agency, where about 10 or so sites were being set up to encourage people to give back old or aged drugs in their drug cabinets, if you will, or in their prescription cabinets, or in their medical cabinets at home. And these sites were in schools and community buildings.

As I read of this project, which obviously this was a proud effort, and I want to congratulate law enforcement, I had a concern. The concern was privacy, whether or not this was coordinated to ensure that if you gave a bottle of prescription drugs that still in fact was filled, whether or not there was a privacy procedure of either removing those labels, or maybe they expected you to remove those labels, and then also what would be the ultimate results. If they saw someone returning five bottles of such and such that happened to be an addictive drug and their names were on it, what kind of protection, or what kind of treatment, or what kind of referral would these individuals receive? I think that's an important point.

That is why I rise today on this legislation, and I look forward to reviewing this legislation, even as it passes, to assess whether or not our friends in the legal end of it, the DEA in particular, and I would hope maybe that the representatives from the DEA would meet with me in my office about their approach to ensure that it has the requirements and the restraints that we see in this present legislation. I want to congratulate the authors of this legislation because of that very fact.

I would just like to add one other point, if I could, as I close on my remarks. Having not been here for the legislation to deal with H.R. 5494, which is Ms. NORTON's legislation, which talks about the National Park Service and Secretary of the Interior transferring certain properties to the District of Columbia, it may not be equal, but I do want to make note that the GSA is holding property that the Texas Military History Museum has been paying rent on or paying taxes on because of their belief it belongs to them, and because the GSA had basically lost the property or had forgotten it existed. I look forward to them following at least the parameters of this legislation, where they can transfer those assets to a very important and distinctive group, the Texas Military Museum Association, that has now made this a military museum for Texans and for America. This was certainly appropriate to do so.

Finally, I want to make sure that I add my support to legislation, if it's coming to the floor, dealing with Rosa's Law, that is a Senate bill. And I will add supporting statements to the record.

But in conclusion, I think that this legislation, H.R. 5710, is a model for what can be an important life saver in America, and that is to get people to be weaned off of addictive drugs, but have a way of processing and determining where those drugs are, whether there is an addicted person, and how they can secure care.

So I ask my colleagues to support H.R. 5710, and I look forward to the Drug Enforcement Agency working with my office on the kind of restraints that are hopefully helpful when they have these mass campaigns for people to drop off old prescriptions and to make sure that they follow suit and do the right thing for the people of this country.

Mr. PALLONE. Mr. Speaker, I urge passage of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 5710, as amended.

The question was taken.

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

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

ROSA'S LAW

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2781) to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2781

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 ''Rosa's Law''.

SEC. 2. INDIVIDUALS WITH INTELLECTUAL DISABILITIES.

(a) HIGHER EDUCATION ACT OF 1965.—Section 760(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1140(2)(A)) is amended by striking ''mental retardation or''.

(b) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—

(1) Section 601(c)(12)(C) of the Individuals with Disabilities Education Act (20 U.S.C. 1400(c)(12)(C)) is amended by striking ''having mental retardation'' and inserting ''having intellectual disabilities''.

(2) Section 602 of such Act (20 U.S.C. 1401) is amended—

(A) in paragraph (3)(A)(i), by striking ''with mental retardation'' and inserting ''with intellectual disabilities''; and

(B) in paragraph (30)(C), by striking ''of mental retardation'' and inserting ''of intellectual disabilities''.

(c) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Section 7202(16)(E) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7512(16)(E)) is amended by striking ''mild mental retardation,'' and inserting ''mild intellectual disabilities,''.

(d) REHABILITATION ACT OF 1973.—

(1) Section 7(21)(A)(iii) of the Rehabilitation Act of 1973 (29 U.S.C. 705(21)(A)(iii)) is amended by striking ''mental retardation,'' and inserting ''intellectual disability,''.

(2) Section 204(b)(2)(C)(vi) of such Act (29 U.S.C. 764(b)(2)(C)(vi)) is amended by striking ''mental retardation and other developmental disabilities'' and inserting ''intellectual disabilities and other developmental disabilities''.

(3) Section 501(a) of such Act (29 U.S.C. 791(a)) is amended, in the third sentence, by striking ''President's Committees on Employment of People With Disabilities and on Mental Retardation'' and inserting ''President's Disability Employment Partnership Board and the President's Committee for People with Intellectual Disabilities''.

(e) HEALTH RESEARCH AND HEALTH SERVICES AMENDMENTS OF 1976.—Section 1001 of the Health Research and Health Services Amendments of 1976 (42 U.S.C. 217a–1) is amended by striking ''the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963,''.

(f) PUBLIC HEALTH SERVICE ACT.—

(1) Section 317C(a)(4)(B)(i) of the Public Health Service Act (42 U.S.C. 247b–4(a)(4)(B)(i)) is amended by striking ''mental retardation;'' and inserting ''intellectual disabilities;''.

(2) Section 448 of such Act (42 U.S.C. 285g) is amended by striking ''mental retardation,'' and inserting ''intellectual disabilities,''.

(3) Section 450 of such Act (42 U.S.C. 285g–2) is amended to read as follows:

''SEC. 450. RESEARCH ON INTELLECTUAL DISABILITIES.

''The Director of the Institute shall conduct and support research and related activities into the causes, prevention, and treatment of intellectual disabilities.''.

(4) Section 641(a) of such Act (42 U.S.C. 291k(a)) is amended by striking ''matters relating to the mentally retarded'' and inserting ''matters relating to individuals with intellectual disabilities''.

(5) Section 753(b)(2)(E) of such Act (42 U.S.C. 294c(b)(2)(E)) is amended by striking ''elderly mentally retarded individuals'' and inserting ''elderly individuals with intellectual disabilities''.

(6) Section 1252(f)(3)(E) of such Act (42 U.S.C. 300d–52(f)(3)(E)) is amended by striking ''mental retardation/developmental disorders,'' and inserting ''intellectual disabilities or developmental disorders,''.

(g) HEALTH PROFESSIONS EDUCATION PARTNERSHIPS ACT OF 1998.—Section 419(b)(1) of the Health Professions Education Partnerships Act of 1998 (42 U.S.C. 280f note) is amended by striking ''mental retardation'' and inserting ''intellectual disabilities''.

(h) PUBLIC LAW 110–154.—Section 1(a)(2)(B) of Public Law 110–154 (42 U.S.C. 285g note) is amended by striking ''mental retardation'' and inserting ''intellectual disabilities''.

(i) NATIONAL SICKLE CELL ANEMIA, COOLEY'S ANEMIA, TAY-SACHS, AND GENETIC DISEASES ACT.—Section 402 of the National Sickle Cell Anemia, Cooley's Anemia, Tay-Sachs, and Genetic Diseases Act (42 U.S.C. 300b–1 note) is amended by striking ''leading to mental retardation'' and inserting ''leading to intellectual disabilities''.

(j) GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008.—Section 2(2) of the Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000ff note) is amended by striking ''mental retardation,'' and inserting ''intellectual disabilities,''.

(k) REFERENCES.—For purposes of each provision amended by this section—

(1) a reference to ''an intellectual disability'' shall mean a condition previously referred to as ''mental retardation'', or a variation of this term, and shall have the same meaning with respect to programs, or qualifications for programs, for individuals with such a condition; and

(2) a reference to individuals with intellectual disabilities shall mean individuals who were previously referred to as individuals who are ''individuals with mental retardation'' or ''the mentally retarded'', or variations of those terms.

SEC. 3. REGULATIONS.

For purposes of regulations issued to carry out a provision amended by this Act—

(1) before the regulations are amended to carry out this Act—

(A) a reference in the regulations to mental retardation shall be considered to be a reference to an intellectual disability; and

(B) a reference in the regulations to the mentally retarded, or individuals who are mentally retarded, shall be considered to be a reference to individuals with intellectual disabilities; and

(2) in amending the regulations to carry out this Act, a Federal agency shall ensure that the regulations clearly state—

(A) that an intellectual disability was formerly termed mental retardation; and

(B) that individuals with intellectual disabilities were formerly termed individuals who are mentally retarded.

SEC. 4. RULE OF CONSTRUCTION.

This Act shall be construed to make amendments to provisions of Federal law to substitute the term ''an intellectual disability'' for ''mental retardation'', and ''individuals with intellectual disabilities'' for ''the mentally retarded'' or ''individuals who are mentally retarded'', without any intent to—

(1) change the coverage, eligibility, rights, responsibilities, or definitions referred to in the amended provisions; or

(2) compel States to change terminology in State laws for individuals covered by a provision amended by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. MCMAHON), who is the sponsor of the legislation.

Mr. MCMAHON. Mr. Speaker, it is my great honor to champion the House companion of S. 2781, H.R. 4544, the Elizabeth A. Connelly Act, so I rise today in strong support of S. 2781. I thank Mr. PALLONE for his leadership on the subcommittee. And Mr. Chairman, I thank you for your leadership in this body, and especially as chairman on the Bipartisan Disabilities Caucus, and the work that you do there.

This bill will replace the term ''mental retardation'' with the term ''intellectual disability'' throughout the United States Code. Now, in July of this year, just recently, New York Governor David Paterson signed similar legislation into law, joining 48 other States that have dropped the ''R'' word. Over 70 Democrats and Republicans have cosponsored my bill and agreed that the time has finally come to put an end to discrimination against individuals with intellectual disabilities.

Every day, millions of children and adults have difficulty with tasks such as problem solving, decision-making, and communications because of intellectual disabilities. These Americans are often ridiculed, ignored, or even abused by their peers. Sometimes they are referred to publicly by insulting terms and treated as second class citizens. In particular, the term ''mental retardation'' has acquired a distinctly pejorative meaning, and is used intentionally and unintentionally to deride and humiliate many of our citizens.

H.R. 4544 is aptly named for a great woman from my home State of New York, the Honorable Elizabeth A. Connelly. Mrs. Connelly was elected to the New York State Assembly in 1973 as the first woman from my district of Staten Island to be elected to public office. When she retired in 2000, she became New York's longest serving female legislator.

Throughout her career, she was a staunch advocate and champion for individuals with intellectual and other developmental disabilities. She was instrumental in securing funds for mental health programs and creating the New York State Commission on Quality of Care for the Mentally Disabled, led the charge to close the notorious Willowbrook State School, and led this Nation from warehousing individuals into providing group home settings.

Assemblywoman Connelly was known throughout the community for working with parents, advocates, and government officials to make New York a leader in providing high quality services and programs for individuals with intellectual disabilities. She is known as the guardian angel of the mentally disabled. She was not only a pioneer of her time and one of New York's greatest disability advocates, but she was my mentor. I was privileged to work as Ms. Connelly's staff member and counsel for many years. It is her personal commitment and leadership that has inspired me to also become an advocate for these important issues. Sadly, we lost her all too prematurely a few years ago, but we honor her and her husband Robert and her family with this bill.

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So, Mr. Speaker, I cast my vote and urge my colleagues to do so as well in honor of Assemblywoman Connelly. I know she would be very proud to see the United States carrying out her lifelong mission by passing S. 2781.

I urge my colleagues to vote ''yes'' on S. 2781 and send this bill to the President's desk for signature.

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

Mr. Speaker, I also rise in support of S. 2781, Rosa's Law, and I certainly want to thank the majority and all of those involved in this important legislation for bringing it to the floor for final passage.

This legislation is really very simple, but very important. It simply modifies specific terms used in Federal law and instead of referring to the people as mentally retarded individuals, it refers to them basically as individuals with developmental disabilities.

It will affect the Social Security Act, the Public Health Service Act, and a lot of other Federal laws. I think it certainly is a step in the right direction, and I would urge passage of this legislation.

Mr. Speaker, I rise in support of S. 2781, Rosa's Law, and I would like to thank the Majority for finally bringing this legislation to the floor of the House for final passage.

Rosa's Law follows previous Congressional action to modify the specific terms used in Federal law to refer to individuals, or broad categories of individuals, when earlier terminology became outdated, offensive, or otherwise inappropriate.

I would like to note that our former colleague, Nathan Deal of Georgia, actually offered an amendment during the Energy and Commerce Committee's consideration of the ObamaCare legislation back in July of last year that would have changed references in Federal law to mentally retarded individual to references to an individual with an developmental disability, but unfortunately, Congressman Deal's amendment was not accepted by the Majority, which prevented it from being included in the House-passed version of the health reform legislation.

However, by bringing this legislation to the floor today, the Majority can atone for their past mistake, and finally correct this glaring problem.

And speaking of health reform, I would also like to note that today is the 6-month anniversary of the Democrats' ObamaCare package being signed into law, and just as Republicans, independents, and a few brave Democrats predicted, insurance premiums are rising and people are losing their current health insurance coverage as a direct result of the flawed provisions in that legislation.

Reports of problems in ObamaCare abound, but has this Congress held a hearing on its implementation? No. In fact, the Subcommittee on Health—on which I serve—has held 15 hearings since the passage of ObamaCare, but we have not dealt with the most radical change to America's health care system in generations.

As all of us have noticed lately, people back home are experiencing the unhappy reality of the Federal Government's health care takeover. And as many news reports indicate, many people seem to prefer a Congressional Majority that wants to get the truth from the Obama Administration about what's gone wrong. I know the seniors in my district are completely clear about their desire to have us look into the Administration's plans to cut $575 billion from Medicare. They also want to know about statements by the Chief Actuary of Medicare that providers ''could find it difficult to remain profitable'' and might ''end their participation in the program.''

And any American concerned about the disastrous spending policies of this Administration and the current Majority would want oversight over recent revelations that after passage of ObamaCare, health care spending is projected to increase more than the Obama Administration had projected before passage of this deeply flawed legislation.

During the run-up to passage, miracles were promised day in and day out. Seniors were told the law would strengthen Medicare, only to see reductions to the program spent on new entitlements. Everyone was told the cost curve would be bent down, only to see the Administration's own actuaries report it will continue to go up.

Families were told that if they liked their current coverage they could keep it, only to learn that the law encourages employers to drop coverage, that health insurers will pass along increased costs through increased premiums, and that every plan will be subject to a host of costly new Federal rules and restrictions.

Where is the oversight? Where are the hearings? As the election nears, I would like

to note that the American people seem to want a new kind of Congress, one that is willing to find its mistakes and to fix them.

With that, I will urge my colleagues to support the bill before us today.

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of Rosa's Law, which will replace all references of "mental retardation" with the term "intellectual disability" throughout the U.S. Code.

I would like to first thank my colleague from New York, Representative MIKE MCMAHON, who has been a passionate champion of ending discrimination against individuals with intellectual disabilities and lifting the stigma associated with the outdated and outmoded classification of an entire population.

At the turn of the last century, the prevailing sentiment in our society was that those with cognitive impairments or behavioral limitations should be institutionalized—excluded from mainstream society and locked away as wards of the state. In Federal statute, they were referred to as "feeble-minded." Of course, we have come a long way since then.

With passage of laws like the Americans with Disabilities Act, ADA, and the Individuals with Disabilities Education Act, IDEA, we have taken great strides to ensure that people with intellectual disabilities are afforded equal opportunities in schools and workplaces free from discrimination, as well as supports for independent living. We have broken down many of the exclusionary policies that relegated these individuals to being treated as second-class citizens.

However, the U.S. Federal Code still contains antiquated references to "mental retardation" that no longer reflect our collective values. This terminology has acquired a distinctly pejorative meaning and perpetuates the stigma that people with intellectual disabilities are somehow inferior to others. That couldn't be farther from the truth.

It is time we follow in the steps of entities like the World Health Organization and the U.S. Department of Health and Human Services. We must update the Federal Code to reflect our true intent and evolved beliefs that individuals with disabilities deserve the same respect and opportunities as any other human being. By fostering an environment of inclusion and empowerment, we can provide the means for every individual to fulfill his or her potential.

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

Mr. PALLONE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, S. 2781.

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

A motion to reconsider was laid on the table.

SUPPORTING BLOOD CANCER AWARENESS MONTH

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1433) expressing support for designation of September 2010 as Blood Cancer Awareness Month, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1433

Whereas blood-related cancers currently afflict more than 900,000 people in the United States, with an estimated 150,000 new cases diagnosed each year;

Whereas leukemia, lymphoma, multiple myeloma, myelodysplastic syndromes, and myeloproliferative disorders will kill more than 50,000 people in the United States this year;

Whereas Congress, in the National Cancer Act, established an aggressive Federal program for the diagnosis, prevention, and treatment of cancer;

Whereas Congress has maintained a steady investment in cancer research to answer basic questions about the causes of cancer and to develop new treatments for cancer;

Whereas the Federal investment in cancer research and control has contributed to important progress in understanding and treating some blood cancers and yielded significant advances in survival for some forms of blood cancer;

Whereas continued investment and innovation is critical to the early diagnosis and the more effective and safer treatment for blood cancers where research and treatment advances have to date been limited;

Whereas strategies to enhance and strengthen the cancer clinical research program and boost participation in clinical trials are necessary to achieve blood cancer treatment advances;

Whereas survivors of blood cancer may experience serious late and long-term effects of their treatment and may need life-long follow-up and survivorship care;

Whereas Congress has provided strong support to blood cancer research and has focused special attention on increasing awareness of blood cancers and intensifying the blood cancer research program;

Whereas the House of Representatives will continue to provide support for research for a cure for leukemia, lymphoma, multiple myeloma, myelodysplastic syndromes, and myeloproliferative disorders; and

Whereas September 2010 would be an appropriate month to designate as Blood Cancer Awareness Month: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the designation of Blood Cancer Awareness Month to enhance the understanding of blood-related cancers, increase support for funding research to find a cure for blood cancers, encourage studies of the cause and prevention of blood cancers to reduce the number of new cases, and enhance understanding of clinical trials to boost provider and patient participation and accelerate the pace of clinical research;

(2) encourages participation in voluntary activities to support blood cancer research and education; and

(3) respectfully requests the Clerk of the House to transmit a copy of this resolution to the American Society of Hematology, the International Myeloma Foundation, the Lymphoma Research Foundation, the Multiple Myeloma Research Foundation, and The Leukemia & Lymphoma Society, voluntary health organizations dedicated to finding a cure for blood cancers.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material into the RECORD.

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

There was no objection.

Mr. PALLONE. Mr. Speaker, at this time I yield such time as she may consume to the lead Democratic sponsor of the bill, the gentlewoman from Colorado (Ms. MARKEY).

Ms. MARKEY of Colorado. Mr. Speaker, I rise today in support of this resolution raising awareness of blood cancers. I would like to thank the Representative from North Carolina for his work to bring this important resolution to the House.

Nearly 1 million people are currently afflicted with blood cancers in the United States and 150,000 are newly diagnosed each year. With these numbers, we probably all know someone whose life will be affected.

I was inspired to work on this important resolution by my staff and interns, many of whom have personal experiences with leukemia and other blood cancers. It is inspiring to see their commitment to increasing awareness, such as my staff member, Marissa Smith, who dedicated her free time in honor of a friend's mother and ran a half marathon with the Leukemia and Lymphoma Society.

Raising awareness of blood cancers through the designation of September as Blood Cancer Awareness Month will help ensure that we keep in mind their widespread impact and the importance of ample Federal research for funding, education, and research.

I encourage my colleagues to join me in supporting this important resolution.

Mr. WHITFIELD. Mr. Speaker, I also rise today in support of House Resolution 1433, expressing support for the designation of September 2010 as Blood Cancer Awareness Month.

At this time I yield such time as he may consume to the gentleman from North Carolina (Mr. JONES), who was the primary sponsor of this legislation and who has been a real leader on cancer awareness in the U.S. Congress.

Mr. JONES. I thank the gentleman for yielding.

I want to also thank BETSY MARKEY, who just spoke, from Colorado. She has worked with me hand in glove, as we should do more times than not, on the House floor, to be honest about it, and we were able to get over 130 cosponsors.

As she said, this year more than 50,000 people in this country will die from blood-related disorder.

This legislation asks the House to support this designation of September as Blood Cancer Awareness Month.

This resolution will enhance the understanding of blood-related cancers. Researchers have recently made important advancements in blood cancer research, but these diseases need more funding resources.

This legislation was requested by the American Society of Hematology, the International Myeloma Foundation, the Lymphoma Research Foundation, the Multiple Myeloma Research Foundation, and the Leukemia and Lymphoma Society.

Before I close, I want to thank the committee of jurisdiction, the chairman on the floor today, for getting this legislation to the floor. The end of September, I will be in Raleigh, North Carolina, for an event called Walk the Night. There will be those who have been cured of cancer blood diseases that will be walking. There will be those who lost loved ones because of blood cancer diseases; they will also be walking.

For this Congress to do this, I will be indebted and grateful too. Again, I want to thank Congresswoman BETSY MARKEY for being a cosponsor and thank the committees and thank the Congress and the leadership of the House, both Democrat and Republican, for getting this to the floor.

Mr. PALLONE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and agree to the resolution, H. Res. 1433, as amended.

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

A motion to reconsider was laid on the table.

SAFE DRUG DISPOSAL ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5809) to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5809

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 ''Safe Drug Disposal Act of 2010''.

SEC. 2. DELIVERY OF CONTROLLED SUBSTANCES BY ULTIMATE USERS FOR DISPOSAL.

(a) REGULATORY AUTHORITY.—Section 302 of the Controlled Substances Act (21 U.S.C. 822) is amended by adding at the end the following:

''(g)(1) An ultimate user who has lawfully obtained a controlled substance in accordance with this title may, without being registered, deliver the controlled substance to another person for the purpose of disposal of the controlled substance if—

''(A) the person receiving the controlled substance is authorized under this title to receive and dispose of the controlled substance; and

''(B) the delivery and disposal takes place in accordance with regulations issued by the Attorney General to prevent diversion of controlled substances.

The regulations referred to in subparagraph (B) shall be consistent with the public health and safety. In developing such regulations, the Attorney General shall take into consideration the ease and cost of program implementation and participation by various communities. Such regulations may not require any entity to establish or operate a delivery or disposal program.

''(2) The Attorney General shall, by regulation, authorize long-term care facilities, as defined by the Attorney General by regulation, to deliver for disposal controlled substances on behalf of ultimate users in a manner that the Attorney General determines will provide effective controls against diversion and be consistent with the public health and safety.

''(3) If a person dies while lawfully in possession of a controlled substance for personal use, any person lawfully entitled to dispose of the decedent's property may deliver the controlled substance to another person for the purpose of disposal under the same conditions as provided in paragraph (1) for an ultimate user.''.

(b) CONFORMING AMENDMENT.—Section 308(b) of the Controlled Substances Act (21 U.S.C. 828(b)) is amended—

(1) by striking the period at the end of paragraph (2) and inserting ''; or''; and

(2) by adding at the end the following:

''(3) the delivery of such a substance for the purpose of disposal by an ultimate user, long-term care facility, or other person acting in accordance with section 302(g).''.

SEC. 3. PUBLIC EDUCATION CAMPAIGN.

The Director of National Drug Control Policy, in consultation with the Administrator of the Environmental Protection Agency, shall carry out a public education and outreach campaign to increase awareness of how ultimate users may lawfully and safely dispose of prescription drugs, including controlled substances, through drug take-back programs and other appropriate means.

SEC. 4. GAO REPORT.

The Comptroller General of the United States shall—

(1) collect data on the delivery, transfer, and disposal of controlled substances under section 302(g) of the Controlled Substances Act, as added by section 2; and

(2) not later than 4 years after the date of the enactment of this Act, submit findings and recommendations to the Congress regarding use, effectiveness, and accessibility of disposal programs.

SEC. 5. EPA STUDY OF ENVIRONMENTAL IMPACTS.

(a) STUDY.—The Administrator of the Environmental Protection Agency (in this section referred to as the ''Administrator'') shall—

(1) in consultation with relevant State and local officials and other sources of relevant technical expertise, conduct a study to—

(A) examine the environmental impacts resulting from the ultimate disposal of controlled substances through existing methods;

(B) taking into consideration such impacts, and the ease and cost of implementation of drug take-back programs and participation in such programs by various communities, formulate appropriate recommendations on the destruction or ultimate disposal of prescription drugs, including controlled substances; and

(C) identify additional authority needed to carry out such recommendations if the Administrator determines that the Administrator's existing legal authorities are insufficient to implement such recommendations; and

(2) not later than 18 months after the date of the enactment of this Act, submit a report to the Congress on the results of such study.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the Administrator's authority under other provisions of law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. 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 New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to one of the sponsors of our legislation, a member of the Energy and Commerce Committee, the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, we have a good bill here, a bipartisan bill, to help us move forward to reduce the rate of abuse of prescription drugs.

Three years ago, local agencies and community leaders came to my office and told us we had this problem because prescription drug overdoses are rising rapidly, and there is really no way to dispose of legitimate prescription drugs in a legal, easy-to-use fashion under our current laws.

So for 3 years now we have been working in a bipartisan fashion to come up with a solution, and I am very happy to say that with the strong support of 55 national and regional organizations and the leadership of Chairman WAXMAN and Representatives STUPAK, MORAN and SMITH, we have found a solution that does protect the public and the environment from harmful drugs.

You know, prescription drug abuse really is a growing epidemic. Back in my home State of Washington prescription drug overdoses have now surpassed car accidents as the leading cause of accidental death for people ages 35 to 54. Washington has the sixth highest rate in the Nation of prescription drug abuse among 12-to 17-year-olds; and, unfortunately, today's medicine cabinets have become tomorrow's drug dealers' storage sites.

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Kids are abusing leftover prescription drugs and getting addicted or, in the worst cases, dying. Just yesterday, nine middle school children in Bremerton, Washington, were hospitalized after popping prescription pills that one student brought to school from home.

So in Washington State, local agencies and community groups like Group Health and Bartell Drugs have tackled this problem head-on and have developed successful pilot safe drug disposal programs. These brick and mortar drop-off locations and mail-back programs give communities of all sizes an

easy disposable system to dispose of unneeded drugs. But these programs have gone as far as they can, and right now they face the legal walls to grow these programs to make them more effective and easier for our communities to use.

So, we now have a commonsense solution, which is this bill, and we need to make sure these programs are put in place for all prescription drugs to keep these powerful substances off the streets and out of our drinking water. This legislation will solve those problems.

I want to note one success of this bill. BART STUPAK and others have been really great leaders in designing a program that would be flexible and easy for communities to use. We wanted to make sure that we got communities to design their programs so that they would have a multiple suite of different systems to use on how to run these programs. I want to congratulate Bart and others in helping us fashion this.

And with that, I urge our support for H.R. 5809.

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

Mr. Speaker, I rise also in support of the Safe Drug Disposal Act, and certainly I want to thank Mr. INSLEE for his leadership and Mr. MORAN, Mr. PALLONE, and many others.

Two months ago, I was invited by Sheriff Carter of Allen County, Kentucky, to a meeting of concerned citizens in that little community, and what they wanted to talk about was prescription drug abuse. And not only is it a problem in Washington State; it's a problem in Kentucky, and it's a problem throughout this entire country.

We are fortunate that many pharmacies, States, and localities have established prescription drug take-back programs; but, unfortunately, they are unable to take back controlled substances due to a technical reading of the Controlled Substances Act. This legislation will correct that and will allow a take-back program to also apply to controlled substances. And by passing this legislation, these programs will help further reduce the likelihood of prescription drugs being diverted to those to whom they were not prescribed.

I'm delighted that we are bringing this legislation to the floor, and I look forward to its passage and would urge all of our Members to vote for it.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to my friend from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank my good friend from New Jersey for yielding me the time, as well as his friendship, as well as the distinguished gentleman from Kentucky (Mr. WHITFIELD). And I want to recognize Mr. INSLEE for introducing this legislation.

We share a deep concern about the use of medications which are not being safely returned to drug stores because of regulatory difficulties. In many cases, you have to have a police officer there overseeing the return of the drugs.

This will get over those restrictions and allow a process to happen which is terribly important, because we should all know that drug abuse is not limited to street corner illegal drug purchases, that, in fact, the abuse of prescription drugs is a large part of America's drug problem, particularly among young people. One study has shown that, in the last decade, nonmedical use of prescription drugs increased by almost 100 percent; and among adolescents between the ages of 12 and 17, it increased by more than 200 percent.

Too many of our young people are raiding the family medicine cabinet to obtain prescription drugs like OxyContin, Ritalin, and Valium. And, of course, it doesn't just affect those individuals, and it's not harmless. It clearly is leading to an increase in criminal behavior.

We find that about 600,000 emergency department visits over a year involved the nonmedical use of prescription or over-the-counter drugs or dietary supplements. It's a substantial increase year after year. About one-third of the visits result in hospital admissions. In fact, 1,365 of those emergency visits have resulted in the death of the patient, oftentimes young people. And that's where we see the biggest problem—fatalities in children 13 to 19 years of age.

So this will allow local communities to create drug disposal programs. As Mr. INSLEE and Mr. WHITFIELD had mentioned, it gives consumers a safe way to dispose of unneeded pharmaceuticals, including controlled substances. A number of the most responsible pharmacies have asked for this. The pharmacists say they want to be constructive in this process and prevent this illegal and oftentimes fatal use of prescription drugs on the part of young children.

This is a very important piece of legislation. It will save lives. It's the right thing to do.

I just want to mention one other thing that involves our Interior and Environment Appropriations Subcommittee. We are finding that one of the things that is leading to very serious problems with water quality is the fact that prescription medications are winding up in our water supply because our sewage treatment centers don't have the ability to screen them out, so they go right into the water supply that leads to drinking water. And we think that that is a source of some of the problems we find with endocrine-disrupting chemicals that block or mimic natural hormones. And we see that in a number of fish, particularly the fish in the Potomac River. This is one of the problems.

So we are addressing a number of issues with this legislation. I trust that it will be passed unanimously, and maybe even by the Senate, which would be phenomenal. So, Mr. Speaker, we thank all those who cosponsored this, and let's hope it becomes law very quickly.

Mr. SMITH of Texas. Mr. Speaker, Americans are abusing prescription drugs at alarming rates and a major source for this abuse is the unused or expired drugs in our medicine cabinets, nursing homes, and hospitals. Prescription drugs are now surpassing most illegal drugs as the drug of choice for abusers across America.

The Office of National Drug Control Policy reports that "prescription drugs account for the second most commonly abused category of drugs, behind marijuana, and ahead of cocaine, heroin, methamphetamine, and other drugs."

The most commonly abused prescription drugs are opioid painkillers, such as Oxycontin and Percocet and morphine. Accidental deaths caused by the abuse of such opioid painkillers now outnumber deaths caused by the use of cocaine and heroin.

Today, an estimated seven million Americans abuse prescription drugs. The National Survey on Drug Use and Health found that the non-medical use of prescription drugs increased by 12 percent in 2009. Pain killers and other highly addictive prescription drugs have become increasingly popular with America's teenagers.

The Centers for Disease Control reports that 20 percent of teens have admitted to taking prescription drugs without a prescription. Unfortunately, many teens believe these drugs, because they are available by prescription, are less dangerous than illegal drugs. Sadly, this can often be a deadly misconception.

And a major source of prescription drugs is leftover, unused and expired drugs in our own homes and healthcare facilities. The Justice Department reports that prescription drug abuse is most prevalent among 18- to 25-year-olds, and most of these drugs are acquired for free from family and friends.

The solution is safe and accessible drug disposal. Law enforcement agencies and pharmacies across the country are now sponsoring drug disposal or "take-back" programs to collect unused and expired prescription drugs.

But these programs are at the mercy of a loophole in federal law that prevents individuals from legally disposing of controlled prescription drugs. The Comprehensive Drug Abuse Prevention and Control Act of 1970 or "CSA" utilizes a registration system for the distribution of controlled substances.

Individuals are exempted from the registration requirement in order to receive a prescription from their doctor to fill at their local pharmacy. But the CSA does not authorize individuals to dispose of their unused or expired drugs to a "take-back" program.

H.R. 5809, the Safe Drug Disposal Act, introduced by Mr. INSLEE, Mr. STUPAK, and myself, corrects this anomaly in the law. Once this bill is enacted, patients and long-term care facilities will be able to legally dispose of their controlled prescription drugs.

H.R. 5809 establishes a public education campaign within the Office of National Drug Control Policy to increase awareness of the availability of drug take-back programs in their communities. The bill also directs the General Accountability Office to study the availability and effectiveness of drug disposal programs.

Finally, the bill directs the Environmental Protection Agency to study the environmental impacts of the disposal of prescription drugs.

It is imperative that Congress provide for the safe disposal of these highly-addictive and dangerous drugs. Without this change to our federal drug laws, prescription pain killers and sedatives will linger in medicine cabinets across the country, easily accessible to teenagers wishing to experiment or adults who become dependent.

I urge my colleagues to support this legislation.

Mr. STUPAK. Mr. Speaker, I rise in support of this legislation.

Millions of Americans are prescribed narcotics for postoperative pain, bone fractures, and other ailments each year. However, most patients do not consume all the prescriptions they are prescribed.

These drugs remain in drug cabinets for years, easily accessible to teens wishing to experiment with drugs.

The Controlled Substances Act regulates prescription narcotics through a registration system. However, the Controlled Substance Act currently exempts patients from this registration requirement.

H.R. 5809 allows individuals to dispose of unused prescription controlled substances to a recipient authorized by the DEA. The bill also authorizes the Attorney General to promulgate regulations for the lawful disposal of prescription controlled substances by a long-term care facility.

H.R. 5809 also clarifies that the DEA regulations set forth in this legislation may not require any entity to establish a drug take-back program.

I want to thank my friend and colleagues, JAY INSLEE, LAMAR SMITH and other colleagues on both sides of the aisle for their hard work and commitment to empowering patients to help prevent prescription drug abuse, especially amongst our youth.

I urge my colleagues to vote in support of the legislation.

Mr. WHITFIELD. I urge passage of this bill, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I urge passage, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 5809, 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 5131, by the yeas and nays; and

H.R. 3470, by the yeas and nays.

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

COLTSVILLE NATIONAL HISTORICAL PARK ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5131) to establish Coltsville National Historical Park in the State of Connecticut, 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 gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 215, nays 174, not voting 43, as follows:

[Roll No. 532]

YEAS—215

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Boccieri
Boswell
Boyd
Braley (IA)
Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
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
Ellsworth
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Luján
Lynch
Maffei
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Melancon
Michaud
Miller (NC)
Minnick
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Napolitano
Neal (MA)
Nye
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Woolsey
Wu
Yarmuth

NAYS—174

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Crenshaw
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Ehlers
Emerson
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)
King (IA)
King (NY)
Kingston
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
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Owens
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
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
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

NOT VOTING—43

Barrett (SC)
Barrow
Berry
Bishop (UT)
Blumenauer
Boehner
Boren
Boucher
Brady (PA)
Butterfield
Carney
Carter
Davis (AL)
Engel
Fallin
Flake
Gutierrez
Hall (NY)
Hodes
Israel
Jackson (IL)
Kilpatrick (MI)
Kirk
Lowey
Maloney
Meeks (NY)
Miller, George
Mollohan
Moore (WI)
Murphy (NY)
Nadler (NY)
Obey
Radanovich
Rangel
Sánchez, Linda T.
Schrader
Shea-Porter
Space
Towns
Van Hollen
Velázquez
Wilson (OH)
Young (FL)

□ 1833

Mr. UPTON, Mrs. CAPITO, Ms. GRANGER, Ms. ROS-LEHTINEN, Messrs. LATOURETTE, CASTLE, BRADY of Texas, STEARNS, DANIEL E. LUNGREN of California, and BACHUS changed their vote from ''yea'' to ''nay.''

Messrs. TONKO, ALTMIRE, and Ms. SPEIER changed their vote from ''nay'' to ''yea.''

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

NATIONALLY ENHANCING THE WELLBEING OF BABIES THROUGH OUTREACH AND RESEARCH NOW ACT

The SPEAKER pro tempore (Mrs. DAHLKEMPER). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3470) to authorize funding for the creation and implementation of infant mortality pilot programs in standard metropolitan statistical areas with high rates of infant mortality, 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 New Jersey (Mr. PALLONE) 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 324, nays 64, not voting 44, as follows:

[Roll No. 533]

YEAS—324

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boswell
Boustany
Boyd
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Giffords
Gordon (TN)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Halvorson
Hare
Harper
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inglis
Inslee
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maffei
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Myrick
Napolitano
Neal (MA)
Nye
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Rahall
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Visclosky
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—64

Akin
Bachmann
Bishop (UT)
Brady (TX)
Broun (GA)
Burton (IN)
Campbell
Cantor
Carter
Chaffetz
Conaway
Culberson
Duncan
Fleming
Foxx
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (GA)
Hall (TX)
Hastings (WA)
Hensarling
Herger
Hoekstra
Hunter
Issa
Jenkins
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Linder
Lucas
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
Mica
Miller (FL)
Neugebauer
Nunes
Olson
Paul
Petri
Posey
Price (GA)
Rogers (AL)
Rohrabacher
Royce
Sensenbrenner
Sessions
Shadegg
Shuster
Smith (NE)
Sullivan
Thornberry
Tiahrt
Walden
Westmoreland

NOT VOTING—44

Barrett (SC)
Barrow
Berry
Blumenauer
Boren
Boucher
Brady (PA)
Butterfield
Carney
Davis (AL)
Dicks
Engel
Fallin
Flake
Gonzalez
Gutierrez
Hall (NY)
Harman
Hodes
Israel
Jackson (IL)
Johnson, Sam
Kilpatrick (MI)
Kirk
Lowey
Maloney
Meeks (NY)
Mollohan
Moore (WI)
Murphy (NY)
Nadler (NY)
Oberstar
Obey
Poe (TX)
Radanovich
Rangel
Sánchez, Linda T.
Shea-Porter
Space
Towns
Van Hollen
Velázquez
Wilson (OH)
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1843

Messrs. HALL of Texas and GOHMERT changed their vote from ''yea'' to ''nay.''

Mrs. SCHMIDT, Mrs. MCMORRIS RODGERS and Mr. STEARNS changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Madam Speaker, I was unavoidably absent for votes in the House Chamber today. Had I been present, I would have voted "yea" on rollcall votes 532 and 533.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 5297, SMALL BUSINESS JOBS ACT OF 2010

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111–621) on the resolution (H. Res. 1640) providing for consideration of the Senate amendment 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 referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 413

Mr. POE of Texas. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 413.

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

There was no objection.

IMMIGRATION TIDE HAS TURNED AGAINST OBAMA

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

Mr. SMITH of Texas. Madam Speaker, the immigration tide has turned against the administration. A recent Quinnipiac poll found that 60 percent of voters disapprove of the way President Obama is handling illegal immigration. Fifty percent of Democrats and 87 percent of Republicans now agree that immigration reform should, quote, ''move

in the direction of stricter enforcement of laws against illegal immigration.''

While the Obama administration sues to stop Arizona's immigration enforcement law, a CBS poll shows that 73 percent of Americans now say the law is just right or doesn't go far enough.

Across the country, candidates are running on pro-enforcement, no amnesty platforms. While the Obama administration is moving in one direction, the American people are moving in the other.

A TRIBUTE TO DAVID MANGARERO SABLAN

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

Mr. SABLAN. Madam Speaker, I rise today to pay tribute to David Mangarero Sablan, who has served the Northern Mariana Islands with honor and distinction as a business leader, a community leader, and in numerous appointed positions for both the Commonwealth and the Federal Government.

Mr. Sablan is of the generation born during Japanese times. But it was the coming of the Americans that coincided with his rise to leadership. At the age of 13, he was already chief telephone operator for the American military government, and by 30 in charge of Atkins Kroll company expansions throughout Micronesia, selling automobiles, insurance, and shipping services.

In government service, David Sablan was designated by President Ronald Reagan to serve on the Northern Mariana Islands Commission on Federal Laws and by governors of our Commonwealth as head of the Planning and Budget Office.

His commitment to the community is evidenced in his work with the Chamber, the Rotary, Make-a-Wish, and Boy Scouts of America.

The Northern Mariana Islands salute David Mangarero Sablan.

Madam Speaker, I rise today to pay tribute to David Mangarero Sablan, who has served the Northern Mariana Islands with honor and distinction as a business leader, a community leader, and in numerous appointed positions for both the Commonwealth and United States governments.

The son of Elias Parong and Carmen Mangarero Sablan, David was born in Garapan, Saipan on April 2, 1932, during the Japanese occupation of the Northern Mariana Islands. He attended the Japanese public elementary school from 1937 to 1944, when his life was disrupted by the invasion of American forces. David's family, along with much of the native Chamorro and Carolinian population of Saipan, fled to caves in the hills for protection from artillery bombardment and the battles being waged across the island. The family lived packed in a cave with 50 other civilians for three weeks with only sugarcane to eat.

Once the fighting ended in September 1944, the twelve-year-old David was hired to be a messenger for the Supply Department of the United States Naval Civil Affairs. Barely a year later the teenager became chief telephone operator for the military government. And the young David got back to school, attending the Navy Dependent School on Saipan until it closed in 1951, then moving to Guam to complete his education at George Washington High School.

David's first private-sector employment was with the Atkins Kroll group in Guam, where he was hired as a traffic clerk in the steamship department in 1952. He subsequently worked in the company's merchandising department and automotive department, rising to be sales manager. In 1961, David was hired by Bank of Hawaii as a loan administrator and was eventually appointed assistant branch manager of the bank's Guam office.

In 1965, Atkins Kroll offered David a challenge that would lead to his return home: establish an Atkins Kroll operations base in Saipan with jurisdictional responsibilities for the Micronesian market. David successfully established the company's Saipan office, later branded as Microl Corporation in Saipan, and led the company's growth through the acquisition of exclusive Toyota distribution rights for Saipan, Guam, and Micronesia, and the further diversification of the company's business to include insurance and shipping.

David remained with Atkins Kroll/Microl Corporation until 1979, when he accepted a job as an economic consultant to the Commonwealth legislature. In 1982, the Commonwealth governor appointed him Special Assistant for Planning and Budget. Later that year, David was tapped once again to return to Microl Corporation, where he served as President and Chief Executive Officer until 1986, when he retired after a total of 31 years of service. Also in 1986, David was designated by President Ronald Reagan to serve on the Northern Mariana Islands Commission on Federal Laws.

After leaving Atkins Kroll/Microl, David moved to Modesto, California and established his own trading company to serve the Micronesian market. In 1990, the newly-elected governor of the Commonwealth appointed David to head the Planning and Budget Office, where he served until 1993, when he was hired to run a subsidiary of Tan Holdings Corporation, one of the largest privately-owned companies in the Asia-Pacific Region. David continues to represent Tan Holdings as the president of Century Insurance Company, Century Tours, and Century Travel; the vice-president of CTSI Logistics, Asia-Pacific Airlines, and Cosmos Distributing; and the vice-chairman of the board of Asia Pacific Hotels.

Since 1968, David has also been a leader of the Commonwealth's tourism industry. He was a founder, president, and part owner of Pacific Micronesia Corporation, which owned the Saipan Beach Inter-Continental Hotel; a founder, president, and part owner of Tasi Tours and Transportation; a board member of the Pacific Asia Travel Association, and a long-time board member of the Marianas Visitors Authority.

David's commitment to the development of the regional economies and business communities is similarly extensive. He was a long-time member and director of the Guam Chamber of Commerce; a long-time member, three-time president, and current board member of the Saipan Chamber of Commerce; and a long-time member of the Commonwealth's Strategic Economic Development Council. David is also a former member of the Rotary Club of Guam, a former president of the Guam Chapter of the Navy League of the United States, a founder and current member of the Rotary Club of Saipan, a director of the Make-A-Wish Foundation for Guam and the Northern Mariana Islands, state chairman for Employer Support of the Guard and Reserve, and district chairman for the Boy Scouts of America.

His deep commitment to the Commonwealth and Guam communities has been recognized repeatedly over the years. Mr. Sablan has been named the Saipan Chamber of Commerce Businessperson of the Year, the Guam Business Executive of the Year, and the Rotary Club of Saipan Citizen of the Year.

David and his wife of 27 years, Rita C. Sablan, are the parents of five children: David Jr., Victoria, Patricia, Stephen, and Deanna.

PASS THE DREAM ACT

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

Ms. JACKSON LEE of Texas. Madam Speaker, I heard quite the contrary from my good friend on the other side of the aisle. In fact, I listened to a very eloquent comment being made in the other body as they discussed the DREAM Act. And many Americans understand and appreciate the value of legislation that would allow young people who have lived here and graduated with honors and high marks to be able to go to college even if they came with their parents undocumented, to allow them to access citizenship, to pay back their dues to the American people, to give of their talents to make this economic engine run and to serve their country.

There was an amazing story recounted of a young man who tried over and over again to be able to join the United States military and was rejected over and over again because of his undocumented status. By some manner he managed to go on to school and enter into law school. Now, even as a person that is still seeking the appropriate status, he still wants to join the Marine Corps.

The DREAM Act is the right kind of comprehensive immigration reform, or part of it. It is time to move forward.

RECOGNIZING 10TH ANNUAL FOOTY'S BUBBLES AND BONES GALA

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

Ms. ROS-LEHTINEN. Madam Speaker, I am so proud to rise tonight to recognize South Florida's own Joseph ''Pepe'' Badia, the president of Badia's Spices, who will be honored on October 8 for his many contributions to our community at the 10th annual Bubbles & Bones gala.

Pepe's life is the classic story of a refugee in the United States, the land

of opportunity. Pepe came as a lone 14-year-old Hispanic immigrant who, through hard work and determination, has become the leader of one of the largest and fastest growing spice companies in the United States. Pepe's accomplishments will be highlighted at an event in South Florida by John Kross, known as Footy, and this will benefit Here's Help, a nonprofit substance abuse treatment facility which assists over 300 inner city youths.

Congratulations to our very own Joseph ''Pepe'' Badia, a great civic activist in South Florida.

RECOGNIZING PERIPHERAL ARTERIAL DISEASE AWARENESS MONTH

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

Mr. PAULSEN. Madam Speaker, I rise tonight to take a moment to recognize September as Peripheral Arterial Disease (PAD) Awareness Month. PAD is a very dangerous and increasingly common illness that affects approximately 9 million Americans every year. Yet a recent study showed that only 25 percent of people are even aware of its existence.

That's why I have introduced House Resolution 1438, which aims to promote increased awareness and diagnosis of peripheral arterial disease to address the high mortality rate of this treatable disease. PAD occurs when arteries in the legs become restricted or clogged with fatty deposits, reducing blood flow to the legs. This can result in muscle pain, disability, amputation, and even death.

In addition, it is often an early warning sign that other arteries, including those in the heart and brain, may also be blocked, increasing the risk of a heart attack or stroke.

Madam Speaker and fellow Members, we must take the proper steps to curb this increasingly dangerous and deadly disease.

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A TRIBUTE TO OUR FIRST NURSES

(Mr. SABLAN asked and was given permission to speak out of order.)

Mr. SABLAN. Madam Speaker, as early as the tiempon Hapones, the Japanese times, in the Marianas our local women began to train as nurses. Nursing was one of the few professions open to women. But the realities of the work meant that only those whose hearts, minds and bodies were strong could meet the arduous challenges and discipline required.

World War II opened the door wider. With thousands of military and civilian casualties littering our islands, the U.S. forces had to recruit nurses from the local population. After the war, the Navy, then the civilian administration, set up the hospitals and clinics; and these facilities, too, demanded nursing staff.

Training was made available at a series of schools through Micronesia, raising the skills of our native nurses. From 1944 to 1978, some 250 of our local people found work in nursing.

We, the people of the Northern Mariana Islands, salute these nurses and thank them for their professionalism, courage and service.

Madam Speaker, to begin the story of the pioneer, native nurses of the Northern Mariana Islands, one must go back to the late 1930s and early 1940s, to the tiempon Hapones or Japanese times in the Marianas. In those days nursing was one of the few professions open to our local women and so attracted attention. But the realities of the work meant that only those whose hearts, minds, and bodies were strong could meet the arduous challenges and strict discipline required. It is believed that Mrs. Rosa Blanco Camacho, now almost ninety, is the only one of these pre-war nurses alive today.

World War II changed everything. The Marianas were the site of some of the bloodiest battles in the Pacific. After the invasion, the island of Saipan was a wasteland, littered with thousands of military and civilian casualties. Makeshift field hospitals were hastily erected, and young native women—and men—were quickly enlisted to assist military medical personnel in caring for the wounded and dying. On-the-job field training for these native nurses and corpsmen was the order of the day. Besides the challenge of learning how to take care of the wounded, these native recruits faced a more basic obstacle: they had to learn how to communicate in English. Few American servicemen spoke or understood Japanese, and few, if any, knew the native Chamorro or Carolinian languages.

They faced tasks unlike anything they had seen before; and the hours were grueling. From Monday to Sunday the nurses worked on at the hospital sites. Only on Sundays were they packed onto trucks and allowed to return to spend time with their families and the rest of the civilian population, which had been gathered up by the military and encamped at Camp Susupe.

When the war ended in 1945, the U.S. Navy built a permanent hospital on Maturana Hill, Saipan, where the native nurses were employed and which served both the military and civilian population. The Navy also built a leprosarium on Tinian with three native nurses. The U.S. also began to offer more formal training for the nurses from the Northern Marianas. Some of those from Saipan and Rota were sent to the U.S. Naval Hospital School of Nursing in Guam. When this training facility closed in 1952, those nurses who were in the middle of their studies were sent to the Trust Territory School of Nursing in Chuuk. Later, that school was relocated to Pohnpei, then to Palau, and then in the late 1960s to Saipan. The final move was to the Marshall Islands in 1986. Despite these frequent moves, over the years the Trust Territory School of Nursing graduated many students from all the Trust Territory districts, including the Marianas District.

When the U.S. Department of the Interior assumed administration of the Northern Mariana Islands in 1962, the U.S. Navy closed its hospital on Maturana Hill and the native nurses who worked at the aging naval hospital gladly transferred to the brand new Dr. Torres Hospital on As Terlaje Hill on Saipan. Dr. Torres Hospital was a civilian-run, eighty-four bed inpatient and outpatient care facility where nurses could, with seniority and patience, develop a specialized practice, in surgery or obstetrics for example.

The population in the Northern Mariana Islands was growing now and there was a corresponding growth in the demand for nurses. Health centers on Tinian and Rota had been built and were expanding. And public health dispensaries were opened in some villages on Saipan, all of them staffed by nurses.

Nursing remained one of the few professions open to women. It still had its attractions: a regular salary, the status that the nurse's uniform conveyed. But at its heart nursing also remained—and remains—grueling work that demanded strength of mind and body, an attention to detail and self-discipline.

We, the people of the Northern Mariana Islands, appreciate and salute the following nurses, who served from 1944 to 1978, for their professionalism, courage, and service:

Dolores Reyes Agulto, Joaquin Santos Aguon, Jesus Castro Aldan, Jose Palacios Aldan, Josepha Castro Aldan, Merced Deleon Guerrero Aldan, Vicente Matagolai Aldan, Estefania Rabauliman Amirez, Dionisia Taitano Apatang, Lucia Villagomez Arizapa, Elena Camacho Arriola, Jesus Saimon Arriola, Magdalena Demapan Arriola, Maria Kokure Arriola, Maria Benavente Atalig, Maria Hocog Atalig, Rosina Ayuyu Atalig, Rosario Imamura Atlaig, Rosario Cabrera Attao, Teresita San Nicolas Attao, Rosa Litulumar Ayuyu, Carmen Nekai Babauta, Maria Lizama Babauta, Roberto San Nicolas Babauta, Urbano Crisostimo Babauta, Teresita Atalig Barcinas, Lucia Castro Barcinas, Sylvia Barcinas, Felisa Chargualaf Basa, Trinidad Arriola Benavente, Maria Attao Bermudes, Maria Pura Tagabuel Billy, Olympia Selepeo Borja, Petra Hoashi Borja;

Rosita San Nicolas Borja, Alejandro Reyes Cabrera, Ana Torres Cabrera, Angelica Muna Cabrera, Anita Torres Cabrera, Herminia Pangelinan Cabrera, Jose Manibusan Cabrera, Magdalena Brel Cabrera, Maria Duenas Cabrera, Dela Cruz Cabrera, Victorina Bias Cabrera, Salomae Hocog Calvo, Dolores Benavente Camacho, Estefania Flores Camacho, Fermina Mendiola Camacho, Lucia Leon Guerrero Camacho, Namiko Ketebengang Camacho, Rita Duenas Camacho, Rosa Ada Camacho, Rosa Blanco Camacho, Ana Songsong Castro, Carmen Moses Castro, Daniel Pangelinan Castro, Loretta Mesngon Castro, Maria Manibusan Castro, Ruth Albert Castro, Taeko Elizabeth Kumangai Castro, Antonia Taimanao Celis, Maria Muna Celis, Rita Sablan Celis, Antonio Santos Cepeda, Juan Cruz Cepeda, Rosa Manibusan Cepeda, Ana Maria Gogue Charfauros;

Ramona Seman Chong, Carmen Attao Concepcion, Irminia Benavente Cox, Conrado Deleon Guerrero Crisostomo, Ana Kokure Dela Cruz, Jesus Ogo Dela Cruz, Francisco Palacios Deleon Guerrero, Gustav Acosta Deleon Guerrero, Mariana Camacho Deleon Guerrero, Anunciasion Cruz Demapan, Justina Rdiall Demapan, Luis Cepeda Demapan, Micaela Sablan Demapan, Juanita Duenas Diaz, Maria Mendiola Diaz, Elisa Maratita Dim, Elizabeth Naputi Dudley, Ines Cruz Duenas, Margarita Attao Duenas, Monica Camacho Duenas, Estefania Atalig Dumale, Luis Osomai Elameto, Amania Mechaet Elidechedong, Vicenta Lizama Evangelista, Mary Farley, Rosa Tenorio Fejeran, Rosa Maliti Fejeran, Rita Castro

Flawau, Lorenza Mendiola Garcia, Ramon Guerrero, Vicente Guerrero, Maria Esteves Halstead, Carmen Wesley Hamilton, Hasmid Haro;

Ana Ogo Hocog, Felisisima Ada Hocog, Maria Ayuyu Hocog, Guadalupe Reyes Hofschneider, Maria Manibusan Igibara, Andres Taisacan Igisaiar, Lucia Seman Iriarte, Carmina Weilbacher Jack, Berthilia Camacho John, Ensel John, Engracia Aldan Johnson, Carmen Olopai Kaipat, Damiana Olkeriil Kaipat, Diego Litulumar Kaipat, Isaac Borja Kaipat, Natividad Dela Cruz Kaneshi, Ana Igisaiar Kileleman, Neiar Kolios, Violet Laird, Consolacion Limes Laniyo, Lourdes Olopai Laniyo, Mariano Repeki Laniyo, Maria Taitano Lieto, Teresita Pialur Limes, Hermana Ling, Daniel Mettao Lisua, Dionicio Mendiola Lizama;

Joaquin Reyes Lizama, Juana Hocog Lizama, Maria Ada Lizama, Soledad Mesngon Lizama, Vicente Lizama, Carmen Mendiola Lizama-Torres, Susana Rogopes Macaranas, Vivian Nee Adamson Malmstrom, Magdalena Sablan Manahane, Milagro Hocog Manglona, Magdalena Manglona Manglona, Delfina Villagomez Manibusan, Donicia Rasiang Marciano-Hosono, Francisco Acosta Masga, Maria Cruz Masga, Nathania Maui, Martha Muna Mendiola, Bernadita Reyes Mercado, Juan Itibus Mettao, Likiak Kun Mongkeya, Lorenza Ilo Mongkeya, Carmen Santos Muna, Isidro Camacho Muna;

Vicenta Santos Muna, Jose Naog, Isidro Nekai, Rosa San Nicolas Norita, Dominina Fitial Olopai, Gregoria Fitial Omar, Elizabeth Atalig Paeda, Maria Indalecio Palacios, Maria Taman Palacios, Milagro Sablan Palacios, Rita Taman Palacios, Dolores Cepeda Pangelinan, Jose Basa Pangelinan, Juan Basa Pangelinan, Magdalena Terlaje Pangelinan, Maria Aldan Pangelinan, Maxima Cruz Pangelinan, Paul William Perry, Rafaela Odoshi Perry, Maria Toves Quitugua, Remedio Naog Quitugua, Viviana Osomai Rabauliman, Casimira Manglona Ramos, Lourdes Maliti Rangamar, Dolores Cruz Rasa, Consolacion Sablan Rasiang, Fuana Remeliik;

Angelina Sablan Reyes, Joaquina Pangelinan Reyes, Rosario Taman Rios, Maria Borja Roberto, Angela Muleta Romolor, Pedro San Nicolas Rosario, Rosa Benavente Royal, Takeshi Aloka Royal, Juan Satur Ruben, Vicente Faibar Rubuenog, Ana Ayuyu Sablan, Daniel Magofna Sablan, Dolores Reyes Sablan, Margarita Mendiola Sablan, Olympia Reyes Sablan, Ramona Cabrera Sablan, Rita Diaz Sablan, Rosalia Tenorio Sablan, Fidelia Sablan Salas, Margarita Villagomez Salas, Rosa Manibusan Salas, Isabel Manibusan San Nicolas, Juana Manibusan San Nicolas;

Dolores Apatang Santos, Isabel Esteves Santos, Maria Camacho Santos, Maria Arriola Santos, Maria Luisa Duenas Santos, Martha Cabrera Santos, Carlos Rapagau Satur, Esteban Nepaial Satur, Guillermo Litulumar Saures, Lourdes Mettao Saures, Maria Benavente Sedmik, Antonia Rabauliman Seman, Isabel Jones Seman, Margarita Benavente Seman, John Frank Skilling, Teresita Wabol Skilling, Cresencia Maratita Songao, Francisco Maratita Songao, Mary Grace Lejjena Songsong, Maria Asuncion Stoll, Carmen Maratita Suzuki, Margarita Somol Tagabuel, Gisina Songao Taimanao, Gloria Ramos Taimanao, Marcelina Atalig Taitano, Sabina Rivera Taro;

Lino Pangelinan Tenorio, Maria Hattori Tenorio, Natividad Cruz Tenorio, Rita Sablan Tenorio, Soledad Takai Tenorio, Elena Litulumar Teregeyo, Enriquetta Peter Teregeyo, Maria Reyes Thompson, Dirruchei Terry Tmakiung, Jovita Blanco Tomokane, Francisco Ada Torres, Maria Jones Torres, Elizabeth Sablan Torres-Untalan, Rita Songao Toves, Sophia Olopai Towai, Consolacion Faisao Tudela, Margarita Cabrera Tudela, Remedio Bermudes Tudela, Maria Salii Udui, Isabel Camacho Villagomez, Margarita Aquininog Villagomez, Josepha Arriola Weilbacher, Donicia Pialur Ythemar, Paul Joseph Ythemar.

SPECIAL ORDERS

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

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

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

IN MEMORY OF PRIVATE FIRST CLASS CHAD COLEMAN

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

Mr. WESTMORELAND. Madam Speaker, it is with honor and great sorrow that I rise on this occasion tonight to pay tribute and to tell everyone about Private First Class Chad Coleman, who heeded his Nation's call of duty by joining the Army in October of 2008 after attending Newnan High School in my home State of Georgia. On August 27, 2010, he made the ultimate sacrifice, proudly serving his country in Afghanistan as a member of the 101st Airborne Division.

Growing up in Wisconsin, Chad moved to Newnan, Georgia, with his parents, Brian and Shanon Coleman, when he was 16. After high school, Chad entered basic training at Fort Knox and completed advanced training at Fort Campbell, becoming a cavalry scout. He was deployed to Afghanistan as part of the 33rd Cavalry Regiment of the 101st Airborne Division.

For anyone who knew Chad as a young boy, it came as no surprise to them that he would grow up into a fine soldier. As a boy, he was compassionate and caring and showed an interest in serving his country at an early age. His grandmother, Mary Ann Coleman, recalls him building large forts out of Lincoln Logs and how he would maneuver the plastic Army soldiers that he bought at the Dollar Store in and out of the forts that he had built.

As a teenager, Chad spent time at the local VFW hall. He would play cards with the veterans and listen to their stories. But most of all, he was a friend to the distinguished men and women who had served their country so bravely before him.

The only thing that came close to Chad's love for his country was his love for his family and friends. He never failed to say, ''I love you,'' his grandmother said. Hugs and kisses were his trademark. While his family will continue to miss him every day, they know he was fulfilling a lifelong dream.

Private First Class Coleman was always known to say that he loved the uniform and that he was so proud to be serving his country. A few weeks ago, this country lost a true hero. I know that his fellow soldiers, his country, and especially his family will miss him greatly.

I am proud to pay tribute to such a fine grandson, son, patriot, and soldier.

HYUNDAI MOTORS

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

Mr. BRIGHT. Madam Speaker, earlier this week Hyundai Motors announced it would move production of its Elantra sedan from South Korea to its flagship American facility in Montgomery, Alabama. It was a welcome announcement for Montgomery and the surrounding area, which I am proud to represent.

Since 2005, the Hyundai Motors facility in Montgomery has produced the award-winning and increasingly popular Sonata. Despite a slumping economy, production of the Sonata remains at near-peak capacity. In fact, production of the Santa Fe recently shifted from Montgomery to the new Kia facility in nearby West Point, Georgia, with relatively little change overall in production.

What struck me about the announcement, however, is that Hyundai is embracing the global nature of the automobile industry. Instead of moving full production of the Elantra to the United States, Hyundai will split its manufacturing between Montgomery, Alabama and its existing Korean plant. A Hyundai spokesman noted: ''Hyundai's philosophy is to build our vehicles where we sell them, and with the addition of the Elantra to our U.S. production mix, we now manufacture our three most popular models right here in the United States.'' In a global economy, it makes sense to keep production close to where the car will actually be sold.

Hyundai has been a wonderful community partner with Alabama and specifically within the River Region of our central Alabama location. In addition to the 2,700 direct jobs created from the $1.2 billion facility, Hyundai has brought in 72 suppliers throughout North America, creating an additional 5,500 jobs. This partnership has come despite the fact that needless trade barriers exist between the United States and our friends in South Korea.

I can only imagine what both countries could achieve if we were able to come together and enact the U.S.-South Korea Free Trade Agreement.

I recently joined with a bipartisan coalition to form the U.S.-South Korea Free Trade Agreement Working Group. This group, composed of Members of Congress who represent diverse districts from across the country, wants to see this agreement ratified.

Despite being signed by President Bush over 3 years ago, Congress has yet to pass the agreement. President Obama cites the U.S.-South Korea Free Trade Agreement as one of our biggest domestic trade priorities and would like to see disagreements worked out by the next G20 meeting in November. It's already late September and very little progress has been made to get this agreement passed.

The benefits to the U.S. are obvious. Passing a free trade agreement with South Korea, who is our seventh largest trading partner, would add an estimated $10 billion to $12 billion to our gross domestic product. What we have already seen in Alabama could be expanded across this great country of ours.

Madam Speaker, our number one priority must be getting Americans back to work. We have already seen the benefits of a close partnership with South Korea. Let's expand on that relationship. I can think of no better way to create jobs for Americans at virtually no cost than to pass the U.S.-South Korea Free Trade Agreement.

□ 1900

Without question, there are many issues we must tackle in this difficult economic and political time. But trade, especially an agreement that enjoys bipartisan support such as the one with South Korea, can and should be an issue in which we work together. Let's not let partisan politics get in the way of this agreement.

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 SPIRIT OF SOUTH FLORIDA

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. Madam Speaker, I rise to remember the life and legacy of a great south Floridian and fellow Cuban America, Ricardo Mayo-Alvarez.

Ricardo was an irreplaceable member of the Cuban American community. Having fled Cuba's communist regime, Ricardo continued the fight for a free Cuba in south Florida.

Ricardo became a successful entrepreneur and started a chain of pharmacies in south Florida. He generously gave of his time to serve his community and was a constant fixture in the civic and cultural fabric of south Florida.

Although he was deeply committed to the struggle for a free Cuba, I know that the role he cherished the most was that of devoted husband, father, and grandfather.

Ricardo leaves behind his beloved wife and partner, Nieves Fraga, and his children—Jorge, Alina, and Ricky—as well as his grandchildren.

Ricardo, we will never forget you nor your selfless legacy. Rest in peace, my friend.

Madam Speaker, I am proud to praise the Citizens' Crime Watch of Miami-Dade County and its executive director, Carmen Caldwell, who has served our area in so many ways over the years. Neighborhood volunteers are truly the backbone of our communities. Volunteers have done so much to reduce crime and to help keep our south Florida neighborhoods safer.

Citizens' Crime Watch of Miami-Dade County will be celebrating its 35th anniversary at the Doubletree Miami Mart/Airport Hotel on October 1 and will be honoring the leaders of south Florida's war on crime.

It is my honor and privilege to recognize the many dedicated and hard-working members of Citizens' Crime Watch of Miami-Dade County and to thank each of them for what they do to help keep us safe.

Madam Speaker, I would like to congratulate the International Ballet Festival of Miami for another spectacular year of performances. Since 1995, this yearly celebration of the arts has brought some of the world's leading ballet companies to our area of south Florida.

In addition to being known as a hub for international commerce, south Florida has a thriving and diverse arts community. Through the dedication of Pedro Pablo Pena, the festival has become a yearly staple on the south Florida calendar with five spectacular performances at four theaters. Ballet companies from as far away as Hungary, Australia, and Italy have participated in this festival.

I congratulate Pedro Pablo Pena and everyone who made this year's International Ballet Festival of Miami a resounding success. Your efforts have enriched south Florida, and we are all the better for it.

THE DEADLIEST YEAR OF THE AFGHAN WAR

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

Ms. WOOLSEY. Mr. Speaker, the bad news in Afghanistan just continues to pile up. This week, a helicopter crash in the southern part of the country brought the number of 2010 coalition fatalities to 529. That makes this the deadliest of the 9 years we have been mired in this war. And, of course, we still have more than 2 months remaining before the calendar turns.

Meanwhile, these deaths appear to be in vain. While Afghan citizens who turned out to vote this weekend must be saluted for their courage, well, the fact that courage was required to exercise a basic democratic right is rather telling in and of itself. But the parliamentary elections were marred by violence, not to mention all kinds of fraud and irregularities. Time Magazine quotes one candidate as saying, ''It was complete anarchy. Everyone was trying to manipulate this election.''

Mr. Speaker, Afghanistan's financial infrastructure is crumbling almost as badly as is its democratic infrastructure. One of the nation's most prominent banks is teetering on the brink of collapse, at the same time that cronies and relatives of President Karzai appear to have used the bank to line their own pockets.

And in yesterday's New York Times, there was a long story about how families are dressing their little girls as boys, just so they can get a job and an education—and even so they can preserve the family's honor to have more boys than girls.

Steven Walt of Harvard University, a member of the Afghanistan Study Group, summarizes the bleakness of the situation. In the last few years, Walt says, ''We have had a fraudulent presidential election, an inconclusive offensive in Marja, a delayed and downgraded operation in Kandahar, and a run on the corrupt bank of Kabul. Casualty levels are up, and aid groups in Afghanistan now report that the security situation is worse than ever, despite a heightened U.S. presence.''

Mr. Speaker, other than that, Mrs. Lincoln, how was the play?

Seriously, there is little to be encouraged by in Afghanistan. And that is the situation that it is in now. Now, a new book that has come out this week by Bob Woodward reveals that even top White House officials were deeply skeptical about escalating the war. The Special Envoy to Afghanistan and Pakistan is quoted as saying of our strategy, point blank, ''It can't work.''

He is right, Mr. Speaker. But what can work is a smart security approach, one that replaces the military surge with a civilian surge. At this point, a military occupation can't cure what ails Afghanistan; it can only spread the disease. But an influx of humanitarian aid can deliver a brighter, peaceful future for Afghanistan, elections that are free and fair, government leaders with legitimacy and integrity, schools that educate all children—even the Afghan girls, or especially the Afghan girls—and an economy that creates opportunity and lifts people out of poverty.

The current policy is not redeemable. It will continue to engender death, destruction, instability, and chaos. There is only one answer, Mr. Speaker: Bring our troops home.

The SPEAKER pro tempore (Mrs. DAHLKEMPER). Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

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

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

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

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

(Mr. TIAHRT 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 Ohio (Ms. KAPTUR) is recognized for 5 minutes.

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

A SIGNIFICANT DAY FOR AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. Madam Speaker, it is a privilege and honor to have the opportunity to address you here on the floor of the United States House of Representatives and to do so on such a significant day. This is a day of events, I believe, that will be marked for a long time in at least political history, and hopefully it will be marked in the hearts and minds of the American people as well.

And I can think of a couple of events today, one that is unfolding as we speak, and another that unfolded earlier when the United States Senate had a cloture vote and didn't have the votes to force HARRY REID's version of the Department of Defense authorization bill to actually come up for a vote before the United States Senate.

□ 1910

The cloture vote failed because he attached two unrelated issues, unessential issues, to that bill. The politics of it are such, pick your side of the argument. My side of the argument, Madam Speaker, is that they were unnecessary pieces of legislation that were attached to experiment socially with the military, not essential legislation. And the objection on the part of even the Republicans that supported each piece of that legislation was that procedurally, the majority leader in the United States Senate had crossed the line.

So the Department of Defense authorization bill is now frozen in place. I think it must come forward at some time. The indications that we are getting is that will not happen until a lame duck session. That means after the election and after a new United States Senate is elected and after a new United States House of Representatives is elected. Then the people who no longer represent the will of the American people come back to do the essential business of the United States of America, but they don't have the support any longer of the voters who have chosen some different people.

But the two pieces of legislation I am talking about that were attached to the DOD authorization bill are the Don't Ask, Don't Tell policy, which is something that was implemented under President Bill Clinton back in the era when he wanted to put gays in the military, found that he ran into a political buzz saw, and settled for a compromise. And I didn't support it at the time, to be straight about that, Madam Speaker, but in retrospect it was a pretty good policy. Essentially it was we have people with different inclinations, and those who come to serve America can do so without announcing their sexual preferences. And as long as they keep that to themselves, they can serve in the United States military. That policy has served our military well for these last 15 or so years that it has been in place. I suspect it has actually been longer than that. Don't Ask, Don't Tell, Bill Clinton's policy.

Now, because of the activism of the homosexual community, they have pushed an effort, and the President has made a campaign promise that he will repeal Don't Ask, Don't Tell and recruit into the military openly gay people. That is a social experiment with our military, Madam Speaker. The military is not a place to conduct social experiments. One would think that our military personnel should have a say on this. One should do a study. There has been a request for that study through the Department of Defense to get the results of what our soldiers, sailors, airmen, and marines think of this, and then make a determination on whether to go forward with a different policy.

I am hearing continually Don't Ask Don't Tell worked. Opening it up undermines the effectiveness of our military and it breaks down their readiness, and it is bad for America's national security. That seems to be the tone that comes from the enlisted personnel. It comes from some of the officer personnel. But we know that when you are, let's see, one of the joint chiefs, for example, or if you are the Secretary of Defense, and the President of the United States is your commander in chief, and if he should tell you in a Cabinet meeting, for example, that you are going to support the repeal of Don't Ask, Don't Tell, or you are going to be mum on your opinion and keep it to yourself, so this repeal of Don't Ask, Don't Tell that opens up access to the military for gays, so that comes about and that happens. That is what takes place.

Our officers in uniform take their orders from, on up through the ranks, the commander in chief at the top. They get the message from the top. So you don't hear the straight answer from them that we like to think that we are getting from our military personnel. I believe if you could hear that straight answer, you would hear a far different tone coming out of our Joint Chiefs, for example. But the study should be done. It should not be an experiment to play with. What has happened over in the Senate is that they refused to invoke cloture because it is inappropriate and improper to stick the repeal of the Don't Ask, Don't Tell in the DOD authorization bill. If HARRY REID and others believe it should be repealed and we should open up the military to openly gay people, then they should put it up as a stand-alone piece of legislation. They should allow for amendments on it. They should debate it, and they should allow for a recorded vote. And why not do it right now, HARRY REID? Why not bring that up right now as a stand-alone piece of legislation? Why not roll it out on the floor of the United States Senate right now? And if you can pass it over there, send it over here to the House, and I hope that NANCY PELOSI picks that up. I hope Speaker PELOSI picks that up and runs it out here for a debate and a stand-alone vote so the American people can see where these Members of Congress stand.

When you roll it into and you hide it in a DOD authorization bill, then you are trying to push a social activist policy without the accountability of a recorded vote. And that is what the Senators objected to, and that is why they voted no on cloture. That is why Don't Ask, Don't Tell will not be repealed, at least in this period of time between now and the November elections. If there is a pledge over there to bring it up in a lame duck session, we know how those pledges work. If they do so, a policy of that magnitude in a lame duck session, after watching the dynamics in the United States Senate change because of the elections that will take place election night in November, and after watching a change that will take place here in the House of Representatives, to come forward with a bunch of lame ducks and try to pass legislation that is rejected by the American people would be another insult. It would be another affront to the American voters, the American taxpayers, to American citizens.

Don't Ask, Don't Tell needs to stand. That is what the American people want. That is what the military wants. And there is a study out there that needs to be completed. I want to look at the results of that, and I want to look at the methodology of it. I am not necessarily endorsing the results. I have not seen them, nor have I seen the methodology.

But I believe, Madam Speaker, that our military personnel that put their

lives on the line every day, that strap on that vest and that helmet and that uniform and face the heat and the cold and the bullets and the shrapnel and the IEDs, and all of the things that put them at peril, deserve better than a social experiment taking place here in the halls of Congress, just to pay off a political constituency group before an election. That is what offended the Senators over there today who voted no on cloture.

The other component in that legislation was brought up for the same reason. It is called the DREAM Act. It is one of those things that happens. We come up with bad ideas for legislation here in this Congress, and we try to put nice-sounding titles on them so somehow or another if it has a good name, it has a better chance of becoming law. Well, if we had named it the Selective Amnesty For a Certain Class of Illegals Act, I don't think it would have had much chance to get to where it has. But it is called the DREAM Act. I would like to be able to say that you are dreaming if you think you can impose amnesty on 2 or more million people that came here illegally and set it up as a reward just because the compassion of your heart says that is what you should do. The people that support the DREAM Act are the people that are looking at this thing in the same way they are supporting the broader overall amnesty policy. What is the bottom line motivation? We would like to think that we are all looking at this policy from a constitutional perspective and a rule of law perspective, and setting up statutes so there is a framework that strengthens America and that respects the rule of law. But instead, we have seen the immigration law in America has simply been pushed off the edge and hijacked towards the line of opening up our border for the cynical political purposes of wanting to provide for people to come here and vote that will vote for a certain party.

Madam Speaker, I heard this about 3 years ago, and I heard it right outside this House of Representatives out here on the West Lawn when there were about 150,000 people that came to protest they wanted their amnesty. Many of them presumably were illegal. But Senator Ted Kennedy, alive and relatively well at the time, went out to speak to that group of roughly 150,000 people. He said to them: Some say report to be deported. Then he waited for the interpreter.

Then he said: I say report to become an American citizen. And then he waited for it to be interpreted. And then there was a cheer and applause that went up from the 150,000, the multitudes that came to the Capitol to demand that they receive amnesty and exemption from America's immigration laws.

But I report this to you, Madam Speaker, because I heard clearly that day the clarion call that came from Senator Teddy Kennedy that said: We are going to give you all amnesty, and we are going to give you all citizenship, and we are going to let you all vote to redirect the direction of America, and just know that I represent the Democrats, and remember that we are the ones that gave you amnesty and the path to citizenship. So report to become an American citizen, remember who said so, Teddy Kennedy, vote for his party.

Now there are some people on my side who got this wrong. I have said for a long time that the driving force on immigration here in the United States is this.

□ 1920

On the one side, it's kind of like a set of barbells. Over here on one side, we have business that thinks that they've somehow got a right to cheap labor. Among these businesses, there are Democrats and Republicans, increasingly numbers of Democrats on the Big Business side of this who want the cheap labor. Yet there is a business interest. It's all the way over on this side of the barbell. Then you've got the bar through the middle, and on the other side of the barbell are those who want open borders and amnesty for the sake of all the political power that it brings them.

Now, Madam Speaker, that might be something that doesn't exactly resonate when I say that, that illegal immigration gives people political power in America, and I know I have to explain that. It's this:

We've already completed the census. We've counted everybody in the United States. I hope we have. Now redistricting is beginning all the way across America. According to a CIS report of a couple, three years ago, there are between nine and 11 congressional seats in America that would shift from the States they are in because we count people rather than citizens for the purposes of reapportionment in America.

If you go across the South to States like Florida, Texas, California—and perhaps Arizona—Florida, Texas and California, by my recollection, would be States that would lose a seat if you were to count citizens rather than just people. Those seats, those nine to 11 in the aggregate altogether—and there would be other States that would lose seats—would be scattered back around America and reapportioned to the States that are a little bit short right now. Utah, for example, is on the cusp of picking up a seat. Well, if we counted citizens instead of people—''people'' is a class that includes illegals, the people who shouldn't be here—then there would be States like Utah and Indiana that would pick up a seat. A State like Iowa is more likely to keep the number of seats that it has, but the seats would be scattered across the United States in such a way that there would be a nine to 11 shift. There would be nine to 11 congressional seats that would shift, and they would shift from the hands, according to that analysis, from Democrats into the hands of Republicans.

So what do we know about this?

Each congressional district has, roughly, 700,000 people. Let's just say, if you had 600,000 illegals in your 700,000-person congressional district, you would only have a universe of 100,000 people who you could draw from to get votes. So, when you look around America and you see that some of us get elected with 30,000 or 40,000 votes and others like me require about 120,000 votes to win an election, you begin to understand that the high populations of illegals within some of these congressional districts have a voice. They have a voice here in this Congress. Even though they supposedly can't vote, they have a voice in Congress. They have leverage because they create congressional seats in places where there is sympathy for illegal immigrants. That is how the political power comes. That is one of the ways that it comes.

Then you also have the businesses that depend on the illegal labor, and that's just those who use the labor. There are the businesses then that market to the illegal labor, and they begin to see that they are dependent upon that flow of cash that goes through in that fashion, and now you've got a constituency group that advocates for open borders. It is for their self-interests, but they advocate for open borders for their self-interest purposes whether it is for the political power that Teddy Kennedy so clearly laid out the clarion call for—that's this side of the barbell—or whether it's the weights over on this side, the business interests, that believe they have a right to cheap labor.

By the way, that labor is subsidized by the taxpayer because cheap labor can't sustain itself in this society any longer. This society has become a welfare state. I mentioned the barbells—cheap labor's interest on this side, advocating for amnesty, and the people over on this side, advocating for amnesty because they get a massive amount of political power.

Here in the middle is this barbell, the bar for the barbell, and it gets squeezed. That is the middle class. That bar that holds up either end is the middle class in America. The blue collar people, the middle-income people, the people who just want to buy modest homes and raise their families and give them a chance to go off to college, to go to work every day, to church on Sunday, and to live life as the American Dream are being squeezed. The middle class is being crushed in the middle of this.

There are the people who, let's say, emerge from high school, whether they be Americans who drop out or those who finish and don't go on to higher education. There was a time—oh, there was a happier time—when a person who decided that he just didn't want to stay in the educational system any longer, but who was a hard and smart worker, could walk from that school and go over and get a job in a factory or in a

processing plant and punch that time clock and go to work for 8 hours a day and do that for 40 or more hours a week and make a respectable living and take care of his family. Maybe he pinched his pennies and paid for his house eventually, drove a respectable car and lived life.

Those times aren't entirely gone, but they are diminished dramatically because, first, we have expanded the professional class in America, the professional class that believes that now they have a right to live in a gated community and to hire cheap labor to take care of their lawns. We have that class of people that has expanded. Then over on the other side we've got the illegals and the low-skilled people who are more mobile than the American population. They can travel to the jobs more quickly because they're not tied to any hard assets like real estate, for example. So they can get in their vans or minibuses and go to Washington and pick apples if they decide to do that, and their wage scale is about half of what it would be if we had a tighter labor supply. Illegals are undercutting the lower-skilled labor in America, and they're taking away the opportunities for those Americans who don't want to go on to a higher education and take on more professional jobs.

There used to be—and in my mind there always will be—great pride in those working men and women. They put their hands to the task. A little dirt under your fingernails and some calluses on your hands is an honorable thing. All work is honorable—all productive work is honorable—but this society has now morphed into a welfare state.

I want to go back to the welfare state part; but when I crossed over to this side, I mentioned the gated communities. Think of what has happened to the elitist attitude, the elitist attitude that says, Well, I don't have to worry about the security for America. I don't have to worry about walking down the streets anywhere in America and being mugged or having illegal drugs pushed on my children because I will live in this protected environment, in a gated community, with a fence around the house and with, maybe, steel iron bars with spikes on them on top of the fence. That's out there. Then they raise their children to go off to Ivy League schools so they can come back and live in other gated communities. They live in an isolated America—upper class people, professional class people, living in isolated America.

But you know what?

They open the gates for somebody who is illegal to come in and fix their roofs or to trim their lawns or to work in their gardens or to clean their mansions, to take care of their laundry and to run errands. I mean, we heard Colin Powell just the other day say that, first of all, he supports the DREAM Act. He also said that he needs the illegals to take care of his place. What's he thinking? This is a man who I thought could have been, and perhaps at one time should have been, President of the United States. Now he is advocating that we grant amnesty to the people who are here illegally, and he is openly stating that he needs illegals to take care of his home.

Madam Speaker, if you get to the point of desperation where your house is so big and your home is such an expansive mansion that you can't go out and cut your own grass or trim around your own flowers or paint the trim around the windows or do the things that you do and if you must have servants to take care of that place and if you can't afford to hire legal workers to take care of that place, I would suggest you put it up for sale and go get an apartment somewhere where you can manage the maintenance of it yourself if you have to cross the line and break the law to do the maintenance on your home.

I'm shocked that a man of that stature would make a statement like that. Furthermore, I'd put a little reminder out there for the General Powells and others in the world to think about the DREAM Act and about what the DREAM Act really means. It means this:

If you are under the age of 35 and if you were brought illegally into this country before you were 16, then you are not at fault and are no longer accountable as long as you would agree to go into the military for 2 years or would agree to go off to college for a couple of years. If you will do that, then we'll give you that path to citizenship because, after all, you really were nurtured in this country, legal or illegal, and we'll give you that path to citizenship. You just have to agree to go on to an education a little higher than high school or go off to the military for a couple of years. Now, I don't know how you would sign up for a couple of years to do that, but I'm trustful that there is a special program that way.

□ 1930

And we will chase you down with your citizenship papers and get you to become a complete citizen. And if you're a resident of a State, then you get to enjoy the in-State tuition discounts. We know that this has happened around the country in a number of places. California is one of those places.

Iowa tried to pass the DREAM Act. I heard about what was going on there. The DREAM Act started. The foundation of it was—and, I believe, still remains—in-State tuition discounts for kids who are in the United States illegally and then suspends the enforcement of the law against them so that they can't be deported as long as they are going to college—or now we expand it to the military.

Now, think about this. An in-State tuition discount for someone who is in the United States illegally, that's the equivalent of a scholarship. They're not a lawful resident of this respective State, so you can't give them in-State tuition discounts without a statutory change, without changing the law. So they want to change the law.

So, let's just say the tuition to go to—who shall I pick on? I'm reluctant to pick on anybody, actually, but let's say tuition to go to the University of Iowa as out-of-State tuition, $20,000 a year; in-State tuition, $10,000 a year. And we have someone who is in the country illegally, who was brought here the day before their 16th birthday, and they had been in America for 3 years. I think that's another one of the qualifiers. So we'll say to them, Well, you wanted to be a good citizen, so we're going to give you this in-State tuition discount to go to the University of Iowa, and it's going to save you $10,000 a year. That's the equivalent of a $10,000-a-year scholarship fund for someone who is not in the United States legally.

Now, think—to the General Powells of the world and others who think that the DREAM Act is anything other than some form of class amnesty, think what that is like then to have—what if we had ICE come up and deliver that de facto scholarship for $10,000 a year. We just put them on the road in their Humvee and they can drive out there and we are going to hand these out to those people that came here the day before their 16th birthday—it was their parents' decision, not theirs—and we will give them a de facto scholarship of $10,000 a year. Well, that's a great deal; right? And then they go off to college and sit down in a classroom and we feel so good about ourselves.

But we should keep in mind that somebody wanted to go across the river, across the State border and go to the University of Iowa and take classes at that university but they were not a resident of Iowa any more than the illegal that's the beneficiary of the DREAM Act is a resident of Iowa. And so they have to pay the out-of-State tuition at $20,000 a year, paying twice the tuition. They're paying, over the course of a 4-year education, a $40,000 premium to go to a school out of State—like, let's just say, Illinois to Iowa—a $40,000 premium, while at the same time this other student that sits in the desk next to them has been delivered a scholarship that's a $40,000 discount, a $40,000 difference between the two. And if ICE would have driven up with their Humvee to deliver the de facto scholarship, they would have had to deport that student because they would have been in violation of America's immigration law, unlawfully present in the United States.

Now, that should be enough to bring a pause to someone who has worn as many stars as General Powell has and deserves to wear. But let me take it another step for those General Powells and others in the world, Madam Speaker.

Let's set that illegal student down in a classroom with their de facto scholarship of $10,000 a year sitting in a

classroom. Now, let's just say it's not a regular student that came across the river from Illinois. Let's, instead, think about what will inevitably happen. Inevitably, it will be the widow or widower of someone who has given their life in a place like Iraq or Afghanistan to protect our freedom and liberty. And this widow or widower wants to go off to college to sit in this classroom to upgrade their education so they can take care of their family, take care of those children that perhaps lost a father or a mother, and they're paying the premium of out-of-State tuition, $40,000 more for a 4-year education. And they're sitting at a desk next to an illegal student that, if the law were applied, would have been deported but, instead, gets a tuition discount.

Now, how do you reconcile that scenario with the warrior's widow sitting at a desk paying a premium of $40,000 and the illegal—that's eligible for deportation by every standard except the DREAM Act—getting a $40,000 discount on that tuition, Madam Speaker? That's an outrage. That's an outrage to do that to those Americans who want to go to school out of State. It's an outrage to do that to the families of our veterans. It's an outrage to do that to the rule of law.

I will submit that the people that are for the DREAM Act haven't thought about this on a rational basis. They've simply thought about it from whatever their particular sympathy basis is.

This class of people that are here illegally are here because most of them, the class that is part of the DREAM Act target—because most of them, their parents brought them here against their will. Yes, I concede that point. But where do you enforce the law if you don't enforce it against someone who is 35 years old and was brought here to the United States the day before their 16th birthday? Do you enforce it the day after? Or you can take it back the other way and you can say, if somebody was brought to the United States the day after they were born, should they be deported? Yes. Because that's the line. We drew that line and that's the law, and we can't grant amnesty. We set the standards. And because we haven't enforced the law, we set up, instead, the effect of a magnet that brings illegal people into the United States of America, and it is essentially a magnet that turns out to be a reward for breaking the law.

So, if the DREAM Act passes and you're pregnant and outside the United States of America and you can't quite get here in time to have the baby, don't you know that you can just sneak in and keep that child and raise them here and nurture them here—maybe you only get them in when they are 14 years old and they go to a school in America for 3 years. They qualify for the DREAM Act, presto. They can get an in-State tuition discount, a college education. They can go into the military. They can get their citizenship. And then what? Then they can start under the family reunification plan, going back and pulling their whole extended family into the United States under the family reunification. And that's out of our control.

Madam Speaker, when you look at the numbers, America's legal immigration standards only have between 7 and 11 percent of the people that come into the United States legally. Only 7 to 11 percent of them are based on merit. The balance of that is based on some other connection, either the visa lottery or the family reunification plan or some other category, but not based on skill sets and merit.

Now, if we look at some of the other countries and the policies that they have—you can look at Canada, United Kingdom—Australia, for example, they set up a scoring points system that rewards people for being able to contribute to the host country.

Now, I have long said that the immigration policy in the United States of America should be designed to enhance the economic, social, and cultural well-being of the United States. That should be, actually, the policy of—any sovereign nation of the world should establish an immigration policy for the purposes of enhancing the economic, social, and cultural well-being of that particular sovereign state. In this case, it's the United States of America.

We should also understand that one of the essential pillars of American exceptionalism is the rule of law. And if we have contempt for the rule of law, if we have some of the highest profile people in America openly speak about hiring illegals to take care of their home and at the same time advocate for the DREAM Act, which is amnesty for a specific class of people, reward for illegal behavior, a magnet for bringing more children into the United States that would be here illegally, and getting them to qualify under the DREAM Act so they can go off and be funded partly by the taxpayers and go off to college, or the argument that comes from the Department of Defense, which is that it's good for our military readiness to have the DREAM Act. That's another Colin Powell argument, And it does come out of the Pentagon to some degree. Now, how can it be that a Nation of 306 million people can't field an army without granting citizenship to people that are here illegally?

□ 1940

I mean, I could not have pitched such an idea, Madam Speaker. I can't with a straight face make such a proposal.

This military is working with a social experimentation agenda. And who is to think that the military, the Pentagon, and the United States is for the DREAM Act when they have a Commander in Chief that tells them what they think. They're for the DREAM Act because it's important for military readiness. I don't take them that seriously any more. I don't think they are able to deliver their own objective opinions into the media without having to pay a consequence to the Commander in Chief, or whatever kind of retribution that would come out of the White House.

Don't Ask, Don't Tell. Again, experiment in the military. Can you get a straight answer out of the Pentagon any more with the Chicago-style politics of the Commander in Chief? I say not.

And now maybe this looks like it's just a coincidence that we come across the DREAM Act and the repeal of Don't Ask, Don't Tell—both of those social experiments wrapped up under the Department of Defense Authorization bill and rejected by the majority—I believe it was the majority, at least. No. It was rejected at least on a cloture vote in the United States Senate. And you think that those two, Madam Speaker, might be anomalies.

I will make another point to tell you. It's a pattern. Here's the thing that supports my conclusion. There's been an effort to take calories out of the diets of our young people, an effort to reduce the calories accessible to our young people by 1.5 trillion calories. I think that's a year, but I don't know. Take a couple of Doritos out of the Dorito bag, thinking those kids are only going to go for one bag and not two. Reduce the calories in a Power Bar from 150 calories down to 90, thinking that overweight, voracious feeder that you have that's 16 years old isn't going to go for a second Power Bar. If the kids want the calories, they're going to eat them. Reducing the size of the servings just means they'll open up more packages.

But the military stepped in in support of this effort, this healthy youth effort. Data that has been reported, at least, says that Americans kids are—30 percent of them are overweight. And the Pentagon has said it affects our national readiness, that we can't recruit young people to come into the military, can't recruit enough of them because too many of them are overweight and can't meet the physical standards.

Madam Speaker, I'll submit that you can take an overweight 16-, 17-, 18-, or 20-year-old, and they're still a pretty good physical specimen even though they've got a little bit of weight hanging over their belt. And it's not a security risk for the United States of America. We can solve that problem. If it came down to not having enough people to put on the uniform because some of them were too fat, let's just get some basic training uniforms for some that are a little bigger and put them on those young people and put them out there in basic training a little while longer. Once they're on the military diet and the military exercise plan, we've seen millions of them come back home squared away, upright, gut gone, toned up, in shape, proud, with a look in their eye that they're another noble soldier and patriot.

This is not a national security risk because 30 percent of our kids are overweight. This is an indication of what

goes on when the White House starts to pour down in a cascade through the executive branch of government an ideology that's inconsistent with the military.

It's inconsistent to force openly gay policy on our Department of Defense. And there isn't any pattern out there that could show us that that would be a successful result.

It's inconsistent with the rule of law to propose the idea that for national security purposes, we should pass the DREAM Act and put these people that came here illegally into the military and give them citizenship along the way. That undermines the American dream.

It's inconsistent to think that a general that has worn four stars honorably would think that the rule of law doesn't apply when it's time to hire somebody to cut your grass. It's got to apply every time. Equal justice under the law. Lady justice is blindfolded. She stands there with the scale. She's blindfolded. It must be that way or America is undermined. And this broader philosophy of illegal immigration and how to deal with it is something that I'm invested in pretty deeply.

I want to roll over if I can, Madam Speaker, as to what's going on downstairs right now in the basement of this Capitol. There is a pledge to America that's being rolled out. It's being discussed by the Republicans here in the United States Congress. It is something that brings back memories of the Contract with America that was rolled out here in 1994 about this same time in September.

And this is, I understand after doing a quick Web search, named Pledge to America. And now, I don't know all that's in that that's being unfolded right now. I just know what I wanted to have in that, what I hope is in it.

I'm hopeful that the document is a clear document, a document that says we have made these promises, we're going to keep these promises.

And I expect that there's going to be language in there that says that we are going to support a 100 percent repeal of ObamaCare, all of it. Pull it out root and branch, lock, stock, and barrel, so there is not one vestige of ObamaCare DNA left behind, because this toxic stew of ObamaCare has become a malignant tumor in our land. And it threatens to metastasize.

It's affecting us already. It's driving up our premiums for health insurance, especially for young people that most can't afford it. It's got to go. It's got to be pulled out by the roots. It's got to be eradicated. And that's got to be step one, plank one. It's got to be our promise, our pledge to America that we will repeal ObamaCare in its entirely. Not the most egregious aspects of it, not a component here and a component there, not chipping away at it and leaving other pieces there—because if that should happen, that foundation of ObamaCare then, as I said, it's a malignant tumor. It's a cancer. Then it metastasizes. It goes into this robust growth and it swallows up and consumes and chokes off our liberty and our freedom and takes away our personal choices, and already under the statute that exists today, shrinks down our health savings accounts and cuts our ability to contribute to them by more than half and almost eliminates catastrophic insurance and takes away personal choices one after another after another.

I'm hopeful that repeal of ObamaCare as a stand-alone—rip it out by the roots, follow through on discharge position number 11, which is here, Madam Speaker, at the desk, and any Member of Congress that wants to establish that they're opposed to ObamaCare and they want to see it repealed can come down here to the well and ask the Clerk of the House for Discharge Petition Number 11—that's legislation that I introduced to repeal ObamaCare—and sign that discharge position. There are at least 173 signatures on Discharge Position Number 11, which repeals ObamaCare.

And the last language of the bill—it's only 40 words—it says, ''as if it had never been enacted.'' That's the quote.

So it pulls it all out by the roots, and it's what Americans want. Pick your number, but well over 60 percent of Americans want to see repeal of ObamaCare. I see numbers that go up to 73 percent that want to see repeal of ObamaCare. So those who want to keep it, they're not the balance of the difference. If it's 73 percent that want to repeal, it doesn't mean that 27 percent want to keep it. It means that some of those 27 percent want to keep it and some of them are undecided.

But if a Member voted for the Speaker of the House, Speaker PELOSI, and the San Francisco agenda, ObamaCare, cap-and-tax, and others, put that vote up—the most important vote that any Member of Congress ever makes is for their leader, their Speaker. And if that vote went up for Speaker PELOSI, it enabled the San Francisco-Obama agenda to be forced to the floor of this House against the will of the American people, who let everyone here know their objections in a constitutional and peaceful and litter-free way.

But still their hearts were hardened and they imposed ObamaCare on us, even though the bill itself could not have passed that night except that the President promised that he would write an Executive order that would amend the language that was coming to the floor. That was part of the deal. And part of the deal was that there would be a reconciliation package that would be passed in the Senate that would circumvent the filibuster that would come to the House to seek to fix some more of the problems.

□ 1950

Oh, no, a bill didn't come here to the floor of the House that had the support of the majority of the Members. A bill came to the floor that was conditioned upon an executive order by the President and another bill coming from the United States Senate that then satisfied just barely enough. Didn't satisfy any Republicans, and it dissatisfied 34 Democrats. Thirty-four Democrats voted ''no'' on ObamaCare.

All of those 34 Democrats voted for NANCY PELOSI for Speaker. Many of them told their constituents in the 2008 election that they wouldn't commit to voting for Speaker PELOSI, that they were an independent voice. We even have one at least that's running television ads that says he's an independent voice that's willing to stand up to President Obama, and stand up to NANCY PELOSI, and vote against ObamaCare, but at the same time vote for NANCY PELOSI.

Now, when you do something like enable Speaker PELOSI's agenda by voting her into that position, and then when you see cap-and-tax come down on top of us that penalizes coal country in a big way, West Virginia, Pennsylvania, some of those States come to mind, Wyoming, you see that agenda being driven out of the Speaker of the House, when you put up the vote, stood up here and audio out of your voice said the name, PELOSI for Speaker, that's the most important vote that gets cast in any individual Congress in any 2-year period. And it enables the agenda of the leader, Speaker PELOSI.

And then when that same individual votes ''no'' on ObamaCare and postures himself to say he's independent, willing to stand up to the President and the Speaker of the House because here's the signal, voted against ObamaCare, that's no sign of independence. That's a sign of being let off the hook by the Speaker. That's the sign of a permission slip to vote ''no'' so you can go back and tell your constituents that you are an independent voice.

The distinction here is we have a discharge petition. And a signature on the discharge petition says you mean it. It says that you want to see the bill come to the floor unamended, with an up or down vote to repeal ObamaCare. One hundred seventy-two Republicans signed the discharge petition number 11. One Democrat has signed discharge petition number 11 so far. There are others out there that are going to need to say to their constituents, listen, I really do stand up to Speaker PELOSI. Watch me. I will go down and ask the Clerk of the House for discharge petition number 11 and get my pen out, and I will sign my name on that. That means that if it comes to the floor that I'll vote to repeal ObamaCare. That's what sits out there right now, Madam Speaker, and that's the distinction.

But I believe that we will move forward with a pledge to America that repeals ObamaCare, rips it out by the roots in its entirety without equivocation. And I trust that's what's being discussed downstairs as we have this discussion up here. I hope and expect. That's one of my requests.

Another one would be that we pass English as the official language of the United States of America. That's an issue that has somewhere between 83 and 87 percent support all across this country. We haven't discussed it very much in this Congress because we know who holds the gavel. But Americans want to have an official language. An official language of the United States needs to be English. And there are at least 28 States that have established English as the official language. And it's no longer possible to drive from Mexico to Canada without driving through a State that has English as the official language. That's how the map looks when you happen to look at the map.

English is the official language of the State of Iowa. It's the official language of Nebraska. It's the official language of 26 other States. That's because of the simplicity that every other country in the world understands you have to do business in a language, and that if you encourage a multitude of languages and require the interpretation in those languages that costs a lot of money and causes a lot of confusion.

And for a long time people that watch and study humanity understand that a common language is the most powerful unifying force known to man. I mean when they were working on the Tower of Babel, God understood it. He looked down at the Tower of Babel as they were trying to build that tower into the heavens to try to achieve heaven without going through God. And it was a blasphemy towards him. And God looked down at the Tower of Babel and he said, behold, they are one people. They speak all one language. And nothing that they propose to do will now be impossible for them. That's how powerful one language was. And so to break up the Tower of Babel, God gave them, caused them to babble, and scattered them to the four winds. And there is at least a Biblical belief that that's where the different languages came from that have been located around the world.

But we know that if we come together as Americans and we speak all one language we can communicate quickly, we can understand each other, we don't need to go through expensive interpretations. And we also are listening to the advertisements for different means of learning foreign languages under the immersion process. It's the best way, the immersion process.

Now, I encourage the studying and the learning of languages. I think it's great that Americans take that upon themselves to do that. It's important for our foreign trade and our international travel. It's important for our military and our State Department. It's important for international relations. But a Nation should have a language where you can go from corner to corner in that Nation and expect that you can communicate in one language.

If it had been Swahili, then so be it, Swahili should be our official language. But it's not. It's English. But speaking of Swahili, it happens that in some places like Kenya, for example, they do speak some Swahili, but the official language of Kenya is English. And they are grateful for it. It's brought so much along the way.

So I am hopeful that this very simple, common sense, powerful, unifying force of language, official English, which has a massive numbers of cosponsors on it and a vast support of the American people, even though we haven't debated it during the time that NANCY PELOSI's been the Speaker of the House in a real legitimate way anyway—there is a lot of things we haven't debated, won't be allowed to come to the floor—I am hopeful that that pledge to America has official English in it.

I believe that we should have a House rule that gives a priority that we actually first pass a budget resolution. But I also believe that we should have a House rule that gives priority to the balanced budget that's offered so that it can be offered and it can be debated here on the floor and brought to a recorded vote so the American people can see how hard it is to balance this budget. It's hard, Madam Speaker. And it's going to be really painful to bring the thing to a balanced budget. And if we do it all at once there will be some serious whiplash in this country.

Now, I voted for a balanced budget here. I have asked for one to come to the floor. We brought one under the Republican Study Committee. It first started out balancing in 10 years and then 9 years. It wasn't aggressive enough to suit me. But at least it was a vote on a balanced budget. And we started to debate what it takes to balance the budget. And if you don't do that you never get there. If you don't define your goal and your target, you never get there.

So I would want to see a rule come here to the floor that we could support in a bipartisan way that would give precedence towards a balanced budget to be offered first. And if the majority or the other party, be they majority or minority, offers a balanced budget, then that budget would take precedence over the budget that's offered that is let's say the chosen budget from the majority of the Budget Committee. So that we have a record on what it takes to balance the budget and who's willing to vote for a balanced budget. And I would think that we could get together on that in a bipartisan way.

And then we need to work to pay down the national debt. And I want to see the day that we have a balanced budget and we start to pay down this national debt. That's the third thing I would like to see in the pledge to America.

The fourth thing is I want to put an end to Federal funding of abortions. And I would phrase it this way. I want to statutorily prohibit all Federal funds from going to any entity that provides abortion services or counseling. That simple. And that should have, I think, strong bipartisan support. And that's been demonstrated in some votes here in this Congress. So then it would enshrine the Hyde amendment and the Mexico City policy. And we are going to repeal ObamaCare so we wouldn't have to go after that specific component of ObamaCare that ends up funding abortions. I will call that the Ben Nelson language.

Fifth thing I would like to see in the pledge to America that's being unfolded right now as we speak, Madam Speaker, I would like to pass legislation that modernizes E-Verify. E-Verify right now is you are limited. You can only use E-Verify with a new hire. So when you look at someone's application and you can't verify whether they can work in the United States legally, then you have to give them the job. And then once you give them the job, they are on your payroll. They qualified for your insurance and all of the burden that comes along with bringing somebody into your employment.

□ 2000

Then and only then can you run their data through E-Verify and it might come back and it can't confirm. And if it does that, you have probably got someone on your hands that can't legally work in the United States. And so you give them their time to cure their data and if they can't get it cured, then you have to fire them.

I just simply, with the legislation that I am hopeful that we are able to bring, probably not this year, next year, to fix E-Verify so that you can use it on current employees, legacy employees, so someone can decide I want to clean up all my workforce. I have had some people that have been here for a year or two or 5 or 10. Some may have been here illegally. I just want to have a legal workforce. I want to run all their names through E-Verify. Why not? Why not give the employer the tool.

The second thing is why not let them use E-Verify with a prospective employee with a legitimate job offer? We have that under a drug testing law in Iowa, and it's completely without any litigation or complaint. If you show up and you want a job, you can go through all of the hoops and they can say to you, I have done the interview, you have passed all the tests but this one. You have got to go off and take a drug test before I can put you to work. That's what we do in Iowa, and no complaints, no lawsuits. It's the employer's prerogative, and I encourage them to do that. They should be able to provide a drug-free workplace. We should also be able to provide, as employers, an illegal-free workplace, modernizing E-Verify so it can be used on current legacy employees and with a legitimate job offer is a legitimate thing to do.

The third component that we need to do, Madam Speaker, out of this is we

need to clarify that wages and benefits paid to illegals are not deductible for Federal income tax purposes. Doing that allows the IRS, during a normal audit, to run the Social Security numbers and the information data of the employees of the audited company through E-Verify. And if they come back, they can't lawfully work in the United States—and we will give the employer safe harbor if they use E-Verify. Then the IRS can deny the business expense.

This is a piece of legislation that I have drafted called the New IDEA Act. So the net result is this, if you paid out a million dollars in wages, and the IRS—well, let's just say multiple millions—but the IRS has determined that a million dollars of those wages have gone to illegals, then they can deny that as a business expense. And we know when that happens it goes over on the profit side of the ledger, and it becomes taxable as income.

So now you have got income tax to pay on a million dollars instead of having a million-dollar deduction that avoids that income tax. The corporate income tax on that is a profit, plus the interest, plus the penalty, calculates out to be, if you are a $10 an hour illegal, you become about a $16 an hour illegal.

When you get to that point, now you have lots of employers that have decided that they want to make a decision to clean up their workforce and hire only legals and that shuts off the magnet here in the United States in an effective way.

The last thing I want to do, right before I yield, is I want to sell off all of this property that the United States has taken over and nationalized, including the shares of General Motors and Chrysler.

Madam Speaker, may I inquire as to the balance of my time?

The SPEAKER pro tempore. The gentleman has 4 minutes remaining.

Mr. KING of Iowa. I yield to the gentleman from California.

Mr. BILBRAY. I appreciate the gentleman yielding.

I wanted to take this chance because I saw you on the floor. I think there are a lot of issues that are controversial and a lot of people see Democrats and Republicans disagreeing on.

I want to use this time to compliment the gentleman from Iowa for the fact that he has introduced the most moderate, the most logical and I think the most American bill when it comes to the immigration issue. This is something that really, really hits to the core of the problem and doesn't blame the immigrant, but goes to the source of illegal immigration, and that's the illegal employers who are exploiting them.

I think if there was one place that Democrats and Republicans should be able to work together, that all Americans could agree on, that this Congress, this month, should eliminate the absurd situation to where illegal employers get to write off the expense of hiring people illegally in this country and be able to have the Federal Government subsidize their commission of a crime when they hire somebody who is not legally present.

And your bill is right to the core of what the American people are asking for, Democrats, Republicans and independents, saying, come on, why don't we get together in Washington and do the right thing and eliminate these absurd situations.

And this one is so logical, it is so moderate, and it's so appropriate for the time. And if there is nothing else that we can agree on before we adjourn this year, I would like to see, we should agree, that the taxpayer should not be subsidizing the employment of illegal aliens and the exploitation of those workers.

I want to thank the gentleman for coming forward with this bill.

Mr. KING of Iowa. I want to thank the gentleman from California for hustling here to the floor to weigh in.

I yield to my other friend in life, Dr. PAUL BROUN.

Mr. BROUN of Georgia. Thank you, Mr. KING. I appreciate your leading, and I appreciate your leadership not only on this issue but on many others.

The American people just say where are the jobs, and these illegal aliens here in this country must go home. We must secure the border first and foremost. We must make English the official language of America. We must enforce the laws on the books, but we cannot put it on the back of the employers or the States.

We must put it on the back of the Federal Government.

I congratulate you on a great job, not only on this issue, but all that you are doing. And we will continue to fight to secure the borders, make English the official language, and do things that the American people are just crying out for to create jobs here in America.

I congratulate you.

Mr. KING of Iowa. I thank the gentlemen from Georgia and from California for coming in to weigh in on this. We are here at a time when we have got to reestablish the rule of law, and we have got to shut off the bleeding at the border, and we have got to shut off the jobs magnet.

This bill, the New IDEA Act, does shut down, if not completely off, the jobs magnet. And New IDEA stands for the New Illegal Deduction Elimination Act.

Madam Speaker, we often say here there are no new ideas here in Congress, that it's just recycled old ideas. Well, this was kind of an audacious move to declare it to be the New IDEA Act, but it defines what goes on.

The New Illegal Deduction Elimination Act, right now, we have not eliminated illegal deductions.

Instead, we have the IRS that's not calling the shots on this. It's letting the deductions come, so people can hire illegals with impunity. It really is against the law to deduct wages to illegals, but they are not enforcing it.

Another piece that this law does is it requires the IRS and the Social Security Administration and the Department of Homeland Security to set up a cooperative arrangement. So they have to sit down at the table and decide, well, here are these no-match Social Security numbers. We will roll these over here in the Department of Homeland Security so they can go check them out when they go look at the employers, and the IRS can take those numbers as well when they bring it into their audit and bring the focus on so that we are coordinating the agencies in America to get at the goal.

The goal is to enforce the law. The goal should not be to advance amnesty by the DREAM Act or any other way. And we cannot be the great Nation that we are yet to become if we don't take our path up that way by supporting and strengthening the rule of law, one of the essential pillars of American exceptionalism. That's the argument, amnesty or the rule of law. It's two choices.

And it looks now like the DREAM Act is not coming at us until perhaps in a lame duck session. If it does, out of that Senate in a lame duck session, that is an offense to the American people to bring a bill like that with impunity against the American people when you no longer represent them because of the election that will take place in November.

So, Madam Speaker, again, I thank my colleagues for coming to the floor. I appreciate your attention on this matter. I appreciate the American people's attention on this matter, and I believe they will stand with the rule of law and against amnesty.

PROPOSAL TO REGULATE FLY ASH

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

Mr. MOLLOHAN. Madam Speaker, I rise today to call attention to an issue that threatens the economic viability of many industries and the existence of thousands of jobs in and around the coal fields of our Nation. That issue, Madam Speaker, is the Environmental Protection Agency's proposal to regulate fly ash, coal ash, as a hazardous material.

Over the past 2 years, Madam Speaker, the EPA has peppered the Federal Government and the Federal docket with a myriad of proposed rules and undertaken aggressive, zealous enforcement actions targeted at industries in Appalachian States.

This much continued pattern of rulemaking and enforcement action is destructive to the central economic engine that fuels this Nation's energy needs.

□ 2010

In its latest round of regulatory bravado, EPA released a proposed rule in

June to impose additional regulation of coal combustion byproducts, fly ash, under subtitle C of the Resource Conservation and Recovery Act, RCRA, as a hazardous waste. I'm speaking today, Madam Speaker, in opposition to EPA's extreme and burdensome rulemaking option to regulate fly ash as a hazardous waste under subtitle C.

This rule, Madam Speaker, would unnecessarily jeopardize construction and manufacturing jobs in addition to increasing the costs of highway and other infrastructure projects which are so vitally needed in my district and in districts throughout the country. Why? Because fly ash is an essential and reasonably priced ingredient in products used by these industries, and this rule would in and of itself dramatically increase that cost.

Why is EPA pursuing the subtitle C option when the agency determined under both Democratic and Republican administrations, Madam Speaker, through two reports to Congress and two final regulatory determinations that coal ash does not warrant regulation as a hazardous waste? During EPA's four prior reviews of this issue, it concluded that States can safely manage coal ash under Federal nonhazardous waste rules. EPA's subtitle C option is wholly inconsistent with its own past decisions.

Clearly, Madam Speaker, the 2009 impoundment failure to Tennessee Valley Authority's Kingston facility, which started all of this review, called important attention to this particular issue and reinforced the need for operational changes to avoid future accidents. The Federal Government must absolutely work to ensure safety and environmental protection where coal impoundments are concerned. EPA's subtitle D option, regulating fly ash as a nonhazardous waste, provides these important protections while protecting the important economic opportunities available through beneficial recycling of coal fly ash.

Madam Speaker, regulating fly ash as a hazardous material is overkill, putting precious jobs at stake, and would cost $1.5 billion a year to implement according to EPA's own estimates. These costs will be absorbed by American families who are already facing constraints of tough economic times.

Coal combustion by-products are currently recycled for several perfectly safe and beneficial uses, including cement, road materials, and wallboard. These beneficial uses of coal ash create jobs. The subtitle C option would unnecessarily stigmatize coal ash and obstruct its beneficial use in these vital, important infrastructure projects. It's counterproductive to add more waste to our landfills when we could be safely putting it to use in our roads and bridges, creating more jobs and building projects at reasonable prices.

In closing, Madam Speaker, EPA's subtitle C option for coal ash regulation will have a significantly adverse impact on job creation and economic recovery. This rule option would be deeply damaging in West Virginia and throughout the Nation, and, therefore, I strongly encourage EPA to pursue the subtitle D option, the nonhazardous option, in its rulemaking process.

I appreciate, Madam Speaker, the opportunity to speak this evening about the importance of protecting West Virginia jobs, the Nation's jobs, and reasonably priced infrastructure.

THE COMPREHENSIVE PEACE AGREEMENT IN SUDAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from New Jersey (Mr. PAYNE) is recognized for 60 minutes as the designee of the majority leader.

Mr. PAYNE. Madam Speaker, I rise today with Majority Leader STENY HOYER to ring the alarm on the current situation in Sudan and underscore our support for a timely, free, and fair referendum on the independence of south Sudan and Abyei in January 2011.

Let me begin by thanking the majority leader for calling this critical, important Special Order and for his continued leadership on this issue, having led codels to Sudan, having had periodic meetings with administration officials, bringing in persons from Sudan, south Sudan, in his continuing push for peace. And so, once again, I commend Majority Leader STENY HOYER.

I was elected to Congress in 1988 and was sworn into office in 1989, the same year that Omar al-Bashir came to power in a coup in Sudan. I have closely followed the situation in Sudan ever since then, and I must say that I'm extremely concerned about what is happening now. The continuing and emboldened intransigence of the Bashir regime threatens to unravel the peace that was won 5 years ago and spark a return to conflict.

On January 9, 2005, members of the United States Government, including myself, witnessed the signing of the Comprehensive Peace Agreement in Nairobi, Kenya. The Comprehensive Peace Agreement ended the ghastly 21-year civil war between the north and the south of Sudan, a war that claimed the lives of 2 million southerners and displaced more than 4 million; a war in which the Bashir regime used aerial bombings against innocent, defenseless children, women, men, disabled people, and elderly; a war that nearly destroyed the entire region of south Sudan. But what was so great about the people of south Sudan—they could not destroy the spirit of the people of the south.

The Comprehensive Peace Agreement, championed by the late Dr. John Garang, who led the struggle in the south, outlined a path to secure lasting peace, a 6-year interim period, during which Khartoum would have an opportunity to show the people of south Sudan that it was capable of change, that it was capable of including the south into a comprehensive plan to run the Government of Sudan.

However, at the end of the 6-year period, which is on January 9, 2011, about 6 short months from now, the Comprehensive Peace Agreement promised an opportunity for the people of the south to determine whether the regime in Khartoum had changed enough that they wanted to remain a part of Sudan or whether they wanted to secede. Dr. John Garang wanted to see a unified Sudan, but, as you know, his untimely death in a plane crash ended his dream.

The people in the marginalized area of Abyei, the region that holds in the soil of Sudan oil wealth, would decide if they would remain and keep their special administrative status in the north or become a part of the south. That has to be determined. It should have been determined even before January 9 of 2011.

The CPA laid out very clear benchmarks to be met for those referendums to take place and also included detailed instructions for power sharing and oil revenue. Still to date, these details have not been worked out. Now, today, Khartoum threatens to pull out of the agreement as Bashir's regime has refused to cooperate on key measures that must be put into place. Khartoum has repeatedly played games, stalled, held up and obscured so many critical steps in fulfilling the CPA, so much that today it is unclear whether the referendum in January can actually be held freely and fairly.

Must I remind the House that this is the regime that carried out the first genocide to be declared by Congress when it was in progress? Nearly half a million Darfurians have lost their lives as a result, and more than 2 million Darfurians have been displaced.

While Darfur is no longer on the front pages of newspapers, the people still suffer. Last week, chief prosecutor of the International Criminal Court, Luis Moreno Ocampo, was at my Brain Trust at the Congressional Black Caucus Foundation's Annual Legislative Conference and called it a silent genocide that is happening in Darfur. Khartoum has strangled aid, cut off IDP camps, and is watching the people of Darfur slowly starve to death.

□ 2020

This is the regime headed by a President who has been indicted by the International Criminal Court for war crimes and for genocide. Again, as the CPA is supposed to come into full completion in less than four months, there is the threat of massive violence once again against the people of the south. We have seen several reports of armed shipments into the south to arm the Misseriya militias that were such a destabilizing force in the north-south war. This is very serious.

As the administration rolls out a new policy that includes incentive packages to sway Khartoum to do the right

thing, let us remember also that this is the same regime that welcomed with open arms and harbored Osama bin Laden from 1991 to 1995. It was from Khartoum that he planned an assassination attempt against Egyptian President Hosni Mubarak. Is this a regime deserving of a second chance again and again and again? I dare say, no.

So what have we learned? In the words of the late Dr. John Garang, the Bashir regime, as Dr. Garang said, Bashir and his regime is too deformed to be reformed. The U.S. must provide leadership in the international community. I call on President Obama, Secretary Clinton and Special Envoy Gration to provide clear leadership and to not give in to this regime and make sure that they live up to what they have said.

I urge the President to meet with First Vice President of Sudan and President of Southern Sudan Salva Kiir, and to make it clear to him that the United States will provide support, that the south needs to ensure that the CPA does not crumble and war does not break out again in the south. The message to Khartoum must be that a dismissal of the CPA in any form will not be tolerated. We demand a free and fair referendum for the people of south Sudan and Abyei. We demand justice and accountability. We demand a real end to genocide in Darfur.

At this time I yield to Mr. BRAD MILLER, a member of the Subcommittee on Africa and Global Health who has done a tremendous amount during his time on the committee.

Mr. MILLER of North Carolina. Mr. Speaker, I also rise to call attention to critical issues that Sudan now faces. More than 3 years ago, I was part of a congressional delegation to Sudan led by Majority Leader STENY HOYER, who will speak shortly. Other members of that delegation are here to speak tonight as well.

This past January marked the fifth anniversary of the signing of the Comprehensive Peace Agreement, or the CPA, that ended more than 20 years of civil war between the north and the south of Sudan. That conflict was marked by northern aggression against the south. It resulted in the deaths of more than 2 million people, and more than 4 million people in Southern Sudan fled their homes, becoming ''internally displaced persons,'' or IDPs, in the jargon of relief efforts in conflicts around the world.

The CPA committed the northern-dominated National Congress Party and the southern-dominated Sudan People's Liberation Movement to govern jointly for 6 years, followed by a referendum on self-determination for Southern Sudan and Abyei. That referendum must happen as scheduled in 4 months, and the referendum must be free, fair, credible, and a true reflection of the will of the people. If not, the CPA will mark only a 6-year pause in Sudan's civil war, not an end to the war.

Secretary of State Clinton was right when she said a year ago that ''the Comprehensive Peace Agreement between the north and south will be a flashpoint for renewed conflict if not fully implemented through five national elections, a referendum on self-determination for the south, resolution of the border disputes, and the willingness of the respective parties to live up to their agreements.''

Unfortunately, Sudan's elections in April 2010 certainly did not meet anyone's standards for a legitimate election. Those elections were marred by widespread violation of political rights, irregularities in voter registration, intimidation, and violence in some areas, and the continuing conflict in Darfur that suppressed voter participation.

Predictably, the National Congress Party has consistently delayed and reneged on its CPA commitments. Madam Speaker, this is a critical moment for Sudan. The CPA-mandated referendum is just 4 months away. The CPA has not yet been fully implemented. Voter registration for the referendum has not yet taken place, and key procedures have not even been established.

In addition, the violence in Darfur persists. The Bashir regime continues to restrict and disrupt United Nations peacekeeping, humanitarian operations, and human rights organizations in Darfur, leaving more than 2 million people still displaced and vulnerable.

The Bashir regime must know that the whole world is watching. We cannot divert our attention from Sudan. We must remain committed and insist upon the full implementation of the CPA to ensure sustainable peace in Sudan.

Mr. PAYNE. Let me thank the gentleman for his statement. I appreciate his work on the Subcommittee on Africa and Global Health.

At this time I would like to hear from the gentleman who called for the Special Order today, the majority leader from Maryland, Mr. STENY HOYER.

Mr. HOYER. I thank my friend for yielding and for leading this Special Order. I was pleased to, with him, undertake this Special Order because of the timeliness of the crisis that confronts Sudan and the implementation of the agreement. I want to thank all of the Members for participating in this Special Order as well. It is important that we in the Congress stay focused and send a message, as I will here, that we are focused. And I applaud the gentleman for his statement tonight. I applaud him even further for his continuing leadership. Nobody in the Congress, in either the House or the Senate, has been more focused over a longer period of time, has traveled more extensively throughout the world, and to some of the most troubled spots in the world, and to Sudan, than the gentleman from New Jersey (Mr. PAYNE) and I thank him for his leadership.

In fewer than 4 months, Southern Sudan will hold a referendum on independence, which was guaranteed by the 2005 Comprehensive Peace Agreement.

The CPA ended Africa's bloodiest civil war, a war which took almost 2 million lives and displaced 4 million. Yet the risk of descending into war again seems all too real.

Now, as on my congressional delegation to Sudan 3 years ago, our focus remains the same: Promoting peace, stability, and reconstruction across the whole of Sudan. This is not only our moral obligation but an important national security goal as well. We must work to ensure that Sudan does not become a safe haven for terrorists. Tonight we are here to send a message to all those who live in and care about Sudan. We support full implementation of the Comprehensive Peace Agreement. We support a timely, peaceful, free, and fair referendum on independence. And we support an end to the violence in Darfur.

These are immense challenges, to be sure. But Sudan's central government has shown that it pays close attention to the international community's intentions and actions, which is why we must present a unified, comprehensive position in our response to both the ongoing violence in Darfur and the north-south conflict.

I want to be absolutely clear: Darfur remains and will remain a point of focus for this Congress. We recognize that peacekeepers are struggling and in many cases failing to fulfill their civilian protection mandate, and that humanitarian groups are swimming in redtape and facing daunting security challenges.

President Obama and the international community must continue to push Khartoum on the issue of humanitarian access and independent human rights monitoring in the region.

□ 2030

In the wake of what appears to be a near collapse of the latest efforts in Doha, we must continue to strive for a viable peace process. Congress is watching. Congress will hold you accountable. Tonight, however, I want to focus my remarks on the need for full CPA implementation and specifically on ensuring that the referendum on southern independence takes place on time and, as I said, in a free, fair and peaceful manner and that results are respected by Khartoum and the international community.

With the referendum approaching on January 9, 2011, our own Secretary of State has said that we can hear the loud sound of a ticking time bomb—Secretary Clinton's words—the possibility of new bloodshed.

What can we do to prevent it?

The U.S. has stepped up its diplomatic efforts in southern Sudan, and is providing $12 million for elections security, allowing the government of southern Sudan to establish 11 joint operation centers in Juba and in the 10 states in collaboration with other partners.

I also want to applaud President Obama for attending Secretary General Ban Ki-moon's high-level meeting on Sudan this Friday at the United Nations in order to discuss what more the international community can do to ensure a fair and safe vote. My hope is that a powerful package of multilateral pressures and incentives will come out of this meeting and those that follow.

I also support the administration's efforts to prepare for January with former South African President Mbeki, who is leading the African Union's efforts in Sudan as well as with international financial institutions and international development agencies; but more can and must be done. We must hurry to establish a formal mechanism to help get the north and south to agreement on all of the outstanding issues. Such a mechanism must include buy-in from civil society in an organized way. The CPA is a positive model on this front.

The international community, including our own administration, must continue to remind those countries with a stake in the outcome, including Russia, Egypt and especially China, that it is in their own best interests to advance peace and stability in Sudan. This is an international responsibility. We must support U.N. peacekeepers and urge them to do more to protect civilians. We cannot simply throw our hands up in complaint about a relatively ineffective peacekeeping system. We must fix it.

Finally, efforts in south Sudan must not be solely focused on the day of the referendum but also, of course, on the day after.

The international community must step up efforts to prevent southern Sudan from becoming what the economists called a ''pre-failed state.'' We know the dangers that failed states pose to our own national security. We have seen that. If we want to prevent the emergence of a new one, the international efforts on everything from road building to literacy education to establishing a viable economy in one of the world's most underdeveloped areas deserves and should have our support.

Regardless of the steps we and the international community take, the decision to turn this vote into a foundation for peace instead of one for further war ultimately rests in the hands of the Sudanese. So my message to Khartoum is this:

Step up. Step up, Khartoum. At the risk of sounding cynical, surprise us. This referendum is part of a peace agreement that you signed in 2005. Come to the table. Work to advance a peaceful outcome, and don't lead your country back into war. The administration has clearly communicated to you that there are both painful pressures and real incentives on the table. It is your choice, of course, and rest assured that the United States Congress is watching your choice and will hold you accountable.

To the government of south Sudan:

The U.S. Congress is committed to the referendum, and firmly believes that it is the best mechanism for you to express your right of self-determination. Alternative approaches will only renew the turmoil that the CPA was designed to end—and will severely weaken the future of your people.

We need you to step up as well. We need you to come to the table as a ready and willing partner, and we need you to devote resources, time and energy to finalizing an operational plan and budget, agreeing on voter registration criteria and procedures, and hiring and training registration workers. There is hard work in front of you, but the reward in the form of your people's right to choose their own future is clearly precious.

To the Obama administration and the international community:

Thank you. Thank you for your efforts to strengthen peace in Sudan but to keep them going. We will all have to work vigorously to ensure that the referendum is a success, but the consequences of failure should be more than ample motivation for us all.

Friday's high-level meeting at the United Nations must be a productive and serious one, and more conversations must follow. They must be focused on how the international community will work together to assist in the technical, logistical and operational stages of the vote; to monitor and observe the process from start to finish; to guarantee implementation of the results; and to mediate in case of any disagreement. You have the Congress' full support in this effort.

To the humanitarian community, especially to the American-based NGOs working on the ground in Sudan:

You represent the best of American selflessness and generosity. You do God's work. Thank you for that.

This Congress pledges to continue advocating for improved humanitarian access so that you can continue to do your jobs and advance the goals for which you have put your safety and, yes, even your lives on the line. Improving the daily lives of people living in one of the world's most war-torn regions is a moral responsibility for us all.

Finally, to the people of Sudan:

We stand with you. You deserve far more than the bloodshed and death and dislocation that year after year have brought you. You deserve what we all deserve—a chance to live our lives and raise our children in peace. America will do everything in its power to ensure that January is the beginning of that chance, not its untimely end.

Again, I thank the gentleman from New Jersey—one of the senior Members of this Congress, the leader of our effort on the African continent—a continent so critically important to the future of the global community. I thank him for yielding me this time.

I yield back.

Mr. PAYNE. Let me, once again, thank the majority leader for his passion and leadership on this issue. Your statement here was so thorough. I really appreciate your leadership.

At this time, I would like to recognize the co-chair of the Sudan Caucus, a gentleman who has traveled to Sudan. He has been a fighter on this issue. He has been to meetings with the Chinese and with other persons who had to be convinced that they should change their ways. It is my pleasure to introduce and to yield to him as much time as he may consume, the gentleman from Massachusetts, Representative CAPUANO.

Mr. CAPUANO. I would like to thank the gentleman from New Jersey. He has been a great leader on this issue and on so many other issues with regard to international matters.

I would also like to thank the majority leader for organizing this Special Order during such an important week.

The reason we are doing this this week, really, is that the President is scheduled to be at the United Nations this week to meet on the Sudan issue. It seems like things are coming to a head. As you've heard many, many times—and I'm not going to repeat the facts, because the facts have been said—we have an election that is scheduled to come up in January which is very critical to this region. Let me be clear:

To me, this may not be the most important issue to most of my constituents. I know that. I realize that. Jobs are more important. The economy is more important. But America has always been and, I think, always should be more than just about business. It has to be about morality and ethics as well. In this case, the morality of a genocide, or the immorality of a genocide—the immorality of keeping people enslaved, literally enslaved at a recent point in the history of Sudan—is something that, I think, only America is qualified to stand up and scream about.

Up until now, the history in this region has been terrible. There have been civil wars. There has been genocide. There has been every form of human degradation you can find, mostly perpetrated either directly or indirectly by the government in Khartoum.

□ 2040

At the same time, I'm one of those people that believes anyone can change their ways on any given day. That's not to forget the past, but it's also the only way to find a way forward. The government in Khartoum is at that crossroads right now. They have a choice, whether to actually move forward and allow the people of south Sudan to make their own decisions legitimately in January, whether they wish to go their own way or wish to remain associated with Sudan, and then to enforce whatever the people of Sudan decide and to do it in a peaceful way. This is important to the American people on a moral side, as I said, but it is also important on a very realistic side. This particular area—I'll be

honest. I don't think—as a matter of fact, I am certain. I could not have found Darfur on a map before I got to Congress. I might have been able to come close to finding where Sudan was, but it would have been a guess. I know that most of my constituents, most Americans are not sitting there knowing all about this, but they will know it if it goes the wrong way, and they will know it because the entire region will go up in flames. There will be millions of people put at risk.

Everybody in America knows where Somalia is because it's a lawless region. They know where Eritrea is, Ethiopia, all difficult parts. This is right next door. It sits in a critical region. If civil war starts again in a serious way, if genocide raises its ugly head again, the entire region will go up. Most countries in that area will be directly affected, and it will directly affect America and the rest of the world. Something like that cannot go on without doing it.

That is why I am here today, to remind the American people, who I think, across the board, agree that genocide is something that needs to be screamed about and stopped whenever possible, agree that people should have their own right to self-determination—that's not the point—but also to put the issue in front.

I also want to thank the administration. The Obama administration has put this issue at the top of its agenda, and I respect them and thank them for that. There are carrots and sticks on the table for Khartoum if they choose to take those carrots. If they don't, none of us really want to implement those sticks, but none of us are allowed to sit back and simply let genocide go forward without doing what we can.

So that's why I came today, to say thank you to the administration, to encourage the Khartoum regime to make the right choices—it's not too late—and to thank the administration for all it is doing and to encourage them to do more. I join my colleagues in asking the administration to meet with Salva Kiir, the leader of south Sudan, at least meet with him and talk to him, hear it directly from him. And I hope that we won't have to be back here in January talking about this issue, other than to congratulate the people of south Sudan and Sudan for having conducted a lawful and thoughtful plebiscite.

Thank you, and I yield back.

Mr. PAYNE. Let me thank the gentleman again. As I indicated, he cochairs the Sudan Caucus, and he has been very, very involved from day one. We really appreciate his leadership.

At this time, I would like to yield such time as she may consume to the gentlelady from California, a member of the Subcommittee on Africa and Global Health, a person who has traveled to Africa, Congresswoman WOOLSEY.

Ms. WOOLSEY. First, I'd like to thank Chairman PAYNE and Majority Leader HOYER for reserving this valuable time tonight to bring attention to Sudan.

While it may have slipped from the front page of the newspapers and headlines of the nightly news, the crisis in Sudan is still in a very critical stage. In Darfur, rape is being used as a means of terror and warfare. Hundreds of thousands of people are living in refugee camps or are displaced from their homes. Militias with strong ties to the government in Khartoum brutalize Darfurians. So we have a long way to go before the people of Darfur can feel safe and return to a normal life.

The Comprehensive Peace Agreement was supposed to lay out a framework for peace between the north and the south, but as we get closer to the date for the referendum, security and fairness seems to have become farther out of reach than it was earlier on. The south is forced to hope that President Bashir, a man indicted by the International Criminal Court for war crimes, they are to hope he will support an honest and clean election, free from intimidation and free from corruption. Many remain skeptical that, when the time comes, President Bashir will actually allow the south to vote unobstructed.

As Chairman PAYNE knows, because he has visited with and he has been honored by the people in my district who are working in regards to Darfur and have been on top of this issue from the beginning, they know that the people of Darfur are suffering. They have long supported the rights of the Sudanese people from a project called Tents of Hope, to letter writing and fundraising. I think the project is called Dear Darfur, Love Petaluma. That was the first one. That is where I live. Then there was, Dear Darfur, Love Marin County; and later, Dear Darfur, Love San Francisco.

So Marin and Sonoma Counties, where I represent, consistently have stood for peace and justice in Sudan, and they have been really outraged at what they have seen. In fact, they teach about the issue in schools where their students are raising funds for the people of Darfur, and they're helping paint the tents for the Tents of Hope. With their support, I join my colleagues in the House on calling on the Obama administration to put more pressure on the Government of Sudan. We must demand that Khartoum and President Bashir allow a fair referendum and to permit international assistance and monitoring.

Further, the plight of the Darfurians must not be pushed to the side in deference to the north-south situation. The genocide continues, and Sudan will never be free of oppression and violence until President Bashir and his reign of terror is brought to an end and he is held accountable.

Thank you, Mr. PAYNE.

Mr. PAYNE. Let me thank the gentlelady, the cochair of the Progressive Caucus. And let me commend your congressional district in Marin County that had a very interesting forum where we discussed with Darfurian citizens, former citizens of Darfur in the south. Your district is so progressive, and it was my pleasure to be there in the great State of California.

At this time, I would like to ask the gentleman from Virginia who has served in Africa—he has done outstanding work prior to coming to Congress, very knowledgeable, and a delightful advocate for people who are striving for justice—Representative PERRIELLO, I yield to you as much time as you may consume.

Mr. PERRIELLO. Thank you very much, Chairman PAYNE. History will look kindly on your willingness to speak up and fight for those who had no voice in this body. Mr. HOYER, our leader, your willingness to commit to this issue and to answer the call of Matthew 25, to serve those who are the least among us, is one, I believe, will resonate as well.

Tonight we have a simple question: When we say ''never again,'' do we mean it? When we say ''genocide, never again,'' ''crimes against humanity, never again,'' ''women and children dying, 30,000 a day, from hunger and preventable disease, never again,'' it's easy to put on a bumper sticker, it's easy to say at a public event, but making it a reality is never simple.

We face today, without the luxury of ignorance, the knowledge that people suffer around the world unspeakable atrocities, and for too long that has included the people of Sudan, throughout Sudan. Today we focus primarily on the important issue of democracy and peace for those who have suffered for two decades in southern Sudan, but we also know that the Comprehensive Peace Agreement cannot be used to hold hostage the women, children, and vulnerable of Darfur and Blue Nile region and other areas.

We sit here today with an opportunity to shed light, and, more importantly, to produce results for those who have suffered for too long. It is not enough for this to be something we speak from this floor or even something that we use when we engage directly in our diplomacy and conversations with Sudan.

□ 2050

This is larger than that. It must rank up when we talk to Egypt, Russia, China, and others who do so many dealings with this regime, a regime that I believe is ultimately irreparable.

We can now say that we will support the Democratic process for Southern Sudan and ensure a fair referendum. And we know from the history of this country that supporting democracy is not something we do because it's easy. We do it because it's right. It's not something because it happens overnight. It's something we support because we know through the arc of history bending towards justice, we move towards a more democratic and free

world, and that that should apply as much to the people of Sudan and the continent of Africa as it does here for those blessed enough to be born in the United States.

And we also know, and I know from my experience of working in areas such as Sierra Leone, that democracy and fair elections are not something that happen on the day of the vote. They are something that must be built towards by ensuring a fair process of registration, of accountability, of avoiding the kind of intimidation and corruption that builds up in these situations.

And I think it's important to note that we are keeping an eye on this early, but we must be vigilant. The people of Darfur and the people of Southern Sudan have a chance to speak.

One of the greatest gifts of the Greatest Generation was the idea of global security in a world of expanding freedom and democracy. In the same way, they have handed that torch to us. As Americans, they asked us to make sure we were looking on that in terms of the community of nations.

And we've seen good bipartisan support. I want to recognize the leadership of Congressman FRANK WOLF and Senator BROWNBACK and others who've been willing to shed a light on this issue and speak up, not just on peace vaguely, but the reality that we must be willing to hold this regime accountable even when that's difficult, even when that costs us diplomatic points.

With indicted world criminals like Haroun who are put into government positions after having overseen some of the worst atrocities of the last 25 years, we must ask ourselves whether we mean never again, whether we're serious about justice and accountability.

I've spent time with the rebel groups in Darfur. I've spent time with those who are suffering under decisions, criminal decisions, horrific decisions made by these individuals. Yes, we must start with this comprehensive peace agreement, we must not allow it to backslide. But we must also see this as the beginning of a process of ensuring justice and accountability more broadly.

One of the great Sudanese figures of the modern era, Manute Bol, recently passed away. In fact, he spent his final days in a hospital in my district having given away literally everything he had—not just his financial resources but every ounce of energy he had in his soul and body to ensure this. He is just the tallest and most symbolic and known of those who have given their lives in the fight for democracy and freedom for those in Southern Sudan.

We must not allow Mr. Bol and others to have died in vain. Those who are in a position to ensure otherwise, including those in this body on both sides of the aisle, must stand up and ensure those that who had the courage to stand up and demand what was right, that we had their back, that we had their back when it came to diplomacy and economic negotiations, when it came time for a commitment to peacekeeping and multilateral operations that are so important, to those who have given tireless hours, and those who unfortunately are not here to see this through to completion.

We are at a moment where, after years of struggle, we are brought to the edge of the promised land. There is a chance for us to see this through. Let us ensure a fair and just election process for Southern Sudan. Let us use that as a springboard to ensure democracy and basic justice and decency for the west, the east, the north, and the center of Sudan as well.

I thank Mr. HOYER. I thank Mr. PAYNE. I thank all of those who have spoken up. And I hope that this will not be another case where we sit by and let ''never again'' echo silently and powerlessly through the ages, but instead we look back proudly on what we stood up to do as Americans and as human beings.

Mr. PAYNE. Let me certainly once again commend the gentleman from Virginia. The work that he's done speaks for him. And it's a pleasure to have him in our House of Representatives, and we will certainly look forward to your continued leadership in the next Congress.

At this time I'd like to introduce a gentleman from Georgia who has shown interest in many issues as it relates to human rights, the gentleman from the great State, as I mentioned from Georgia, Representative BARROW.

Mr. BARROW. I thank the gentleman. I thank him for his leadership in this area.

I, too, want to join in thanking the majority leader for his leadership and his passion on this issue and bringing this matter to the attention of the House this evening.

Madam Speaker, I rise today in support of the people of Sudan and to pledge my continued commitment to achieving lasting peace and security for the Sudanese people.

Three years ago, I traveled to the Darfur region of Sudan as part of an official, bipartisan congressional delegation. During that time, I was able to meet with a host of individuals ranging from the President of Southern Sudan, United Nations peacekeepers, ministers from the government of Southern Sudan, the Speaker of Parliament, and rebel leader and Darfur Peace Agreement-signatory, Mr. Minni Minawi. Each of these individuals holds an essential stake in peace.

Sudan's Democratic and geographic integrity, as well as the lives of its people, depend on the continued leadership of these and many other individuals.

This year, as we mark the fifth anniversary of the signing of the Comprehensive Peace Agreement that put an end to Sudan's 21-year-old civil war, I'm encouraged by the gains that have been made, but there is still much more work to be done.

The United States cannot and will not turn a blind eye to genocide in Darfur or to corruption and poor leadership in any part of Sudan. Too much blood has been shed and too many lives have been lost. The United States must continue to work with our international allies to provide aid and promote peace—because that's the right thing to do. We should do everything we can to see to it that the citizens and leaders of Sudan come together, put an end to tribal violence, and commit themselves to the welfare of Sudan.

Again, with my thanks to Mr. PAYNE and to the majority leader for their leadership, I yield back the balance of my time to the gentleman from New Jersey.

Mr. PAYNE. Let me thank the gentleman for the continued good work that you do.

As we conclude, you've heard the words from our leader, Representative HOYER, you've heard Members of the Congress express themselves. I, too, would like to say that this has been a bipartisan effort. Congressman WOLF, Senator BROWNBACK. The last hearing I had, I invited him to come to the House hearing, and he did an outstanding job.

But many of us say that this issue must be resolved. And it's the historic problem of the region of Egypt and Sudan. Back at the end of the Ottoman Empire back in 1914, the British came in and jointly kind of ruled Egypt and Sudan. And finally during the Suez Canal crisis in the early 1950s, the Egyptian revolution started to move forward, and it was felt that Egypt and Sudan had to separate if Egypt was going to get its independence.

Interestingly enough, Sudan was the first black nation to get independence from any of the colonial powers, back on January 1 of 1956. However, right prior to that independence, the war broke out between the north and the south.

And one of the problems that we have seen today was because the British had two administrations. It had an administration for the north, and it had an administration for the south. And way back during its administration, it created the difference between the north and the south. And those problems just continued to move forward. And some of those issues remain today. The fact that the many groups of Sudan, many diverse—there are about 38 million people in Sudan. It's interesting that 49 percent are black, and 38 percent are Arab, and 11 percent are Nubians.

And the problem in Darfur would surprise many people because the Darfurians were people who worked with the National Congress Party. The Darfurians were persons who were in the armed services of the government of Sudan.

□ 2100

When the Government of Sudan turned on the Darfurian people, bombing them, killing them, then allowing the Janjaweed to come and rape and burn and pilfer, kill animals, throw

them into wells, shocked many people because Darfurians were relatively loyal to the Government of Sudan.

So this is terrible government, a government that has tried to have an Arabization program. And the war between the north and the south is because Dr. John Garang and the people of the south who were Christians and animus did not want to live under sharia law, which was being imposed by al-Bashir.

So we have to continue to push to make sure that the CPA from January 9 is upheld in 2011. We have to remember those—Rebecca Garang, the widow of Dr. John Garang, who still today is raising her children. Those who have fought with the SPLA, SPLM for many, many years will have their opportunity.

Whatever the people of Sudan and the south decide, that is what we should allow to be the word. It should be up to the people of the south, whatever they decide. Whether they decide to remain a part of Sudan or whether they decide to separate, we should ensure that whatever their decision is that we will guarantee that the will of the people be done.

I would like to once again thank our majority leader for his continued interest, Members who have come to participate.

GENERAL LEAVE

Mr. PAYNE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order on Sudan.

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

There was no objection.

Mr. PAYNE. I yield back.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. BORDALLO (at the request of Mr. HOYER) for today and the balance of the week on account of official business in district.

Mr. JACKSON of Illinois (at the request of Mr. HOYER) for today on account of travel delays.

Ms. KILPATRICK of Michigan (at the request of Mr. HOYER) for today.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BRIGHT) to revise and extend their remarks and include extraneous material:)

Mr. BRIGHT, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. TIAHRT) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, today, September 23 and 24.

Mr. POE of Texas, for 5 minutes, September 28 and 29.

Mr. JONES, for 5 minutes, September 28 and 29.

Mr. WESTMORELAND, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today and September 23.

Mr. THOMPSON of Pennsylvania, for 5 minutes, September 23.

Mr. COFFMAN of Colorado, for 5 minutes, September 23.

Ms. FOXX, for 5 minutes, today.

Mr. TIAHRT, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 624. An act to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005; to the Committee on Foreign Affairs.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3562. An act to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the ''James Chaney, Andrew Goodman, Michael Schwerner, and Roy K. Moore Federal Building''.

ADJOURNMENT

Mr. PAYNE. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 3 minutes p.m.), the House adjourned until tomorrow, Thursday, September 23, 2010, at 10 a.m.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111–139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 2923, the Combat Methamphetamine Enhancement Act, as amended, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 2923, THE COMBAT METHAMPHETAMINE ENHANCEMENT ACT OF 2010, AS AMENDED

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
NET INCREASE OR DECREASE (—) IN THE DEFICIT													
Statutory Pay-As-You-Go-Impact	0	0	0	0	0	0	0	0	0	0	0	0	0

Note: Enacting H.R. 2923 could increase revenues and direct spending, but CBO estimates that nay net budget impact would not be significant in any year. The bill would require retail businesses that sell certain pharmaceuticals through the mail to submit a self-certification document to the Drug Enforcement Administration (DEA). The bill also would prohibit distributors of certain pharmaceuticals from selling products to persons who have not registered or self-certified with DEA.

Violators of the bill's provisions would be subject to civil and criminal fines. Civil fines are recorded as revenues and deposited in the U.S. Treasury. Criminal fines are recorded as revenues, then deposited in the Crime Victims Fund, and later spent.

Pursuant to Public Law 111–139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 4195, To authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes, as amended, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 4195, A BILL TO AUTHORIZE THE PEACE CORPS COMMEMORATIVE FOUNDATION TO ESTABLISH A COMMEMORATIVE WORK IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS, AND FOR OTHER PURPOSES, AS AMENDED

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go-Impact	0	0	0	0	0	0	0	0	0	0	0	0	0

Note: H.R. 4195 would authorize a nonprofit organization to establish a commemorative work on federal lands in the District of Columbia. Under current law, sponsors of the project would donate 10 percent of the memorial's estimated cost to the federal government for future maintenance. That receipt would be fully offset by transfers to the National Park Foundation (a nonprofit organization), where funds would be retained until used.

Pursuant to Public Law 111–139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 6130, the Strengthening Medicare Anti-Fraud Measures Act of 2010, as amended, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 6130, STRENGTHENING MEDICARE ANTI-FRAUD MEASURES ACT OF 2010, AS AMENDED

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go-Impact	0	0	0	0	0	0	0	0	0	0	0	0	0

Note: H.R. 6130 would give the Secretary of Health and Human Services additional authority to exclude individuals from participation in federal health care programs if they are affiliated with an entity that has been sanctioned. Enacting this legislation could affect direct spending for Medicare and Medicaid. CBO expects the bill would result in the exclusion of few individuals who would not be excluded under current law. CBO estimates that enacting H.R. 6130 would have no significant budgetary impact.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

9494. A communication from the President of the United States, transmitting A Request For Budget Amendments For Fiscal Year 2011 proposals in the Fiscal Year 2011 Budget for the Department of the Interior (H. Doc. No. 111–144); to the Committee on Appropriations and ordered to be printed.

9495. A letter from the Under Secretary, Department of Defense, transmitting report on proposed obligations of funds provided for the Cooperative Threat Reduction Program; to the Committee on Foreign Affairs.

9496. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-056, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

9497. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-077, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

9498. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-098, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

9499. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-097, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

9500. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-090, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

9501. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-087, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

9502. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-094, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

9503. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-092, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

9504. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-095, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

9505. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-096, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

9506. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-083, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

9507. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Captain of the Port San Juan Tropical Cyclone Safety Zone [Docket No.: USCG-2008-1056] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9508. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Vestin Fireworks Display; San Diego Bay, San Diego, CA [Docket No.: USCG-2008-1075] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9509. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones: Mock Cannon Battle between the S/V Lady Washington and Hawaiian Chieftain, San Francisco, CA [Docket No.: USCG-2008-1076] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9510. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Transformers Film Production; San Diego Bay, San Diego, CA [Docket No.: USCG-2008-1086] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9511. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Potomac River, Charles County, MD [Docket No.: USCG-2008-1089] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9512. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny, Monogahela, and Ohio Rivers, Pittsburgh, PA [Docket No.: USCG-2008-0992] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9513. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Captain of the Port Sector Lake Michigan, Chicago River Main Branch and Monroe Harbor, Chicago, IL [Docket No.: USCG-2008-1098] (RIN:1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9514. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Golden Gate Ferry Vessel Mutual Assistance Plan Exercise, San Francisco Bay, CA [Docket No.: USCG-2008-1068] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9515. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Intracoastal Water Way Mile 539, Ingleside, Texas [Docket No.: USCG-2008-0999] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9516. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; AVI Resort and Casino Fireworks Show, Colorado River, Laughlin, NV [Docket No.: USCG-2008-0804] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9517. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; St. Croix Coral Reef Swim, Buck Island Channel, ASVI [Docket No.: USCG-2008-0809] (RIN: 1625-AA00) received August 19,

2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9518. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Underwater Object, Massachusetts Bay, MA [Docket No.: USCG-2008-1272] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9519. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety zone; AVI May Fireworks Display; Laughlin, Nevada [Docket No.: USCG-2008-1260] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9520. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny, Monongahela, and Ohio Rivers, Pittsburgh, PA [Docket No.: USCG-2008-0932] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9521. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Monte Foundation Fireworks Extravaganza Fireworks Display, Aptos, CA [Docket No.: USCG-2008-0935] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9522. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Baltimore Captain of the Port Zone [Docket No.: USCG-2008-0936] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9523. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: The intercoastal waterways between the Great Bridge Lock on the Southern Branch of the Elizabeth River and the Virgina-North Carolina state border [Docket No.: USCG-2008-0938] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9524. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Captain of the Port Zone, North Carolina [Docket No.: USCG-2008-0939] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9525. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf of Alaska, Narrow Cape, Kodiak Island, AK [Docket No.: USCG-2008-1159] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9526. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Spirit of the Lake Regatta, Lake Superior, Superior, WI [Docket No.: USCG-2008-0970] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9527. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Detonation of Underwater Ordnance; Northwest Harbor, San Clemente, California [Docket No.: USCG-2008-0979](RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9528. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Delivery of Dry Dock to Detyens Shipyard, Charleston, South Carolina [Docket No.: USCG-2008-1145] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9529. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sodium Cyanide, South of Greens Bayou in Harris County, Texas [Docket No.: USCG-2008-0983] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9530. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Vessel Restriction, Glacier NW Gravel Pit Dock, Maury Island, WA [Docket No.: USCG-2008-1127] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9531. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sea World Fireworks Display, Mission Bay, San Diego, CA [Docket No.: USCG-2008-0985] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9532. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, Yaphank, NY, Maintenance [USCG-2008-1142] received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9533. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; USS Midway Fireworks Display; San Diego Bay, San Diego, California [Docket No.: USCG-2008-1115] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9534. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks Display, Potomac River, National Harbor, MD [Docket No.: USCG-2008-1123] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9535. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; BIG NIGHT Fireworks Display; San Diego Bay, San Diego, California [Docket No.: USCG-2008-1103] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9536. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Intrepid Sea, Air and Space Museum Visit, Hudson River, New York, NY [Docket No.: USCG-2008-1100] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9537. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sunken Barge, New Haven Harbor, New Haven, CT [Docket No.: USCG-2008-1266] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9538. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sunken Barge, New Haven Harbor, New Haven, CT [Docket No.: USCG-2008-1250] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9539. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Weather-Forced Restriction of the Depoe Bay Bar on the Oregon Coast [Docket No.: USCG-2008-1202] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9540. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Naval Underwater Detonation; San Clemente Island, California [Docket No.: USCG-2008-1138] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9541. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Stack Demolition, Hudson River, Tomkins Cove, NY [Docket No.: USCG-2008-1153] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9542. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; HMCS Charlottetown [Docket No.: USCG-2008-0941] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9543. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Weather-Forced Restrictions on the Chetco River Bar and Entrance, Oregon [Docket No.: USCG-2008-1204] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9544. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Republican Governors Association Conference, Inter-Continental Hotel, Miami, Flordia [Docket No.: USCG-2008-1069] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9545. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ironman 70.3 California; Oceanside Harbor, Oceanside, CA [Docket No.: USCG-2008-1219] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9546. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; San Francisco Bay Navy Fleet Week Parade of Ships and Blue Angels Demonstrations, San Francisco Bay, CA [Docket No.: USCG-2008-0967] (RIN: 1625-AA08) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9547. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Blue Water Resort and Casino Spring Classic; Colorado River, Parker, AZ [Docket No.: USCG-2008-1221] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9548. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny, Monongahela, and Ohio Rivers, Pittsburgh, PA [Docket No.: USCG-2008-1222] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9549. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area, Biscayne Bay, FL [Docket No.: USCG-2008-0933] (RIN: 1625-AA11) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9550. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Juan Harbor, Puerto Rico [Docket No.: USCG-2008-1233] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9551. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, Cape Canaveral, FL [Docket No.: USCG-2008-1020] received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9552. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Juan Harbor, San Juan, PR [Docket No.: USCG-2008-1234] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9553. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; On the Waters in Kailua Bay, Oahu, HI [Docket No.: USCG-2008-1235 formerly COTP Honolulu 08-009] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9554. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Weather-Forced Restrictions on the Tillamook Bay Entrance on the Oregon Coast [Docket No.: USCG-2008-1245] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of September 20, 2010 with a redesignation]

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 5717. A bill to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a facility and to enter into agreements relating to education programs at the National Zoological Park facility in Front Royal, Virginia, and for other purposes (Rept. 111–612, Pt. 1). Ordered to be printed.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 5717. A bill to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a facility and to enter into agreements relating to education programs at the National Zoological Park facility in Front Royal, Virginia, and for other purposes; with an amendment (Rept. 111–612, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

[Filed on September 22, 2010]

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 4714. A bill to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2011 through 2014, and for other purposes; with an amendment (Rept. 111–613). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 1997. A bill to direct the Secretary of Transportation to update a research report and issue guidance to the States with respect to reducing lighting on the Federal-aid system during periods of low traffic density, and for other purposes (Rept. 111–614, Pt. 1). Ordered to be printed.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 2923. A bill to enhance the ability to combat methamphetamine (Rept. 111–615, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 5710. A bill to amend and reauthorize the controlled substance monitoring program under section 3990 of the Public Health Service Act; with an amendment (Rept. 111–616). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 5756. A bill to amend title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide for grants and technical assistance to improve services rendered to children and adults with autism, and their families, and to expand the number of University Centers for Excellence in Developmental Disabilities Education, Research, and Service; with amendments (Rept. 111–617). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 5809. A bill to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes; with an amendment (Rept. 111–618, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK: Committee on Financial Services. H.R. 2336. A bill to encourage energy efficiency and conservation and development of renewable energy sources for housing, commercial structures, and other buildings, and to create sustainable communities; with an amendment (Rept. 111–619). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK: Committee on Financial Services. H.R. 4790. A bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes; with an amendment (Rept. 111–620, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Ms. PINGREE of Maine: Committee on Rules. House Resolution 1640. Resolution providing for consideration of the Senate amendment 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 (Rept. 111–621). Referred to the House Calendar.

Mr. BERMAN: Committee on Foreign Affairs. House Resolution 252. Resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes (Rept. 111–622). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

The Committee on the Judiciary discharged from further consideration. H.R. 2923 referred to the Committee of the Whole House on the State of the Union.

The Committee on House Administration discharged from further consideration. H.R. 4790 referred to the Committee of the Whole House on the State of the Union.

The Committee on the Judiciary discharged from further consideration. H.R. 5809 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1997. Referral to the Committee on Science and Technology extended for a period ending not later than November 15, 2010.

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. ELLSWORTH:

H.R. 6159. A bill to amend the Internal Revenue Code of 1986 to allow a credit for infant formula rebates paid under the special supplemental nutrition program for women, infants, and children; to the Committee on Ways and Means.

By Mrs. DAHLKEMPER (for herself, Mr. LEWIS of California, Mr. COFFMAN of Colorado, Mr. GORDON of Tennessee, and Mr. CARNAHAN):

H.R. 6160. A bill to develop a rare earth materials program, to amend the National Materials and Minerals Policy, Research and Development Act of 1980, and for other purposes; to the Committee on Science and Technology.

By Mr. CONYERS (for himself and Mr. SMITH of Texas):

H.R. 6161. A bill to enact title 54, United States Code, ''National Park System'', as positive law; to the Committee on the Judiciary.

By Mr. WATT:

H.R. 6162. A bill to provide research and development authority for alternative coinage materials to the Secretary of the Treasury, increase congressional oversight over coin production, and ensure the continuity of certain numismatic items; to the Committee on Financial Services.

By Mr. BOOZMAN:

H.R. 6163. A bill to require the Secretary of Health and Human Services to approve waivers under the Medicaid Program under title XIX of the Social Security Act that are related to State provider taxes that exempt

certain retirement communities; to the Committee on Energy and Commerce.

By Mr. BACA:

H.R. 6164. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for certain fruit and vegetable farmers; to the Committee on Ways and Means.

By Ms. SCHWARTZ (for herself, Mr. PASCRELL, Mr. BRADY of Texas, and Mr. NUNES):

H.R. 6165. A bill to amend the Internal Revenue Code of 1986 to provide incentives for life sciences research; to the Committee on Ways and Means.

By Mr. REHBERG:

H.R. 6166. A bill to authorize the production of palladium bullion coins to provide affordable opportunities for investments in precious metals, and for other purposes; to the Committee on Financial Services.

By Mr. OBERSTAR (for himself and Mr. CUMMINGS):

H.R. 6167. A bill to amend title 46, United States Code, to require the Federal Maritime Commission to maintain an Office of Dispute Resolution and Customer Advocate, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CAMP (for himself and Mr. CANTOR):

H.R. 6168. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for certain small business income; to the Committee on Ways and Means.

By Mr. BURGESS (for himself, Mr. MARKEY of Massachusetts, and Mr. SMITH of New Jersey):

H.R. 6169. A bill to authorize the issuance of United States bonds to fund Alzheimer's research; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mr. GINGREY of Georgia, Mr. FLEMING, Mr. PAUL, Mr. CONAWAY, Mr. KING of Iowa, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. COFFMAN of Colorado, Mr. ROONEY, Mr. POSEY, and Mr. ROE of Tennessee):

H.R. 6170. A bill to prohibit the Secretary of Health and Human Services from precluding patients from entering into any contract with their health care providers; to the Committee on Energy and Commerce.

By Mr. PRICE of Georgia (for himself, Mr. GINGREY of Georgia, Mr. FLEMING, Mr. SHADEGG, Mr. DANIEL E. LUNGREN of California, Mr. KING of Iowa, Mr. THOMPSON of Pennsylvania, Mr. CONAWAY, Mr. GOHMERT, Mr. FRANKS of Arizona, Mr. POSEY, Mr. ROONEY, Mr. BILBRAY, Mr. COFFMAN of Colorado, Mr. MCCLINTOCK, and Mr. ROE of Tennessee):

H.R. 6171. A bill to prohibit conditioning licensure of a health care provider upon participation in a health plan; to the Committee on Energy and Commerce.

By Mr. BISHOP of New York (for himself, Mr. GEORGE MILLER of California, Mr. HOLT, Mr. COURTNEY, Mr. LOEBSACK, Mr. HARE, Ms. WOOLSEY, Mr. POLIS, Mr. ANDREWS, Mrs. MCCARTHY of New York, Mr. GRIJALVA, and Ms. FUDGE):

H.R. 6172. A bill to promote minimum State requirements for the prevention and treatment of concussions caused by participation in school sports, and for other purposes; to the Committee on Education and Labor.

By Mr. CASTLE (for himself and Ms. DEGETTE):

H.R. 6173. A bill to provide for a Federal initiative to support regenerative medicine through increased funding for research and commercial development of regenerative medicine products and development of a regulatory environment that enables rapid approval of safe and effective products, and for other purposes; to the Committee on Energy and Commerce.

By Ms. CHU (for herself and Ms. LEE of California):

H.R. 6174. A bill to direct the Secretary of Education to award grants to eligible entities to establish or expand linked learning pathways and a system of pathways, and for other purposes; to the Committee on Education and Labor.

By Mr. CONNOLLY of Virginia:

H.R. 6175. A bill to amend title 5, United States Code, to provide that payments under the Federal employees' group life insurance program shall be made in a lump sum, unless the insured or the beneficiary elects otherwise; to the Committee on Oversight and Government Reform.

By Mr. DEUTCH:

H.R. 6176. A bill to amend section 340B of the Public Health Service Act to allow certain covered entities to resell or transfer a covered outpatient drug to an individual with HIV/AIDS in connection with medication regimen adherence services being provided to the individual by a licensed health care professional of the entity; to the Committee on Energy and Commerce.

By Mr. DJOU:

H.R. 6177. A bill to amend title 10, United States Code, to ensure the timeliness of information used in considering a member of the Armed Forces for an administrative separation, and for other purposes; to the Committee on Armed Services.

By Mr. DJOU:

H.R. 6178. A bill to require applicants for assistance under section 811 of the Cranston-Gonzalez National Affordable Housing Act for supportive housing for persons with disabilities to hold public meetings regarding such applications; to the Committee on Financial Services.

By Mr. DJOU:

H.R. 6179. A bill to exempt employment in the mobile amusement industry from the numerical limitation applicable to nonimmigrants provided status under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. HALL of New York:

H.R. 6180. A bill to amend the conservation provisions of the Food Security Act of 1985 to promote the conservation and improvement of the soil, water, and wildlife resources of lands containing muck soils, and for other purposes; to the Committee on Agriculture.

By Mr. HASTINGS of Florida (for himself, Mr. DEUTCH, and Mr. KLEIN of Florida):

H.R. 6181. A bill to amend the Internal Revenue Code of 1986 to encourage investments in infrastructure, and for other purposes; to the Committee on Ways and Means.

By Mr. KRATOVIL:

H.R. 6182. A bill to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to make additional capitalization grants to the water pollution control revolving funds of States that adopt smart growth principles; to the Committee on Transportation and Infrastructure.

By Mr. LANGEVIN (for himself, Mr. KENNEDY, Mr. KUCINICH, Mrs. LOWEY, and Mr. MCGOVERN):

H.R. 6183. A bill to amend title 5, United States Code, to provide for a corporate responsibility investment option under the Thrift Savings Plan; to the Committee on Oversight and Government Reform.

By Mr. LARSEN of Washington (for himself and Mr. DEFAZIO):

H.R. 6184. A bill to amend the Water Resources Development Act of 2000 to extend and modify the program allowing the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the evaluation of permits, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCCAUL:

H.R. 6185. A bill to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the ''Tomball Veterans Post Office''; to the Committee on Oversight and Government Reform.

By Mr. POSEY:

H.R. 6186. A bill to amend the Congressional Budget Act of 1974 to establish discretionary and mandatory deficit reduction accounts; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAYLOR (for himself, Mr. SKELTON, Mr. JONES, and Mr. BARTLETT):

H.R. 6187. A bill to direct the Secretary of the Army to seek to enter into certain contracts regarding roller systems; to the Committee on Armed Services.

By Mr. WALZ (for himself and Mr. BOOZMAN):

H.R. 6188. A bill to amend title 38, United States Code, to make certain improvements in the laws relating to default procedures for loans guaranteed by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. WHITFIELD (for himself and Mr. POLIS):

H.R. 6189. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to establish the Advisory Board on Toxic Substances and Worker Health for the contractor employee compensation program under subtitle E of such Act; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mr. JORDAN of Ohio, Mr. AKIN, Mr. ALEXANDER, Mr. BARTON of Texas, Mrs. BLACKBURN, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mr. COFFMAN of Colorado, Mr. CONAWAY, Mr. FLEMING, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GOHMERT, Mr. HENSARLING, Mr. HERGER, Mr. ISSA, Mr. SAM JOHNSON of Texas, Mr. KING of Iowa, Mr. MACK, Mr. MCCLINTOCK, Mr. SHADEGG, and Mr. UPTON):

H.J. Res. 96. A joint resolution making full-year continuing appropriations for fiscal year 2011 at lower, previous year levels, and for other purposes; to the Committee on Appropriations.

By Mr. CARTER (for himself, Ms. SCHWARTZ, Mr. CRENSHAW, Mr. CARSON of Indiana, Mr. HILL, Mr. WITTMAN, Mr. ROGERS of Kentucky, Ms. MCCOLLUM, Mr. OWENS, Mr. YOUNG of Florida, Mr. LUETKEMEYER, Mr. ETHERIDGE, Mr. ELLSWORTH, Mr. RUPPERSBERGER, Mr. DJOU, Mr. GONZALEZ, Mr. CUELLAR, Mr. BROWN of South Carolina, Mr. KINGSTON, Mrs. SCHMIDT, Mr. HENSARLING, Mr. EDWARDS of Texas, Mr. CARNEY, Mr. RODRIGUEZ, Mr. BOREN, Mr. BURTON

of Indiana, Mr. ISSA, Mr. NUNES, Ms. TITUS, Mr. LAMBORN, Mr. BUTTERFIELD, Mr. GENE GREEN of Texas, Mr. THOMPSON of Pennsylvania, Mr. SABLAN, Mr. JOHNSON of Georgia, Mr. SHULER, Mr. LEWIS of California, Mr. DONNELLY of Indiana, Mr. WILSON of South Carolina, Mr. CULBERSON, Mr. GARAMENDI, Mr. LARSON of Connecticut, Mr. CAO, Mr. PITTS, Ms. GRANGER, Mr. BRADY of Texas, Mr. ELLISON, Mr. SMITH of Texas, Mr. DAVIS of Tennessee, Mr. GOHMERT, Mr. GUTIERREZ, Mr. THORNBERRY, Ms. BORDALLO, Mr. OLSON, Mr. KING of New York, Mr. GINGREY of Georgia, Mr. HALL of Texas, Mr. NEUGEBAUER, Mr. BRADY of Pennsylvania, Mr. ROONEY, Mr. BLUNT, Mr. MARIO DIAZ-BALART of Florida, Mr. CRITZ, Mrs. BLACKBURN, Mr. HINCHEY, Mr. BURGESS, Mr. MCCAUL, Mr. MCMAHON, Mr. COFFMAN of Colorado, Mr. CONAWAY, Mr. QUIGLEY, Ms. TSONGAS, Mr. HINOJOSA, Mr. FARR, Mr. SAM JOHNSON of Texas, Mr. LEVIN, Ms. JACKSON LEE of Texas, Mr. REYES, Mr. ORTIZ, Mr. BACHUS, Mr. KING of Iowa, Ms. BALDWIN, Mr. POE of Texas, Mr. AKIN, and Mr. JONES):

H. Con. Res. 319. Concurrent resolution recognizing the anniversary of the tragic shootings that occurred at Fort Hood, Texas, on November 5, 2009; to the Committee on Armed Services.

By Mr. HARE (for himself, Mr. OBERSTAR, Mr. MICA, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BOOZMAN):

H. Res. 1639. A resolution recognizing the contributions of the National Waterways Conference on the occasion of its 50th anniversary, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. HIRONO (for herself, Mrs. MCMORRIS RODGERS, Mr. DICKS, Mr. TERRY, Mr. COSTELLO, Mr. POMEROY, Mrs. DAVIS of California, Mr. EDWARDS of Texas, Mr. SKELTON, Mr. YOUNG of Alaska, Mr. ORTIZ, Mr. SCOTT of Virginia, Mr. SMITH of New Jersey, Mr. OBERSTAR, Mr. FILNER, Mr. ETHERIDGE, Mr. REYES, Mr. HOLT, Mr. SIMPSON, Mr. LARSEN of Washington, Mr. KIRK, Mr. GRIJALVA, Mrs. BLACKBURN, Mr. BURGESS, Mr. CARTER, Ms. HERSETH SANDLIN, Mr. MCCARTHY of California, Mr. POLIS, Mr. FORTENBERRY, Mrs. KIRKPATRICK of Arizona, and Mr. LUJÁN):

H. Res. 1641. A resolution celebrating September 30, 2010, as the 60th Anniversary of Impact Aid; to the Committee on Education and Labor.

By Mr. JOHNSON of Georgia (for himself, Ms. LORETTA SANCHEZ of California, Mr. BROUN of Georgia, Mr. BISHOP of Georgia, Mr. GINGREY of Georgia, Mr. LINDER, Mr. WESTMORELAND, Mr. PRICE of Georgia, Mr. SCOTT of Georgia, Ms. RICHARDSON, Mr. MICHAUD, Mr. GARAMENDI, Mr. BARROW, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mr. LEWIS of Georgia, Mr. CONNOLLY of Virginia, Mr. RUSH, Mr. LYNCH, Mr. KINGSTON, Mr. DUNCAN, Mr. MOORE of Kansas, Mr. WELCH, Mr. PERLMUTTER, Mr. CARDOZA, Mr. DAVIS of Illinois, Mr. CARTER, Ms. PINGREE of Maine, Ms. TITUS, Ms. JACKSON LEE of Texas, Mr. DOGGETT, Ms. CLARKE, Mr. CARSON of Indiana, Ms. WATERS, Ms. FUDGE, Ms. EDWARDS of Maryland, Ms. LEE of California, Mr. CUMMINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. PAYNE, Mr. CARNAHAN, Ms. CHU, Mrs. NAPOLITANO, Mr. CLEAVER, Mr. WATT, Mr. KUCINICH, Mr. THOMPSON of Mississippi, Ms. KILROY, Mr. FATTAH, Mr. DELAHUNT, and Ms. WASSERMAN SCHULTZ):

H. Res. 1642. A resolution recognizing the centennial of the City of Lilburn, Georgia and supporting the goals and ideals of a City of Lilburn Day; to the Committee on Oversight and Government Reform.

By Ms. GRANGER:

H. Res. 1643. A resolution recognizing the 75th anniversary of RadioShack Corporation's original listing as a public company on the New York Stock Exchange; to the Committee on Financial Services.

By Mr. KIND (for himself and Mr. WAMP):

H. Res. 1644. A resolution expressing support for designation of a ''National Veterans History Project Week''; to the Committee on Veterans' Affairs.

By Mr. LOEBSACK (for himself and Mr. EHLERS):

H. Res. 1645. A resolution expressing support for designation of the week beginning on November 8, 2010, as National School Psychology Week; to the Committee on Education and Labor.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. DAVIS of Alabama, Mrs. DAVIS of California, Mr. GONZALEZ, Mr. HARPER, Ms. ZOE LOFGREN of California, and Mr. MCCARTHY of California):

H. Res. 1646. A resolution recognizing the commitment and efforts made by the Library of Congress to promote the joy of reading through the sponsorship of the National Book Festival; to the Committee on House Administration.

By Mr. MELANCON:

H. Res. 1647. A resolution urging the Secretary of Veterans Affairs to acquire and utilize the Our Lady of Lourdes Regional Medical Center in Lafayette, Louisiana as a full-service Department of Veterans Affairs hospital to better serve veterans throughout the Acadiana region of Louisiana; to the Committee on Veterans' Affairs.

By Mr. OBERSTAR (for himself, Mr. CAMP, Mr. MCDERMOTT, Mr. BLUNT, Mr. POMEROY, Mr. SMITH of New Jersey, Mr. COOPER, Mr. SENSENBRENNER, Mr. KILDEE, Mr. YOUNG of Florida, Mr. STARK, Mr. PENCE, Mr. COBLE, Ms. RICHARDSON, Mr. TIBERI, Mr. GORDON of Tennessee, Mr. BURTON of Indiana, Mr. MOORE of Kansas, Mr. MORAN of Kansas, Mr. MCGOVERN, Mrs. BACHMANN, Mr. RUPPERSBERGER, Mrs. MCMORRIS RODGERS, Mr. GRIJALVA, Mr. AKIN, Mr. LIPINSKI, Mr. GERLACH, Mr. CRITZ, Mr. BARTLETT, Ms. BORDALLO, Mr. DJOU, Ms. BEAN, Mr. CARDOZA, and Mr. ALEXANDER):

H. Res. 1648. A resolution supporting the goals and ideals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children in foster care awaiting families, celebrating children and families involved in adoption, recognizing current programs and efforts designed to promote adoption, and encouraging people in the United States to seek improved safety, permanency, and well-being for all children; to the Committee on Ways and Means.

By Mr. POSEY:

H. Res. 1649. A resolution amending the Rules of the House of Representatives to establish the Committee on Regulatory Review and American Jobs; to the Committee on Rules.

By Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. PITTS, and Mr. FORTENBERRY):

H. Res. 1650. A resolution calling on the Government of the People's Republic of China to immediately release Chen Guangcheng and his relatives from house arrest and to cease persecuting and harassing Chen Guangcheng, his relatives, and supporters; 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. 25: Mr. HOEKSTRA.
H.R. 173: Mr. BARROW.
H.R. 197: Ms. HERSETH SANDLIN.
H.R. 211: Mr. BUTTERFIELD.
H.R. 235: Mr. KISSELL.
H.R. 275: Mr. ROGERS of Michigan.
H.R. 503: Ms. CASTOR of Florida and Mr. COOPER.
H.R. 571: Mr. CHILDERS, Mr. JOHNSON of Georgia, and Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 613: Mr. KLINE of Minnesota.
H.R. 816: Mr. TIERNEY and Mr. DEUTCH.
H.R. 868: Mr. SPACE.
H.R. 877: Mr. KING of Iowa, Mr. HARPER, Mr. ROE of Tennessee, and Mrs. BLACKBURN.
H.R. 878: Mr. SULLIVAN.
H.R. 903: Mr. MCCOTTER.
H.R. 1024: Mr. HIMES and Mr. CLYBURN.
H.R. 1030: Mr. ALTMIRE.
H.R. 1067: Mr. BARTLETT, Mr. FRANK of Massachusetts, Mr. GOHMERT, Mr. CLAY, and Mr. BOCCIERI.
H.R. 1074: Mr. SMITH of New Jersey.
H.R. 1082: Mr. CHANDLER, Mr. DOYLE, and Mr. TIM MURPHY of Pennsylvania.
H.R. 1203: Mr. THOMPSON of California and Mr. DEUTCH.
H.R. 1210: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1228: Mr. ROYCE.
H.R. 1326: Mr. YOUNG of Florida and Ms. MATSUI.
H.R. 1362: Mr. COSTELLO, Mr. WILSON of Ohio, Mr. GRAVES of Missouri, Mr. KISSELL, and Ms. SPEIER.
H.R. 1616: Mrs. MCCARTHY of New York, Mr. DEUTCH, Mr. HARE, Mr. MORAN of Virginia, Mr. CLYBURN, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. ARCURI, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WATSON, Mr. ACKERMAN, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. HODES, Ms. PINGREE of Maine, Mr. PETERS, Mr. FARR, Mr. CLAY, and Mr. MURPHY of New York.
H.R. 1625: Mr. BARTLETT.
H.R. 1708: Mr. BLUMENAUER.
H.R. 1806: Mr. LOEBSACK, Ms. SPEIER, Ms. CASTOR of Florida, and Mr. SKELTON.
H.R. 1923: Mr. UPTON.
H.R. 1943: Mr. ACKERMAN and Mr. HIMES.
H.R. 1948: Mr. LOBIONDO.
H.R. 1990: Mrs. DAHLKEMPER.
H.R. 2000: Mr. GOODLATTE.
H.R. 2089: Mrs. MCCARTHY of New York.
H.R. 2109: Mr. VAN HOLLEN.
H.R. 2138: Mr. PAULSEN.
H.R. 2149: Mr. MURPHY of Connecticut.
H.R. 2156: Mr. COURTNEY.
H.R. 2296: Ms. TITUS.
H.R. 2324: Mr. JOHNSON of Georgia.
H.R. 2338: Mr. WITTMAN.
H.R. 2345: Mr. LOBIONDO.
H.R. 2365: Mr. CARSON of Indiana, Mr. NADLER of New York, Mr. ENGEL, and Mr. CLAY.
H.R. 2378: Mr. OWENS, Mr. TONKO, Ms. NORTON, and Mr. MARKEY of Massachusetts.
H.R. 2406: Mr. SULLIVAN and Mr. KLINE of Minnesota.
H.R. 2408: Mr. PATRICK J. MURPHY of Pennsylvania and Mr. PLATTS.
H.R. 2425: Mr. ROTHMAN of New Jersey.

H.R. 2625: Mr. DEFAZIO, Ms. KILROY, Mr. SMITH of Washington, Mr. ARCURI, Mr. PETERS, Mr. LANGEVIN, Mrs. LOWEY, Mr. CARNAHAN, Mr. GEORGE MILLER of California, Ms. HIRONO, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. WEINER, Mr. SCOTT of Virginia, Ms. CASTOR of Florida, Ms. WASSERMAN SCHULTZ, Mr. MAFFEI, MR. FARR, Mr. SCHIFF, Ms. WATSON, Ms. DELAURO, Mr. HIMES, Ms. ESHOO, Mr. ACKERMAN, Mr. HODES, Mr. MORAN of Virginia, Mr. DOYLE, Mr. BRADY of Pennsylvania, Mrs. NAPOLITANO, Mr. STARK, Mr. HARE, Mr. SARBANES, Mr. CLAY, Ms. TSONGAS, Ms. PINGREE of Maine, and Mr. MURPHY of New York.

H.R. 2672: Mr. AKIN.

H.R. 2766: Mr. INSLEE and Mr. BISHOP of New York.

H.R. 2946: Ms. MARKEY of Colorado, Mr. CARSON of Indiana, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. DJOU.

H.R. 2964: Mr. CLAY.

H.R. 3039: Mr. SABLAN.

H.R. 3174: Mr. KLINE of Minnesota.

H.R. 3240: Mr. ROTHMAN of New Jersey.

H.R. 3289: Mr. KLINE of Minnesota.

H.R. 3355: Mr. HARE.

H.R. 3431: Mr. CRITZ.

H.R. 3464: Mr. KINGSTON, Mr. SALAZAR, Mr. HARPER, and Mr. SMITH of Nebraska.

H.R. 3567: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. ESHOO.

H.R. 3580: Mr. GRAVES of Georgia, Mrs. LUMMIS, Mr. MCCLINTOCK, and Mr. GOHMERT.

H.R. 3586: Mr. SESSIONS, Mr. GENE GREEN of Texas, Mr. CLEAVER, and Mr. DAVIS of Illinois.

H.R. 3666: Mr. HOEKSTRA, Mr. HARE, Mr. WALZ, Mr. GEORGE MILLER of California, and Mr. WILSON of Ohio.

H.R. 3721: Mr. PETERS.

H.R. 3765: Mr. WITTMAN and Mr. LATTA.

H.R. 3790: Mr. MORAN of Virginia.

H.R. 3851: Mr. DOYLE and Mrs. CHRISTENSEN.

H.R. 3974: Ms. MATSUI.

H.R. 4116: Mr. ALTMIRE.

H.R. 4121: Mrs. EMERSON and Mr. CUELLAR.

H.R. 4149: Mr. COHEN and Ms. HERSETH SANDLIN.

H.R. 4199: Mr. ROSS.

H.R. 4296: Ms. KAPTUR and Mr. NADLER of New York.

H.R. 4322: Mr. COOPER, Mr. WAMP, Mr. LEWIS of California, Mrs. BIGGERT, Mr. CARDOZA, Mr. TANNER, and Mr. CASTLE.

H.R. 4335: Mr. STARK.

H.R. 4520: Mr. COOPER and Mr. PITTS.

H.R. 4541: Mr. PUTNAM, Mr. KENNEDY, Mr. DEUTCH, and Mr. POSEY.

H.R. 4544: Ms. ROYBAL-ALLARD and Ms. BERKLEY.

H.R. 4720: Mr. SMITH of Washington.

H.R. 4733: Mr. OLVER and Ms. ZOE LOFGREN of California.

H.R. 4735: Mrs. MCMORRIS RODGERS.

H.R. 4798: Mr. YOUNG of Alaska.

H.R. 4806: Mr. WAXMAN.

H.R. 4808: Mr. BACA, Mr. ETHERIDGE, Ms. GIFFORDS, Mr. KENNEDY, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Ms. WATSON, Mr. GORDON of Tennessee, Mr. SIRES, Mr. WALZ, Mr. MCNERNEY, Ms. MCCOLLUM, Mrs. NAPOLITANO, Mr. PASCRELL, and Mr. PETERS.

H.R. 4830: Mrs. LOWEY and Mr. BLUMENAUER.

H.R. 4844: Mr. COSTELLO, Ms. CHU, and Mr. NEUGEBAUER.

H.R. 4890: Mr. LUJÁN and Mr. TEAGUE.

H.R. 4914: Mr. WAXMAN, Mr. HINOJOSA, and Ms. FUDGE.

H.R. 4959: Mr. RYAN of Ohio and Mr. TIERNEY.

H.R. 4993: Mr. HIMES, Mr. LATOURETTE, Mr. GENE GREEN of Texas, and Mr. COHEN.

H.R. 5000: Mr. LARSON of Connecticut and Mr. CARNAHAN.

H.R. 5001: Mr. GENE GREEN of Texas.

H.R. 5016: Mr. MARSHALL.

H.R. 5028: Mr. BLUMENAUER.

H.R. 5034: Mr. RAHALL and Mr. BOREN.

H.R. 5037: Ms. ZOE LOFGREN of California.

H.R. 5044: Ms. CASTOR of Florida, Mr. CARNAHAN, Ms. SUTTON, Mr. LIPINSKI, and Mr. GRIJALVA.

H.R. 5081: Mr. HALL of New York, Mr. ADLER of New Jersey, and Mr. BUCHANAN.

H.R. 5111: Ms. JENKINS and Mr. COBLE.

H.R. 5115: Mr. MORAN of Virginia.

H.R. 5218: Mr. SIRES.

H.R. 5258: Ms. PINGREE of Maine.

H.R. 5270: Mr. COURTNEY.

H.R. 5376: Mr. COSTA and Mr. SCHAUER.

H.R. 5393: Mr. WESTMORELAND.

H.R. 5400: Mr. MILLER of North Carolina.

H.R. 5458: Mr. PIERLUISI.

H.R. 5477: Mr. SABLAN, Mr. OWENS, and Ms. MOORE of Wisconsin.

H.R. 5504: Mr. CLAY, Mr. OLVER, and Mr. RYAN of Ohio.

H.R. 5533: Mr. GRIJALVA, Mr. HIMES, and Mr. MURPHY of Connecticut.

H.R. 5549: Mr. PETERS and Mr. SCOTT of Virginia.

H.R. 5575: Mr. GUTIERREZ and Ms. EDWARDS of Maryland.

H.R. 5577: Ms. ZOE LOFGREN of California and Mr. MARKEY of Massachusetts.

H.R. 5580: Mr. CAMPBELL.

H.R. 5588: Mr. ISRAEL.

H.R. 5597: Mr. LATHAM and Mr. GENE GREEN of Texas.

H.R. 5643: Mrs. DAVIS of California.

H.R. 5710: Mr. SCHOCK.

H.R. 5746: Mr. DELAHUNT, Mr. ROTHMAN of New Jersey, Mrs. CAPPS, Mr. MCINTYRE, Mr. BERMAN, Ms. PINGREE of Maine, Mr. PASTOR of Arizona, Mr. MCGOVERN, Mrs. MCCARTHY of New York, Mr. TEAGUE, Mr. LEVIN, Mr. KENNEDY, Mr. LARSEN of Washington, Mr. HASTINGS of Florida, and Mr. THOMPSON of California.

H.R. 5747: Mr. JACKSON of Illinois and Mr. FRANK of Massachusetts.

H.R. 5753: Mr. PAYNE.

H.R. 5778: Mr. KINGSTON and Mr. COBLE.

H.R. 5783: Ms. SCHAKOWSKY.

H.R. 5790: Mrs. BLACKBURN, Mr. BOUSTANY, Mr. BURGESS, Mr. CULBERSON, Mr. DUNCAN, Mr. GOHMERT, Ms. GRANGER, Mr. HARE, Ms. JACKSON LEE of Texas, Mr. SAM JOHNSON of Texas, Mr. MANZULLO, Mr. POE of Texas, Mr. ROSS, Mr. MARIO DIAZ-BALART of Florida, and Mr. BRADY of Texas.

H.R. 5791: Mr. STARK.

H.R. 5792: Mr. STARK.

H.R. 5793: Mr. STARK.

H.R. 5809: Ms. BORDALLO, Mr. QUIGLEY and Ms. SLAUGHTER.

H.R. 5820: Mr. CUMMINGS, Mr. ENGEL, Mr. CLAY, Ms. WOOLSEY, Mr. DEFAZIO and Ms. BERKLEY.

H.R. 5828: Mr. DINGELL and Mrs. CAPITO.

H.R. 5829: Ms. CORRINE BROWN of Florida and Ms. LORETTA SANCHEZ of California.

H.R. 5866: Mrs. BIGGERT.

H.R. 5882: Mrs. LUMMIS, Mr. SHADEGG, Mr. MCCLINTOCK, Mr. DANIEL E. LUNGREN of California, Mr. CONAWAY, Mr. COFFMAN of Colorado, Mrs. BACHMANN, Mr. WILSON of South Carolina, and Mr. JONES.

H.R. 5892: Mr. COSTELLO.

H.R. 5906: Mr. PRICE of Georgia, Mr. HERGER, Mr. PITTS, and Mr. MCCLINTOCK.

H.R. 5929: Mr. KENNEDY.

H.R. 5931: Mrs. CAPPS and Mr. HOLT.

H.R. 5933: Mr. SCHIFF, Mr. FRANK of Massachusetts, Mr. MCNERNEY, Mr. SMITH of New Jersey, Mr. HONDA, Mr. WESTMORELAND, Mr. RAHALL, Mr. MILLER of North Carolina, Mr. GUTIERREZ, Mr. HILL, Mr. MITCHELL, Mr. MCMAHON, Mr. SCOTT of Virginia, Mr. PETERS, Mr. AL GREEN of Texas, Mr. CHANDLER, Mr. KENNEDY, and Mr. HOLT.

H.R. 5942: Mr. RODRIGUEZ.

H.R. 5967: Mr. SCHAUER, Mr. MCDERMOTT, Mr. LARSON of Connecticut, Mr. MORAN of Virginia, and Mr. GRAYSON.

H.R. 5976: Mr. DICKS and Mr. LARSEN of Washington.

H.R. 5987: Mr. LUJÁN, Mr. HONDA, Mr. CARSON of Indiana, Mr. ROSS, Mr. ANDREWS, Ms. PINGREE of Maine, Mr. ACKERMAN, Mr. FARR, and Mr. JACKSON of Illinois.

H.R. 6008: Mr. DINGELL.

H.R. 6025: Mr. RAHALL, Mr. MURPHY of Connecticut, and Mr. COURTNEY.

H.R. 6028: Mr. ROSS and Mr. MATHESON.

H.R. 6034: Mr. DRIEHAUS.

H.R. 6043: Mr. CROWLEY.

H.R. 6072: Mr. RYAN of Ohio, Mrs. DAHLKEMPER, and Mr. CAPUANO.

H.R. 6073: Mr. PITTS, Mr. HASTINGS of Florida, Mr. NEAL of Massachusetts, Mr. RYAN of Ohio, and Mr. BURGESS.

H.R. 6097: Mr. POSEY.

H.R. 6099: Mr. LEWIS of Georgia.

H.R. 6110: Mrs. CHRISTENSEN.

H.R. 6116: Ms. ZOE LOFGREN of California.

H.R. 6117: Mr. INSLEE and Mr. LARSEN of Washington.

H.R. 6118: Mrs. CHRISTENSEN, Ms. FUDGE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CLARKE, Ms. WATSON, Mr. ELLISON, Mr. SCOTT of Virginia, Mr. CARSON of Indiana, Mr. PAYNE, Mr. RUSH, Mr. LEWIS of Georgia, Mr. DAVIS of Illinois, Mr. JOHNSON of Georgia, Mr. FATTAH, Mr. CLEAVER, Ms. JACKSON LEE of Texas, Mr. CUMMINGS, Mr. AL GREEN of Texas, and Ms. WATERS.

H.R. 6126: Mr. BOUCHER.

H.R. 6127: Mr. WALDEN.

H.R. 6128: Ms. HIRONO, Mr. GRIJALVA, Mr. ELLISON, Ms. TITUS, Mr. HARE, Mr. LARSEN of Washington, Mr. MAFFEI, Mr. HOLT, Mr. TONKO, Mr. BACA, Mr. HINCHEY, Ms. BALDWIN, Mr. SHERMAN, Mr. KILDEE, Mr. RUSH, Ms. BERKLEY, Mr. DICKS, Mr. ARCURI, Mr. STARK, Mr. FILNER, Mr. BLUMENAUER, Ms. ROYBAL-ALLARD, and Mr. WU.

H.R. 6130: Mr. PASCRELL.

H.R. 6139: Mr. KING of New York and Mr. ACKERMAN.

H.R. 6146: Mr. WITTMAN, Mr. NYE, and Ms. BORDALLO.

H. Con. Res. 96: Mr. ELLISON.

H. Con. Res. 230: Mr. CARTER.

H. Con. Res. 267: Mr. PITTS and Mr. SCOTT of Georgia.

H. Con. Res. 296: Mr. CONNOLLY of Virginia and Mr. ROGERS of Kentucky.

H. Con. Res. 303: Mr. MCCAUL, Mr. ROGERS of Alabama, Mrs. BACHMANN, and Mr. MCKEON.

H. Con. Res. 311: Mr. CAMP.

H. Con. Res. 316: Mr. WAMP, Ms. FOXX, Mr. LINDER, and Mr. BURTON of Indiana.

H. Res. 111: Mr. COFFMAN of Colorado.

H. Res. 397: Mr. WALDEN.

H. Res. 764: Mr. ADLER of New Jersey, and Mr. GARY G. MILLER of California.

H. Res. 872: Mr. BARTON of Texas, Mr. LATTA, Mr. WAMP, Mrs. BLACKBURN, Mr. ISSA, Mr. MARCHANT, Ms. GRANGER, Mr. NEUGEBAUER, Mr. POSEY, Mr. BISHOP of Utah, Mr. GINGREY of Georgia, Mr. ROONEY, Mr. BARTLETT, Mr. KING of Iowa, Mr. TIAHRT, Mr. CHAFFETZ, Mr. FLEMING, Mrs. BACHMANN, Mr. SHIMKUS, Mr. FRANKS of Arizona, Mr. KLINE of Minnesota, Mr. BROUN of Georgia, Mr. PENCE, Mr. SHADEGG, Mr. JORDAN of Ohio, Mr. MCCLINTOCK, Mr. PITTS, Mr. LAMBORN, Mr. HENSARLING, Mr. SCHOCK, and Mr. POE of Texas.

H. Res. 913: Mr. STARK.

H. Res. 1129: Mr. BUCHANAN and Mr. ROONEY.

H. Res. 1207: Mr. HERGER, Mr. CALVERT, Mr. CARTER, and Mr. HARPER.

H. Res. 1217: Mr. CRITZ.

H. Res. 1226: Mr. COURTNEY, Mr. COHEN, Mr. CONAWAY, Mr. TONKO, Mr. VAN HOLLEN, Mr. SHULER, Mr. GEORGE MILLER of California, Mr. STEARNS, Mr. WELCH, Mr. DOYLE, Mr. HIMES, Mr. BOSWELL, Mr. FLEMING, Mrs. CAPPS, and Mr. BERRY.

H. Res. 1264: Mr. WITTMAN, Ms. FOXX, Mr. JOHNSON of Georgia, and Mr. ROSS.

H. Res. 1275: Ms. NORTON.

H. Res. 1314: Mr. MORAN of Virginia.

H. Res. 1355: Mr. FILNER and Mr. HIMES.

H. Res. 1377: Mr. HARE, Mrs. NAPOLITANO, Ms. RICHARDSON, Mr. NADLER of New York, Mr. RAHALL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. COBLE, Mr. YOUNG of Alaska, Mr. FILNER, and Ms. ROYBAL-ALLARD.

H. Res. 1396: Ms. SCHAKOWSKY.

H. Res. 1430: Mr. POLIS.

H. Res. 1433: Mr. SMITH of Texas, Mr. FORBES, Mr. WAMP, Ms. LORETTA SANCHEZ of California, Mr. WITTMAN, Mrs. LOWEY, Mr. CONNOLLY of Virginia, and Mr. HIMES.

H. Res. 1442: Mr. PERLMUTTER, Mr. OLSON, Mr. WESTMORELAND, Mr. MCGOVERN, Mr. JOHNSON of Georgia, Mr. PENCE, Mr. SHULER, Mr. ROE of Tennessee, Mr. COSTELLO, Mr. ISSA, Mrs. MILLER of Michigan, Mr. BURTON of Indiana, Mr. COHEN, Mr. SHUSTER, Mr. ADERHOLT, Mr. PETRI, Mr. MORAN of Kansas, Mr. NEAL of Massachusetts, and Mr. WAMP.

H. Res. 1444: Mr. DINGELL and Mr. BLUMENAUER.

H. Res. 1461: Mrs. DAVIS of California, Mr. CAMP, and Mr. TERRY.

H. Res. 1476: Ms. WOOLSEY, Ms. CORRINE BROWN of Florida, Mr. CLAY, and Mr. SERRANO.

H. Res. 1485: Mr. RYAN of Ohio, Ms. SUTTON, Mr. BROUN of Georgia, and Mr. MCCLINTOCK.

H. Res. 1502: Mr. SMITH of Texas, Mr. CAMPBELL, Mr. CHAFFETZ, Mr. NEUGEBAUER, Mr. MARCHANT, Mr. ISSA, Mr. HENSARLING, Mr. PENCE, Mr. MANZULLO, Mr. KING of Iowa, Mr. BISHOP of Utah, Mr. GINGREY of Georgia, Mr. CONAWAY, Mr. GOHMERT, Mr. SHADEGG, Mr. FRANKS of Arizona, Mr. LAMBORN, Mr. PITTS, and Mr. BARTLETT.

H. Res. 1503: Mr. KLEIN of Florida.

H. Res. 1523: Ms. LINDA T. SÁNCHEZ of California, Ms. NORTON, Mr. HARPER, Mr. CARNAHAN, and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 1524: Mr. MCGOVERN.

H. Res. 1528: Ms. CHU and Mr. GEORGE MILLER of California.

H. Res. 1531: Mr. LATHAM, Mrs. DAHLKEMPER, Mr. PITTS, Mrs. MALONEY, Mr. BOSWELL, Mr. LUETKEMEYER, Mr. SPACE, Mr. SMITH of Nebraska, Ms. BERKLEY, Mr. CROWLEY, and Mr. HINCHEY.

H. Res. 1545: Mrs. MCCARTHY of New York and Mr. ETHERIDGE.

H. Res. 1576: Ms. NORTON and Mr. CALVERT.

H. Res. 1587: Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mr. KLINE of Minnesota, and Mr. LINDER.

H. Res. 1588: Mr. COURTNEY, Mr. FRANKS of Arizona, Mr. HERGER, Mr. HOLT, Mr. MURPHY of Connecticut, and Mr. PASCRELL.

H. Res. 1600: Mr. OLSON, Ms. FUDGE, Mr. COHEN, Ms. ROYBAL-ALLARD, Mr. LANGEVIN, Mr. WITTMAN, Mr. MURPHY of Connecticut, Mr. WU, Mrs. BACHMANN, Mr. GRIJALVA, Mr. ALEXANDER, Mr. MARKEY of Massachusetts, Mr. DAVIS of Tennessee, Ms. DELAURO, Mr. PIERLUISI, Mr. YOUNG of Alaska, Ms. SCHWARTZ, and Mr. BOSWELL.

H. Res. 1603: Mr. BARROW, Mr. SHULER, Mr. HILL, Mr. MURPHY of New York, Mr. PETERSON, Mr. MINNICK, Ms. HERSETH SANDLIN, Mr. BOOZMAN, Mr. MOORE of Kansas, Mr. CHANDLER, Mr. CHILDERS, Mr. MATHESON, Ms. MARKEY of Colorado, Mr. TANNER, Ms. LORETTA SANCHEZ of California, Mr. MELANCON, Mr. BERRY, Mr. BOREN, Mr. BISHOP of Georgia, and Mr. BOSWELL.

H. Res. 1604: Mr. GRIJALVA.

H. Res. 1607: Mr. PLATTS and Mr. NEUGEBAUER.

H. Res. 1615: Mr. PAUL, Mr. BILIRAKIS, Mr. MANZULLO, Mr. SESSIONS, Mr. PENCE, Mr. WOLF, Mr. INGLIS, Mr. PITTS, Mr. BURTON of Indiana, and Ms. FOXX.

H. Res. 1617: Mrs. BLACKBURN, Mr. BOOZMAN, Mr. BROWN of South Carolina, Mr. CALVERT, Mr. DENT, Mr. LAMBORN, Mr. MCCAUL, Ms. NORTON, Mr. PRICE of Georgia, Ms. SHEA-PORTER, Mr. TIBERI, and Mr. WITTMAN.

H. Res. 1618: Mr. OWENS.

H. Res. 1621: Mr. COURTNEY, Mr. DOYLE, Mr. TEAGUE, Mr. BLUMENAUER, Mr. CRITZ, Ms. BORDALLO, Ms. DELAURO, Mr. KILDEE, Mr. CLAY, Mrs. NAPOLITANO, and Mr. TONKO.

H. Res. 1622: Mr. SABLAN, Mr. MCGOVERN, and Mr. FILNER.

H. Res. 1624: Mrs. CHRISTENSEN, Mr. EHLERS, Mr. SABLAN, Ms. ZOE LOFGREN of California, Mr. FILNER, Mr. GARAMENDI, Mr. NADLER of New York, Mr. INSLEE, Ms. HIRONO, Ms. MATSUI, Mr. DELAHUNT, Mr. CASTLE, Ms. SPEIER, Mr. CONNOLLY of Virginia, Mr. MICHAUD, Ms. JACKSON LEE of Texas, and Mr. KUCINICH.

H. Res. 1625: Mr. SERRANO, Mrs. CAPPS, Mr. BROWN of South Carolina, Mrs. CHRISTENSEN, Mr. NADLER of New York, Mr. CARNAHAN, and Mr. FARR.

H. Res. 1627: Mr. BLUMENAUER.

H. Res. 1628: Mr. BURTON of Indiana, Mr. WILSON of Ohio, Mr. RYAN of Ohio, and Mr. STUPAK.

H. Res. 1629: Mr. BARTON of Texas, Mr. DONNELLY of Indiana, and Mr. GRIFFITH.

H. Res. 1636: Mrs. BONO MACK and Mr. MCCLINTOCK.

H. Res. 1637: Ms. KILROY, Mr. CONNOLLY of Virginia, Mrs. DAVIS of California, Mr. FILNER, Ms. MCCOLLUM, Ms. SHEA-PORTER, Mr. HOLDEN, Mr. SABLAN, Mr. DELAHUNT, Mr. HINOJOSA, Mr. HASTINGS of Florida, Mr. BOSWELL, Ms. DELAURO, Mr. GRIJALVA, Ms. BORDALLO, Ms. ROYBAL-ALLARD, Ms. NORTON, Mr. WU, Mr. COURTNEY, Mr. COSTELLO, and Mr. CAO.

H. Res. 1638: Ms. CHU, Mr. PAYNE, Ms. WATSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CLARKE, Mrs. CHRISTENSEN, Mr. JOHNSON of Georgia, Ms. JACKSON LEE of Texas, Ms. NORTON, Mr. WATT, Ms. WATERS, Mr. CUMMINGS, Ms. FUDGE, Mr. RUSH, Mr. ELLISON, Mr. CLEAVER, Mr. LEWIS of Georgia, and Mr. CARSON of Indiana.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 413: Mr. POE of Texas.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, WEDNESDAY, SEPTEMBER 22, 2010 No. 128

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable CARTE P. GOODWIN, a Senator from the State of West Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, this is the day that You have made, and we will rejoice and be glad in it. Thank You for the beauty of the Earth and the glory of the skies. Thank You for the love which from our birth over and around us lies.

Be near today to our Senators. Infuse them with reverence for You. May their lives be adorned with civility, integrity, humility, and faithfulness. May a spirit of respect and forbearance characterize all they do and say, as they hunger for Your truth and thirst for Your righteousness. Lord, distill upon them the dews of quietness and confidence that in simple trust and deeper reverence they may be found steadfast and abounding in Your power.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CARTE P. GOODWIN 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, September 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CARTE P. GOODWIN, a Senator from the State of West Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. GOODWIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MEASURES PLACED ON THE CALENDAR—S. 3813, S. 3815, AND S. 3816

Mr. REID. Mr. President, there are three bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3813) to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard, and for other purposes.

A bill (S. 3815) to amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes.

A bill (S. 3816) to amend the Internal Revenue Code of 1986 to create American jobs and to prevent offshoring of such jobs overseas.

Mr. REID. Mr. President, on these bills, would it be in order now to ask unanimous consent that on S. 3815, Senators HATCH and MENENDEZ be added as original cosponsors?

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, there will be a period of morning business until 4 p.m. today, with the time until 10 a.m. equally divided and controlled between the two leaders or their designees. The time from 10 a.m. to 4 p.m. will be controlled in alternating 30-minute blocks of time, with the majority controlling the first block and the Republicans controlling the next. Following morning business, the Senate will resume consideration of the motion to proceed to S. 3454, the Defense authorization bill.

THE DISCLOSE ACT

Mr. REID. Mr. President, the debate this morning will be related to the Citizens United case. That is the case where the Supreme Court changed more than 100 years of precedent in the United States, which in the past had totally prevented corporations from being involved in Federal elections. The Supreme Court stood that rule on its head and denied stare decisis, which certainly surprised nearly everyone. They became involved, it appears, in the political process by a 5-to-4 majority, now allowing corporations, including corporations that have foreign interests, to become involved in our process. They really have opened the door. We have these nameless, faceless individuals spending huge amounts of money—corporate money and other money—where there is certainly no transparency whatsoever. These ads are being run on television and radio around the country. No one knows where the money comes from, how much it is. In fact, I repeat, there is no transparency. That is what the debate is about today. We have had a vote on this once before. I have the right to call it up again, and I will do so at the appropriate time, but it is important that the American people know how

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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outrageous the Supreme Court's decision was.

Would the Chair now announce morning business.

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 until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time until 10 a.m. equally divided and controlled between the two leaders or their designees and the time from 10 a.m. to 4 p.m. controlled in alternating blocks of time, with the majority controlling the first block and the Republicans controlling the next.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. The Senate is in morning business, and the Senator is recognized.

THE DISCLOSE ACT

Mr. DURBIN. Mr. President, when I reflect on the current state of frustration most Americans feel about our political system, I know there are many reasons, not the least of which is the state of our economy. When people are uncertain about their economic future, they are certainly unhappy with political leaders because that is whom they look to first and foremost for some assurance that our economy is moving forward and creating opportunity for them in the future. Where there is uncertainty, it is understandable that it translates into frustration with politicians and our political process.

But I would tell you that as I reflect on the many years I have been involved in public life, there is one aspect of this which really needs to be addressed, honestly and openly discussed, and that is how we finance our political campaigns in America. I think this is at the heart of the current weakness of our political system and a real challenge to its future.

I can tell you that most every individual who sits down to make the decision about entering public life has that sobering moment when they reflect on the fact that this isn't just a matter of how hard you work or how good you are or what your ideas might be. It has a lot to do with how much money you can raise. And if you can't raise enough money to deliver your message through radio or TV or social networking and all the different varieties of reaching the voters, even the very best candidates don't stand a chance.

I came to the Senate succeeding my mentor and great friend Paul Simon, who was a Senator from Illinois. Paul Simon would have run successfully if he had tried for another term in the Senate, but Paul announced that he just didn't want to go through that arduous battle of raising money—literally sitting on the telephone hour after weary hour trying to get through to people to beg for money. That is the plight of most people who decide to be political candidates. So those who do engage in that process and accept that challenge know it is going to consume at least half of their waking moments as a candidate—raising money so that you will be on television in the important close of the campaign. You know as well that you are going to be calling a number of people, some of whom are very gracious and giving without any demand for return and some who just want to call you back at a later time when something important to them comes up. That item of importance may be at the highest level of principle, but it may not be as well. It may be something very personal to them about their business or their family that brings them to ask a favor. That is the nature of the political process.

Now insert into that process the new decision by the Supreme Court, which has decided that not only individuals have the power under our Constitution and Bill of Rights to express themselves through the expenditure of money but that now corporations do as well. This Citizens United decision by the Supreme Court—a Court which many had praised as being a conservative Court bound by precedent—broke precedent, established new standards, and basically allows corporations and special interests across America to spend unlimited amounts of money in political campaigns. Now the hardest working candidate of either political party, working night and day to raise money, can be overwhelmed and eclipsed overnight by a special interest group or corporation that decides to spend millions of dollars to tell their side of the story. And trust me, these corporations won't get up and say: We had a narrow amendment in our self-interest to try to maximize our profits, and the incumbent Senator voted against it. That isn't how they will tell the story. They will tell the story about how this politician had basically turned his back on the people who elected him or takes a position they do not appreciate. How does the average person—the average candidate—overcome that kind of attack? The Citizens United decision by this Supreme Court has turned our political system upside down.

Here is a quote that accurately describes what we are trying to achieve with the DISCLOSE Act, which we are going to call up for a vote. The DISCLOSE Act addresses the Citizens United decision by the Supreme Court. We are going to be voting on this for the second time. The first time we voted on it, not a single Republican would join us in an effort for disclosure—disclosure by these special interest groups and corporate groups that are buying these political ads. Let me quote from a Member of the Senate. This Member of the Senate said:

> What we ought to have is disclosure. I think groups should have the right to run those ads, but they ought to be disclosed and they ought to be accurate.

Who said that? The Senator from Kentucky, who has just come to the floor. The minority leader said that in the context of the McCain-Feingold campaign finance bill in 2002.

The Senator from Kentucky, the Republican minority leader, is not the only Republican who would seem to support the principle behind the DISCLOSE Act. The Senator from Alabama, Mr. SESSIONS, the ranking member of the Senate Judiciary Committee, said earlier this year:

> I don't like it when a large source of money is out there funding ads and is not accountable. To the extent we can, I tend to favor disclosure.

The Senator from Texas, Mr. CORNYN, chairman of the Senate's Republican campaign committee, apparently agrees with that sentiment. Here is what he said earlier this year:

> I think the system needs more transparency so people can more easily reach their own conclusions.

I agree. I agree with these statements by Senator MCCONNELL, Senator SESSIONS, and Senator CORNYN, and I think the statements they have made give them good reason to vote for the DISCLOSE Act, which they initially opposed and I hope, in reconsideration, might favor.

The DISCLOSE Act would bring greater transparency to the source of campaign ads flooding the airwaves before an election so that voters can make good decisions for themselves as to whether the ads are truthful.

As a voter, I would want to know who paid for the political ad, and I do not want foreign companies trying to buy our elections. Shouldn't we know if some foreign corporation is buying ads to defeat an American politician? Shouldn't we have that disclosure? That is what the DISCLOSE Act says, and those who oppose it oppose that kind of disclosure.

As a taxpayer, I don't want big companies with more than $10 million in Federal contracts to be able to buy ads to curry favor with those Congressmen and Senators who happen to want to help them without disclosing who they are. Is it too much to ask that someone who has a vested interest in government contracts and buys ads to influence the outcome of an election to elect a Senator or Congressman who will vote their way at a minimum disclose who they are?

As a shareholder of a company, I want to know what political activities the management of that company is spending my company's money on. If the board of directors or one member

or the CEO decides to spend several million dollars defeating a candidate, should the people who own the company, the shareholders, at least know that and be in on the decision?

The DISCLOSE Act would help with all these goals. It would make CEOs and other leaders take personal responsibility for their ads. It would require companies and groups to disclose to the FEC within 24 hours of conducting any campaign-related activity or transferring money to other campaign groups. It would prevent foreign companies from contributing to the outcome of our election. It would mandate that corporations, unions, and other groups disclose their campaign activities to shareholders and members in their annual and periodic reports. It would bar large government contractors from receiving taxpayer funds and then using that money to buy campaign ads. It would restrict companies from sponsoring a candidate. It is all common sense.

Let me be clear. I personally think we should go further to change the way we finance campaigns. I am the author and lead sponsor of the Fair Elections Now Act, which would allow viable candidates who qualify for the fair elections program to raise a maximum of $100 from any donor. These candidates would receive matching funds and grants in order to compete with those high-rolling candidates who have personal wealth. That would change the system fundamentally, to move toward a system of public financing. Those who criticize it should take heart from the States that have brought it to a referendum, which have said repeatedly that they would much rather have public financing and take the special interests out of politics even if it meant imposing a tax—as we do, for example, with corporations doing business with the Federal Government—a tiny tax, which would generate enough money for the campaigns across the Congress and get us out of this money chase we are currently in. It would change the system of politics fundamentally. It would put the average citizen back in the picture, and I think it would begin to restore confidence.

Until we change the way we finance campaigns, I do not believe we can restore confidence in our political system to a level that it should be. But in the wake of the Citizens United decision, we are moving in the opposite direction. Allowing companies to spend freely and directly on political campaigns—we should at least have the transparency that is being asked in the DISCLOSE bill. Is it asking too much to require a group or company to at least mention who is sponsoring an ad so the American people know who is paying for it? I don't think it is. Once upon a time, many Republicans agreed with me.

I will close with one more quote from the Senator from Kentucky, the minority leader, from an interview years ago on ''Meet the Press.'' Here is what he said: ''Republicans are in favor of disclosure.'' We hope they will be in favor of the DISCLOSE Act, which calls for disclosure. You can't state a position much more clearly than the Senator did. I hope they still feel that way. I hope Senate Republicans will join us in a meaningful disclosure method for campaign finance reform that will move us in the direction of giving the voters more information so they can decide which candidates they want to support and know who is supporting different causes and candidates.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. DURBIN. I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. I am not sure what the parliamentary situation is, but I am going to proceed under my leader time.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

THE DISCLOSE ACT

Mr. MCCONNELL. Mr. President, here we go again, back to the DISCLOSE Act. Americans are speaking out. They want us to focus on the economy, on preventing tax hikes, on creating jobs. What do Democrats do? They turn to the so-called DISCLOSE Act, a bill they say is about transparency in elections but which was drafted behind closed doors, without hearings, without testimony, and without any markups; a bill which is supposed to be about free speech but which picks and chooses who gets the right to engage in political speech and who does not; a bill that is back on the floor for no other reason than the fact that our friends on the other side have decided this week is politics-only week in the Senate. Let's be clear from the outset. That is all this is—pure politics.

Over the past couple of elections, our friends on the other side have gotten a lot of help from their union allies and other outside groups—so much so, in fact, that they were able to outspend their opponents 2 to 1 in 2006 and 3 to 1 in 2008. That is our friends on the other side of the aisle. But now, after spending the last year and a half enacting policies Americans don't like, they want to prevent their opponents from being able to criticize what they have done. They hear Americans speaking out, they see some energy on the other side, and they don't want to take the kind of criticism they have leveled at Republicans for the past 4 years, so they are trying to rig the system to their advantage. That is it. It is quite simple—just to rig the system to their advantage.

The only question here is why our friends on the other side would want to propose something like this when Americans are screaming at them to focus on the economy instead. Just look at the surveys. What are Americans most concerned about? It is no secret that Americans want Congress to focus on jobs and the economy. Yet, over the last 2 months, in the midst of what Democrats are remarkably calling ''recovery summer,'' the President has devoted two of his weekly radio addresses to the Nation to making a personal pitch for this bill.

Today in the Senate, in the middle of the worst recession in memory, the Democratic leadership has decided to spend the next 2 days on the same failed partisan campaign spending bill aimed at giving Democrats a political edge. It is truly astonishing. It seems as if the more Americans say they want Democrats to focus on jobs, the more determined they are to press ahead with some piece of legislation aimed either at killing private sector jobs or, in the case of this bill, preserving their own jobs.

Here we are, in the middle of a recession, with 27 States yesterday reporting increases in unemployment, 14 million Americans looking for work, and a national debt that is putting the very future of the American dream in jeopardy, here we are voting on a bill that amounts to little more than an incumbency protection act for Democrats in Congress. If Americans are looking for one final piece of evidence in this Congress that Democrats have lost perspective and lost touch with Americans, then this is it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

HONORING CONLEY INGRAM

Mr. ISAKSON. Mr. President, I rise for a moment to pause and pay tribute to the life and accomplishments of a citizen of my home community, Judge Conley Ingram. In fact, in a few days a number of members of our community, his friends and associates over his career in law and community service, will join to celebrate his life and achievements and his birthday. He is a remarkable person whom I admire greatly because he has been a mentor to me and the example I have tried to follow. Unfortunately, I will not be able to attend that particular program, but today on the floor of the Senate, I wanted to memorialize a true storied jurist of the State of Georgia, probably amongst the top three or four from our State in the history of our State. He is a man who stands shoulder to shoulder with men such as Griffin Bell, the former Attorney General of the United States, and former Assistant Attorney General Larry Thompson.

Conley Ingram has done about everything you can do as an attorney and a lawyer. When he graduated from Emory University 59 years ago and went into the service, he taught at the Judge Advocate School in Charlottesville, VA. From there, he went on to be city attorney, special assistant attorney general, juvenile court judge of the County of Cobb, and went on to become

superior court judge in the County of Cobb. He then founded his own law firm and ran it for a number of years until he became a justice of the Supreme Court of the State of Georgia. After leaving there, he went with the storied firm of Alston & Bird and became probably the Nation's most recognized arbitrator and mediator of any attorney in the country. And not to finish and not to quit, for the last 12 years he has been a senior special superior court judge in Cobb County, GA, serving all the time the citizens of our State.

But his greatest service is the example he shows. He has been selected our Community Citizen of the Year. He received excellence awards for the legacy he has left not just for his work on the bench, not just his work as a lawyer, but his work for the betterment of the community, whether it is the Boys Club or the Girls Club, whether it is his church, or whether it is his neighborhood.

But for me, there is one special thing to say about Judge Conley Ingram: He is a man who takes time for everybody. He is a man who is willing to help. He is a man who would rather find common ground in the interest of both parties than have a winner-take-all philosophy of life.

Probably the greatest blessing of Conley Ingram's life is his wife Sylvia, whom my wife Dianne and I cherish as a dear friend.

So this week in which our community will celebrate the many accomplishments of the 59 years of the practice of law of Judge Conley Ingram and his life in general, I am proud to stand on the floor of the Senate and say: Conley, thank you, not just for what you have done for me but what you have done for so many people in our great State and for this great country, the United States of America.

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. MERKLEY. 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 DISCLOSE ACT

Mr. MERKLEY. Mr. President, I rise to speak about an issue of critical importance to the future of our democracy. I have in my hand the majority opinion titled ''Citizens United.''

This Supreme Court decision, decided on the narrowest of grounds, is of profound importance to our Nation and how the voices of citizens get heard or get drowned out. This decision, Citizens United, is a dagger poised at the heart of American democracy.

Our Nation is unique in world history in that it was founded not on nationality of royal bloodlines but on a simple idea, a simple yet revolutionary idea that the country's people are in charge.

As was so often the case, Abraham Lincoln said it better than most. He said, the United States is a ''government of the people, by the people, for the people.'' What that means is that we elected officials work for the people. They elect us. They are in charge.

But this formula, government by and for the people, cannot survive if our elections are not open, free, and fair, and Citizens United ends open, free, and fair elections in America. This decision says that unlimited secret and foreign funds can be spent on elections in the United States of America. Let me restate that. This decision, Citizens United, says unlimited secret funds can be spent on elections in the United States of America.

This is not just some hypothetical. Reports estimate that over the last few weeks, $24 million has been spent in secret spending, with no ability to trace who put it into campaigns. The results are negative attack ads barraging candidates in State after State after State, under, I am sure, pleasant-sounding names such as Citizens for a Strong America or Citizens for Blue Skies or Citizens for a Better Nation, front groups that are using this secret money, allowed by this decision, to drown out the voice of the American citizen in elections across this land.

Government is not by and for the people if corporations and even foreign corporations and giant government contractors are able to hijack our electoral process to run millions of dollars of attack ads against any candidate or legislator who dares put the public interest ahead of the company's bottom line.

Our Constitution, through the first amendment, puts the highest protection on political speech, recognizing how important it is that citizens be able to debate the merits of candidates and ideas. But the essence of the first amendment is that competing voices should be heard in the marketplace of ideas. The Citizens United decision gave the largest corporations a stadium sound system to drown out the voices of our citizens.

Let me give you some sense of this. Take a single corporation in 2008, Exxon Corporation. Exxon Corporation made a lot of money in 2008. If it had spent just 3 percent of the total net revenue it had that year, that would exceed all the spending by Presidential candidates for the 2008 election. Three percent of a single corporation's net revenues would drown out all the dollars spent by citizens in the Presidential race in the 2008 election. That is the stadium sound system I am talking about.

Think about the scale. My Senate race was far and away the most expensive election in Oregon history. Two candidates together spent about $20 million. To translate that back to a single corporation, Exxon, that would be the amount of money in net profits they made every 10 hours. You get some sense, then, of the challenge.

If you like negative ads, you will love the impact of Citizens United. Imagine what corporations will do to put favored candidates in office. The sheer volume of money could allow corporations to handpick their candidates, providing unlimited support to their campaigns, and take out anyone who dares to stand for the public interest.

The DISCLOSE Act we are debating is not a perfect solution to this attack on American democracy. But it does change one critical feature; that is, secret spending becomes publicly disclosed spending.

My colleagues on both sides of the aisle have spoken time and time again about the importance of public disclosure and democracy. One of my colleagues from Texas said:

> I think the system needs more transparency so people can reach their own conclusions. In other words, people should know who is funding that campaign ad.

One of my colleagues from Tennessee:

> To me, campaign finance reform means individual contributions, free speech, and full disclosure. In other words, any individual can give whatever they want as long as it is disclosed every day on the Internet. Otherwise you restrict free speech and favor super rich candidates, candidates with famous names, the media and special interest groups, all of whom can spend unlimited money.

That is a strong statement by my friend and colleague from Tennessee in support of disclosure. The Republican floor leader, speaking in 1997:

> Public dealerships of campaign contributions and spending and spending should be expedited so voters can judge for themselves what is inappropriate.

How can a voter judge the content of the ad if they do not know what money is behind it? So disclosure is something that has been a bipartisan concept. Folks have referred to it as sunshine is the best disinfectant. So this bill brings transparency. The DISCLOSE Act makes the CEO of a company stand by its words. The CEO would have to say, at the end of the ad, that they approved this message, just like political candidates have to do right now.

It is common sense. If a company is willing to spend millions working against a candidate, voters, our citizens, have a right to know who is involved instead of allowing them to hide behind shadowy front groups. Similarly, this bill would require 527 groups, which exist solely to influence elections, to be transparent about who is funding them. Voters have a right to know where ads and campaign dollars come from.

A second issue this act takes on is the pay-to-play issue; that is, the concept that groups that are competing for government contracts and winning those contracts have a particular conflict of interest when it comes to spending large volumes on campaigns. So this gets rid of that conflict of interest. It says it bars government contractors from running campaign ads or

paying for other campaign activities on behalf of a Federal candidate.

We understand this conflict of interest. We have the Hatch Act. We understand Federal employees have a conflict of interest. We also understand government contractors have a conflict of interest. This bill also takes on the issue of foreign-owned corporations. It says that if a company is 20 percent foreign owned, it is not eligible to allow these massive expenditures on behalf of particular political candidates or causes.

Do we want to leave the door open to foreign corporations spending unlimited sums here in America to change the course of our Nation? I do not think so. I do not think any red-blooded American wants foreign corporations dictating the future of the United States of America. That is what this act is about.

Essentially, what the Citizens United decision did, it created a ''supercitizen'' who can operate in secret with unlimited funds to influence American elections. A few years ago, I was with my son on the first floor of the Lincoln Memorial, down under the stairs. I saw a quote that had been posted on the wall. It said something to the effect of: The greatest threat to the success of our Republic is that the citizens have an equal voice.

I said that is an interesting quote coming from a President in wartime, in a civil war, dealing with slavery. So I asked the ranger: Say, do you know the background of that quote? Because I was surprised President Lincoln did not say the biggest threat was the war or slavery or reuniting the sides or preserving the Constitution. But he said: the citizens' voice, preserving the citizens' voice.

The ranger lit up and said: Yes, actually, I do know the background to that. He said: During the civil war, President Lincoln was very concerned that the military contracts that were being let by the government were resulting in numerous representatives of companies coming to DC and lobbying intensely to get those contracts. He was concerned that voice would drown out the voice of the people.

It is no wonder. It fits right with a President who understood the heart of the genius of American democracy, that we are talking about government by and for the people.

Well, Lincoln's concern about that conflict of interest is one that should be magnified many times today in the context of Citizens United. Citizens United, that allows unlimited secret donations and foreign donations to influence the course of American elections.

President Lincoln reminds us the essence of our Nation, the cause that brought a generation of patriots to challenge the greatest military power of the 18th century, the idea that has inspired people to leave everything to come to our shores is a government of people, by the people, for the people.

So let's say no to secret spending. Let's say no to foreign corporations. Let's say no to the conflict of interest of government contractors using their profits from their contracts to weigh in and try to influence and getting favoritism with candidates. Let's say yes to government by and for the people.

We need some profiles in courage today to preserve the heart of our democracy, government by and for the people.

I yield the floor.

The PRESIDING OFFICER (Mr. PRYOR.) The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I come to the floor in an effort to try to get my colleagues on the other side of the aisle to join us in preserving our democracy. I heard the Republican leader's remarks that we should be focused on jobs, and we have been, notwithstanding the constant obstruction of our colleagues on the other side of the aisle by using the filibuster countless times in terms of us being able to move forward on jobs.

But this legislation is about jobs. Some people might ask: Well, what does the disclosure of campaign finance have to do with jobs? It has everything to do with it because the murky special interests that are out there spending unlimited amounts of corporate money are not spending it because they just want to participate in our electoral process without a purpose. They are participating because they have a purpose.

The purpose is to elect those individuals who ultimately will respond to their agenda, which is an agenda that, in many cases, works against the interests of working men and women in this country; works against some of the very essence of legislation we have passed and signed into law such as equal pay for equal work; works against the very interests of what we are trying to accomplish on food safety so none of our families will ever get ill because of a product that should have never made it to their table in the first place; works against the interests of those in this country who want to work and give a hard day's work for a fair day's wage and at the same time work in conditions that ensure their safety is preserved and they can go home at the end of a long day to their loved ones and come home safe and secure—those and so many other interests. So when we talk about jobs, knowing who is out there spending money for what purpose, particularly for what corporate purpose, is incredibly important to how we create jobs, what do we do in terms of working conditions, what do we do in terms of wages, what do we do in terms of equity. This is about jobs. It is also about our democracy.

Since the Supreme Court made its decision allowing corporate interests and labor interests to spend money unlimitedly—and, by the way, in doing so also allow the possibility of foreign corporations, many of which are not just private foreign entities, they are foreign entities controlled by a government—the money is flowing. Don't believe me, even though we have seen since August 15 to last night $21 million already spent on the Republican side of the aisle in independent expenditures, unknown money, no person, no face, no name. That is why I guess we can't seem to get a vote. But don't listen to me. Listen to Michael Toner, former Republican Federal Election Commission Commissioner. He said:

> I can tell you from personal experience, the money's flowing.

For what purpose? Corporations just spending their money for something other than the pursuit of the bottom line? When have we known a corporation to spend its money recklessly without pursuing an interest in the bottom line? I haven't seen too many of those. They may have made bad mistakes, but they have never purposely spent money for the purposes of anything other than to improve their bottom line. So if they are spending money in elections, they are spending to make sure they can improve their bottom line. This undermines the very essence of our democracy where we want individual citizens and voters to determine the outcome of the elections, not the monied interests.

In this process, this was a bipartisan effort originally when Congress said: We don't want corporate or labor money to be spent unlimitedly in Federal elections. We have had continuous comments since then. Here is the Republican leader, Senator MCCONNELL:

> Public disclosure of campaign contributions and spending should be expedited so voters can judge for themselves what is appropriate.

We have changed that view because all we are trying to do is say: OK, Supreme Court, you are going to allow the money to flow from the corporations. Let us know who is spending it and on whom they are spending it and for what purpose. Then the voters can judge for themselves what is appropriate.

We have had others as well who are in the midst of this election process, such as my counterpart Senator CORNYN, saying:

> I think the system needs more transparency, so people can more easily reach their own conclusions.

What do we have? Less transparency. So an individual who gives their money to a candidate, they get fully disclosed. A corporation or a special interest or a foreign interest gives money, they can hide behind these shadowy groups. They have great names—Americans for this, Americans for that. The problem is, we don't even know if one of those groups that call themselves Americans for X, Y, or Z is actually an American corporation. With the loophole created by virtue of allowing foreign corporations to now spend in our elections, it is the ultimate erosion of our democracy.

If Members don't think they will, let me cite a few examples of why they

might. Imagine if BP could go ahead and influence the elections of a whole host of Senators because they want to determine what our energy and drilling policy is by electing those who ultimately share their views. After what they have done in the Gulf of Mexico, after what they refused to do in testifying before a hearing that I will hold next week about the release of the Pan Am 103 bomber and what role they played in lobbying for the release of that terrorist that killed Americans they can't even send a witness to our hearing, do my colleagues think they would not be interested in spending millions to determine who can be supportive of what they want?

Do Members believe the Chinese wouldn't ultimately make investments in candidates who continue to espouse a philosophy that allows jobs to be offshored? Talk about jobs to be offshored to countries such as China where manufacturing is dirt cheap and rights are nonexistent and working conditions virtually don't exist and the environment is not a question. Do Members think it is impossible for that to happen?

Do Members think it is impossible for Hugo Chavez not to be spending money here through Citgo and saying: Let me support those who support the type of views I hold and who will engage in an energy policy that is much different than I can influence with Venezuelan oil?

Do my colleagues think there are those in the corporate sector who have been fighting food safety—not all but some—who wouldn't elect those individuals who will ensure that we can't have the food safety procedures to come into the 21st century so that we can ultimately ensure that our food is safe? No, they would rather have the ability to do what they do and not have to worry about the consequences of safety to improve the bottom line.

I could go on and on with examples of why foreign interests spend well in our elections to dictate policies that ultimately would inure to the detriment of the American people and to the benefit of their interests. That is what we are fighting against. That is what we are trying to undo in terms of the legislation we are considering, to disclose. What a terrible thing, to disclose. We are not even stopping the contributions because the Supreme Court said the contributions can be made by corporations, but at least let's know who is giving them and who they are giving it to and for what ostensible purpose.

I see a continuing erosion of our democracy through the present circumstances. I see why we can't get a vote on the other side of the aisle because, overwhelmingly, they are receiving the benefits of this undisclosed, shadowy money that no one knows where it comes from, no one knows who is giving, for what purposes. Is that really the American way? Is that what the average voter wants to see in terms of their democracy? I don't think so.

I urge my colleagues to follow the essence of McCain-Feingold. Senator MCCAIN and Senator FEINGOLD authored legislation. All of those who made comments about disclosure, it is time to at least simply disclose. It is time to allow the American people to know who is engaged in this election, who is spending millions. They are talking about raising and spending nearly $300 million. There are 41 days to the election. We would not know where it came from, who is giving it, for what purpose. That is the ultimate corruption of our system.

I hope my colleagues will vote to proceed. Let's have the debate and, more importantly, let's cast a final vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I believe the eloquence of Senator MENENDEZ marks a high point in the debate. I don't know that anyone could have expressed what is at stake as well as he did. I will make a humble attempt to build on what he said. Before he leaves the Chamber, in a country of, by, and for the people—our country—the people have a right to know who is supporting their Senators, who is opposing their Senators, who is supporting their Members of Congress, who is opposing them. That is all we are asking. It is simple. It is the American way. We do things in the light. It makes us different than other countries. The DISCLOSE Act is essential. I thank my colleague for his leadership.

The DISCLOSE Act is a much needed response to a Supreme Court decision in Citizens United which essentially allows big money to drown out the voices of our people. I have always thought and believed—and still believe—that what makes us great is that we try to have laws that level the playing field so people who are extremely wealthy don't have more to say than those of modest means. How do we do that in everyday life? We try to have a public school system so we ensure that all children get an education. I personally am a product of public schools, kindergarten through college. Were it not for that, my family couldn't afford to send me to private schools. How could I have ever made it to a decent job, let alone to the Senate? In all of the things we try to do to try to have a safety net for people who are unemployed, everything we do, it seems to me has been to ensure we have a thriving middle class, that the American dream is there for people who work hard for it.

We don't want to get to a situation where simply because a corporation has, frankly, billions of dollars they can spend on campaigns, they can simply do it in secret and there is an ad run against a sitting Senator on either side of the aisle, and we don't have any clue who has put that money down. As Senator MENENDEZ says, they pick great names: Americans for Justice, Americans for a Better Tomorrow. They name great names. But who is behind it?

Frankly, we could have a foreign country behind that ad if they had a subsidiary in America they control. That foreign country could very well be playing in our elections as we speak with the millions of dollars we see coming into the Senate races.

In the Citizens United case, the majority of the Court reversed a 100-year-old law and overruled decades of legal precedent when they decided that corporations and labor unions cannot be restricted from spending unlimited amounts in Federal elections because they equated any limits with violating free speech. I ask the question in this great country of ours, where we all have the privilege of living and we all have the privilege and responsibility of voting: Why is it that a nameless, faceless entity has more speech than any one of our citizens? Why? Because these corporations are worth trillions of dollars. The average person obviously has nowhere near it. The average income in our country is about $50,000 for a family now, maybe a little less. How would that person compete with a $1 trillion corporation? The Court doesn't seem to care about that, the majority, a slim majority, when they equate spending limits with speech.

What they actually said is that a corporation worth trillions gets to have much more speech than any one of my constituents in California or any one person in the whole United States of America. The decision was astounding.

It defies common sense to conclude that corporations or labor unions are citizens in the eyes of the law.

I said to my staff: Have you ever called a corporation and asked the corporation to go to lunch with you? Corporations are not people. They are entities. How the Court could equate corporations with people is amazing.

Mr. President, I ask unanimous consent for 2 additional minutes, and then I will finish up. And add that—

Mr. BOND. Mr. President, I do not object. Whatever time she needs I hope will be added on to the time that has previously been allotted. I do not want to cut short the comments of my friend from California.

Mrs. BOXER. That is extremely kind of my colleague.

Mr. President, I ask unanimous consent to take 5 minutes and to add that on to Senator BOND's time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. So the decision was astounding to equate people with corporations and unions, on its face. As Justice Stevens wrote in his dissent:

> Corporations have no consciences, no beliefs, no feelings, no thoughts, no desires . . . they are not themselves members of ''We the People'' by whom and for whom our Constitution was established.

We all know corporations are important in our lives and they make enormous contributions to society, but

they are not people, and their profit motive keeps them going. That is our system, and that is fine. But all we are saying in this debate over the DISCLOSE Act is, if a corporation or a union is going to take out an ad against a Senator or for a Senator, or against a challenger or for a challenger, that they simply stand up and say—that is, the CEO of the corporation: I am Mr. Smith, and I approved this message.

When I make a commercial or any of my colleagues or any of our challengers, they need to do that. You will see that on every commercial: I am so and so, and I approved this message.

So all we are saying is, level the playing field—at least that. We need to do a lot more to fix this Supreme Court decision, but at minimum let's have disclosure. The Fortune 100 companies had combined revenues of $13.1 trillion during the 2007–2008 election cycle. They had those revenues. If they devoted just 1 percent of that—1 percent of that—it would double the federally reported disbursements of all American political parties and PACs combined. I think we cannot allow our electoral process to be dominated by the special interests.

So all we are saying in the DISCLOSE Act is, stand up and be counted. Let us know who you are. We have to know who you are. Do not hide behind some shadowy name of a group. Again, these names are all very nice: Americans for this and Americans for that. Let us know who you are. That is all we are saying.

This is a government of, by, and for the people. The people have a right to know who is contributing to us, to our opponents, and it is very simple.

There could be foreign influence here, again I would say. In our bill, we basically say no foreign influence. If you are a domestic corporation who is controlled by a foreign country or a foreign corporation—say if China, say in Venezuela, say anywhere; pick your country—you cannot take an ad. This is America. We ought to know who is contributing these huge, enormous sums. We ought to know who they are. Our voters ought to know who they are. The American people deserve nothing less.

So I would hope when we take up this vote again, there will be no more filibusters over this issue. I have never seen so many filibusters. I have been here a while. Let's go to this legislation. Let's hear the other side defend why they think foreign countries or foreign corporations should be able to play in our elections. Let them defend it if they want to. That is fine. That is fair. I am sure they will come up with reasons.

But yesterday we could not go to the military bill. It has a pay raise for our soldiers. That is put on hold because people did not want to vote on the DREAM Act. They did not want to debate don't ask, don't tell. I do not understand it. Now we have a situation where they are filibustering us being able to go to this very commonsense bill, the DISCLOSE Act, which many of my colleagues on the other side have supported in the past—simple disclosure, transparency. I could read you chapter and verse of my colleagues on the other side who were filibustering the DISCLOSE Act in the past saying: We want transparency.

So I think this is a pretty open and shut case. The American people have a right to know who is influencing their elections. Just have these corporate executives, these union executives stand up and say: I am so and so, and I support this message, and I paid for it.

With that, I am happy to yield the floor with great thanks to my colleague for allowing me the opportunity to complete my remarks.

Thank you very much. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

TAX INCREASES

Mr. BOND. Mr. President, this morning, all across America families are struggling to make ends meet. Their incomes are stagnant, but the cost of living keeps rising and the tax burden they face at the Federal, State, and local level keeps getting worse—and they are threatening to go higher.

Just as troubling, today's ongoing economic uncertainty is crippling job creation and hurting small businesses—the real engines of growth in our country. Some of our small businesses have told me it is not uncertainty, it is the certainty that they know what the Federal Government has already done in the health care bill this body, unfortunately, passed.

But what is the answer from Washington to this situation? More job-killing taxes.

Let me be very clear: The last thing we should be doing in this difficult economy is raising taxes on American families and small businesses. It is a recipe for disaster. I do not think anyone believes raising taxes on somebody in a recession is a good idea, particularly on the very small businesses we need to hire more workers and get the economy back on track. But unless Congress acts before the end of this year, that is exactly what will happen.

This is not a Republican or Democratic issue, which is why 31 House Democrats have recently written the Speaker of the House urging her to act now to stop the tax increases on the American people. As these 31 Democrats said, defying their leadership, raising taxes now could ''negatively impact economic growth.'' Obviously, that would affect jobs.

Instead of listening to the American people, and even those members of his own party, President Obama is trying to convince our Nation that the largest tax increase in history will not hurt them.

Whether it is justifying their failed trillion-dollar stimulus bill or government takeover of health care, which will cost even more, and now their historic tax increases, the administration is guilty of using some very fuzzy math.

Last week, the President took to the airwaves and claimed he ''opposes tax cuts for millionaires''—a statement he repeated in Ohio as well. But the President's plan to increase taxes is on any individual earning $200,000 or more or any couple earning $250,000 or more. I do not know who the President is talking to, but I do not know any Missouri families with two working people making $250,000 a year who consider themselves millionaires. In fact, these Missouri families would be surprised that the President lumps them in the same category as George Soros, Warren Buffett, and Bill Gates.

In fact, the tax on these ''rich'' people, as the President calls them, is a tax increase on small businesses. Under the President's tax increase plan, half of all small business income would be affected, and the President's tax increase plan would affect up to 25 percent of all American workers. They are employed by those small businesses, and they certainly will be affected.

According to the Wall Street Journal's September 9 article entitled ''The Small Business Tax Hike and the 3 percent Fallacy,'' IRS data shows that 48 percent of the net income of sole proprietorships, partnerships, and S corporations reported on tax returns went to households with incomes over $200,000 a year in 2007.

It is very clear we are talking about small businesses that have a much broader impact than just 3 percent of all taxpayers, as the spin we hear from the White House puts it.

This plan to increase taxes defies common sense. At a time when we need small businesses to expand and to create jobs, President Obama plans on raising their taxes. Imagine that. When jobs should be our top priority, with unemployment near 10 percent, this Congress and the President are proposing a historic job-killing tax increase.

Bear in mind, according to the Small Business Administration, small businesses employ half of all private sector employees. They generated 65 percent or 9.8 million of the 15 million net new jobs produced over the past 17 years. They produce 13 times more patents per employee than large patenting firms.

The President has actually been very clear about his intensions for additional revenue raised by tax increases. As a matter of fact, on September 8, in Parma, OH, the President repeatedly said:

> I've got a whole bunch of better ways to spend the money.

Well, Mr. President, I strongly disagree. As Milton Friedman once famously said:

> Nobody spends somebody else's money as wisely as they spend their own.

I think we have all seen proof of this over the past 21 months, and it is not

working. The nearly trillion-dollar stimulus plan that was supposed to create jobs immediately and keep unemployment below 8 percent failed, and now our children and our children's children are stuck with the bill that will be on their credit cards for a long time. But now the administration is pushing for even more tax increases in order to finance their massive spending spree.

Each time I return home, I am reminded of the anger and the distrust that my constituents have for Washington. The people of my State are angry. They are on fire. They have every right to be. The people in Missouri know that additional tax revenue generated from their hard work will not be used to pay down our national debt but, instead, it will be used for more spending they do not want and the country cannot afford. The people in Missouri know they cannot afford these tax increases. They want to keep more of their hard-earned paychecks so they can support their families.

On dividends and capital gains, the administration believes that taxes should go up. They also believe these two types of taxes on investment should be treated differently, with dividends being taxed as high as nearly 40 percent.

Higher taxes on investment income will halt new investment and force these investors with much needed capital on to the sidelines. If you tax something, you get less of it. If you reduce taxes, you get more of it.

But since Congress passed the 2,000-plus page regulatory overreach bill this year, we have seen a drop in capital formation, and tax increases will only continue to discourage private productive capital formation in the nongovernmental private sector.

The looming tax increases will raise the price of capital and make lending much more expensive than it would be if we had properly reined in the bad actors and allowed the lending system to revert to practices based on creditworthiness, which means it will be even harder for our small businesses to get the lending, borrow what they need to continue to meet their payrolls, continue to employ workers, and keep their lights on.

Dividends are payments made to shareholders by a profitable firm. They are the owners of the firm. Many of the folks who receive dividend income are not multimillion-dollar investors but, rather, many of them are seniors who rely on this as a supplement to their retirement income. We should not raise taxes on seniors who rely on this income.

Recently, I heard from a utility in my State that came in and talked about the increased dividend tax and the concern as to what it would do to their shareholders. Many of their investors are senior citizens who are by no means rich and who live off of this income every day. They do not want to have, and they cannot afford to have, the government reach into their pockets and take more money.

On the estate tax, death should not be a taxable event. There should not be taxation without respiration.

The death tax hurts small, family-owned businesses, especially our family farmers. According to the Farm Bureau, individuals, family partnerships, or family corporations own 98 percent of our Nation's 2 million farms and ranches.

When faced with the death tax, farmers and ranchers are in an especially tough spot with most of their assets tied up in land and buildings, livestock and equipment. This gives them little flexibility when settling an estate. Unlike an investor with a stock portfolio, they can't simply sell off the stock and move on.

The death tax punishes the American dream, making it virtually impossible for the American family to build wealth across generations, and this is particularly true for family farms.

The death tax is antisavings, antifamily, and anti-investment. Quite simply, it is un-American, and it should be eliminated, or at least it should be reduced.

Sadly, because of the Senate's failure to repeal this tax, I have signed on to the next best alternative—a bipartisan bill introduced by Senators LINCOLN and KYL which would increase the exemption for families to $5 million from the $3.5 million under the previous law.

Under the President's plan, when you die, your estate will be taxed at a whopping 55 percent for assets above $1 million. The Kyl-Lincoln bill I am cosponsoring would reduce this rate to 35 percent for assets above the $5 million exception.

Why is this important? Let me talk about farm country, where I live. Everybody knows that a successfully operated family-owned grain or corn or soybean farm is likely to have $1 million worth of land and likely more than $1 million worth of farm equipment so they can be a productive farmer in the world competitive economy. The President's plan would force these family farms to close rather than pass to the next generation of family farmers.

I say to my colleagues, unless Congress acts now, in less than 100 days Americans will be hit with the largest tax hike in our Nation's history. That is why I have joined with Senators MCCONNELL, GRASSLEY, and others to stop these tax hikes, cosponsoring the Tax Hike Prevention Act. This bill prevents the tax hikes scheduled for next year, permanently passes the alternative minimum tax, and protects families from increased death taxes.

For most Americans across the Nation, recovery is what we desperately need. We need it in my State and we need it in every State. Small businesses are not hiring new workers or expanding. It is not just the uncertainty; it is the certainty of what the Federal Government is doing to them. Also, unemployment has been hovering at almost 10 percent. More than 3 million Americans have lost their jobs since February of 2009, and more have quit looking or are underemployed.

One of the best ways to help our economy and end the uncertainty that is crippling job creation is to stop the coming tax hikes. In addition to helping small businesses, stopping the coming tax hikes would let Americans keep more of their paychecks that they can save and invest. Our citizens know how to spend their money better than any government bureaucrat.

We have tried it with the government money. We have tried it with the government stimulus. The government stimulus stimulated the expansion of government. That is not productive. Let's try it the other way. Let's go back to what we used to do in this country and let the private sector work and develop useful products and services, sell those products, gain a profit, and hire more workers. It is time this Congress acts, and I hope they will act soon.

I thank the Chair and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

TAX POLICY

Mr. JOHANNS. Mr. President, I rise today to speak about something that is enormously important, and that is tax policy and the economy.

Over the most recent break, I had the opportunity to go out across the State of Nebraska. I traveled throughout the State and I conducted 14 townhall meetings. I listened to a lot of concerns, but there was one issue that dominated all of the discussion and that was the state of our Nation's economy. Nebraskans, like all Americans, are wondering when the economy will turn around. They are wondering when this administration is going to actually take action to support job creators instead of just talking about it.

A recent CNN poll shows that 57 percent of Americans disapprove of the President's handling of the economy. The President's job agenda to date has simply failed to produce the results that were promised.

Take a look at the economic stimulus that cost taxpayers $862 billion—$1 trillion if you add interest—and it has come up short. Instead of more government spending that fails to create jobs, we need to create a progrowth environment that fosters job creation that is so desperately needed in every part of this great Nation. In order to do so, we must first and foremost give individuals and businesses some degree of certainty about the future. Unfortunately, the health care bill and the financial bill are doing exactly the opposite. Businesses are actually fearful of the regulatory environment and the list of pending tax hikes, causing them to wait out the anxiety and stay on the sidelines.

The National Federation of Independent Business describes it this way:

Uncertainty about the economy and looming tax hikes have kept this sector from hiring new workers, resulting in a weak economic recovery and slow to nonexistent job growth.

But the NFIB doesn't stop there. They further describe this:

Congress can take an important step to address the uncertainty by holding a vote and passing legislation extending all of the expiring tax rates. No small business owner should face higher taxes.

At a time when Americans are struggling in their businesses to meet next month's payroll, they don't need more uncertainty from Washington. What they need are assurances from their government that there will be no more taxes or unnecessary regulatory burdens piled on top of them at a time when their plates are already overflowing.

Even White House economic adviser Larry Summers recently acknowledged the importance of providing businesses with certainty about the future. He said something actually quite profound:

Confidence is the cheapest form of stimulus, and we've got to be very attentive to creating an economic environment in which there is confidence.

I agree with him.

One way to help eliminate this uncertainty and bring confidence back to the economy is to continue the current tax rates. Failing to do so will only cause further uncertainty and inadequate growth. Most alarmingly, letting these tax rates increase will result in the largest tax hike in American history. Let me repeat that: One hundred days from today, the largest tax hike in history will take effect, unless Congress acts.

Considering the state of our economy, with a lackluster growth rate of 1.6 percent and unemployment at 9.6 percent, with real unemployment in the double digits, tax increases are the last thing Americans need. Tax increases are the last thing our job creators need.

It is no surprise that businesses aren't willing to take the chance to expand and to hire. We keep hearing the President and his administration tell businesses to create jobs, to get off the sidelines. We keep hearing the President say that. Meanwhile, the same administration has increased taxes, imposed mandates, created uncertainty, and now is willing to allow this massive historic tax increase to hammer our job creators. It simply makes no sense. Why would an administration that is supposedly committed to small businesses try to take more of their money while at the same time urging them to spend more money on expanding and creating jobs? Maybe it is because they claim that only rich Americans—rich Americans—would be impacted.

As small business owners across the country can tell us, this is simply a false notion. Many small business owners file as individuals and, therefore, report income above $200,000. We rely heavily on these small businesses to use that capital to create jobs to boost our economy.

Over the past 15 years, small businesses have been responsible for generating—get this—64 percent of all of our new jobs. Under the administration's proposal, the Joint Committee on Taxation estimates that nearly 750,000 taxpayers with small business income will be hit with a tax increase 100 days from today. I don't get it. I can't fathom why we would raise taxes on job creators when we are facing record unemployment and a sputtering economy.

It is not just small businesses. It is also family farms and ranches that would be caught up in the net of this massive tax increase. Suddenly, they would all find themselves classified as the ''rich'' people this administration claims are the only ones impacted by this foolhardy policy.

It is unfair and unwise policy I am speaking about. What our small businesses, farms, and ranches need now is a stable economic environment, not tax increases from their government. It is time for government to stop suppressing businesses and give them a chance to grow in a certain environment—to expand, create jobs, to buy new equipment—because that is what will fuel job growth in this Nation. Our small businesses are the heart of our economy. We need to give them the opportunity to move our economy forward, not be stifled by government policies.

The original intent of the tax cuts when instituted nearly 10 years ago was to free up capital for these entities to grow, to hire, and to produce. In fact, in 2007, once these tax breaks had taken effect, our tax collections achieved an all-time high in this Nation. Let me repeat that. In 2007, once these tax rates took effect—they were fully in place—our tax collections achieved an all-time high. The reason is obvious. When you have people working, they pay taxes, they add to the economy, they fuel economic growth.

The bottom line is that tax breaks help to get our economy moving which, in turn, generates revenues. We saw it in 2007. Even Christina Romer, the former chairwoman of the President's Council of Economic Advisers, recently published some research on tax policy. I am quoting:

Tax cuts have very large and persistent positive output effects.

In contrast, she wrote:

Tax increases appear to have a very large, sustained, and highly significant negative impact on output.

I couldn't agree more.

Standing idly by while taxes skyrocket at the end of this year, in 100 days, will—and it is very predictable—have a chilling effect on American businesses and, therefore, hard-working families. It is time that the actions of this administration and this Congress match the promises being made about creating an environment that fosters growth instead of hindering it.

The American people are no longer willing to accept empty words at face value. They want to see policies that match promises. Fortunately, it is not too late. This administration and this Congress still have an opportunity to make good on their promises to small businesses, to those working families, but it will mean taking action to prevent a massive tax hike on January 1, 2011.

I ask all of my colleagues to show they are willing to work together to fulfill their promises to small businesses. Let's deliver on those promises to provide stability instead of uncertainty. Let's work together to prevent a huge tax hike on our job creators in 100 days.

The American people—hard-working families—deserve no less.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURRIS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DISCLOSE ACT

Mr. BROWN of Ohio. Mr. President, just yesterday, the Columbus Dispatch, the second largest paper in my State, reported that one single Cincinnati-based corporation gave more than $450,000 to Karl Rove's outfit. Lest we forget, Karl Rove was the very political person in the Bush administration who was sort of the mastermind of dirty tricks and of raising tons of special interest money and the mastermind on a lot of the sort of, shall we say, disinformation coming out of the White House in the Bush years during the lead-up to the Iraq war—that Karl Rove. Again, the Columbus Dispatch reported that one single Cincinnati-based corporation gave more than $450,000 to Karl Rove's outfit to support advertising for one single Ohio Senate candidate.

That was reported from a generally conservative newspaper. The Columbus Dispatch is no friend of Democrats. They are a pretty Republican organization, although the reporters are fair-minded. So one corporation sent $450,000 to one single Senate candidate. That corporation can do that because of the Roberts Court decision—the Supreme Court decision, with its new ultraconservative Court, which is perhaps more conservative than any Court in the 21st or 20th centuries, in a case called Citizens United. It is an outright corruption of our democratic process. But with the Citizens United case, it is a reality.

The Supreme Court opened the floodgates, allowing multinational, large corporations to bankroll their favorite political candidates and build a Congress in their image. They don't have

to be American; they can be foreign corporations. It is not like the drug companies, oil companies, and insurance companies don't have enough power in Washington, DC. When they sneeze, too many people around here get a cold. When the drug companies, insurance companies, and the oil industry—these large corporations—want something, far too often they are successful in the Halls of Congress. That is the reason we have seen the obstruction in the last year and a half. That is why it is so easy for Leader MCCONNELL to get 41 Republicans to oppose what we are trying to do in this body—because of the influence of these drug companies, insurance companies, the oil industry, and others—these huge companies that outsource jobs.

The Supreme Court is made up of almost all conservative appointees—a majority of them—backed by these major moneyed corporate interests, and this Court has given even more power to these corporations. In some cases, they said they can be foreign-based corporations.

In Citizens United, the Supreme Court swept aside decades' worth of established jurisprudence to abruptly—and radically—change the rules of the game to remake, if you will, our democratic system. The Roberts Court couched their activism in arguments about the first amendment.

I am not a constitutional lawyer; in fact, I am not a lawyer at all. When I hear: Should General Motors or should Pfizer drug company or should any large corporation have the same free speech rights as individual Americans, I don't think so. The Founders never thought about corporations having all the same first amendment free speech rights as individuals, as the pages sitting here do or as Americans in Toledo, Akron, and everywhere do by nature of the fact they are American citizens. They have free speech rights.

The Roberts Court decision said we are going to give free speech rights to corporations in every way, which means the free speech of an individual American is washed away, in political terms, because of the huge influence that a small number of corporations can have because they have so much money to inject into the political system.

Citizens United, therefore, buries the voices of everyday Americans, as Fortune 500 companies straddle the globe and reap billions in profits, and they can take just pennies on the dollar and lavish huge dollars on American campaigns. If a multibillion-dollar company drops $1 million to help a candidate—as we are seeing with Rove's sort of sordid political operation—that is not very much money to that company. But that $1 million certainly can wash away and so much counteract a bunch of American citizens in Mansfield, Lima, Springfield, and Zanesville, OH, who are giving $20 each.

Average households are struggling to break even. How can you compare their ability to influence—ability to exercise their free speech—to that of a multimillion-dollar Fortune 500 company?

Look how that plays out. In 2009, corporations spent $3.3 billion lobbying Congress to influence legislation, exerting far more influence on our political process than they should.

We saw how special interests spent more than $1 million a day in an attempt to shape health care reform and Wall Street reform, and because of Citizens United they will be able to spend unlimited amounts of money to intimidate, retaliate against, and replace their foes in Congress.

If you speak up, as I am doing now at some risk—I am on the ballot in 2012. I know what this crowd is going to do because I do not always agree with BP's agenda or the drug companies' agenda. In fact, I usually do not. I also know these companies already have so much influence lobbying the Congress day after day, and now they are going to have greater influence in electing their allies to the House of Representatives and the Senate. They have turned this advantage into a corporate monopoly of political speech.

When campaigns overwhelmingly are run on television now, with millions of dollars spent—at least $10 million will be spent in Ohio in the Senate race, probably more than that in the Governor's race—when there is that kind of money, it too often drowns out everyday Americans' free speech.

Most Americans today do not advocate for, nor would the Framers have envisioned a democratic system in which $10 million contributions from corporations drown out $20 donations that represent real people's real concerns. A lot of people give me $10, $20, or $50 for my campaign. They are not trying to buy influence. They do not buy influence with that. They contribute to me and the Senator from Illinois and others because they agree with what I do. They like the positions I take. They think I represent them reasonably well. But they are not going to influence the system. Contrast that with this more than $400,000 donation to one political candidate from one corporation. What does that suggest might happen down the road?

Our democracy was once—I hope still is—on the power of a single person walking into a voting booth and casting a vote. It is based on individual rights, not corporate profits. But the Citizens United case gave corporations the power to put corporate profits squarely ahead of personal rights. That is why the legislation we are working on, the DISCLOSE Act, is so important. I guess that is why Republicans en masse seem to be opposing the DISCLOSE Act.

The DISCLOSE Act fights back by giving individual Americans more power to understand, to cast sunlight into the shadows of corporate political spending. It grants citizens power of information—information that breeds accountability and transparency. If a company engages in political activity, that company should be willing to identify itself—but not the way the Citizens United case is. That means the DISCLOSE Act would make CEOs do what political candidates do when they pay for political advertising.

When I ran for office, as I did in 2006 for the Senate, I looked into the camera and said: This ad was paid for by friends of SHERROD BROWN, so people would know I am responsible for this ad. Why shouldn't a corporation that writes a check for $1 million to a political organization—why shouldn't that CEO be willing to and be told to and be forced to and be compelled to under law stand in front of the camera and say: This ad was paid for by XYZ Corporation. I take responsibility, and I am the CEO.

It helps the public follow the money behind the multimillion dollars that buy ads from shadowy groups. If BP were to give $1 million to a political candidate in Ohio or Pennsylvania and nobody really knows it is a BP ad that has gone into this group, then the voters do not have any way of judging very much from that ad. But if the CEO of BP had to walk out in front of that camera and say: I am the CEO of BP, and I paid for this ad, that is going to send a message to voters: Do I want to support this candidate BP is supporting? But, instead, BP can get behind the desk and hide from disclosure.

I have heard people in this body—the Republican leader most prominently—argue ad nauseam on campaign finance laws that we need full disclosure, we need the sunlight to shine. This is his opportunity to step up and argue for full disclosure and go down to that well and cast a vote: Yes, I agree with full disclosure.

They are not doing it now. Do you know why? So far, not one Republican has been willing to walk out here and make a CEO say: I am responsible for this ad. My corporation paid for this ad. They are not willing to because Republicans really know that come election time, when multinational corporations are willing to write million-dollar checks, they are going to be the beneficiary—not that my party by a long shot is perfect, but we know that Republican candidates are almost always supported by the biggest multinational, often foreign corporations in this country—the big oil companies, the big insurance companies, the big drug companies—that already have too much power here, but they are going to have more power here because they are spending all this money to elect conservative, Republican, pro-corporate, at-any-cost candidates. What that means is higher taxes for individuals as corporations pay less—less corporate responsibility for deregulation of Wall Street and the environment. Look at what happened to Wall Street in the last 3 years. Look at what happened to the environment with BP. The merry-go-round will continue.

The DISCLOSE Act also has a provision that says political decisions cannot be influenced by foreign-owned companies. We are putting a prohibition in this bill that a foreign-owned company cannot come to America and buy elections. I am incredulous that my Republican opponents—who always talk about nationalism, always challenge patriotism of people with whom they do not agree, always are talking about our national interests, always bashing immigrants—would not agree with us that foreign companies ought not be able to come in and buy American elections. I guess that is OK to them too, because our bill says foreign-owned corporations may not participate in American elections in this way.

To me, it is bad enough that a company based in the United States—this is the case where a company that is based in the United States but owned by a European interest can still contribute. That is what the Citizens United case said. We are saying no to that. Think of a U.S.-based, Chinese-owned company spending millions to influence a trade or manufacturing bill.

One of the things I fought for—and I know the Presiding Officer agrees with this, and it has been supported—is made-in-America provisions. We have seen in downstate Illinois, in suburban Chicago, in Dayton and Springfield, OH, Cleveland and Toledo, a significant erosion of our manufacturing base. One of the reasons for that is that companies have moved offshore because of bad trade agreements and bad tax law that we are trying to fix even though it has been blocked by the other side. We also know most Americans would love to buy clothes made in the United States, would like to buy products. They go to stores and cannot find products made in the USA. Tell me that a foreign-owned corporation that spends political money, comes in and gives hundreds of thousands of dollars to a conservative political candidate, tell me that corporation is not going to lobby that Member of Congress against some of our made-in-America laws we have tried to enact. You can bet those conservative politicians who love to trumpet their patriotism and accuse others who disagree of not being so patriotic will find a way to oppose strengthening made-in-America rules.

If anything should bear the label ''Made in America,'' it should be our elections. I am amazed that Republicans in this body do not agree with that.

It used to be that the disclosure of campaign expenditures was bipartisan, Republicans and Democrats. It is bipartisan in the public; it is just not bipartisan here. We should not want to see our democratic system become the puppet of corporate America or any special interest. Transparency matters. People ought to know from where these dollars come. Disclosure matters. Companies should have to disclose and take responsibility for those ads and those contributions. By enabling Americans to see behind the curtain, the DISCLOSE Act ensures Americans will not be left in the dark.

The bill restores some of the integrity and the transparency that the Citizens United decision stripped from our political process. Let's not forsake this opportunity. I know it will not affect the tens of millions of dollars Karl Rove and his friends in the Bush administration are spending in campaigns this year, but if we do this bill right, it can affect elections in the future in a positive way so that elections, one, will be made in America; and second, for people who give money, there will be transparency and disclosure so the public knows which corporations are putting how much money into whose campaigns, and it will mean ultimately that corporations take responsibility for the decisions they make and the money they spend in the American political system. It is what the rest of us have to do. CEOs should have to do the same.

Mr. President, I yield the floor and suggest the absence of a quorum.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHINA PNTR

Mr. BROWN of Ohio. Mr. President, I wish to mention something else after talking about the, perhaps, Chinese influence on American elections and other countries' influence on American elections and how Republicans do not seem to want to stand up for the American people's first amendment rights and national interests. I wish to talk about something that is more bipartisan, in a sense, and is every bit more disturbing; that is, 10 years ago this month, the Senate sold out American manufacturing. Ten years ago this month, by a vote of 83 to 15, the Senate passed a bill establishing permanent normal trade relations with the People's Republic of China. I remember. I was in the House of Representatives, and I opposed this measure. We were joined by most of the Democrats and a number of Republicans, but we were unable to defeat it. It was a fairly close vote.

The proponents of China PNTR came to our office, the people who wanted to give these extra benefits to China. It was initially called most-favored-nation status for China. The supporters thought that did not sound very good, even though we had used that term for years, and called it permanent normal trade relations with China. They put another name on it; they put lipstick on that pig. What the supporters said to us—the CEOs who came to Congress and one at a time talked to us—was that they could not wait to pass PNTR because they would then have access to 1 billion Chinese consumers, so those consumers could purchase American-made products. They wanted access to 1 billion Chinese consumers. It sounded pretty good. As you know, it was not quite the story because as soon as PNTR passed, as soon as they changed the rule, the story became not 1 billion Chinese consumers about whom they were excited, it was 1 billion Chinese workers about whom they were excited. You could see American companies crossing the ocean—shutting down a plant in Dayton, OH, and moving to China; shutting down a plant in Youngstown, OH, and moving to Shanghai; shutting down a plant in Toledo, OH, and moving to Wuhan; shutting down a plant in Lima, OH, and moving to Beijing or Quang Chau.

I think it is the first time since colonial days—maybe ever—the first time when a business plan—get this—when a company's business plan is this: The first thing you do is lobby Congress to change the rules. The second thing you do is start to shut down plants in your home country with your home country's workers, where your entire company was established and grew. You have shut down production in your country. You move several thousand miles away, set up production, understanding that the workers work more cheaply, the workers work for less pay, the country does not have strong environmental rules and has very few protections for workers.

They make the product, and then they sell the product back to the home country. This business model, after getting the law changed—PNTR—10 years ago this month, was to move overseas, make the products there, then sell them back to the original home country. That is bad for the environment, first of all. It is bad for our workers and bad for our communities when a plant shuts down.

Look what has happened. We have seen since PNTR passed a 170-percent trade deficit increase in the last 10 years. China continues to undermine free market competition, and it leaves American workers and manufacturers in severe disadvantage. Instead of helping U.S. companies export more products to China, our trade policies have permitted China to manipulate its currency, provide illegal subsidies to Chinese exporters, and artificially price Chinese goods, so U.S. manufacturers have to compete against a flood of cheap imports.

Do you know what happens? When I see people supporting this—people talking about small businesses—here is how wrong they are. When a large company leaves Akron or Canton, OH, and pulls up stakes and moves to Mexico or China—a large assembly company, an auto plant, for example—you know what happens to all the small companies and small manufacturers. They don't have the wherewithal or the sophistication to move to China or Mexico so they lose 30 percent of their business—a little tool and die shop in

Akron, a little machine shop in Hamilton, OH, whatever—because they have lost their major customer. Look what happens to them and to their workers. So big companies move overseas and all the component manufacturers are out of luck, all because of this trade policy and this tax policy which makes it more attractive for a company and a CEO—well, the CEO doesn't move, he or she still lives here—to move their company to China and then sell back into the United States.

Second, our Nation's trade policy—this PNTR bill that passed 10 years ago—sold out American manufacturers and undermined our Nation's ability to lead the world in clean energy. China, which barely had a wind turbine or solar manufacturing presence at all a decade ago, by the end of this year may be making, or close to making, half of all wind turbines and solar panels in the world—in 10 years. And they are not making them—most of them—to sell in China but to export, much of which comes back to the United States. More than 70 percent of the world's clean energy components are manufactured outside the United States.

We know how to make things in my State. Ohio is the third biggest manufacturing State. We know how to make things. We invented and developed most of the wind and solar panel technology. In fact, 30 miles from my house is a taxpayer-funded NASA facility that developed the technology we use in wind turbines, most of which is built in China and Spain and other places around the world.

Supporters of this China trade policy will make the argument that everything is about exports. I agree, we have to boost our exports, but we have a $226 billion trade deficit per year. That is about $600 million a day. That means $600 million every single day, 7 days a week. It means we buy $600 million more from China than we sell to China. So how do you argue this trade policy is working for us? It means, in essence, that $600 million disappears from our shores every day going to China, and that is not going to work long term for our country when you build up those types of trade deficits.

We can do a couple of things about this. First of all, we have to do much better at enforcing trade laws and to revive the Super 301 mechanism that lapsed under the Bush administration that requires the administration to establish enforcement priorities for the most pressing trade barriers, including currency manipulation, restrictive procurement policies, and intellectual property theft. It would ensure that our government helps open foreign markets to U.S. exporters.

I am a member of the President's U.S. Export Council. There are about 10 House and Senate Members on this council—both parties, both Houses—and a number of American CEOs are on the council as well. We all want to export more. But as we try to export more, sell more U.S. products abroad, we have to enforce U.S. trade laws so those companies aren't selling things into our country illegally.

President Obama has done that, to some degree. He has done more on that than any previous President. He has not done close to enough. He has stepped forward on oil country tubular steel goods, which is the steel pipes that are used for gas and oil drilling. The Chinese were cheating on that. The President made the right trade decision on that, the right enforcement decision. We saw hundreds of new jobs in Mahoning Valley, in northeast Ohio. The President made a similar decision on Chinese tires that were sold in this country illegally. After the President made that decision, 100 people were hired at the Findlay Cooper tire plant in Findlay, OH, in northwest Ohio, and in other places around the State.

I would close with this. We hear a lot of talk from both parties about Made in America. What that means is standing up for American workers and manufacturers who are too often undercut by imports made in countries that violate the law. We are just asking to have the law enforced. So my challenge to my colleagues—and to the President—is to ensure American manufacturing grows rather than contracts during the next decade of the 21st century.

Thirty years ago, almost a third of our gross domestic product was manufacturing. Today, it is only 11 percent. Thirty years ago, 11 percent of our GDP was financial services. Today, that is 25 percent. So as not to overwhelm people with numbers, we have seen basically a flipping of our national priorities. Think back to 30 years ago: Almost a third of our GDP was manufacturing and only 11 percent financial services. That has flipped. Look where it has gotten us. It has gotten us the financial crisis that almost brought our economy down, if we hadn't stepped in on banking and autos to stabilize the economy. It has also robbed many Americans of a chance to join the middle class, because manufacturing has always been the ticket in this country for working-class men and women to get a chance to work in manufacturing, to buy a decent home in a decent neighborhood, to buy a car and send their kids to school so their kids would have a better life. That is the goal of all of us.

I close by saying that I hope we remember the China PNTR. I would hope that maybe we would even invoke some buyer's remorse; that some of my colleagues would come to the Senate floor and want to discuss this and maybe learn from the mistakes of the last 10 years. Maybe we could achieve a truly normal relationship with China. I want a good strong trade relationship with China. I want us to sell products to China. I think we should buy products from China. But I want to do it on a level playing field, with rules that work for the workers in both countries, not just the big corporations that move companies to China, and not just for the Chinese Communist Party and the Chinese military, which have benefitted greatly from our trade policy. It is time to learn from the last 10 years and to move forward in a very different way.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUDICIAL NOMINATIONS

Mr. SESSIONS. Mr. President, I wish to speak about the Senate's processing of judicial nominations, and I ask you to forgive me if I am a bit irritable, but we have had a lot of complaints about how fast President Obama's nominations are going forward. I think they are moving rather well. I think some people who are now complaining have forgotten how they handled President Bush's nominees—and in a much more unacceptable fashion.

I wish to emphasize that all of this is not to lay the groundwork for some sort of payback, because I think we all ought to rise to the challenge of handling nominations properly, but to set the record straight, because there has been a lot of misinformation and some of our newer Senators don't know how things have happened.

Allegations of unprecedented obstruction and delay have been bandied about—some in the press also—but the reality is that the Democrats' systematic obstruction of judicial nominees during the Bush administration was unprecedented then and it is unmatched now. Soon after President Bush was elected, a group of well-known liberal professors—Laurence Tribe, Marsha Greenberger, and Cass Sunstein—met with the Democratic leadership in the Senate. The New York Times reported on that meeting. I believe it was in January, before the session began, and the Times reported that they proposed ''changing the ground rules'' of the confirmation process. They proposed that with a Republican President and Democrats in the Senate, Senators consider a nominee's ideology—their personal political views, I suppose, they meant. For the first time in the history of the country, they proposed that the burden be shifted to the nominee to prove they are worthy of the appointment instead of having the Senate respect the presumptive power of the President to make the nomination and then object if there was a disagreement.

As time went on, it became clear that a majority of the Democratic Members of the Senate began to execute their unprecedented obstruction

plan, targeting President Bush's circuit court nominees while moving district court nominees to mask the obstruction. After Democrats took control of the Senate in 2001, the Senate confirmed only 6 of President Bush's 25 circuit court nominations that year. Two of the six were prior Clinton nominees that President Bush had renominated as an act of good faith. They weren't his nominations. He renominated them and they promptly confirmed them—two of the six.

The majority of President Bush's first nominees—nominated on May 9, 2001—waited years for confirmation. Let me list some of the names: Priscilla Owen, who was then on the Supreme Court of Texas—a brilliant jurist—was confirmed but only after 4 years, on May 25, 2005. These were in that first group. Now Chief Justice John Roberts—a fabulous nominee; probably—not probably, he was the premier appellate lawyer in America—was nominated to the DC Circuit. He was confirmed, but only after 2 years and after undergoing two Judiciary Committee hearings. He eventually was confirmed by a voice vote.

Jeffrey Sutton, another superb lawyer with great skill in the appellate courts, was confirmed but only 2 years later.

Deborah Cook, for the Sixth Circuit, was confirmed 2 years later on May 5, 2003.

Dennis Shedd was confirmed more than a year and a half later.

Michael McConnell, for the 10th Circuit, was confirmed more than a year and a half later but also by voice vote—he was delayed that long for no reason.

Terrence Boyle waited almost 8 years until his nomination was allowed to lapse at the end of President Bush's Presidency. He was never confirmed.

Perhaps the most disturbing story was that of Miguel Estrada, whose name was raised during the Supreme Court nomination of Justice Kagan. He was an outstanding, highly qualified nominee who was nominated on May 9, 2001, just like the others, right after President Bush took office. He waited 16 months just for a hearing in the Judiciary Committee, only to be confronted with demands that the Department of Justice turn over internal legal memoranda that had never been turned over before. They used that for 2½ years, leaving him in limbo, and then had a protracted 6-month filibuster. I think it was the first overt, direct filibuster of a highly qualified nominee the Senate had seen. This was one of the ground rule changes that occurred. There were seven cloture votes on Miguel Estrada, seven attempts by the Republicans to produce an up-or-down vote on the floor of the Senate on Miguel Estrada. It went on for weeks. I participated in that. I probably spoke on his behalf more than any other Senator. Eventually, Mr. Estrada withdrew his name from consideration. He had a private law practice to deal with. He could not continue this.

I remain baffled today as to why such a fine nominee was treated so poorly, his character assassinated, and his nomination was ultimately blocked for no reason. The record that they claim needed to be produced from the Department of Justice was, by every former living Solicitor General—they said those are internal lawyer-client documents that should not have been produced. It was a sad day. I hope the Senate has learned from that unfortunate event.

One of the most blatant examples of obstruction of Bush nominees occurred in the Fourth Circuit. This court sat one-third vacant. One-third of the judges had retired, and it was vacant. They needed judges. I did not hear any of my Democratic colleagues worrying then about vacancies and caseloads when they were deliberately delaying and blocking outstanding, well-qualified nominees to that court, including Federal District Court Chief Judge Robert Conrad, Judge Glen Conrad, Mr. Steve Matthews, and Mr. Rod Rosenstein. They deliberately blocked these nominees to keep those vacancies open so that a Democratic President would perhaps have the opportunity to fill them.

That actually turned out to be a success, from their perspective. A 2007 Washington Post editorial at the time lamented the dire straits of the Fourth Circuit at the time, writing:

> [T]he Senate should act in good faith to fill vacancies—not as a favor to the president but out of respect for the residents, businesses, defendants and victims of crimes in the region the Fourth Circuit covers. Two nominees—Mr. Conrad and Mr. Steve A. Matthews—should receive confirmation hearings as soon as possible.

But they did not.

He was the chief presiding trial judge in a district court, a Federal district court. He was nominated to the seat for which President Obama's nominee, Judge James Wynn, was confirmed on August 5 of this year. They held that seat open for 8 years. Since the President has been in office, he nominated someone else, and he got his nominee confirmed by this Senate.

Chief Judge Conrad had the support of his home State Senators and received an ABA rating of unanimously ''well qualified,'' the highest rating you can get. He met Chairman LEAHY's standard for a noncontroversial, consensus nominee. He previously received bipartisan approval by the Judiciary Committee and was unanimously approved by the Senate to be U.S. attorney and later to be district court judge for the Western District of North Carolina. Of all the lawyers in the country, Attorney General Reno, when he was a Federal prosecutor, reached out to him and picked him to preside over the investigation of one of the campaign finance task force cases that implicated, perhaps, President Clinton, the President of the United States. He did that investigation professionally. He returned no indictments against the President or his top people. He was respected on both sides of the aisle. Yet he was flatly blocked, although representing the highest quality.

On October 2, 2007, home State Senators BURR and Dole sent a letter to Senator LEAHY requesting a hearing—at least a hearing on Judge Conrad. They also spoke on his behalf at a press conference on June 19 that featured a number of Judge Conrad's friends and colleagues who traveled all the way from North Carolina to show their support. The request for a hearing was denied.

On April 15, 2008, Senators BURR, Dole, GRAHAM, and DEMINT sent a letter to Senator LEAHY asking for a hearing on Judge Conrad and Mr. Matthews. That request was denied.

Despite overwhelming support and exceptional qualifications, Judge Conrad waited 585 days for a hearing that never came. His nomination was returned to the President on January 2, 2009. That was a horrible event, in my view. The Senate failed in its duty. Judge Conrad was a powerful, bipartisan nominee with great credentials and served Attorney General Reno and the Democratic President and should have been confirmed.

Another of President Bush's outstanding nominees was Judge Glen Conrad. He also had the support of his home State Senators, including Democratic Senator JIM WEBB of Virginia, and received an ABA rating of ''well qualified,'' the highest rating. He, too, met Chairman LEAHY's standard because he had already been confirmed to the District Court for the Western District of Virginia by a unanimous vote—89 to nothing.

Despite his extensive qualifications, Judge Conrad, who was nominated on May 8, 2008, waited 240 days for a hearing—just a hearing in the committee—that never came. His nomination was returned to the President in 2009, as President Bush left office. In stark contrast, President Obama's nominee to this seat, Judge Barbara Milano Keenan, received a hearing a mere 23 days after her nomination and a committee vote just 22 days later, and she was confirmed at the beginning of this year—a slot that should have been filled by Mr. Conrad.

President Bush nominated Steve Matthews in 2007 to the same seat on the Fourth Circuit to which Judge Diaz has now been nominated. Mr. Matthews had the support of his home State Senators and received an ABA rating of ''qualified.'' He was a graduate of Yale Law School and had a distinguished career in private practice in South Carolina.

Despite these qualifications, he waited 485 days for a hearing that never came. His nomination was returned to the President as he was leaving office.

That does not seem to slow down my Democratic colleagues who have forgotten all this, I guess, and their allies in the press from unabashedly complaining that Judge Diaz had been

waiting too long for this seat, for a confirmation vote, or decrying the need to rush to fill the vacancy—a vacancy that just has to be filled right now.

The truth is that the vacancy should never have existed if Mr. Matthews had been confirmed when he was supposed to have been confirmed.

Earlier this year, we confirmed Judge Andre Davis to the ''Maryland'' seat on the Fourth Circuit. A brief history of that bears mention. President Bush nominated Rod Rosenstein to fill that vacancy in 2007. The ABA rated him unanimously ''well qualified,'' the highest rating. Previously, he had been confirmed unanimously as the U.S. attorney for Maryland. Prior to that, he held several positions in the Department of Justice under both Republican and Democratic administrations.

Despite these stellar qualifications, Mr. Rosenstein waited 414 days for a hearing—just a hearing in the Judiciary Committee, which the Democrats never gave him. His nomination was returned to the President on January 2, 2009.

The reason given by the home State Senators for why his nomination was blocked was that he was ''doing [too] good [of a] job as U.S. Attorney in Maryland.'' I think the Washington Post editorial painted a more accurate picture, saying:

> Blocking Mr. Rosenstein's confirmation hearing . . . would elevate ideology and ego above substance and merit, and it would unfairly penalize a man who people on both sides of this question agree is well qualified for a judgeship.

But it was only when President Obama nominated Judge Davis to this seat that we heard our Democratic colleagues express outrage over the fact that it had been vacant for 9 years. I said that was like the man who complained about being an orphan after having murdered his parents. Ironically, however, Judge Davis fared far better than President Bush's nominees to the Fourth Circuit. He received a hearing a mere 27 days after being nominated. A committee vote occurred 36 days later, and he has been confirmed.

Suffice it to say that the Democrats have capitalized on their 8 years of obstruction of outstanding, well-qualified Bush nominees by packing the Fourth Circuit Court of Appeals with Obama-picked nominees.

I want to say, parenthetically, President Bush did an excellent job of picking high-quality judicial nominees. Consistently, they sought out highly competent men and women of integrity and ability to appoint to the courts, people who had this fundamental belief—that some on the other side do not like—that a judge should follow the law, should be a neutral umpire, and should not take sides and ought not to be an activist and ought not to promote their personal agenda when they get a chance to rule and define the words of statutes and the Constitution. There is a fundamental difference. I will talk about that later. I may not get to that today, but I am going to talk about it some more. It is a big deal, what you think the role of a judge is. Should they be an activist? Should they promote greater vision, as President Obama said, of what America should be? Is that what we want judges to do? Classically, in America, judges are empowered to do one thing: to decide the discrete case before them objectively, impartially, under the laws and Constitution of the United States.

The Democratic Senators perpetrated similar systematic obstruction in the Sixth Circuit. I hate to say it. I hate to talk about it. I sound like I am being a partisan person over here, complaining. I am just reading the record.

In November of 2001, President Bush nominated Judges David McKeague, Susan Neilson, and Henry Saad to fill vacancies on that court. In June of 2002, he nominated Richard Griffin to fill an additional Sixth Circuit vacancy.

Mr. President, I see my time is up. I don't see anyone on the floor. I ask unanimous consent that I be able to proceed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I will yield the floor if and when my colleagues seek it.

But the Democratic home State Senators refused to return their blue slips for any of these nominees for the Sixth Circuit. President Bush renominated all four on January 2003. This time the Democratic home State Senators returned their blue slips—negative blue slips, opposing all four nominees.

Despite this, on July 30, 2003, 629 days after the initial nomination and 204 days after his renomination, the Republican-controlled Judiciary Committee—Republicans had just taken control—held a hearing on Judge Saad's nomination.

However, Democrats continued to delay the nomination for a year, until he was finally and favorably reported out of committee on a party-line vote. But it did not matter. The Democrats filibustered his nomination on the floor, and he never received an up-or-down vote in the Senate. He was filibustered, which was a changing of the ground rules. We had not filibustered judges before in the Senate. All this occurred after 2001.

President Bush renominated Judge Saad in February 2005, but the Senate failed to act on his nomination, and he was never confirmed. Judges Griffin and McKeague eventually received hearings on June 16, 2004, 721 days after Judge Griffin had been nominated, and 951 days after Judge McKeague's original nomination. They were both reported favorably out of committee a month later, but the Democrats filibustered them on the floor, and their nominations were returned to the President.

Both were renominated in the 109th Congress and were finally and overwhelmingly confirmed, Judge Griffin by a vote of 95 to 0 and Judge McKeague by a vote of 96 to 0.

As these votes show, the nominations were not controversial. They were just being held up. Yet they still waited over 1,000 days for their confirmation. Judge Susan Nielson received a hearing on September 8, 2004, over 1,000 days after her original nomination and over 600 days after her renomination. Although her nomination was reported favorably out of committee on October 4, 2004, Democrats refused to give her an up-or-down vote in the full Senate, and her nomination was returned to the President.

He renominated her in 2005, and 7 months later the Democratic home State Senators finally returned positive blue slips, after delaying the nomination for this long. She was easily confirmed 97 to zip, 1,449 days after her original nomination. Unfortunately, Judge Nielson passed away shortly thereafter.

On June 28, 2006, President Bush nominated Stephen Murphy and Raymond Kethledge to fill still more vacancies on the Sixth Circuit. However, the Democratic home State Senators withheld their blue slips, and the nominations were returned to the President. The President renominated them in March of 2007. After almost a year of delay, as part of a compromise, President Bush agreed to withdraw Mr. Murphy's nomination and to nominate Judge Helene White in his place. In exchange, home State Senators finally returned positive blue slips for Mr. Kethledge.

There is a story behind this. Why was there so much needless obstruction in the Sixth Circuit? One reason, it appears, was that the NAACP National Defense League made a personal request to Democratic Senators on the Judiciary Committee that they stall the confirmation of nominees to the Sixth Circuit until cases regarding the constitutionality of affirmative action in higher education were decided. They believed, apparently, that if Bush appointees were confirmed to that circuit, the outcome of the cases would not be to their liking. They were afraid President Bush's judges would be committed to color-blind policies.

So this is just one example of a larger agenda. Our Democratic colleagues criticized, during the Kagan confirmation hearings, Chief Justice Roberts' metaphor that a judge should act like a neutral umpire in a ball game, calling balls and strikes and applying the law to the facts.

No, they seem to want judges who will make policy and rule based on their personal policy preferences and political beliefs to advance desired outcomes.

Well, what is activism? Is this an exaggeration? I think we need to be frank that there are activist judges—and you can be a conservative activist or a liberal activist, but there is a difference in the sense that liberal judges and law

professors and commentators advocate judges being activists.

Chief Justice Roberts and Justice Alito were articulate spokesmen for the classical American view that a judge should be a neutral umpire and should be impartial and should decide the cases and not try to make law or advance a vision for America.

Many judges, however, are overriding the will of the people this very day. It is becoming apparent that many on the left hold the Federal judiciary as an engine to advance the agenda of the left, picking and choosing which constitutional rights they will protect and which ones they will cast aside. The only consistent principle—of which sometimes I think, and I am exaggerating, but I sometimes think—is to advance the agenda of the leftwing of the Democratic Party. That is about the only consistent guiding principle you can find in some of these opinions.

Just a few months ago, the preservation of the explicit constitutional right to keep and bear arms was upheld by a single vote on the Supreme Court. Four Justices, including Justice Sotomayor, contrary to, I think, what she said just 1 year earlier in her confirmation hearing, would have held that the right to keep and bear arms is different from other liberties protected by the Bill of Rights and should not apply to the States.

Hugely significant. If that were to be so, any State, any city or county, for that matter, could ban firearms altogether because the constitutional right to keep and bear arms would not apply to them. Four Justices on the Supreme Court ruled that way.

During the last term, the free speech clause of the first amendment barely escaped being rewritten by a single vote in Citizens United. In that case, the Supreme Court invalidated a portion of the McCain-Feingold campaign finance law, holding that political speech is not exempted from the first amendment guarantee of free speech merely because the speaker's expression is funded, in part, by money from a corporation, a group of Americans.

Four Justices on the Supreme Court would have rewritten the free speech clause to allow the government to ban statements made by such groups in an election cycle. I mean, the last thing we need to be doing is whacking away at the great liberties in free speech clause of the first amendment.

Just a couple years ago, one vote on the Supreme Court decided that a city could use its eminent domain power to take property, to take a woman's house, in order to give it to a private company for a redevelopment project, not for public use. So much for the constitutional guarantee of life, liberty and property and the constitutional guarantee that your property can only be taken for public use, not private use. You cannot take somebody's property because you would like to take it to give to somebody else who would use it in a way that the city thinks is better, maybe spend more money on it so they can get more tax revenue.

By one vote, the Supreme Court held it did not violate the first amendment for a public university to require a religiously oriented student organization to accept officers and members who do not subscribe to the organization's religious beliefs. How could they say that?

Recently, a judge in the Western District of Wisconsin, the same district to which Louis Butler has been nominated, held that the statute establishing the National Day of Prayer was unconstitutional because its sole purpose ''is to encourage all citizens to engage in prayer.''

In so doing, the judge held that the government had ''taken sides on a matter that must be left to individual conscience.'' Well, nobody is being made to pray. You do not have to bow your head if someone has a prayer, for heaven's sake.

One wonders, then, does this Senate violate the establishment clause each day when we open the session with a prayer, most often led by a paid Chaplain, former head of the entire Chaplain Corps of the United States Military?

There is a constitutional guarantee to the right of free exercise of one's religion, the free exercise clause, not found in the first amendment of the judge's constitution.

I will repeat, if other Senators would desire to speak, I will yield the floor.

The liberal Ninth Circuit, to which Professor Goodwin Liu has been nominated, held recently that the recitation of the Pledge of Allegiance in an elementary school was unconstitutional under the establishment clause of the first amendment because the pledge includes the words ''under God,'' and amounted to a government endorsement of a religion.

One wonders what the Ninth Circuit would have to say about teaching children the Declaration of Independence. After all, it does say: ''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights.'' Is that now unconstitutional, to read the Declaration of Independence?

A single judge on the U.S. district court in Massachusetts recently invalidated the congressionally passed Defense of Marriage Act that passed on this floor. I remember the debate about it. The judge found it unconstitutional. Basically, what he said is: No State would have to give full faith and credit to a marriage in another State if it does not meet their definition of marriage as between a man and a woman.

The judge, in great wisdom, not having had to run for office, with a lifetime appointment, unaccountable to the public in any way, objected, found it to be unconstitutional because it did not have ''a legitimate government interest'' and was outside the scope of ''legislative bounds.''

Well, I remember the debate on that. People quoted the Constitution, and we discussed it at great length. I cannot imagine how that can be held to be unconstitutional.

A single judge in the Northern District of California, the same court to which Edward Chen has been nominated, held that a statewide ballot initiative defining marriage—this was a California initiative, statewide, that defined marriage as between a man and a woman, which was passed by a majority of California voters—violated the due process and equal protection clauses of the fourteenth amendment.

The judge decided, essentially by fiat, that the State, the people of California, had no legitimate interest in defining marriage.

Marriage has always been a matter of State law. A single judge in the central district of California recently held Congress's don't ask, don't tell policy was unconstitutional. This is the policy on gays in the military. The judge in the central district of California held that this policy was unconstitutional because it did not ''significantly further the government's interest in military readiness or unit cohesion.'' It was an impermissible content-based restriction that violated free speech, free association, and the petition clauses of the first amendment.

I don't think this judge has any responsibility for or knowledge about readiness and unit cohesion in the military. It is a matter Congress appropriately has dealt with, will have the opportunity to deal with again, and may well do so, although we did not move forward yesterday.

This is not a matter for the courts. The American people know this. They sense activism in their courts, and they are concerned and unhappy because these judges, once they declare something to be constitutional, or find something in the Constitution, it is as if an entire amendment was passed, and it becomes impossible for a city or county, a State or congressional action to overturn it.

These are big issues we have been talking about for some time. I do have my back up a little bit about being accused of obstructing, when nominees are moving along at a very good pace today, in my opinion. A few are controversial, and I could talk about them, but I see Senator KERRY in the Chamber now.

I believe when we get all the facts out, people will remember that many of the changes in the process occurred as a deliberate plan by the Democratic leadership in 2001.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

THE DISCLOSE ACT

Mr. KERRY. Mr. President, in the 25 years I have had the privilege of serving in the Senate, I have regrettably, in the course of almost every election period, with one brief exception when we had the McCain-Feingold bill in

place, seen our system of funding campaigns become increasingly broken. The truth is, a lot of the anger the American people feel today—rightfully—for the absence of this Congress—not just this particular session but the Congress of the United States being able to directly address the concerns of the American people—a lot of that anger really ought to be directed at the system itself, at the fact that we have locked in place funding of campaigns that robs the American people of their voice, that steals the legitimacy of our democracy, and concentrates decisionmaking in the hands of the powerful, individuals with a lot of money or powerful corporations with a lot of money.

Money is driving American politics. Money is driving the American political agenda. Money decides what gets heard and does not get heard around here, what gets acted on and does not, and how it gets acted on in many cases. Every so often we have bubbling up a legitimate kind of citizen energy that motivates one particular reaction here or another, whether it is a tax bill or a particular piece of legislation for women, pay, but it is rare now. It is actually rare that the kind of grassroots effort that traditionally we think of when we think of legitimate democracy, that it is felt in its appropriate ways.

The truth is, the increased influence of special interest money, big money in our politics, is robbing the average citizen of his or her voice in setting America's agenda. There are far more poor people, there are far more children, there are far more interests that don't get represented. We constantly see, like the debate we have had recently over carried interest, for instance, or a number of other interests here get as much time and as much debate over one or two of those single issues as some of those that affect a far greater proportion of the population.

As a result of the Supreme Court's ruling in the case of Citizens United, we have seen an incredible step backwards from accountability, a step backwards from preserving our democracy, and an incredible gift to the power of money. In the last few years, under the McCain-Feingold bill and under our rules, at least if a company wanted to participate in the election, it had to go out and ask its executives to contribute. We went through the sort of charade of having a fundraising event at which a whole bunch of executives would have to show up or people who worked for a company, and they wrote a check. The checks were bundled together, and there were your contributions. But at least there was accountability. At least people knew those people had contributed. At least people saw where it was coming from and who it was coming from.

Under the Citizens United decision, all a CEO has to do is put it in the budget of the corporation. The corporation can budget annually. We are going to put $2 million, and the CEO can turn that money over in its totality to some group that is formed to destroy somebody's reputation with a lot of lies, just pour the money over. That is it. Total secrecy. We don't even get to know who gave the money. No accountability. They just turn the money over to lobbyists who run the media campaigns to help their friends and defeat their opponents in Congress. We can have the best Congress. People have always said that money buys people in public life. But this is a step toward the greatest certification of that I have ever seen. It sends a chilling message to candidates without means, which is most candidates, that they can't combat the bottomless pocket of a K Street lobbyist who has some cabal of corporations that want to pour a bunch of money in to get their special interests protected.

So American workers in Ohio or Indiana or any other State who wonder why those jobs went overseas, there is a tax benefit that helps those companies actually take those jobs overseas. Why is that tax benefit there? Why do we have thousands upon thousands of pages of special interest tax provisions in our Tax Code? Because the lobbyists and the powerful people are able to be heard, and they are able to work their will. They are able to make that happen.

Now we have a rule, because the Supreme Court ruled that corporations are like people and have the same rights. So we have a new assault on America's democracy. I mean that. It is an assault on our democracy. We have always had money in the marketplace of politics. We understand that. For years people have tried to find one way or another of trying to address that concern. This is not a new concern of the American people. It is hard to say where we are headed, all of us, in our careers in public life. I am, obviously, on the back end of that runway, but I am stunned by what the impact of this is going to mean to our country and to the ability of average voices to be heard.

The humorous Will Rogers once quipped that ''politics has gotten so expensive, it takes a lot of money even to get beat.'' But Will Rogers would be stunned by the amount of money in politics today.

In 2008, a record total of $5.2 billion was spent by all the Presidential, Senate, and House candidates. When I ran for President in 2004 on a national basis, we spent $4.1 billion. That broke the 2000 record when Al Gore ran of $3.1 billion. So we go from $3.1 billion to $4.1 billion to $5.2 billion.

Now we have a new rule. All these secret funds can come into the political process. We have already broken the record in 2010 from the 2006 race by a huge amount. I think the total amount of money spent in 2006, which was an off Presidential year, was about somewhere around $700 something million, $800 million. We are well over $1.2, $1.3 billion already in this cycle. That is just the campaign spending. That is the direct money that goes into the campaigns.

But last year, special interests spent a record of $3.47 billion hiring lobbyists. The rest of the country might have been suffering from a recession, but it was a great year for K Street in Washington, a 5-percent increase in fees over the previous year.

President Obama's ''change'' agenda stirred up so many people who were going to be opposed to it from the very beginning—health care, banking regulation, all the things that have undermined Americans in the last years—they wanted to preserve the status quo. They sat up, and they came up with about $1.3 million spent per minute in 2009. That is the amount the watchdog group, Center for Responsive Politics, arrived at when they took the $3.47 billion that lobbyists collected and divided it by the number of hours Congress was in session in 2009. It comes out to $1.3 million per minute spent to try to hold on to the status quo.

Now thanks to the Supreme Court, it is a lot easier for special interests to finance and orchestrate contrived political movements. Unbelievably, the Court ruled in Citizens United that corporations have the same right to speech as individuals. Therefore, they can spend unlimited amounts of money in elections.

I remember from my days in law school learning distinctly that a corporation is a fictitious entity. It is a fictitious entity created as a matter of law to protect the corporation in the conduct of its economic business, not to protect it in the context of giving it the same rights as an individual with respect to speech. For a Supreme Court of the United States to somehow put a corporation on the same plane as the individual citizen is absolutely extraordinary.

As a result, we are now seeing a whole bunch of spending by shadowy groups run by long-time Republican Party officials and activists that is going to end up in the hundreds of millions of dollars, money that cannot be traced to its source. How do Members feel about that? How do Americans feel about the millions of dollars being spent and they don't know who is spending it? Unaccountable democracy.

What we are talking about, I suppose, means little to the corporations compared to what they are going to get in terms of blocking a regulation. We have people here who want to delay the regulations for clean air. They are going to come in here and try to say: We can't proceed now to have clean air. We have to delay it. So more coal fumes will pollute the air and more people will get sick and so forth. But they will try to work their way, and they have a lot of money to try to do it with.

The Supreme Court's ruling also clears the way for the domestic subsidiary of a foreign corporation to

spend unlimited amounts to influence our elections.

I want people to think about that. A foreign corporation and a national of a foreign country are barred under the law from contributing to Federal or State elections. But nothing in the law bars the foreign subsidiary incorporated in the United States from doing so. Those subsidiaries do not answer to the American people. They answer to their corporate parents way off in some other country. That means that in no uncertain way a foreign corporation can indeed play in an American election, and clever people will not have a hard time in covering that trail.

So today, on the floor of the Senate, in Washington, DC, in the year of the tea party—when the tea party is asking for accountability, and the tea party is asking for sunshine, and they want reform—I would like to hear the tea party stand up today and say: Republicans ought to vote overwhelmingly to have sunshine on the funding process of our campaigns.

The DISCLOSE Act, on which we will vote today, does not amend the Constitution. It is not going to overturn the Supreme Court decision that equated the rights of people—I would think the tea party ought to be excoriated over the notion that a corporation has been given the same rights as the Constitution gives to an individual. But it does not even overturn that. It does not even constitute campaign finance reform. All it does is shine the disinfectant of sunlight on corporations and faceless organizations that are trying to buy and bully their way in Washington through campaigns run against Members who disagree with them.

The DISCLOSE Act requires corporations, organizations, and special interest groups to stand by their political advertising, just like any candidate for office, and it requires the CEO of a company to identify themselves in their advertisements. And corporations and organizations would be required to disclose their political expenditures.

Is that asking too much, that the American people get to know who is spending the money to influence them so that maybe they will have the ability to judge whether there might be a little bias in that ad or there might be a little personal interest in that ad, there might be a reason they are getting the information they are getting, the way they are getting it?

That is all we are asking. It is not radical. It is not prohibitive. It simply removes the false notion that Americans are somehow voluntarily organizing all across this country in order to pursue a public interest. The fact is, corporate special interest money is being compiled and targeted to pursue a special interest and to send a loud televised message to those who disagree with them that they are going to be punished for disagreeing. If that practice is not disclosed and tempered, it is not only going to tip elections, it is going to cripple—cripple—the legislative process more than it has already been crippled in these past few years.

Instead of negotiating with each other in the public interest in the Congress, Members of Congress find themselves asking corporations—supposedly subject to the law and will of the American people—they ask them whether it is OK with them whether we regulate or legislate and release their allies to vote in favor of one thing or another. And guess what. No surprise to the American people, those corporations almost always refuse to do so.

So when the Citizens United decision was handed down, the voices seeking support from these corporations argued it would have no effect on the American political process. They said: We don't need to worry about new funneling of funds to candidates. But the record already says otherwise. The truth is, Karl Rove admitted that based on the Citizens United decision, he has formed two new groups specifically, because this decision empowered him to do it, to influence the 2010 elections with $52 million of ads bankrolled anonymously by special interests.

Now that the Supreme Court has opened the door to these anonymous ads, a lot of other groups are planning to spend approximately $300 million or more on the elections this fall. Already we have seen incredible disparity. I think the total spent by these anonymous groups attacking Democratic candidates around the country is over $30 million. The total amount the Democrats have had available to them, because they do not have as much money, and they do not represent those powerful groups, is about $3 million. Seven to one is the ratio.

All you have to do is begin to analyze these ads, and you can see exactly what the message is and why it is coming.

So here is the deal: Whether you agree with the ads or not is not what is at issue on the floor of the Senate today. At a minimum, I would hope our colleagues would support the idea that messages that are sent in American politics, advertisements that are made for or against a candidate, advertisements that are made for or against a particular idea, that those ought to be sent openly; that they ought to be sent in an accountable way so the American people—which is what this is all about, this institution, this house, the Senate, the House. All of this comes from the words ''We the People,'' and we have been hearing those words, ''We the People'' all over America from the tea party and from others who are trying to remind people what that is all about. This vote is all about that today, and their outrage ought to be summoned all across the country to shed the sunlight on this political process and hold it accountable.

If our friends come to the floor this afternoon and vote en bloc against it, let me tell you, that is a declarative statement about whose interests are being protected and what is at stake in this election as we go into this November.

The stakes for the American people are simply too high to let special interests hide behind faceless and unidentified campaigns. I cannot think of anything that is less American than secret money going into campaigns to try to affect the choices of the American people.

This is an opportunity for us to truly speak for the American people, and I hope my colleagues will join us in doing so today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KAUFMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAUFMAN. Madam President, I rise to voice my support for the DISCLOSE Act.

The DISCLOSE Act has to do with the Citizens United case, where the Supreme Court went out of its way to overturn nearly 100 years of statutes and settled precedent that had established the authority of the Congress to limit the corrupting influence of corporate money in Federal elections. It is a truly astounding decision, and it broke with all precedent for 100 years.

The Court ruled—and this takes a little bit, and you have to suspend your mind to get this right—that corporations are absolutely free to spend shareholder money with the intent to promote the election or defeat of a candidate for political office. The corporations have freedom of speech. This is astounding.

Beyond ignoring precedent, the Court's reckless, immodest, and activist opinion failed to distinguish between the rights of purpose-built political advocacy corporations and profit-driven, large corporations to direct resources to influence elections. They came in and ruled that any corporation can spend corporate money on whatever races they want. By issuing the broadest possible opinion, the majority admitted of no differences between Citizens United and any major multinational corporation.

But this decision left important questions unresolved. Who determines what candidates the major multinational corporation supports or opposes? Think about it. Here are corporations run by managers. We all know the problems with boards of directors, and we have seen what has gone on in the last years with decisions by corporations. But they never said who in the corporation gets to make the decision. Can a manager of the corporation or a CEO say I am going to throw $40 million or $50 million into the political pot or should he have to go to shareholders to get it?

That is a gigantic amount of money in politics, but it is a mere pittance to a large corporation. Who determines what candidates the major multinational corporation supports or opposes? The boards of directors? The CEO? The employees? All these groups and individuals serve the corporation for the benefit of the shareholders.

How will the shareholders of these corporations learn who makes these decisions within the corporation? Even so, how are we to determine what speech the shareholders favor? How do you do that? You are running a corporation and you get up one morning and decide you are going to go against candidate X or Y. Have you asked your shareholders what to do with their money or whether they want to be against or for candidate X or Y? How is that decision made? Do we care if the shareholders are U.S. citizens or citizens of an economic, political, or military rival of the United States? The way this thing rules is that a corporation that is under the control of an economic, political, and military rival of ours anywhere in the world can now be involved in our campaigns. That is something we have never done before.

As it stands now, Citizens United allows corporate interests to prevail over the rights of American citizens—that is it, pure and simple—because they have so much in assets. A speaker in California said that money is the mother's milk of politics. Most Americans know that and they decry it. With this decision, it allows corporate interests to prevail over American citizens and overwhelms the contributions and the voices of shareholders and individuals, and it ultimately makes elected officials even more beholden to corporations.

I tell you what, I don't have to do a survey to find out that most Americans don't want elected officials more beholden to corporations, and I am a corporate guy. There is nothing wrong with corporations. But the American people don't want corporations having more control over elected officials.

Boardroom executives must not be permitted to raid the corporate coffers to promote personal political beliefs or to curry personal favor with elected politicians. That result is bad for corporations, bad for shareholders, and bad for government. We must ensure that the corporation speaks with the voice of its shareholders, and that those who would utilize the corporate forum to magnify their political influence do not do so for improper personal gain or to impose the will of a foreign power on American citizens.

Unfortunately, the Supreme Court has left us without the tools to directly affect any of these compelling public interests. The DISCLOSE Act cannot entirely undo the activism of the Roberts Court and shut off the spigot of corrupting corporate funds because they say it is unconstitutional. The Congress cannot overcome a constitutional violation that was made by the Supreme Court. That is fundamental to our system. But it will serve as a bulwark against the flood of corporate money and help resolve the open questions created by the Court in Citizens United.

The act will shine a spotlight on corporate spending and prevent corporations from speaking anonymously by increasing disclosure and strengthening transparency in Federal campaigns.

Transparency—if you came to the floor since Buckley v. Valeo, in 1974, the first campaign finance ruling, you would have found my colleagues, led by their majority leader, speaking passionately about transparency, transparency, transparency. Now we have a bill where no one knows who is spending the money, and there is no movement on the other side. In fact, there is a filibuster against this bill, which would allow transparency. That is the main thing to do. It can't change the rules because the Supreme Court says it is then constitutional. We are trying to deal with transparency, something that has been a hallmark—if you take a debate over the last 30 years on financing of elections and put all of those papers up on a wall, and you throw a dart, the chance that you would hit a Member on the other side of the aisle talking about transparency is pretty high.

So you have to ask: Why would they be opposed to shining a spotlight on corporate spending and prevent corporations from anonymously increasing disclosure and increasing transparency in Federal campaigns?

Not only does the act require the corporation, organization, and special interest groups to stand by their political advertising like a candidate running for office—when we had McCain-Feingold, I think most Americans liked this. If you were going to put up an ad, you would say: I am TED KAUFMAN and I approve this ad. There were a lot of jokes about it, but you knew who paid for the ad. But they don't want to do this with corporate money. I can go to a big corporation and start a committee to save the world, and I can pour $35 million into it and spend it around the country, and I never have to disclose that it is me.

Under this act, CEOs would be required to identify themselves in their advertisements just like political candidates, and corporations and organizations will be required to disclose their political expenditures.

All we are asking is, if a corporation spends $35 million on a political race, they have to disclose that, like elected officials and everybody else has to do now. The other thing we say is, if a corporation is going to spend money in a race, the person in charge—the CEO—has to say what every elected official and Federal officeholder has had to say in recent years, since McCain-Feingold—that ''I am Joe Brown and I support this ad.'' Disclosure is exactly what our friends on the other side of the aisle were supporting.

Directors of public companies may still be able to hijack shareholder money to promote their own narrow interests. But thanks to the DISCLOSE Act, shareholders will be able to determine when they have done so.

The act will prevent foreign-controlled corporations from secretly manipulating elections by funneling money to front groups to fund last-minute attack ads and other anonymous election advertisements. But they can also be 6 months in advance. Last minute is because you don't want them to know you did an ad. They can do it 6 months before the election, and nobody knows who did the ad.

If we fail to respond to the threat that the Citizens United decision poses to our democracy, then I fear the public confidence in its government will continue to erode, precisely when bold congressional action is needed. It is not bad enough that the Congress has an incredibly low approval rating. You vote for someone because you think they are X, and all the time they are being supported by corporation Y. Our ability to meet the Nation's pressing needs depends on our ability to earn and maintain the public's trust. That is what we have all learned and know.

How do you maintain public trust? To not get involved in this bait and switch, where there is an organization saying one thing and it is doing something else. Earning that trust—the trust of the American people—will be all the more difficult in a world in which corporate money is allowed to drown out the voice of individuals and corrupt the political process. This is basic to our society and what we believe in. The American people deserve much better. I think it is important that we pass the DISCLOSE Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I heard what the Senator from Delaware said. He has been a very valuable member of the Senate Judiciary Committee and of this body itself. We all listen to what he says. He is not saying this out of any sense of what it might do in an election for him, he is retiring this year. We ought to listen to somebody who has no stake in this, other than as a citizen who cares what happens to our democracy. I thank my friend from Delaware for speaking out, as he always does so clearly.

We are going to try again this week to take action to help stem the tide of corporate influence that was unleashed when, earlier this year, five unelected Supreme Court Justices overturned 100 years of precedent in the Citizens United decision. When we last tried to correct this prior to the August recess. We brought up the DISCLOSE Act. Republicans filibustered the bill. It never allowed the Senate to even debate the legislation. Many of us argued that without even going to the legislation, we faced real problems, and those have been borne out. We have seen massive

corporate spending, drowning out the voices of hard-working Americans.

I heard somebody say in Vermont: ''Do you mean if you have somebody who is trying to stop counterfeit goods coming from China''—or to use another example, ''trying to stop the flood of toys that have too much lead in them that will endanger our children—and you have a Member of Congress who goes out and works to tighten the law so they can't do it, are you telling me that Chinese company can set up a small corporation here in the United States and spend a fortune to defeat the person who is trying to protect our children, to defeat the person who is trying to stop lead in toys? And do you mean in defeating the person who is trying to protect our children they could do it without anybody ever knowing where the money was coming?'' I said: That is the result of the Citizens United decision.

They could not understand that. But I tell my fellow Vermonters, with election day less than 2 months away, hundreds of millions of dollars of corporate interest group funds have been spent or pledged to be spent on political advertising and election activities. The American people deserve better than that.

We have seen filibusters, once a rarely used part of Senate procedure, become a regular tool for obstruction in the Senate on issue after issue. No matter how much the American people want an issue voted on, we end up having a filibuster blocking it. That obstruction has led to delays in considering legislation meant to protect the American people, as well as an alarming and almost unprecedented rise in judicial vacancies because Republicans will not allow votes on judges. Here, in an area fundamental to our democracy, it is clear the American people continue paying the price unless Congress takes action. Americans should expect bipartisan support for any legislation designed to prevent corporations from taking over elections, corporations from deciding elections, instead of the people who are affected by them.

This legislation does that, and I hope the Senators on the other side will stop filibustering this legislation. I cannot help but think on these filibusters—do you know what it is? It allows one to say: I am going to vote maybe. We were elected and paid to vote yes or no, not maybe. Those who keep using the filibuster to prevent a vote on serious matters can go home and say: That matter has not come up. I have not voted on that. I am on your side, whichever side you are on, because I never voted. I voted maybe. That is what these filibusters are. They are voting maybe because you do not have the courage to stand and vote yes or no.

In Citizens United, five Supreme Court Justices cast aside a century of law and opened the floodgates for corporations to drown out individual voices in our elections. Five overruled every law passed by Congress or other courts over the years. That broad scope of the decision was unnecessary, it was improper, and it was one of the greatest grasps for power I have ever seen. At the expense of hard-working men and women in this country, the Supreme Court ruled that corporations could become the predominant influence in our elections for years to come. These unelected members of the Supreme Court said: We are going to let corporations decide your elections, not the hard-working men and women who are affected by the elections. We have already seen the consequences. Corporations have injected more money than ever into primary races and now general elections across the country, and they can do it without ever even saying which corporation is emptying their treasuries to do this. We need to at least have some transparency to this new-found access.

We have heard from Americans of all political persuasions who express overwhelming concern over the impact of the Citizens United decision, as the threat it poses to our electoral process is readily apparent. We have a constitutional duty to work to restore a meaningful role for all Americans in the political process. Vote yes or vote no. Be willing to stand on one side or the other of the issue, not a filibuster which allows you to duck facing responsibilities as a Senator, not a filibuster to a motion to proceed because that is a vote to ignore the real-world impact this decision is already having on our democratic process. I call on Senators: Have the courage to take a position. Do not vote maybe so you can go back home and say: That issue has not come up. Have the courage, have the honesty. Vote yes or no.

The DISCLOSE Act is a measure I support to moderate the impact of the Citizens United decision. I will vote for it. The DISCLOSE Act will add transparency to the campaign finance laws to help ensure corporations cannot abuse their new-found Supreme Court-made Constitutional rights.

This legislation will preserve the voices of hard-working Americans in the political process by limiting the ability of foreign corporations to influence American elections. Can you imagine a proud country such as ours, we are willing, because of the decision of five people, to allow foreign corporations to come in and meddle in our political process? We are going to prohibit corporations from receiving taxpayer money when contributing to elections. Are you going to say to the taxpayers: We are going to tax you, and then we are going to give the money to determine who might give us more taxes? We are going to increase disclosure requirements of corporate contributions, among other things.

It is hard to overstate the potential for harm in the aftermath of the Citizens United decision. The DISCLOSE Act is necessary to prevent corruption in our political system because the Citizens United decision brings about corruption in our political system. The DISCLOSE Act will protect the credibility of our elections because the Citizens United case diminishes credibility for our elections. If we do not do that, we are not going to maintain the trust of the American people. While some on the other side of the aisle praise the Citizens United decision as a victory for the First Amendment, what they fail to recognize is that these new rights for corporations come at the expense of the free speech rights of all Americans. That much is already clear. There is no longer any doubt that the ability of wealthy corporations to dominate all mediums of advertising is quieting the voices of individuals who do not have the deep pockets and the unlimited resources of these corporations.

Citizens United is only the latest example of which a thin majority of the Supreme Court places its own preferences over the will of hard-working Americans. The campaign finance reforms of the landmark McCain-Feingold Act were the product of lengthy debate in Congress as to the proper role of corporate money in the electoral process and passed by bipartisan majorities.

Those laws strengthened the rights of individual voters while carefully preserving the integrity of the political process. But with the stroke of a pen, five Justices—unelected Justices—cast aside those years of deliberation and substituted their own preferences over the will of Congress and the American people.

Vermont is a state with a rich tradition of involvement in the democratic process. We see it in March at our Town Meeting Day. But it is also a small state, and it would take so little for a few corporations to outspend all our local candidates—Republicans and Democrats alike. Come on. A megacorporation could, in effect, try to control all the government of our small state. It is easy to imagine corporate interests flooding the airwaves with election ads and transforming the nature of Vermont campaigning. This is not what Vermonters expect of their politics. The DISCLOSE Act is the first step toward ensuring Vermonters and all Americans can remain confident that their voices are going to be heard in the political process, not an unseen, unknown corporation with a whole lot of money.

The Citizens United decision grants corporations the same constitutional free speech rights as individual Americans. Who could possibly have imagined what the Framers of the Constitution would have thought of that? Remember the opening words of our Constitution: ''We the People of the United States . . . '' It does not say we the people and a few megacorporations of the United States. In the Constitution, the Founders spoke of guaranteeing fundamental rights for the American people, not to corporations, which is

mentioned nowhere in the Constitution. The time is now to ensure our campaign finance laws reflect this important distinction.

The American people want their voices heard in the coming election. I look forward to working with all Senators to pass this important legislation to ensure the DISCLOSE Act is enacted into law. At the very least, our constituents deserve a debate in the Senate on this legislation. Have the courage and the honesty to vote yes or no, not to hide behind a filibuster and get away with voting maybe. What does that do for their constituents?

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Madam President, I rise to speak about the same topic about which the senior Senator from Vermont just spoke. We are grateful for his leadership on so many issues but especially those that involve the Judiciary Committee, the committee of which he has been chairman. He has been a great example. I will not try to repeat or replicate his message but to reinforce what Senator LEAHY and others have said already in this debate.

For people who do not follow campaigns day to day or even week to week—a lot of people are making a living and struggling through a tough economy, so they are not always engaged in day-to-day politics. Generally, the way it works in this country, whether it is a State such as Pennsylvania, New York or Vermont or any State in the Union, for the most part, with some exceptions, we have candidates who declare their candidacy for office. They have to file paperwork. They have to fill out ethics forms and provide other disclosures as a candidate.

Then candidates, as they are running and raising money, have to make reports about their donors. That happens all the time in State races and in Federal races where someone gives you a contribution of any size, that has to be reported. Some States might have a cutoff below a certain dollar amount.

If you are running in an election and someone gives you a contribution of $25,000 or $100,000, people ought to know about that. They ought to know who is funding your campaign.

Even in the Federal system, we have limits on contributions. But while a candidate is running, they file reports that tell the voters who is supporting them. It is a basic foundational principle of the way we run elections.

Now we are faced with a situation, because of the Citizens United case, where those basic rules about how candidates are influenced or impacted by contributions, what corporations and entities do in an election—all that is turned on its head.

Basically, what this Supreme Court decision means is, you can have a corporate entity—I am not sure there is anyone in America who does not think corporations already have too much influence. Let's set that aside. They have plenty of influence in elections. Right now any corporation at any time can spend any amount of money they want.

We do not have any information, unless the law is changed, about their donors, who is paying for that influence, who is paying for those advertisements. The corporate entity does not even have to identify itself. They can call themselves the XYZ company or XYZ campaign and come in and run ads positively or negatively, for or against, candidates in an unlimited way. It violates the basic rule we have all operated under, which is: Sunlight is the best disinfectant. If you want to bring some light to the darkness, especially the darkness that will envelop a lot of campaigns, then I guess you would be in favor of not having a statute passed such as the DISCLOSE Act.

It is very simple. Others have gone through it, so I will not walk through every provision, but one of the first provisions is mandating expanded disclosure and disclaimer requirements for certain communications by corporations, unions, and certain tax-exempt organizations.

What is wrong with that? Why shouldn't we have that? For the most part, we have had that for years. Now we don't have that due to the Supreme Court decision. So we should make sure that is the law again.

Second, the legislation would require covered organizations to report information about their donors and spending for certain independent expenditures and electioneering communications.

Why shouldn't someone voting in 2010, or in any year, have information about the entity that is spending the money, and especially the donors supporting that entity. It is a free country. They can exercise their right to free speech, but the idea that it has to be shrouded in darkness and secrecy——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CASEY. I ask unanimous consent for 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. I thank the Chair.

And, Madam President, I ask unanimous consent to have printed in the RECORD a New York Times article of September 20, 2010, entitled ''Donor Names Remain Secret as Rules Shift.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 20, 2010]

DONOR NAMES REMAIN SECRET AS RULES SHIFT

(By Michael Luo and Stephanie Strom)

Crossroads Grassroots Policy Strategies would certainly seem to the casual observer to be a political organization: Karl Rove, a political adviser to President George W. Bush, helped raise money for it; the group is run by a cadre of experienced political hands; it has spent millions of dollars on television commercials attacking Democrats in key Senate races across the country.

Yet the Republican operatives who created the group earlier this year set it up as a 501(c)(4) nonprofit corporation, so its primary purpose, by law, is not supposed to be political.

The rule of thumb, in fact, is that more than 50 percent of a 501(c)(4)'s activities cannot be political. But that has not stopped Crossroads and a raft of other nonprofit advocacy groups like it—mostly on the Republican side, so far—from becoming some of the biggest players in this year's midterm elections, in part because of the anonymity they afford donors, prompting outcries from campaign finance watchdogs.

The chances, however, that the flotilla of groups will draw much legal scrutiny for their campaign activities seem slim, because the organizations, which have been growing in popularity as conduits for large, unrestricted donations among both Republicans and Democrats since the 2006 election, fall into something of a regulatory netherworld.

Neither the Internal Revenue Service, which has jurisdiction over nonprofits, nor the Federal Election Commission, which regulates the financing of federal races, appears likely to examine them closely, according to campaign finance watchdogs, lawyers who specialize in the field and current and former federal officials.

A revamped regulatory landscape this year has elevated the attractiveness to political operatives of groups like Crossroads and others, organized under the auspices of Section 501(c) of the tax code. Unlike so-called 527 political organizations, which can also accept donations of unlimited size, 501(c) groups have the advantage of usually not having to disclose their donors' identity.

This is arguably more important than ever after the Supreme Court decision in the Citizens United case earlier this year that eased restrictions on corporate spending on campaigns.

Interviews with a half-dozen campaign finance lawyers yielded an anecdotal portrait of corporate political spending since the Citizens United decision. They agreed that most prominent, publicly traded companies are staying on the sidelines.

But other companies, mostly privately held, and often small to medium size, are jumping in, mainly on the Republican side. Almost all of them are doing so through 501(c) organizations, as opposed to directly sponsoring advertisements themselves, the lawyers said.

''I can tell you from personal experience, the money's flowing,'' said Michael E. Toner, a former Republican F.E.C. commissioner, now in private practice at the firm Bryan Cave.

The growing popularity of the groups is making the gaps in oversight of them increasingly worrisome among those mindful of the influence of money on politics.

''The Supreme Court has completely lifted restrictions on corporate spending on elections,'' said Taylor Lincoln, research director of Public Citizen's Congress Watch, a watchdog group. ''And 501(c) serves as a haven for these front groups to run electioneering ads and keep their donors completely secret.''

Almost all of the biggest players among third-party groups, in terms of buying television time in House and Senate races since August, have been 501(c) organizations, and their purchases have heavily favored Republicans, according to data from Campaign Media Analysis Group, which tracks political advertising.

They include 501(c)(4) ''social welfare'' organizations, like Crossroads, which has been the top spender on Senate races, and Americans for Prosperity, another pro-Republican group that has been the leader on the House

side; 501(c)(5) labor unions, which have been supporting Democrats; and 501(c)(6) trade associations, like the United States Chamber of Commerce, which has been spending heavily in support of Republicans.

Charities organized under Section 501(c)(3) are largely prohibited from political activity because they offer their donors tax deductibility.

Campaign finance watchdogs have raised the most questions about the political activities of the ''social welfare'' organizations. The burden of monitoring such groups falls in large part on the I.R.S. But lawyers, campaign finance watchdogs and former I.R.S. officials say the agency has had little incentive to police the groups because the revenue-collecting potential is small, and because its main function is not to oversee the integrity of elections.

The I.R.S. division with oversight of tax-exempt organizations ''is understaffed, underfunded and operating under a tax system designed to collect taxes, not as a regulatory mechanism,'' said Marcus S. Owens, a lawyer who once led that unit and now works for Caplin & Drysdale, a law firm popular with liberals seeking to set up nonprofit groups.

In fact, the I.R.S. is unlikely to know that some of these groups exist until well after the election because they are not required to seek the agency's approval until they file their first tax forms—more than a year after they begin activity.

''These groups are popping up like mushrooms after a rain right now, and many of them will be out of business by late November,'' Mr. Owens said. ''Technically, they would have until January 2012 at the earliest to file anything with the I.R.S. It's a farce.''

A report by the Treasury Department's inspector general for tax administration this year revealed that the I.R.S. was not even reviewing the required filings of 527 groups, which have increasingly been supplanted by 501(c)(4) organizations.

Social welfare nonprofits are permitted to do an unlimited amount of lobbying on issues related to their primary purpose, but there are limits on campaigning for or against specific candidates.

I.R.S. officials cautioned that what may seem like political activity to the average lay person might not be considered as such under the agency's legal criteria.

''Federal tax law specifically distinguishes among activities to influence legislation through lobbying, to support or oppose a specific candidate for election and to do general advocacy to influence public opinion on issues,'' said Sarah Hall Ingram, commissioner of the I.R.S. division that oversees nonprofits. As a result, rarely do advertisements by 501(c)(4) groups explicitly call for the election or defeat of candidates. Instead, they typically attack their positions on issues.

Steven Law, president of Crossroads GPS, said what distinguished the group from its sister organization, American Crossroads, which is registered with the F.E.C. as a political committee, was that Crossroads GPS was focused over the longer term on advocating on ''a suite of issues that are likely to see some sort of legislative response.'' American Crossroads' efforts are geared toward results in this year's elections, Mr. Law said.

Since August, however, Crossroads GPS has spent far more on television advertising on Senate races than American Crossroads, which must disclose its donors.

The elections commission could, theoretically, step in and rule that groups like Crossroads GPS should register as political committees, which would force them to disclose their donors. But that is unlikely because of the current make-up of the commission and the regulatory environment, campaign finance lawyers and watchdog groups said. Four out of six commissioners are needed to order an investigation of a group. But the three Republican commissioners are inclined to give these groups leeway.

Donald F. McGahn, a Republican commissioner, said the current commission and the way the Republican members, in particular, read the case law, gave such groups ''quite a bit of latitude.''

Mr. CASEY. Basically, in this article we have a news organization—among many—that is saying donor names are being kept secret. The other problem we have, of course, is foreign nationals are coming into the United States and spending money to influence elections. So this is not complicated. It is very simple. Either there is going to be sunlight and exposure about our elections and who is funding these various elections or we are just going to have darkness. I think that injures our ability to have free debate in a campaign, and it injures the voter's ability to learn what they expect and should have a right to know about candidates and about those who are influencing candidates.

Madam President, we should pass the DISCLOSE Act. At a minimum, we should have a debate on the DISCLOSE Act.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

HONORING OUR ARMED FORCES

FIRST LIEUTENANT MARK A. NOZISKA

Mr. JOHANNS. Madam President, I rise today to remember a fallen hero, U.S. Army 1LT Mark A. Noziska of Grand Island, NB.

Mark was a proud member of the 1st Battalion of the 4th Infantry Division. He was active in and around Kandahar, one of the most dangerous areas of Afghanistan. Sadly, Mark was killed on August 30 by an improvised explosive device. He had dismounted from a convoy vehicle to investigate suspicious activity when he was attacked. But by taking the lead, he likely prevented many more casualties within his platoon. His death is a great loss to our Nation and to my home State of Nebraska.

Mark loved life, he loved the Huskers, and he especially loved the Army. His leadership qualities became apparent early on in his life. He was recognized in Who's Who and selected to represent Nebraska in People to People while a student at Papillion High School. Before graduating, he was voted Mr. Monarch, a very high honor.

Mark enlisted in the National Guard in 2004 and before long was selected as the Nebraska Army National Guard Soldier of the Year. He subsequently finished as first runner-up in the Soldier of the Year national competition. Yet Mark had even higher aspirations. He enrolled in college and ROTC to become an officer. The University of Nebraska-Omaha ROTC Program honored Mark with the Military Order of the Purple Heart Medal.

After graduating with his college degree, he proceeded to the Infantry Officer Basic Course. His family reports that being an officer in the U.S. Army was an obvious joy and privilege for him.

First Lieutenant Noziska will be remembered as an eager, playful, yet very dedicated young man. His family recalls his lust for life, his love of his favorite football team, the Huskers, and his commitment to serving his country. His young nephew longs for Mark's teasing.

To Army leadership he was an energetic lieutenant with unlimited potential. His decorations and badges earned during his short but distinguished military career speak to his dedication and to his bravery: the Bronze Star, the Purple Heart, the Afghanistan Campaign Medal, the NATO Service Medal, the Global War on Terrorism Medal, the Army Service Ribbon, the Army Commendation Medal, the National Defense Service Medal, the Army Reserves Component Service Medal, the National Guard Individual Achievement Medal, the Adjutant General Outstanding Unit Citation, and the Combat Infantry Badge.

Today, I join family and friends in mourning the death of their beloved son, their brother, and their friend. May God be with the Noziska family and all those who mourn Mark's death and celebrate his life.

Mark laid down his life in defense of our freedom and security, and our Nation must never forget his sacrifice, just as we remember all of the Nation's fallen heroes. We have not been forced to relive the horror of 9/11 because heroes such as Mark offered their lives to protect us from it. America can never repay them. We are forever grateful.

I ask that God be with all those serving in uniform, especially the brave men and women on the front lines of battle. May God bless them and their families, and may God bring them home safely.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HAGAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

THE DISCLOSE ACT

Mrs. HAGAN. Mr. President, I am glad to join my colleagues today to discuss our elections process and the state of campaign finance. As everyone here knows, in January of this year the Supreme Court ruled in a 5-to-4 decision in Citizens United v. the Federal Election Commission that the first amendment cannot limit corporate funding of political advertisements in candidates' elections. Effectively, this decision

overturned decades of campaign finance law that limited special interest influence on elections.

I am deeply concerned that this ruling is weakening the voice of the American people in our elections. Monday the New York Times reported that, since the ruling, many nonprofit advocacy groups have set up sister organizations and specially classified themselves under section 501(c) of the Tax Code. Organizations are using the 501(c) status as a loophole to avoid having to disclose their donors' identity.

I want America's campaign finance process to be transparent. What do I mean by transparent? That the public knows who is paying for the message and how much. We have to be aware of the influence that money has on politics.

In response to the Court's decision, the DISCLOSE Act was introduced to mitigate the harmful effects of the Supreme Court's decision in Citizens United. The DISCLOSE Act would implement comprehensive disclosure requirements on corporations, unions, and other organizations that spend money on Federal election campaigns. This is common sense. When every one of us here in this Senate, Republicans and Democrats, runs for reelection, we have to state in our advertisements that we approved the ad. There is no reason we should not hold corporations and unions to the same standard. By increasing the transparency of campaign spending by these groups, this legislation seeks to prevent unregulated corporate power over elections.

Under the legislation, the CEOs of corporations, the leaders of unions and other organizations would be required to appear on camera for the election advertisements they have funded. The DISCLOSE Act would also require that the top five donors from organizations that pay for campaign advertisements be listed on the screen at the end of the television ad.

Additionally, the legislation would take steps to eliminate the influence of foreign corporations on American elections. I believe the Court's decision puts the voices of ordinary Americans at risk of being drowned out by direct corporate spending on elections. America deserves open and transparent elections and that is why I am a cosponsor of the DISCLOSE Act. I believe the DISCLOSE Act would ensure that average American voters are the ones in charge during elections, not special interest money and not foreign corporations.

I can assure you I will continue to do everything within my power and work with my colleagues in the Senate to protect the integrity of the election process. I hope my colleagues on the other side of the aisle will join us in this effort.

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.

Mrs. MURRAY. 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 DREAM ACT

Mrs. MURRAY. Mr. President, one of the many values that make America so great is that no matter where we start off from in life we believe that we all deserve to have a shot at the American dream.

We all deserve an opportunity to work hard, support our families, and give back to the Nation that has been there for us all of our lives.

This is an American value I cherish. It is one I feel very strongly we ought to maintain and strengthen. And it is why I stand here today to talk about the DREAM Act, which would help us do exactly that.

The amendment we proposed was a narrowly tailored piece of legislation that was developed with Democrats and Republicans working together.

And I was extremely disappointed that Senate Republicans refused to even allow us to begin debate on this critical issue.

The DREAM Act would give a select group of undocumented students the chance to become permanent residents if they came to this country as children, are long-term U.S. residents, have good moral character, and attend college for at least 2 years or enlist in the military.

Under this bill, tens of thousands of well-qualified potential recruits would become eligible for military service for the first time.

These are young people who love our country and are eager to serve in the Armed Forces during a time of war.

And the DREAM Act would add a very strong incentive for them to enlist by providing a path to permanent legal status.

It would also make qualified students eligible for temporary legal immigration status upon high school graduation, which would lead to permanent residency if they attend college.

And most importantly, it would allow the young people who want to give back to America an opportunity to do so.

This is about our values as a nation.

But it is also about real communities. And real people in my home State of Washington and across the country.

I want to share a few stories I have heard that demonstrate why the DREAM Act is so critical.

I got a letter from a young man named Carlos, who was brought to the United States when he was just 2 years old.

Carlos' mom went to work every day to provide for her son, but she never told him that he was undocumented.

It was only when he wanted to go overseas on a school community service trip that he found out.

Carlos excelled academically and helped his family out with money by selling hot dogs after school.

And by the end of high school, he was student body vice president and had received a scholarship to attend the University of Washington, where he is scheduled to start this year.

Carlos is going to continue selling hot dogs to pay for textbooks, and his dream is to go to law school and become a civil rights lawyer when he graduates.

I also heard from Judith, from Tacoma, another undocumented immigrant.

Judith recently graduated from high school and she told me that she dreams of joining the Navy and serving her country.

And I heard from Luis, a junior at Whitworth University in Washington State.

Luis is excelling at school, but because he is undocumented he has been unable to apply for work-study programs, internships, or federally funded scholarships.

He told me he wants to graduate and give back to the community by working with young people. That is his dream, but he is afraid that his status will prevent him from achieving that goal.

Luis told me he lives in fear of being deported, that the United States is his home, and that he wants nothing more than to be given a shot at the American dream.

The only way that can happen, the only way any of these young people can get that shot, is if we pass the DREAM Act.

The stories I told here today are of just three of the young people whose lives this affects, but I have received hundreds of stories just like theirs.

And this issue touches so many more across the country.

The amendment we proposed would have allowed us to take a first step toward fixing an immigration system that is clearly broken with real solutions that will help real people.

And for me, this is not just about immigration, it is about what type of country we want to be.

America has long been a beacon of hope for people across the world.

And I believe that to keep that beacon bright we need to make sure young people like Carlos, Judith, and Luis are given a shot at the American dream.

The dream that was there for me, that is there for my children and grandchild, and that is there for millions of others across this great country.

So once again, I am extremely disappointed that Senate Republicans blocked our attempt to begin debate on the legislation this amendment was attached to.

I am going to keep fighting for the DREAM Act.

And I am going to keep working toward comprehensive immigration reform that helps our economy, affords

the opportunities we have offered to generations of immigrants, maintains those great American values that I hold so dear, and improves our security.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MCCASKILL. Mr. President, are we in morning business?

The PRESIDING OFFICER. Yes, we are.

THE DISCLOSE ACT

Mrs. MCCASKILL. Mr. President, I come to floor today to tell a sad, sad story of hypocrisy. It is not the first time we have told stories of hypocrisy around this Capitol Building, but this one is a particularly sad story of hypocrisy because right now, the ending is ugly.

In America, we like nice endings. This story of hypocrisy has a very bad ending. The name of this story is, Who is trying to buy your government? There are folks out there right now trying to buy your government. The saddest part of this story is that we have no idea who they are. So why is it a story of hypocrisy? Well, we can start with how we got here.

I have heard so many times—I cannot count how many times I have heard my colleagues in the other party talk about the evils of an activist court: Well, we have to make sure we do not have activist judges. Well, no, I am not opposed to this nominee because he is appointed by a Democratic President; I am opposed to this nominee because of activism, evil activism. We have to watch out for activism.

So along comes the Citizens United case. If you looked up ''judicial activism'' in a reference book, you would find the title ''Citizens United.'' This Court went off the tracks. They created precedent out of whole cloth in an effort to turn our democracy into a race for the highest bidder.

I think it is hypocritical for people to come before the Senate Judiciary Committee and be eloquent—because these are all smart people—very eloquent about the evils of judicial activism and then proceed to dismantle a system that is all about the public's right to know.

There is another part of this that is hypocritical, besides the notion that somehow conservative people are not judicial activists. They are not judicial activists when they are active for something you believe in. Then it is not activism. In other words, judicial activism is in the eye of the beholder. I can think of a lot of Supreme Court cases that could back up that assertion.

The other thing that is so hypocritical about this is the ridiculous notion that so many people in this body have talked about transparency like it is so near and dear to them. We must have transparency. We must have an open door. We must have sunlight. Let me read a few quotes. This is rich:

> Public disclosure of campaign contributions and spending should be expedited . . .

Think about that term, especially when we realize where it came from.

> Public disclosure of campaign contributions and spending should be expedited so voters can judge for themselves what is appropriate.

Good, old-fashioned common sense. That is from the leader of the Republican Party.

How about this one:

> I think what we ought to do is we ought to have full disclosure, full disclosure of all the money we raise and how it is spent. And I think that sunlight is the best disinfectant.

That came from the leader of the Republican Party in the House.

> I think the system needs more transparency so people can more easily reach their own conclusions.

I couldn't agree more. That comes from the Senator heading up the Republican effort to elect Republican Senators this year.

I could go on and on. We have a Supreme Court decision that turns the section of the IRS Code, 501(c), into an open bazaar. What was supposed to be not political and not for profit is now a mushrooming industry of nonaccountable, unaccountable organizations that nobody has any idea where they are coming from, who is writing the checks, and what their motivations are. These groups have fallen into a regulatory nirvana. There is no regulation. There is nobody watching. There is nobody asking questions.

These are social welfare organizations, 501(c)(4)s, like Crossroads, which is one that sprung up. It has been the top spender. It hasn't been the Republican committees or the Democratic committees. The top spender in the Senate races is a group we have no idea what it is or who is writing the checks.

We have to realize they don't even have to file anything with the government, with the IRS, until February, March, April. How many people think these organizations are going to be around after November? Really? How naive are you? They have to find some excuse, right, because this is embarrassing that they are blocking our efforts at making campaign finance contributions transparent?

One can't really say: Hey, we are going to change our mind about transparency because we have an election to win and we have a bunch of rich people out here who want to write big checks or big corporations that want to write big checks. So what do you do? You try to make it about the big, bad unions. These rules need to apply to unions too.

Unions are doing ads right now. They should be saying what unions are doing them. We should know where their money comes from. We do know where their money comes from. It comes from their members. But we ought to know who is doing it. This law requires the same thing of unions that it requires of anyone else writing big checks.

Who is going to buy your government? It could be like a game show. We could have a big wheel and spin the wheel and people could guess who is buying the government. I am worried about government contractors. There has been big money in government contracting. I have noticed from firsthand experience that when we start shaking the trees of these government contractors, they fight back. As I have tried to clean up some of the contracting messes that have littered the financial landscape of the Federal Government, I have run into an amazing amount of resistance from the underground power of these government contractors.

Let's look at Blackwater. We know they have created dozens of fake names to do business with the government. Many of them are noncompetitive. Many of them are highly lucrative. They are hiding the identity of their company for purposes of contracting.

Can colleagues imagine what they are capable of if they get to write checks to influence elections with nobody knowing it? I am in big trouble. I have gone after a lot of these big contractors. Now I think my picture is probably on a lot of their dart boards. Now they don't have to worry about throwing a dart. They don't have to worry about it. All they have to do is anonymously write big checks. Millions of dollars. Write a check for $10 million. Blow out an election in a State. Nobody has to know who did it.

Foreign interests, yes; the Citizens United case created all kinds of loopholes that are actually delineated in the case. They explained the loopholes that are being created, if one reads the entire decision, for foreign corporations. It is like after that case we have fallen down a rabbit hole in terms of everything we should believe in in terms of our election processes.

In the old days, they used to have the term, ''the bagman.'' The bagman was not exactly a positive term for people. The bagman was the guy who was in charge of carrying the money around in a bag. There was a time in this democracy where they actually did that. Big bags of cash were carried around and delivered to people's desks in every level of government in the country. The people in this great democracy rose up and said: We want to clean up this mess. We want candidates to have to report how much money they are getting.

Some States said: We want to limit how much they are getting. We limit how much we get. I don't know why we are not honest about this. I don't know why they don't just propose an alternative bill that we do away with any kind of limits. Frankly, it might be a better tradeoff.

If somebody put a gun to my head and said: You have to choose. Do you want all the money being spent on campaigns disclosed where it is coming from or do you want limits, I think I would take the disclosure because I trust the American people. If they know who is paying the bill, they can make a good judgment whether they trust what that commercial says or what that mailer says or what that robo call says.

Trust is the great intangible around here. We can't do our jobs with dignity and with honor if we are hypocrites and if there is not trust. Does anyone imagine that the American people are going to trust us more when we have open season on elections by the highest bidder?

I implore my colleagues, clean up this mess with us. Don't put the last nail in the coffin of bipartisanship. This should be a bipartisan effort. One rich guy who has a grudge against you can make unfair commercials and never be held accountable, regardless of whether you are a Democrat or a Republican.

I am not as offended by the notion that wealthy people can spend their money however they want as I am by the notion that they can buy elections with it and not be held accountable. We have a very wealthy guy in St. Louis, Rex Sinquefield, who is spending millions of dollars influencing elections and issues in Missouri. I kind of admire the guy. He is up front about it. He is not handing checks off to Karl Rove somewhere. He is very up front.

Trust is the great intangible. Everyone who blocks the effort to require full disclosure of money that is being spent on political campaigns does great damage to the most precious commodity we have in this country, and that is the strength of our democracy.

I hope the American people, who are pretty cranky right now—and I get it; they are upset; they ought to be really mad about this—hold every one of us accountable. If you are not willing to support a bill that will require full disclosure of people who are spending money on political advertising, then I don't know how seriously we can take anything you say you stand for.

Let's get the DISCLOSE Act up now. Let's clean up this mess. I guarantee my colleagues, it is going to have an ugly ending. This story will not have a good ending unless we change the plot.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. FRANKEN. Mr. President, ''[c]learly the American public has a right to know who is paying for ads and who is attempting to influence elections. Sunshine is what the political system needs.''

We can try and regulate ethical behavior by politicians, but the surest way to cleanse the system is to let the Sun shine in.

I don't like it when a large source of money is out there funding ads and is unaccountable.

I think the system needs more transparency so people can more easily reach their own conclusions.

I support campaign finance reform, but to me that means individual contributions, free speech and full disclosure.

Public disclosure of campaign contributions and spending should be expedited so voters can judge for themselves what is appropriate.

The issue is expenditures, expenditures, expenditures; and the real issue, if we really want to do something about campaign finance reform, is disclosure, disclosure, disclosure.

Disclosure helps everyone equally to know how their money is spent. . . . Disclosure is what honesty and fairness in politics is all about. Why would anyone fight against disclosure?

Those are all excellent points. The fact is, they were made by seven different Members of this body, all from my friends on the other side of the aisle. They were made either on the floor of this body or to the press.

So let there be no doubt, for a long time, disclosure of election spending has been a robustly bipartisan issue. But suddenly each of my friends has changed his or her tune. They now oppose legislation called the DISCLOSE Act—disclose, disclosure—the DISCLOSE Act that would force companies, nonprofits, and unions to disclose the money they spend in our elections, both to the Federal Election Commission and to the American people.

Here is one reason why they may have changed their tune. Thanks to the Supreme Court's decision in Citizens United, which Senator MCCASKILL just spoke so eloquently about, corporations today have more power to spend in our elections than they have had in our lifetimes. In that decision, the Roberts Court broke with a century of precedent, overturned two Federal laws, reversed two of its own decisions, and nullified 24 State laws, including a 20-year-old Minnesota law. The Supreme Court did all that to allow corporations to spend as much money as they want, whenever they want, in our elections and not just Federal elections—State elections, county elections, school board elections.

Here is another reason my friends have changed their tune: Those corporations are using their newfound power to disproportionately benefit my friends across the aisle. Since August 1, Republican interest groups have outspent Democratic interest groups 5 to 1, and these corporations are funneling millions upon millions of dollars into our elections without anyone knowing where that money came from.

It is no accident they are so eager to influence elections and to do so anonymously. You know why? Because Congress has finally stepped in to protect consumers from abuses by big businesses that have been allowed for far too long to write their own rules. So big businesses are giving money anonymously.

Corporations will not spend money on just any election. They are going to spend it when we, the Congress, try to pass laws that are tough on Wall Street or on health insurance companies. They are going to spend it when your city council debates whether to allow a new toxic waste dump that wants to come to town. They are going to spend it when anyone tries to pass consumer and environmental laws that protect our families and our homes. The best part of it is, they do not want anyone to know they are doing it.

That is why we need the DISCLOSE Act. The DISCLOSE Act will allow Americans to know how and which corporations and unions are trying to influence elections. The DISCLOSE Act would make sure we do not need a permission slip from big business to run our communities.

Let me repeat what it will do. First and foremost, the DISCLOSE Act is about disclosure; hence, the DISCLOSE Act. That is why it is named that. It will force CEOs, union heads, and leaders of advocacy groups, along with their top contributors, to be identified in the ads they pay for. These same groups, corporations, nonprofits, and unions would be required to disclose their top donors to the Federal Election Commission.

If a company has shareholders, they are going to have to disclose their expenditures to those shareholders in periodic reports and on their Web sites.

Some of my friends across the aisle are saying the DISCLOSE Act is not just about disclosure, it has some other stuff in there. You know what? They are right. It has a few other things in there. What are they? Well, a prohibition on spending by companies receiving taxpayer money in the form of major government contracts—the Senator from Missouri talked about that as well—or companies that have received TARP funds they have yet to pay back.

What else? A prohibition on expenditures by companies where a foreign individual or company or nation has a controlling share, as it is defined by Delaware and 30 other States—that is, at it is defined by 31 of the 32 states that define a controlling share with a number. This is a provision I authored and that Senator SCHUMER included in this piece of legislation. This provision will prevent CITGO, owned by Venezuela, from using the Citizens United decision to pour money into our elections.

I welcome the opportunity to debate these provisions. I welcome it. So far, some of my friends will not allow that debate to happen. No debate, and the American people will continue to suffer for it.

So I urge all my colleagues to allow debate on this important bill. Allow debate on this bill. It is about the future of our democracy. Allow debate.

Before I conclude, let me quote again a prominent friend on the other side of the aisle:

Public disclosure of campaign contributions and spending should be expedited so voters can judge for themselves what is appropriate.

Let me repeat that: ''Public disclosure of campaign contributions and spending should be expedited so voters can judge for themselves what is appropriate.''

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

RAISING TAXES

Mr. KYL. Mr. President, we continue to have a discussion about whether there should be a tax increase on Americans and, if so, which ones. We are not sure whether the Senate is going to vote on one of those propositions before the elections, but there appears still to be a chance we would do that.

I found it of interest that a couple surveys—one of economists and one of Americans generally—throw more cold water on the idea that we should be raising taxes on any Americans.

I wish to report, first of all, a CNBC poll which just came out today. The headline is ''Most Americans Want All Bush Tax Cuts Extended.'' Well, that is another way of saying: We should not raise taxes on any Americans. I will just quote from two lines:

> In the new poll released this week, 55 percent said that ''increasing taxes on any Americans will slow the economy and kill jobs''. . . .Only 40 percent said the Bush-era tax cuts should be canceled for higher earners. . . .

One other interesting statistic is that the poll showed that ''55 percent of Americans said [President] Obama's overall economic plans have made things worse so far.''

This poll is consistent with every other we have seen. Most Americans do not believe we should be raising taxes on anyone—on the wealthy, on businesses, on others, on anyone. I think most of them get the fact that if you start raising taxes, particularly in the middle of a recession, you are going to kill economic recovery and certainly slow the creation of more jobs.

Well, that was also the opinion of a group of economists who were surveyed by CNN. They surveyed 31 different economists and had a variety of options. They asked: What should the Senate and the House do? In this survey, 18 of the economists said we should not raise taxes on anyone—in other words, extend the tax rates that have been in effect for the last 10 years for everyone, continue to extend them. There were only three of the economists, incidentally, who said: No, we should differentiate, extend for some but not extend for others. In other words, it is OK to go ahead and raise taxes on the so-called wealthy.

I noted also today that the National Taxpayers Union released a letter with 300 economists saying the same thing, that we should not raise taxes on anyone. Finally, I noted in comments I made Monday that Secretary Geithner had said what we should be doing to preserve jobs in America is to promote savings and investment. That is, of course, precisely what we should be doing. Unfortunately, that is exactly the opposite of what would happen if we raised the taxes on the so-called upper two brackets because that is how small businesses, by and large, pay their taxes.

Fifty percent of the approximately $1 trillion of business income will be reported on returns that have a marginal rate in the top two brackets. That is another way of saying, if you increase the tax in those top two brackets, you are going to dramatically impact small businesses that create about 25 percent of the total workforce here in the United States.

In testimony before the Finance Committee, on which I sit, the former Director of CBO, Doug Holtz-Eakin, testified that an increase in the top effective marginal income tax rate would reduce the probability that a small business entrepreneur would add to his or her payrolls by roughly 18 percent. I suggest it may even be more than that.

What I would like to do is quote from comments from a few small business folks as to the effect of the tax increase on them. If the tax increase were to be voted on by this body and the House of Representatives and adopted into law or if the current tax rate is not extended for everyone, here is what a few small business folks say would happen to them. Some of these examples come from the Chamber of Commerce, some from the National Federation of Independent Business.

For example, Mark Clinton of Decisive Management in Little Rock, AR: Last year, he says, he paid about half his business's income back in taxes. He has a small business that meets this threshold I mentioned before, and he said any tax increase would effectively kill his business. I thought it was interesting. He gets frustrated, he said, when he hears the top-tier tax cuts referred to as tax cuts for ''the rich.'' He said:

> These are employers who work hard to balance their budgets and make ends meet. They need money to sustain their businesses. Do you want someone who is broke as your employer? No. You want someone who is able to pay their bills and pay your salary.

Here is another example of someone who says he would be hurt if his taxes are raised: Jim Murphy, from the firm EST Analytical, in Cincinnati, OH. If taxes go up above the $250,000 threshold, the bottom line of his business will suffer and he will be forced to make serious business decisions to make up for the lost income. He just recently lifted a pay freeze that has been in place for almost 18 months. His company suspended the 401(k) contributions at the same time, and that likely will have to continue into the future. So instead of potentially hiring more people, he is definitely not going to make any new hires. He said that the threat and uncertainty of health care costs going up next year is also a great concern.

> So instead of purchasing needed capital equipment and generating economic activity for other businesses, I will have to make do with what we have.

I will just mention a couple more.

Ron Hatch of Hatch Furniture in Yankton, SD, said his business, which is a furniture store, has struggled. He has seen his business fall by 25 percent. He had to close one of his two stores. His business is heavily dependent on capital, and he says any tax increase would inhibit his ability to compete and force him to lay off more workers. If the current tax rates are allowed to expire, he says he might well have to go out of business.

Steve Ferree, who owns a Mr. Rooter Plumbing in Gladstone, OR, says he has been lucky his business has been able to survive so far but that increasing his tax rates, the rate at which he pays—just what we are talking about here—would directly impact his business. He would not be able to consider hiring a new employee or buying new equipment should the tax hike take effect.

There are several from the printing industry. I will just quote from one.

Mike Nobis of JK Creative Printers in Quincy, IL, makes the point that the tax increases hurt his clients which then, in turn, hits him. He talks about the fact that his clients are having to cut back their budgets and that this has had an impact on him. He said that increasing taxes will be especially hard-hitting for his clients. As a result, he is going to continue to lose customers, and with that loss of customers combined with the tax increase hitting his own budget, he will be hit from both sides. The looming tax increase and uncertainty with forthcoming health care mandates have left him in a position where he is hesitant to take on risks and grow his business.

Another example from the printing industry: Frank Goodnight of Diversified Graphics in Salisbury, NC. Another from the real estate industry—a lot of examples there—Curt Green from Curt Green & Co. in Texarkana, AR.

Let me close with two examples that show other indirect effects.

Steve Walker from Walker Information in Indianapolis, IN, talks about one of the indirect consequences of his firm having to pay more in taxes, his small business. It is a family business. He said: We have always taken care to give back to our community in Indianapolis and central Indiana. Here is a direct quote:

> If Congress increases taxes, it will directly affect the extent of our charitable work, in addition to impacting our company's bottom line. I look at pretax dollars as a pie chart. Right now, Uncle Sam gets 35 percent. If Uncle Sam gets 39.6 percent, then 4.6 percent will come from other uses. For us, those uses are as follows: Reinvest in the business, give to charity, and meet capital obligations.
>
> Meeting capital obligations are fixed, so the impact of a tax increase will reduce the amount available for charity first and investment capital second. I have already made plans assuming that some sort of tax increase is coming.

And he talks about how that will drop his contributions to United Way, for example.

He concludes by saying:

I think Congress needs to have a much greater appreciation for the direct and indirect consequences a massive tax increase would have on businesses and the communities that we and our employees live and work in.

Finally, noting a physician who has a business in Chicago, Dr. Herb Sohn of Strauss Surgical Group makes another point not just about marginal income tax rates but capital gains and dividends as well. Remember that these taxes would also be increased under the Democrats' proposal. He says that increases in dividends and capital gains taxes will prevent his patient care business from expanding to provide quality care to more patients. He talks about having practiced medicine since the early 1970s in the Chicago area. His focus is on his patients, but he says:

Unfortunately, the impending tax increases will impair our ability to focus on patients and their care. The increases in capital gains taxes and dividend tax rates will impact our business, derailing our opportunities to expand our operations.

Finally, he notes that he is structured as a passthrough entity. And that is how a lot of these small businesses pay their taxes. That is why they are impacted by an increase in the top two marginal income tax rates. He says:

If Congress increases the marginal income tax rates, that means we will have less money to expand and reinvest in our business, which, again, is focused on patient care.

He concludes by saying:

I'm not a tax expert, but I do have a straightforward diagnosis on this issue—Congress needs to keep all the tax rates at their current levels and not slap us with a bigger tax bill.

My point is this: The American people, by a wide margin, believe we should not increase taxes on anyone. Economists, by a wide margin, agree. We should not increase taxes on anyone. And the several examples of owners of small businesses who would be the first to be impacted by an increase in the upper two marginal income tax brackets have made it very clear—every one of them—that it will have a direct impact on their ability to hire people, to expand their businesses, or to continue in business, and an indirect impact on the customers they serve, who then, in turn, would have less business for these small businesses.

All in all, it is a bad idea to even think about increasing taxes on any Americans, let alone small businesses. We should make it clear right now that these folks do not have anything to worry about; they are not going to be hit with a big tax hike.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Utah.

Mr. BENNETT. Mr. President, I had originally anticipated speaking for 15 minutes. I understand that the speaker intruded into the Republicans' time, for which I do not complain, but I ask unanimous consent that I be allowed 15 minutes even though the time would normally expire at 3 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Thank you, Mr. President. I appreciate that and the courtesy of my colleagues.

THE DISCLOSE ACT

Mr. BENNETT. Mr. President, I have two issues I wish to discuss today. The first one is one I have spoken about before, which is the DISCLOSE Act, which we are going to be voting on probably tomorrow. The last time I talked about the DISCLOSE Act, I raised the issue of the film that was made in the 2004 campaign by Michael Moore. This was an effort, very clearly, on the part of Mr. Moore to influence the election. No one could have seen that film without realizing it was a serious attempt to make sure Americans did not vote for President George W. Bush.

Well, Citizens United, a group that has political views different from Mr. Moore's, believed that the film violated the law, and they filed a complaint with the Federal Election Commission because they said it was clearly a political document, not just another movie, and it was filmed for the purpose of trying to affect the election.

At the time, Michael Moore had this to say about Citizens United and their complaint:

That's the difference between our side and their side. Even when we disagree, we are respectful of freedom of speech, but when they disagree, they try to shut you down. Well, it's unAmerican and it's wrong and people are not going to stand for it. People in this country don't like to be told they can't watch something or see something.

I can argue with Mr. Moore about whether our side really does hate freedom of speech, but the interesting point is that he insisted we have more opportunities to watch rather than less opportunities to watch and that any other position was, to use his term, unAmerican.

What did Citizens United do? They decided that rather than fight Michael Moore, they would join him, and they made a movie and they ran the movie in the 2008 election. Immediately, they were attacked for making this movie because, unlike Michael Moore, Citizens United as a group happens to have a corporate charter. They are a corporation by definition, and the complaint was, you are entering the campaign and violating the law which says corporations cannot contribute to political parties.

Citizens United took the case all the way to the Supreme Court and said: But we are not contributing to a political party; we are not violating the law against corporate contributions. We are exercising our first amendment right to make a movie and tell people what we happen to think about Hillary Clinton. Their views about Hillary Clinton were no more generous than Mr. Moore's views about President Bush.

I haven't seen either movie. I don't particularly care to at this point. The issue is, does Citizens United have the same right to freedom of speech that Michael Moore does or is the technicality of the fact that Citizens United happens to be a corporation and Michael Moore is rich enough to make his movie by himself, without a corporate form and without shareholders, mean that he can speak and they cannot? The Supreme Court said: No, we won't support that idea, that he can speak and they cannot; and as long as they are not making a direct contribution to a party—that would be a violation of the law—they have the right to make a movie and they have the right to distribute it.

Well, that is what the DISCLOSE Act attempts to do something about. We have heard complaints on this floor: Oh, it is evil and improper for corporations to speak, unless, of course, they happen to be the New York Times corporation—they can speak all they want—or the Washington Post corporation. They can speak all they want. But if a group of citizens get together, and they have some shareholders, and say, we want to speak in the political arena, they are told, no, no, no, you can't, except by the Supreme Court, which says, yes, yes, yes, you can. That is why I support the Supreme Court decision.

All right. We get the DISCLOSE Act to say that the Supreme Court made a terrible mistake but we will do everything we can to try to rectify that mistake. We are told over and over again that we are not limiting their freedom of speech; we are just going for disclosure. Then there are all kinds of aspects of the bill that go beyond disclosure, and we are treating everybody alike, except for those groups we have carved out of the terms of the DISCLOSE Act, so they won't have to comply with the DISCLOSE Act, and those happen to be the kinds of groups whose support is necessary for the people who voted for this bill in the House.

All right. Let's assume for the sake of argument that there are things in the Supreme Court decision that do need some legislative attention. Why, then, don't we have some hearings? Why, then, don't we have the bill open for amendment? I am the ranking member of the Senate Rules Committee—the committee that would receive the jurisdiction on this bill—and we have not seen it in the Rules Committee. It has not been referred to committee. There have been no hearings. There has been no opportunity for amendment. There has been no opportunity to sandpaper some of the rough places and make the bill more acceptable to people who are currently opposed to it. It is simply: It passed the House in this fashion; let's bring it to the floor of the Senate the way it passed in the House and prevent the Senate from having any impact on the way it is worded or structured.

So I am going to vote against the DISCLOSE Act for two reasons: No. 1,

I happen to believe that the Supreme Court got it right and that Citizens United has every bit as much right to produce a movie that attacks a political character as Michael Moore does. The technical fact that he does it as an individual should not change the importance of the dialog that should take place in the public square. No. 2, even if the Supreme Court decision does need some kind of legislative fix, it should be handled in regular order. We should have seen it in the Rules Committee. We should have had an opportunity to amend it, to debate it, to hear witnesses on it, to question those witnesses and have an understanding of it. For those two reasons, I intend to vote against it.

TAX POLICY

Turning my attention very quickly to the issue the Senator from Arizona was discussing which has to do with tax policy, I wish to call to the attention of my colleagues an article that appeared in the Wall Street Journal on September 21 with respect to capital gains taxation and the impact of seeing the capital gains tax rate go up on the economy. The headline of the article is ''Cap Gains Taxation: Less Means More.''

I ask unanimous consent to have the entire article printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BENNETT. I will highlight only one portion of this article in the interest of time. It is the point that is made as the final point in the article where it says:

> Higher capital gains taxes will not substantially reduce the deficit.

They point out—we have all seen it—that the higher the capital gains tax goes, many times the lower the capital gains tax revenues. Why is that? Because if you have an investment in a business or a piece of real estate and the cost of getting out of that investment is inordinately high because of a capital gains tax rate, you won't be as motivated to get your money out of that investment and put it into a more productive one as you would be if the capital gains tax were low.

We have all known that. The economic information on that has been around for a long time.

But there is another aspect to this I want to highlight; that is, the impact on jobs. The figure they use in this article is that if the capital gains tax rate went to zero, the loss to the Treasury, in terms of income, would be $23 billion a year. Oh, you may say, that is a lot of money. We can't afford to lose $23 billion a year coming into the Treasury. What impact would that have on the deficit? We would lose $23 billion a year that we need.

All right. Let's assume that the $23 billion comes in. What does this administration propose to do with it? They want to put it in the stimulus package to create jobs. They would spend the entire $23 billion as rapidly as it came in. It would go out in a stimulus effort to create jobs. The point made in the article is that by not taking in that $23 billion and leaving it in the economy, we are giving the economy itself and those people who are in the business of creating jobs $23 billion in incentives to create jobs. If I can quote the last paragraph:

> A capital gains tax reduction to zero produces new jobs at the cost of $18,000 per worker—far less than might occur from any other proposals.

In other words, if the government took in the $23 billion, and then spent it in incentives to create jobs, they would spend more than $18,000 per job than would happen if we simply left that money in the hands of the people who know how to create jobs. I am not suggesting a capital gains tax rate of zero, but I am saying let's leave it where it is, because it is the most efficient way to create new jobs in this economy, rather than have it come into the government and have the government hand it out in ways that are proven to be less effective in the creation of new jobs than the reality of the economy working on its own.

Those are my two messages, and I appreciate the opportunity of sharing them today. No. 1, let's defeat the DISCLOSE Act. No. 2, let's leave the tax program where it is, because that is the most efficient and effective way to create new jobs, and new jobs is what we want and need in this economy more than anything else.

I yield the floor.

EXHIBIT 1

[From the Wall Street Journal, Sept. 21, 2010]

CAP GAINS TAXATION: LESS MEANS MORE

(By Allen Sinai)

Congress is deliberating on what to do about the ''Bush tax cuts''—the reductions in income, capital gains and dividend taxes legislated in 2001 and 2003—currently set to expire at the end of this year. The recession may officially be over, but what Washington does on tax policy still matters for an economy that's creating very few net new jobs and is stuck with an unacceptably high unemployment rate and record-high federal budget deficits of over 9% of GDP.

Capital gains taxation is one area in which lawmakers can help jump-start the economy. Capital gains tax rates for taxpayers in the top four income brackets are set to move higher in a few months. My new study, ''Capital Gains Taxes and the Economy,'' published this week by the American Council for Capital Formation, shows that the net effect of lower capital gains taxation is a significant plus for U.S. macroeconomic performance.

The study simulated reductions and increases in capital gains taxes starting in 2011 and extending to 2016 to estimate the effects on economic growth, jobs and unemployment, inflation, savings, the financial markets and debt.

Here are a few of the relevant findings:

Hiking capital gains tax rates would cause significant damage to the economy. Raising the capital gains tax rate to 20%, 28% or 50% from the current 15% would reduce growth in real GDP, raise the unemployment rate and significantly reduce productivity. These losses to the economy outweigh any gains in tax receipts from the increase in the capital gains tax rate.

For example, at a 28% capital gains tax rate, economic growth declines 0.1 percentage points per annum and the economy loses about 600,000 jobs yearly. If the capital gains tax rate were increased to 50%, real GDP growth would decline by 0.3 percentage points per year, and there would be 1.6 million fewer jobs created per year. At a 20% capital gains rate compared with the current 15%, real economic growth falls by a little less than 0.1 percentage points per year and jobs decline about 231,000 a year. Smaller increases in the capital gains tax rate have smaller effects on the economy, but the effects are still negative.

Lowering capital gains tax rates would help grow the economy and jobs. My study found that when capital gains taxes are reduced to below 15%, the after-tax return on equity rises, stock prices increase, household wealth rises, consumption moves higher, and capital gains can be realized. Capital gains tax receipts to the government increase and household financial conditions improve to provide a healthier basis for future consumer spending.

My study also found that a reduction in the capital gains tax rate to 5% from 15% raises real GDP growth by 0.2 percentage points per year, lowers the unemployment rate by 0.2 percentage points per year, and increases nonfarm payroll jobs by 711,000 a year. Productivity growth improves 0.3 percentage points a year.

Taken to its logical conclusion, moving to a zero capital gains tax rate would have an even bigger effect, increasing growth in real GDP by over 0.2 percentage points per year and approximately 1.3 million additional jobs per year.

Higher capital gains taxes will not substantially reduce the deficit. The net impact on the federal budget deficit of a reduction in the capital gains tax rate to 0% is a decline in tax receipts of $23 billion per year after the positive effects of stronger economic growth on payroll, personal and corporate income taxes are taken into account. This is significantly less than the $30 billion per year static revenue loss estimate, which does not include feedback effects. A capital gains tax reduction to 0% produces new jobs at a cost of $18,000 per worker, far less than might occur from many other proposals.

The bottom line is that any capital gains tax increase is counterproductive to real economic growth. To the contrary, a reduction in the capital gains tax rate would be a pro-growth fiscal stimulus that creates new jobs and new businesses, funds entrepreneurship, reduces the unemployment rate, increases productivity, and in the long run brings in more payroll taxes. In the case of capital gains taxation, less means more.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I take this time to talk about an issue that came up frequently during my townhall meetings in Maryland in August, and that subject dealt with campaign finance reform and what we need to do to restore public confidence in our election system.

I must tell you, there wasn't a single person in Maryland who told me that we needed more special interest corporate spending in elections. There wasn't a single person who told me there is too much disclosure of information as to where contributors come from. It was the reverse. People in

Maryland believe there is too much special interest money in our campaigns. They believe they have a right to know where all campaign contributions and expenditures come from. They want true campaign finance reform.

The interesting thing is that we know how difficult it is to pass campaign finance reform legislation. I was part of the Congress that passed, in 2002, the bipartisan Campaign Reform Act. It wasn't easy to get it done, and it was a bipartisan bill. We made strong headway in that legislation to restrict corporate money. I must tell you, I think the public appreciated the efforts that were made, appreciated that it was bipartisan, and knew we did make progress in limiting what corporations can spend in Federal elections. Corporations can participate. They can have their employees work for political action committees. But it is very transparent, open, and it is limited, so that we have some control of the amount of special interest money coming into our Federal elections.

Then comes Citizens United, the Supreme Court case that reversed the actions of Congress, that reversed the 2002 bipartisan Campaign Reform Act. It was a decision—5-to-4—by the Supreme Court, where the so-called—and I use this term gently—conservative Justices, who, in my view are the most judicial activists, reversed precedent and congressional action and expanded what corporations can do in Federal elections.

I was listening to Senator BENNETT talk about how unfair it was that a documentary was treated differently. Well, as Justice Stevens said in that case:

> Essentially, five justices were unhappy with the limited nature of the case before us, so they changed the case to give themselves an opportunity to change the law. There were principled, narrow paths that a court that was serious about judicial restraint could have taken.

They could have dealt with the issue Senator BENNETT talked about. But, no, instead they opened the door completely for corporations to spend money in Federal elections.

Let me quote from Public Citizen Congress Watch. Their research director Taylor Lincoln said:

> The Supreme Court has completely lifted restrictions on corporate spending on elections.

That is moving in the exact opposite direction the people of this Nation want us to move in, dealing with campaign finance reform—reversing the actions of Congress and indeed their own decisions. This wasn't the first time. I can give you a lot of chapter and verse how the so-called, again, judges who are supposed to be conservative have been judicial activists. They did that in the Lilly Ledbetter case. In that case, they reversed previous precedent and made it virtually impossible for a woman to be able to bring a case based on gender discrimination in the workforce. We took that Supreme Court decision and the Congress did the right thing. We made sure that the intent of Congress was carried out. We passed a bill to give gender equity and opportunity to bring an effective suit if one is discriminated against in the workforce.

We need to do the same thing on campaign finance reform. The Supreme Court has acted. I disagree with their decision. Now Congress needs to act in order to restore some confidence with the American people. I applaud Senator SCHUMER in his efforts to bring forward legislation—the DISCLOSE Act—and this bill is consistent with the Supreme Court decision. I disagreed with the Supreme Court decision. I don't believe corporations are equal to individuals, as far as spending money and contributing in a campaign. But we will debate that issue on another day. That is not what this bill does. It does something I thought virtually every Member in this Congress agreed on, which is that the public has a right to know who is spending money in a campaign—to disclose where you are spending money, where it is coming from.

If you, as a candidate for the Senate, put an ad on television, you have to identify that it is your ad. The public has a right to know who is responsible for the money being spent on the ad being put on television. That is not true under Citizens United. Corporations can now spend money without accepting responsibility for the ad, and without the public knowing the source of the ad. That is plain wrong. We have an opportunity to correct that, consistent with the Supreme Court decision. This is not about trying to reverse the Supreme Court decision. I would like to do that, but that is not what this is about. This is about making sure the public knows who is spending money in a campaign. I thought everybody agreed on this.

Let me quote from the leaders of the Republican Party in the House and Senate. Senator MCCONNELL said:

> Public disclosure of campaign contributions and spending should be expected so voters can judge for themselves what is appropriate.

Our Republican leader was right on that.

House Republican Leader BOEHNER said:

> I think what we ought to do is we ought to have full disclosure. I think sunlight is the best disinfectant.

I can quote lots of Democrats and lots of Republicans. Quite frankly, I don't know Members who are against disclosure. Yet some of my colleagues will be voting against it. To me, it is hard to understand why, when this bill is narrowly focused and its principal objective is to make sure voters know who is spending money in an election. Does it do other things? Yes. I didn't think there were objections to the other provisions, such as making sure foreign corporations cannot contribute. Well, you know, I thought that is what we all agreed on. Government contractors—restricting what they can do. It is consistent with the Supreme Court decision, where eight of the nine Justices acknowledged that it would be OK for Congress to enact legislation concerning disclosure.

So I come back to our responsibility. We are not on the Supreme Court of the United States. That is not our responsibility. Our responsibility is to enact laws. Our responsibility is to respond to the needs of this Nation, to respond to what our constituents want us to do. Quite frankly, our constituents want us to take up campaign finance reform. They want us to do a lot more than just the DISCLOSE Act, when it comes to campaign finance reform. I am one of those who supports public financing of campaigns.

I think it would be far better for the people of Maryland and this Nation to have less special interest money financing campaigns. I think it would be better to have some public way in which they can know the candidates running. I think we should require our networks to provide air time for debates. That is not today's debate, but it is whether we can move the ball forward on campaign financing that makes sense. In other words, let's not move backward. Let us do what the Supreme Court told us we can do in regard to corporate spending.

Let's do what Members of this body have said we should do, and that is require that we disclose the source not only of those who contribute to our campaigns but those who spend money on behalf of getting us elected or defeated. We have a right, the voter has a right to know that. Those who are responsible for the act should have the courage to disclose the moneys they are spending and take responsibility for the ads they produce.

I could go on with additional information that we have—some of these organizations that are organized under the Internal Revenue Code. I can show you that we are not going to be able to have adequate enforcement of that. One thing we can do, which I hope we can agree on, is to pass the DISCLOSE Act so the public has the information to judge who is getting involved in our campaigns, and then I hope that Democrats and Republicans can join to make sure the integrity of our election system is strengthened.

Confidence in government depends upon the people of our Nation believing that our elections are open and fair. We spend a lot of time in other countries making sure their election process is right. We need to do a better job here in America. It can start this week by allowing us to debate the DISCLOSE Act. Let's not hide behind the filibuster. Let's bring it forward and have the debate on the floor, and let us respond to our constituents. They have the right to know who is spending money in this election.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, I am honored to follow my distinguished colleague from Maryland, who has such great legislative and elective experience and speaks with such passion and energy about this issue. I share his concern, and I rise today to speak about a type of corruption in the political arena. What type of corruption in the political arena am I talking about?

I am talking about the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate forum and that have little or no correlation to the public support for the corporation's political ideas, wealth that can unfairly influence elections when it is deployed in the form of independent expenditures.

Sounds like tough talk to call that a type of corruption in the political arena and describe it in those terms. But those are not my words. Whose words are they? Those are the words of the U.S. Supreme Court. The U.S. Supreme Court said:

> State law grants corporations special advantages—such as limited liability, perpetual life, and favorable treatment of the accumulation and distribution of assets—that enhance their ability to attract capital and to deploy their resources in ways that maximize the return on their shareholders' investments.

That is what they are for, and that is what they should do. But the Supreme Court continued:

> These state-created advantages not only allow corporations to play a dominant role in the Nation's economy, but also permit them to use ''resources amassed in the economic marketplace'' to obtain ''an unfair advantage in the political marketplace.''

That was the law of the United States of America. That law was precedent when our Chief Justice stood before our Senate Judiciary Committee and promised, under his oath before that committee, that he would honor precedent. Not only that precedent, but it relied on earlier Supreme Court precedent.

This Court, Justice Marshall writing, quoted the Massachusetts Citizens for Life decision, a previous Court, and said, as the Court explained in Massachusetts Citizens for Life, the political advantage of corporations is unfair because ''[t]he resources in the treasury of a business corporation . . . are not an indication of popular support for the corporation's political ideas. They reflect instead the economically motivated decisions of investors and customers. The availability of these resources may make a corporation a formidable political presence, even though the power of the corporation may be no reflection of the power of its ideas.''

When Chief Justice Roberts, under oath before the Senate Judiciary Committee, promised that he would honor the precedent of the United States of America, this was not only precedent, it was precedent within precedent. It was the established law of the United States of America, that corporate expenditure in elections was a type of corruption in the political arena.

But they could not resist. They could not resist, and by a 5-to-4 decision—one of an array of 5-to-4 decisions by which a narrow partisan majority of our Supreme Court has taken the law and moved it as far as it could—they changed the law of the United States. They knocked down this standing precedent in order to open the floodgates of American elections to corporate money.

Let me interrupt myself for 1 minute. When I say ''moved it as far as it could,'' I mean these decisions on these massive issues—issues of great importance to our country, issues of vast consequence in our elections—do not need to be decided 5 to 4. A Court that had a real interest in modesty, in conservatism, could look for a broader majority to try to build consensus for the rule that it was announcing. Of course, if they tried to build that broader consensus, they would not be able to take as big a political leap. This is a Court that over and over will take the big political leap at the cost of, I think in the long run, the Court's credibility, but in the short run of building a precedent that has lasting value because it has a significant majority behind it.

Other big decisions of the Court—Brown v. Board of Education for instance—were unanimous. Here, once they have their majority, that is all—that is enough. Then they are willing to move.

Who did they open the floodgates to when they did this? Let's see who has been opposing our bill to try to at least make public what corporations are taking advantage of. Roll Call reported back in July that ''the bulk of corporate outreach on the campaign finance bill''—that is the bill we are trying to get to, trying to correct this Citizens United decision, trying to protect our elections from being flooded with corporate money—''the bulk of corporate outreach on the campaign finance bill was done primarily by companies based outside the United States but that have substantial operations here.''

That is great. The lobbying on whether corporations get to control our elections is being dominated by multinational corporations based outside of the United States. American citizens' voices are going to be drowned out by corporate money based on lobbying from corporations that are not even American corporations.

Roll Call continues: ''According to Senate filings, large international firms reported lobbying Members—or hiring others to do so—on the DISCLOSE Act''—the bill we are on—''in recent months. . . .'' They include Sony and Honda. How fortunate for General Motors to have the electoral process controlled by lobbyists for Honda. The financial firm, UBS, a Swiss bank—that is what we need. The views of a Swiss bank are clearly important to American elections and should certainly drive them and, therefore, let the corporate money flow. That makes great sense. A Swedish drugmaker, Novo Nordisk—that is where the money is behind this.

Where does it go? It goes to Karl Rove's group—like he has not already done enough damage to this Republic—American Crossroads, which hopes to spend $50 million in this election, according to the New York Times, supported by the American Action Network, which is planning to spend $25 million in concert with the U.S. Chamber of Commerce, which is spending $75 million, all reported by the New York Times, along with other groups: Americans for Job Security, the American Future Fund.

Let me ask, if you see an advertisement on television that slams a political candidate, that trashes him on some issue, and it is brought to you by Americans for Job Security or the American Future Fund, you, as a citizen trying to evaluate that advertisement, what information does that give you? I suggest it does not give you very much information at all.

ExxonMobil could buy American elections. The entire Presidential election between President Obama and Senator MCCAIN, adding up the spending on both sides, cost about $1 billion. ExxonMobil makes that every week.

These big multinational corporations can drown out American citizens' voices, and it barely makes a dent in their bottom line. They can buy American elections through what the Supreme Court said, until this active, radical group on the Supreme Court pushed this decision through 5 to 4, with the precedent of the United States, was a type of corruption in the political arena. That was the law of the land, not just in one decision but repeatedly. Now that can happen, thanks to that decision. And American citizens will be swamped by these big corporations.

Is it a coincidence that 85 percent of the spending so far in this election has been on behalf of Republicans? There is a phrase in politics: You are supposed to dance with the guy that brung ya. But I tell you what, when you take the oath as a judge, that principle should be dispensed with and discarded. You should take on new duties that go beyond loyalty to any political party.

Nevertheless, this Court has opened the corporate floodgates so that international corporations can come in, drown out American voters, buy up American elections, and what was law before, a type of corruption in the political arena and 85 percent of the spending by the big corporations is on behalf of Republicans—I am sure that is just a coincidence.

To the contrary, we often hear my colleagues on the other side say: Unions do just the same thing. When you see that advertisement on television attacking a political candidate, and it says at the bottom—let's pick our most active union, the Service Employees International Union—it says

Service Employees International Union, you have a pretty good idea who that is. You can find them in the phonebook. You probably know somebody who is a member. They are active in the community. It is no mystery. But how about American Future Fund? The way this is set up right now, ExxonMobile could take its billions of dollars and start laundering that money through shell organizations and shell corporations. By the time the slammer ad gets put on television attacking a political candidate—it could be Americans for Peace and Puppies, as far as we knew—and nobody would have the time in the hectic last days before an election to figure out who it is who is really behind these attacks.

That is no way to run an election. That is no way to run a democracy. That is not transparent. These corporations are not even humans. What they are doing, involved in these elections on this scale, is unimaginable. What it does is it amplifies the political voice of CEOs dramatically.

The great thing about American democracy is that you and I and the pages who are here, when they are old enough to vote, and the police officers outside and the fellow driving by in the taxicab on Constitution Avenue, every American has a vote that counts the same. If you are the CEO of a big corporation, not only can you do your own politicking, but you can take that amassed treasury of wealth with what the Supreme Court called ''the amassing of large treasuries warrants the limit on independent expenditures,'' and you can spend it to push your own views and to drown out your neighbors, your friends, people who oppose you—anyone—with immense amounts of anonymous political spending.

I do not think that is right. I think that is a mistake. Justice Stevens had it right in his dissent in the Citizens United case. He said this:

> At bottom, the Court's opinion is thus a rejection of the common sense of the American people, who have recognized a need to prevent corporations from undermining self-government since the founding, and who have fought against the distinctive corrupting potential of corporate electioneering since the days of Theodore Roosevelt.

Justice Stevens continued:

> It is a strange time to repudiate that common sense. While American democracy is imperfect, few outside the majority of the court would have thought that its flaws included a dearth of corporate money in politics.

So if you want the government of the United States of America—this great and sovereign Nation, this light of democracy in the darkness of this world, this government of Washington, of Jefferson, of Madison, of Roosevelt, of Lincoln—controlled by the same people who brought you a 30-percent interest rate on your credit card, well, the DISCLOSE Act is not for you because they will not be able to do it anonymously if this bill passes.

If you want the government of our country controlled by the insurance companies that took your child off the insurance when he got sick, that wouldn't provide coverage because he had a preexisting condition—if those are the people you want controlling the government—you don't want this bill because you want them to be able to fund these anonymous organizations with no consequence, with no transparency.

If you want our government controlled by the people who brought you the gulf oilspill and who are polluting our atmosphere with carbon day in and day out in ways that are changing our world as we watch it, this bill ''ain't'' for you because this bill wouldn't allow them to do it sneakily, anonymously, unlimitedly.

If you want this government controlled by the big corporations that are taking American jobs and making the American worker pack up the machinery they have worked on into shipping crates to be shipped overseas, where a foreign worker will be hired to make that same product, which will then be brought back into America—if they are the folks you want controlling our government, anonymously, through money and expenditure—the DISCLOSE Act is not for you.

But let me tell you, if you are a regular American, who thinks everybody should have a fair voice at election time, who doesn't want to see our American elections drowned out by lobbyists for international corporations, by huge corporate expenditures that aren't even traceable back to the corporation but that come through phony-baloney organizations with names that sound like ''The Make America Great Foundation''—if that is the kind of politics you want to put an end to—if you want to see real issues debated by real people, this DISCLOSE Act is important.

This isn't just about fairness in one election. This isn't just about a Supreme Court that handed to one political party a gigantic corporate checkbook that had previously been illegal and tells them: Get out there and spend, it is fine. Get out there and spend anonymously, it is fine. If you are an international corporation—if you are not even an American company—get out there and spend, we don't mind. Every day we make choices about whether corporations or people are going to have the upper hand in this society. Our Supreme Court just gave corporations the upper hand, and we have to fight back because it is not just about who wins this election, this is about a democracy that has been through over 200 years of stress and strain. This is about an idea the Founders put together that was unheard of at the time. It was radical, it was exceptional, and it created a society that has shown a light in this world that is brighter than any other government in the history of humankind.

This government has lasted through Civil War and world war, through depression. It has lasted through every kind of stress. Its value is, as probably our greatest President said, very simply, that it is a ''government of the people, by the people, for the people.'' Our purpose is that it not perish from this Earth. This is not a government of the CEOs, by the big corporations, and for their shareholders. It is not an anonymous government where you don't know who is on the air with millions of dollars in advertisements slamming away. It is not a government where a candidate would be embarrassed to have a big corporation on their side that laundered their money through corporate screens so when it finally appeared in the waning days of the race it was all phonied up with a name such as ''Americans For Peace and Love'' or whatever the group is going to be called. That is not what America is all about.

So this may seem like a small issue about reporting of corporate expenditures, but I would submit that when corporations make more in a week than an entire U.S. Presidential election costs and they can throw that kind of money around, there is a lot at stake in trying to make sure American elections are honest and honorable ones. To allow the big corporations, even the international corporations, to continue to spend unlimited amounts of money in our elections, with no reporting requirement, with the ability to launder through phony-baloney shell organizations before people see it, the risk of damage is very great.

So I know it is easy for me to say, because the money is coming in 85 percent against Democrats and for Republicans, and it looks like this is what that is about, but it is not. It is about making sure that a government of the people, by the people, and for the people does not perish from this Earth.

I thank the Presiding Officer, and I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that morning business be extended until 6 p.m, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, 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. LEMIEUX. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Florida.

TAX RELIEF

Mr. LEMIEUX. Mr. President, we are having difficult times in this country, difficult times in my home State of Florida—the highest unemployment

anyone can remember, nearing 12 percent. Florida, unfortunately, is No. 1 in mortgage foreclosures in the first half of the year; No. 1 in being behind in its mortgage payments. Our people are struggling. Our small businesses are struggling. People are struggling to make ends meet. As we face this very difficult time it is natural that the people of my State and the people around this country would look to their leaders in Washington for help.

Certainly government cannot solve all problems. But we here in government do not want to make the problems any worse. Right now we are on the verge of raising taxes on the American people. Tax cuts that were imposed in the last 10 years are set to expire if this Congress fails to act by the end of the year. What is this going to mean to the average Floridian, to the average American, if their taxes go up? It depends upon where you find yourself, in terms of how you pay your taxes. We know the tax brackets are going to increase. For example, the 10-percent tax bracket would disappear and those taxpayers would move up to the 15-percent bracket, capturing all those with incomes below $34,550. It is not just going to affect the people at the upper end of the tax scheme but it is going to affect everyone. When people are having a difficult time making ends meet, to have to pay more in taxes is exactly the wrong thing to do.

Some have said let's extend the tax cuts for those who are in the lower brackets and let's increase those who are at the higher brackets. The problem with that is you are again hurting this economy because we know that people who pay in the higher brackets are job creators. In fact, many of them are small businesses. In our country, small businesses often file as if they were individuals. Subchapter S corporations file as if they were individuals. By not continuing these tax cuts, by raising taxes in the middle of the recession, as many as three-quarters of a million small businesses in this country would have their taxes increase.

I was talking to some folks in Pensacola last week. The gentleman I was speaking to told me the story of a businessperson who related that he is being laid off at his job. The reason he is being laid off is his employer told him when his taxes go up he is not going to be able to afford to keep that employee on. When you raise taxes on small businesses you hurt job creators, exactly the wrong thing we should be doing in this very difficult time.

Instead of tackling issues that could help people get back to work, my friends on the other side of the aisle here are debating a campaign issue, a political issue about alleged campaign finance reform. Where is the initiative to try to put Americans back to work? Where are the offerings from my friends on the other side to get Americans back to work so we can get out of this very difficult economy? We on our side have proposed things such as cutting the payroll tax. If we cut the payroll tax 3 percent, every employee in America would get a 3-percent pay increase. Every employer would have 3 percent more they could use to buy a new piece of equipment or hire a new employee. That is the kind of policy this government could do to get people back to work.

Instead, we passed a $1 trillion health care plan that we found out today is going to require 80 percent of small businesses to change their health care offerings—probably more expensive. So that promise, ''If you liked your health care plan, you can keep it'' is going to ring hollow. We passed the financial regulation reform bill that is causing people in Florida to wonder whether they should move their businesses overseas. We passed huge forms of regulation—more bureaucracy, more spending. What is it doing to job creation? It is freezing it. When I go home to Florida and talk to businesses, they say: I don't know what government is going to hand me next. I don't know if I hire that 25th or 50th employee if I am now going to be fined for not having the right kind of health care. I don't know what is in that 2,000-page financial regulation bill. I don't know what is in that 2,000-page health care bill. What does it mean for my small business?

We have frozen American business, especially small business, which creates two out of every three jobs in this country, with too much bureaucracy, too much spending, too much borrowing, and too much debt.

That goes to another important point about my friends on the other side of the aisle trying to raise taxes in the middle of a recession. This government does not have a revenue problem. This government has a spending problem.

I came to the Senate a year ago, appointed to serve the people of Florida, 18.5 million Floridians. When I came to the Senate on September 10 of last year our national debt was just shy of $12 trillion—$11.7 trillion. The national debt today is $13.5 trillion. We have gone more than $1.5 trillion in additional debt in 1 year. It took 200 years for this country to go $1 trillion in debt. Why on Earth should the American people sacrifice more of their hard-earned money to give this body more money it is going to waste?

The American people have no confidence that we have any ability in Congress to spend their money wisely. They are right about that. That is why they are so angry, and they have a right to be angry—another $1.5 trillion in debt. These numbers are so enormous it is hard to get your brain around them. A trillion dollars is $1,000 billion. I tell folks when I meet with them, if you took $1 bills and laid them out on the ground, $1 million would cover two football fields; $1 billion would cover Key West, FL—3.4 miles square of $1 bills blanketing the ground. A trillion dollars would cover Rhode Island—twice. This is an enormous amount of money.

If you look at the 2009 budget, the 2010 budget, the 2011 budget—each one of them is about $1.3 to $1.5 billion in debt. That is more than $4 trillion debt in 3 years.

We cannot afford the government we have, let alone the government that some in this Chamber want. We need to do a much better job of spending the money we are spending now. But this body does not budget. We go through some procedure that is called budget but what we do is take last year's budget and add to it. No one goes into the agencies of government and says, Are these agencies spending their money efficiently and effectively? No one checks to see if every dollar spent is spent wisely. We are not jealous with the American people's dollars, we just spend them.

Most don't know what we spend them on. Most don't know what those dollars are for. That is because we do not balance our budget. We do not do what American families do when they sit around the table in a difficult economy and say: You know, we are not going to be able to take that vacation this year; or, You know, maybe our daughter cannot have those piano lesson; or, Maybe we have to put the braces off until next year. The hard decisions Americans are making right now are not being made in this Chamber. We are spending more and more of your money, so why on Earth should we take more of your money and give it to government when it is not being spent wisely?

The next generation's future is in jeopardy. If we continue to spend the way we are spending, the debt and deficit will be out of control. Right now we spend $200 billion a year on interest alone—paying for the obligations we should not have incurred in the past. That will turn to $900 billion by 2020 when the projected debt for this country will be $25 trillion. My friends, if we are $25 trillion in debt and we are spending $900 billion a year in interest payments, this government will not function.

This is not just a problem for our kids; this is a problem for us. This problem is going to visit us in the next 2 to 5 years. Washington does not have a revenue problem. Washington has a spending problem. Let's get about the business of getting Americans back to work. If Americans are back to work, there will be more people paying taxes, there will be more revenues. Let's get about the business of balancing the budget and spending money on things that are efficient and effective.

This body should not budget and spend money every year. We should do it every 2 years. My colleague Senator THUNE has proposed that. Let's spend the other year on oversight making sure your money is spent wisely. If we are required to balance the budget, we will actually look in these agencies and see if they are spending your money wisely. If we do those two things, we can save America. So let's get about that business. Instead of

talking about increasing taxes on small business and individuals, let's cut the payroll tax. Let's give employees a pay raise and employers a chance to hire new employees and buy equipment. Let's pass the free trade agreements with Colombia, with Panama, and South Korea. We know those agreements will create more jobs, especially in a State such as Florida. Why have they not been sent to the Congress for approval? My friends on the other side of the aisle like to talk about job creation, but none of the measures that is coming to the floor of this body, or very few, have anything to do with getting Americans back to work.

Today we are missing another opportunity as this body debates alleged campaign finance reform instead of caring about what the American people care about and that is creating jobs.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WOMEN'S EQUALITY

Mr. ENZI. Mr. President, one reason I am proud to be from the great State of Wyoming is that our State is the land of many firsts. We have the first national park, which is Yellowstone National Park. We have the first national monument, which is Devils Tower, and we have the first national forest, which is the Shoshone National Forest, just to name a very few.

But another huge milestone and important first for our State is that we were the first State to give women the right to vote. We are pioneers in more ways than one out West. That is how Wyoming got its nickname, the Equality State.

I rise to talk about an important anniversary that our country recently celebrated. August 26 was Women's Equality Day, marking the 90th anniversary of women gaining the right to vote. Of course, that is 50 years after Wyoming's special vote. We just celebrated 140 years since Louisa Swain became the first woman in the world to vote.

When the Wyoming territory was being considered to be a State, we were told to repeal women's right to vote. Our legislators said: No thanks. It is not worth that to be a State. Wyoming stood first and, of course, the rest of the country followed suit five decades later.

The ratification of the 19th amendment to our Constitution was a landmark in our need to recognize the voices of women and welcome their contributions to our country. Women have always offered a wealth of knowledge and spirit, and the 19th amendment showed our commitment to continually fight for women's equality.

In Wyoming alone, we have been graced by women's accomplishments from past to present. Wyoming had the first female justice of the peace in the United States, Esther Hobart Morris. We had the first woman to head up the mint. In fact, she is one of the few female statues displayed in the U.S. Capitol today. Wyoming also welcomed the first woman to serve as Governor of a U.S. State, Nellie Tayloe Ross.

Today, we are continually impacted and influenced by strong women in our State. I am honored to serve in Wyoming's congressional delegation alongside U.S. Representative Cynthia Lummis, who took the reins from her predecessor, Barbara Cubin, and has been a remarkable leader for Wyoming. She has served Wyoming in a variety of roles, as a lawyer, a rancher, a legislator, and State treasurer, now U.S. Representative. Now in her role in the House, she continues to do an outstanding job serving her constituents and fighting for their interests in Congress.

It is clear there is no shortage of women looking to stand and make a difference in this country. I am optimistic that we are continuing down a path that looks out for women's best interests and seeks to provide them with more and more venues to have their voices heard and resources known.

Women serve as a pillar of strength in our country. I am proud to recognize the 140th year of Wyoming women voting, and this 90th anniversary of women in the rest of the United States gaining the right to vote and look forward to continually welcoming their contributions and achievements.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN.) The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I understand we are in morning business to speak for up to 10 minutes.

The PRESIDING OFFICER. The Senator is correct.

DISCLOSE ACT

Ms. LANDRIEU. Mr. President, I have come to the floor to speak, as many of my colleagues have today, on the DISCLOSE Act, which is being sponsored by Senator SCHUMER, primarily, and other Members of the Senate, to try to fix and make significant adjustments to an area of law that is very important to many Americans and actually is at the basis of the operation of our democracy.

Many of my colleagues have come to the floor to express their concern about the importance of fixing this, and the DISCLOSE Act is how many of us intend to try to get something fixed that needs to be fixed. No matter if you are a Democrat or Republican, conservative or liberal, or if you are a progressive or a centrist, I think you think it is right to be honest. I think that is a principle everybody can agree to, to be honest and to be forthright and to be truthful and to have been aboveboard.

The problem, as you know, with the outcome of the Court case has to do with the way we run our elections. If we do not fix this, we are going to be in a situation in this democracy where people can spend unlimited amounts of money in a secret way. That is the problem. It is not that corporations can do it or labor unions can do it or conservatives or liberals, it is that it can be done at all in secret.

I do not think Americans want this. I know the people I represent do not want this. They want to have an honest debate. They want to have an open debate. They want people to stand and say: Hi. My name is Joe. My name is Jane. This is my position. This is my position. Debate it. Then people can vote. The problem, if we do not fix this Court case, is that you will never know who is saying what, and that is not right.

That is akin to walking out into the school yard and getting hit from behind and you do not even know who hit you and no one will tell you. How can you fight someone you do not know? How can you participate in something like that? So this loophole has to be closed. I think, and most people in my State believe, that elections should be open, should be honest, should be transparent. Corporations can participate, labor unions can participate, big companies, small businesses. But you do need to disclose who you are in a report.

I have an article from the Washington Post. I wanted to have it blown up, but we had difficulty. I will try to explain it, and I will hold it up so maybe the cameras can see it. This says in the last cycle in 2008, 117 entities reported donations, and there were 372 that didn't. That ratio is about one-third reported, and the other two-thirds did not. The trend is going in the wrong direction. More people are participating but not saying who they are so nobody knows. The report for this year, 2010, is already a ratio of 1 to 6. So we are not even into the end of this election cycle. We are getting close to it. The ratio is 15 have been reporting, 85 haven't, which means about only 1 in 6. It is all becoming secret.

I don't think that is right for our people. I think our people should know who is saying what, what money is behind what ad so it helps them understand better the arguments and why they might be seeing such ads.

I have a real problem, and I will give an example. The Presiding Officer may have this problem in Minnesota. We have a big problem in Louisiana and Florida with Chinese drywall. This product came in from China, and it is rotten. When people put it in their house, they get sick. Their kids get sick. Their copper piping starts rotting. It is horrible. Our people had

their homes flooded, and we had to gut their homes. We didn't have enough drywall in the United States so we started needing it so much, it came from lots of other places. Some of it is really bad.

So a couple of us have a bill that says: Don't send us any more rotten Chinese drywall. We are going to try to pass that bill.

I think my constituents would like to know, if they see an ad on television saying how great drywall is, these ads that say this is a fabulous product, tell Senator LANDRIEU to support this product, I think my constituents would like to know if that is actually the Chinese drywall company that is behind that product telling them not to vote for me because I am trying to protect them from this company. That is one example, but I could give 100 examples. I am not saying the Chinese drywall company that sent us rotten drywall should not advertise, although I don't think foreign companies should be advertising in elections in America. But let's say it was an American company that sent us this bad drywall. If they want to argue against a bill, fine. But at least let people know that is what they are doing. If it is a labor union advocating for something, let people know.

That is why I support the Schumer bill. That is why I support the DISCLOSE Act. That is why I think most people in Louisiana support it. They might make up their minds, but they would like to know who is paying for the ad. That is all this bill does.

I know there have been some friends from the other side who have come down and tried to convince the Senate that we don't have to tell people, that we should have all of our elections in secret. I think democracy is best served when people are educated, intelligent, and informed about all aspects. Let them make their own judgments. We live or die by that; we are either in office or we are not.

I wished to express my support. I hope we vote on it tomorrow. I wish we could get 60 votes in the Senate. It is mind numbing to me and mind boggling that we couldn't have a handful of Republicans stand and say they too believe we should have honest and open elections. It is not about corporate money or union money. It is not about trying to block corporate money or increase union money or block union money and increase corporate money. It is just about disclosing the money from wherever it comes and having reasonable limits that are fair to everyone. I don't think that is too much to ask. That is basically all this bill does.

I support cloture and ending the debate on something we don't have to take that long to understand. It is pretty clear. One is either for transparency or not, for disclosure or not, and we fought fairly for everyone.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. RISCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

(The remarks of Mr. RISCH pertaining to the introduction of S. 3825 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. REID. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, when I was home in New Hampshire over the recess, I had the opportunity, as I am sure the Presiding Officer did, to see all of the television ads that are being run by various candidates and special interest groups. Already—again, I am sure this is true in Minnesota and it is true across the country—because of the Citizens United decision by the Supreme Court, a decision many of my colleagues talked about earlier today, the airwaves in New Hampshire were flooded with ads from essentially anonymous, unaccountable special interests. I think the question we all should ask and certainly voters across this country should ask is, Who is really paying for these ads? Voters don't know. Sure, the ads give the special interest groups great mom-and-pop, apple pie-sounding names, but voters today have no way of knowing who is funding these groups and who is really putting up the money for these ads.

Personally, I think there is too much money being spent on elections these days. During the 1990s when I first ran for election in New Hampshire for the State senate and then for Governor, in New Hampshire we had a voluntary spending cap law. I think the law worked extremely well in limiting the amount of money candidates could raise and spend. Under our State law, a candidate who didn't want to voluntarily limit campaign spending had to obtain a certain number of signatures from voters or pay a higher fee to get on the ballot. And when that law was in effect, almost every candidate chose to abide by the voluntary spending limit. That had two very positive effects. First, candidates could spend less time raising money and more time talking to voters about the issues they faced. Second, a candidate needed to rely more on volunteers to help get their message out because they didn't have as much money to spend on ads and staff. You also became very efficient at how you spent your money—something that I think is helpful when you get into elective office. Now, unfortunately, New Hampshire's voluntary spending cap law was struck down in a decision very similar to the Citizens United Supreme Court decision.

When I look back at my three campaigns for the State senate in New Hampshire, I spent about $20,000 each time. Fast forward to today and the impacts of repealing that law by the Supreme Court in New Hampshire, and today candidates routinely raise and spend about five times that much. In my campaigns for Governor, I raised and spent about $1.25 million to $1.5 million based on what the campaign spending law was that year. Today, in New Hampshire, serious candidates for Governor raise and spend several times that amount.

Now, because of the Citizens United decision, we can no longer limit the amount of spending by special interests on Federal elections. But what we can still do and what we should do is require these anonymous groups to disclose who is funding their ads. That is exactly what the DISCLOSE Act does. It also prohibits foreign corporations from spending money to influence American elections.

I think unlimited election spending by anonymous groups and potentially foreign corporations poses a real threat to our democracy. This should be a bipartisan issue. For years, it was.

As the Presiding Officer knows, because I have heard him talk about this, back in 1997 the minority leader said—this is back in 1997, so over 10 years ago—that ''public disclosure of campaign contributions and spending should be expedited so voters can judge for themselves what is appropriate.''

Then just this spring, even after the Citizens United decision, Senator CORNYN, the Senator who is leading the Republicans' election efforts, told the Wall Street Journal:

> I think the system needs more transparency so people can more easily reach their own conclusions.

I agree completely. If all the Senators who are on public record supporting disclosure of campaign contributions voted in support of the DISCLOSE Act, we would pass the DISCLOSE Act today by a wide bipartisan margin.

I hope, as our colleagues on the other side of the aisle think about the DISCLOSE Act and about what is happening to manipulate our elections in this country, that they will join me—and all of us who believe that the best way to make sure that our democracy remains strong and that we address how money is being spent in elections—in supporting the transparency and the accountability that is available to voters in the DISCLOSE Act.

Thank you very much, Mr. President. I yield the floor.

Mr. REID. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 510

Mr. REID. Mr. President, America has one of the safest and most abundant food supplies in the world, but it is not perfect. Foodborne illnesses sicken one in every four people every year. Twenty-five percent of people get sick from foodborne illnesses every year. As many as 5,000 Americans die from food poisoning every year.

The bill we are attempting to bring to the floor today is a very simple bill. It will make our food safer. It is a bipartisan bill that was reported out unanimously from the HELP Committee, and there have been negotiations going on for a long time—months and months.

People often think of food poisoning as an upset stomach that goes away in a few hours or maybe a day or two. Sometimes that is all it is, but sometimes it is much worse. I have met with families from Nevada who have been seriously sickened by food they have eaten, people who have been hospitalized for weeks and months and a number of whom came very close to dying. In some of these cases, they will deal with the results of their food poisoning for the rest of their lives.

One of the little girls I met with is named Rylee Gustafson. She is from Henderson, NV. This little girl, when she was 9 years old, was doing what her mom asked her to do: eat her salad. The salad had spinach in it. E. coli was in there with the spinach. She got so very sick. I have seen her on a number of occasions. She is a beautiful child, but she is going to be small all of her life because of that illness. She was hospitalized for a long, long time and survived. Three others got E. coli from fresh spinach, and they died. She didn't.

I also had the opportunity to meet with the Rivera family in Las Vegas. Linda Rivera also became sick from E. coli from cookie dough. Last October, she was in a coma and on life support, and doctors didn't know if she would survive, but she did. She is still recovering. The effects will be with her for the rest of her life. It is food poisoning. It will be a long road back to full health for Linda. We hope she arrives to that.

Last month, there was another big recall. This time, it was eggs contaminated with salmonella. More than 2,000 people have been sickened during this outbreak.

The egg recall and stories such as Rylee's and Linda's and their families and what they went through illustrate the need for food safety legislation. People in Nevada and across the country are asking for this legislation. They want to know what food they can put on the family's dinner table, what they can pack in their children's lunches, and is it safe.

There is no excuse to wait any longer. Our current food safety system hasn't been updated in almost a century. It is not keeping up with contaminants that cause these problems, and new ones come along all the time. The FDA doesn't have the authority or resources it needs to keep up with the modern advances and expansion in food processing, production, and marketing.

This bill will fix that. The bipartisan bill called the FDA Food Safety Modernization Act would improve the system while minimizing the regulatory burden.

It gives the FDA mandatory recall authority of contaminated foods, sets up a system to allow the FDA to keep track of foods so we can find out where the contaminated food came from and stop it quickly from getting to grocery stores. It strikes the right balance between assuring consumers that food is safe, without overburdening farmers with new regulations. It makes no changes to the current organic program run by the U.S. Department of Agriculture.

Nothing could be more important than using our time here in these waning days before the election to help our constituents. Nothing should be less controversial than keeping them out of harm's way. So let's move to this commonsense bill and pass it. That is why we are here—to do things to help the American people. This would do that.

I also add that the committee has worked very hard. They have negotiated and negotiated and negotiated. They had different versions. They kept moving forward, and finally it was all done. We thought we were going to be able to get this done. But it appears we have one person who doesn't want this bill to pass, and that is unfortunate.

Mr. President, I ask unanimous consent that at a time to be determined by me, following consultation with Senator MCCONNELL, the Senate proceed to the consideration of Calendar No. 247, the FDA Food Safety Modernization Act, S. 510, and that when the bill is considered, it be under the following limitations: that general debate on the bill be limited to 2 hours, equally divided and controlled between Senators HARKIN and ENZI or their designees; that the only amendments in order, other than the committee-reported substitute, be those listed in this agreement, with debate on each of the listed amendments limited to 30 minutes, with the time equally divided and controlled in the usual form; further, that when any of the listed amendments are offered for consideration, the reading of the amendments be considered waived, and the amendments not be subject to division: Harkin-Enzi substitute amendment; Tester amendment regarding small farms and facilities; Harkin-Enzi amendment—I add editorially that these are the chairman and ranking member of the committee, who are both extremely easy to work with and good legislators—

Harkin-Enzi amendment regarding technical and conforming, and that once offered, the technical amendment be considered and agreed to and the motion to reconsider be laid upon the table; Coburn amendment regarding offset for cost of bill; Feinstein amendment regarding BPA; Leahy amendment regarding criminal penalties; that upon disposition of the listed amendments, the use or yielding back of all time, the Harkin-Enzi substitute amendment, as amended, be agreed to; that the committee-reported substitute amendment, as amended, be agreed to; and that the bill, as amended, be read the third time and the Senate then proceed to vote on passage of the bill.

Before the Chair rules, I should have mentioned earlier in my remarks that the person who has been heard on this for months has been Senator DURBIN. This is something he believes in, as he can come to believe in things so intently. I respect the work he has done on this bill, keeping it always at the front of my attention list.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Mr. President, reserving the right to object, and I will not object if the Senator changes the proposed agreement to say that the only amendments in order, other than the committee-reported substitute, will be these three: Harkin-Enzi substitute amendment, which is fully offset and has been agreed to by both managers, which will be agreed to as original text for the purpose of further amendment; the Harkin-Enzi technical amendment; and the Tester amendment in regard to small farms.

The PRESIDING OFFICER. Does the leader so modify his request?

Mr. REID. It is my understanding that my good friend from Oklahoma would have no amendment.

Mr. COBURN. I would not need one because the bill would already be offset.

Mr. REID. What I say to my friend, I think this is something I would like to take a little time—not a lot of time—to talk to my friends, Senators DURBIN, HARKIN, and ENZI, and see if there is something we can do to move this down the ballfield; if not, we can come back again and talk about this.

In light of my friend's request to modify my unanimous consent request and my inability to intelligently respond to it because it is something I had not anticipated, I will be happy to withdraw my request, and I will renew it at a later time if I can come up with something that is more appropriate.

Mr. COBURN. I thank the leader.

I ask unanimous consent to be recognized for 15 minutes.

The PRESIDING OFFICER. The unanimous consent request is withdrawn.

The Senator from Oklahoma is recognized.

Mr. DORGAN. Mr. President, I wonder if the Senator will modify his request so I might be recognized following his 15 minutes.

Mr. COBURN. I have no problem.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, there is nobody in this country who doesn't want our food to be safe. There is no question, we all rely on the intent that the vast majority of food is safe in this country. There is no question that we have some problems with food safety. But the biggest problem we have is in fixing the symptoms of the problem rather than the problem itself.

I hope America will pay attention to this. Ask yourself why it took the Food and Drug Administration 10 years to give us an egg safety standard and that no oversight committee of either the House or the Senate, through the previous 10 years, held an oversight hearing to ask why it has taken 10 years to get that egg safety standard. It came out 10 days afterwards, coincidentally, to the salmonella infection we have recently seen.

As a practicing physician who has treated Shigella, Salmonella, Yersinia pestis, Campylobacter, and Listeria monocytogenes, which are infectious gastrointestinal bacterial diseases that can come from food, I want it to be safe. What I want more than that is for the organization that is supposed to keep it safe to do its job. The problem with this bill, besides it not being paid for, is it doesn't fix the real problem.

The American public should know, if you go to the grocery store anywhere in this country and buy a pepperoni pizza, the FDA is responsible for food safety. But if you buy a cheese pizza, it is the USDA. How does that make any sense to anybody in America?

What happened on the farms in Iowa, as far as eggs, is the USDA knew there was a problem, but they didn't tell the FDA because the FDA is only responsible for the egg once it gets out of the chicken. Which came first, the chicken or the egg? It was then shipped and was the responsibility of the FDA.

This bill doesn't address any of those problems. As we look to solve a very critical and real problem—and I acknowledge Senator DURBIN's work on this and that of our chairman and ranking member. I had a staff member at every meeting they had raising these same objections. We now have a bill that will cost the American public $1.5 billion over the next 5 years that doesn't fix the real problem.

The real problem is the lack of focus of the agencies to do their job. It does not eliminate the crossover and lack of consistency. If you buy red meat in the store, you only have to trust one agency. But if you buy an egg, you have to trust two. If you buy a salad or lettuce, you have to trust two. They are not talking to one another. There is nothing in this bill that makes them do that.

What we have done is we have created a lot of new regulations, with a lot of money, without solving the real problem. The only way we get to the real problem is to have the FDA up here once a week for the next 4 weeks and have the USDA up here once a week for the next 4 weeks, talking about these critical crossover issues.

In the bill, it actually states that nothing in this act or an amendment made by this act shall be construed to alter the jurisdiction between the Secretary of Agriculture and the Secretary of Health and Human Services. In other words, there is a prohibition to alter the responsibility so we might have safe food—in other words, to hold one agency accountable, rather than two so one can point the finger at the other. We had a House hearing today on the egg recall, and the fact is that is what happened. USDA knew there were problems. But the FDA didn't know there were problems until after somebody got sick.

So we create a high level of additional regulation, a high level of various inspections—and I am not against inspections. I eat salad like the rest of us. Sometimes I am not accused of being human, but, in fact, I consume the same food everybody else does. I don't want to get sick from it. But we can't continue to pass bills that pile on regulations that cost the American people $1.5 billion and don't fix the real problem. That is the problem. My objection is it is not paid for.

I will hear the objection that it is an authorizing bill. Oh, really. It is just an authorizing bill. So that means there is not any money going to be spent? Then we aren't passing the bill to do what we want it to do. Because if we say we are not responsible for spending another $1.5 billion, then there is no problem. It is not spending money. If it is not spending money, it is not going to do anything. But if it is spending money, we ought to decrease the priority somewhere else within the waste of the USDA—which there are billions—and within the FDA, which has tons of properties they are not using that could pay for this bill easily. We ought to eliminate the things that are not working.

So I want our food to be safe. As a practicing physician, I know the public health aspects of this bill. But I refuse to go forward when we continue to make the same mistakes that have given us a $1.4 trillion deficit and have given us lack of control and oversight of the bureaucracies. The biggest thing is, we are not holding anybody accountable for this because we will pass this. Then, the next time there is a food problem, in terms of contaminated food, we will pass something else. In between times, there will not be the first oversight hearing to say: What did we do that didn't work and show us a result that works. Is it efficient, effective, and did it improve the safety of the food? We will not do that. We will just react and pass another bill.

I am through passing bills that don't solve the real problems. I am through spending the next two generations' money, when we can't make the priority choices. The fact that we have refused to say we are going to eliminate something that is very low priority to be able to have a food safety bill, then that tells the American people we are not up to the task of getting us out of our problems.

I know everybody in this body wants safe food—even me. I am not tired of taking the hits for holding up this bill. We can't be perfect on food, but we can be a whole lot better. This bill can solve some of the problems, but it is not complete. It hasn't looked at the levels it needs to straighten out the bureaucracy on food safety. It hasn't eliminated the overlap. Nobody with any common sense says you will have pizzas in the grocery store, one controlled by the USDA and one by the FDA.

It is clueless. It does not fit. The reason the one that does not have any meat on it is controlled by the FDA is because it has a milk product. It has cheese. But the one that has pepperoni on it has cheese too. How did we get there? Where are we going to establish responsibility and accountability with the agencies that are responsible for food safety?

I look forward to working with the majority leader. I will take a less than perfect bill anytime. But I will not take a bill that is not paid for and does not come out of the hides of our children and grandchildren.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

TRADE

Mr. DORGAN. Mr. President, there is a lot of talk and politics on the floor of the Congress always about something called the American dream. People talk about the American dream. I suppose we reflect on that and think the American dream is about a time the American people have a job that pays well, a job with security, a career with a growth ladder to it, a family, a home, living in a nice community, living on a safe street—the American dream.

We look at the history of this country and discover that beginning early in the last century, we started changing things in America—lifting up people, doing a whole series of things to develop a group of middle-income Americans. We have been enormously successful, perhaps more than any other country in the world. We expanded a middle class.

Now things are changing, and we see that people are upset, nervous, and in some cases angry. We see reports that they worry their children will not have it as good as they have it. They worry about the future.

What is at the root of all of that, and what can we do about all of that? Everyone wants to do well. All of us have hopes and aspirations for ourselves, our children, our families—the American

dream. Someone once asked J. Paul Getty: How is it that you can be successful? Give me the elements of success.

He said: It is very simple. No. 1, go to school and get the best education you can get. No. 2, get a good job and work really hard. And, No. 3, strike oil. That is the advice of J. Paul Getty.

I suppose that works if you are J. Paul Getty. But his advice, of course, makes a lot of sense on the first two points: get the best education you can and get a job and do well, work hard.

The problem is today, in late September of 2010, a lot of people woke up this morning without a job and cannot find one. It is estimated there are about 20 million Americans this morning who woke up unemployed. Most of them put on their clothes and went out looking for work, a triumph perhaps of hope over experience because many of them have tried for a long while and have not been able to find a job. And they are very worried there may not be a job for them in the future.

We had 2.1 million workers in the past two years having to leave manufacturing plants, losing their jobs as manufacturing workers. Those are often the very good jobs. They pay well with good benefits, in most cases. Mr. President, 2.1 million of them have lost their manufacturing jobs in the last 2 years; more than 5 million have lost their jobs since 2000.

What do we do about that? What can we tell the American people when they see their neighbors, their friends, and their relatives searching for a job, having been laid off from somewhere they worked for 15, 20, 25 years? Then they read in the paper that in Stanleytown, VA, a company was started by a man named Thomas Stanley, a young dairy farmer in southern Virginia, who decided he wanted to create furniture that was of superior craftsmanship and affordable still, so he started making furniture. It became Stanleytown, and he employed highly skilled craftsmen, 1,300 people who carried on his vision at a manufacturing plant of 1.7 million square feet.

Then those who make Stanley furniture woke up a couple months ago and read this in the paper:

> Stanley Furniture's decision to close its plant in the small town that bears its name fell like a hammer blow on southern Virginia and resounded across an industry increasingly moving overseas. More than 500 employees will lose their jobs this year as the manufacturer shuts down its Stanleytown, VA, plant, where the company has made furniture since 1944.

Where is it going? It is going to Asia. Those 500 people—I do not know their names. I cannot tell you who they are. I would not recognize their faces because I do not know any of them. But I am sure those 500 people are paying an enormous price in their lives for having lost jobs at a plant in a company that produced a product about which they cared very deeply. Gone to Asia. Why? Were these bad workers? Did they decide it was a job, but just a job, so they were going to loaf all day and not do their work? No, it was not that at all. In search of low wages, this company decided: We are going to Asia to produce this furniture.

I mention Stanley Furniture. The other day I mentioned a furniture company from Pennsylvania because I had just been to Philadelphia—Pennsylvania House Furniture. It has a very similar story in many ways. Pennsylvania House Furniture, made for a century in Pennsylvania, upper level furniture, fine furniture made by craftsmen, one day it was purchased by La-Z-Boy, and La-Z-Boy decided: We do not want to make Pennsylvania House Furniture in Pennsylvania. We want to take the Pennsylvania wood and ship it to China, have them put it together, and ship it back to America to be sold. They told all the workers: You are done. It is over. The plant is closed.

On the last product of the day, on the last day at work, these craftsmen who made this fine furniture for Pennsylvania House Furniture turned over the last cabinet that came down the line, the last one they had made, and they all signed their names—proud craftsmen working for a company that existed over 100 years, the last piece of furniture ever to be made with American hands. Jobs gone.

The list is endless. This is not a short list. Hershey chocolates, York peppermint patties: ''The cool refreshing taste of mint dipped in dark chocolate will take you miles away.'' In fact, it will take you so far away it will take you to Mexico because that is where they moved those jobs when they shut down the mint Hershey's plant in the United States of America. It will take you miles away. It certainly took away the jobs of those who were working there.

I am not going to go through all these charts because I have done it before. I know what repetition means around this place. But I want to talk just for a moment about the consequences of this to a lot of people whose names we do not know and faces we would not recognize but who are living as victims of something they cannot control. That is the erosion of America's manufacturing base with jobs shipped overseas wholesale and the hollowing out of America's manufacturing capability.

Why does that matter? No. 1, because a lot of people are losing jobs who need jobs in this country. And, No. 2, this country will not remain a world economic power unless we have a world-class manufacturing capability. That is just a fact.

The question is, When will we stand up for this issue and decide we have to do something about the export of American jobs?

Paul Craig Roberts—I have met him—former Assistant Treasury Secretary under President Reagan said:

> Outsourcing—

He means outsourcing of jobs—

> is rapidly eroding America's superpower status. Only fools will continue clinging to the premise that outsourcing is good for America.

Another quote, if I may, from Dr. Paul Craig Roberts:

> In order to penetrate and serve foreign markets, U.S. corporations need overseas operations . . . However, many U.S. companies use foreign labor to manufacture abroad the products they sell in American markets. If Henry Ford had used Indian, Chinese and Mexican workers to manufacture his cars, Indians, Chinese and Mexicans could possibly have purchased the Fords but not Americans.

Because they would not have had the jobs. Pretty prescient. Pretty interesting.

This is a chart that shows Stanley Furniture's workers in the manufacturing plant. But, of course, that was then, and now it has gone to Asia.

I want to show this picture only because the Los Angeles Times needs to know this. I spoke of this subject some while ago and showed a picture of the dancing grapes that represented the advertising campaign for Fruit of the Loom underwear. They left America and are produced elsewhere. The Los Angeles Times wrote a piece saying I was on the floor of the Senate talking about underwear, not describing that I was talking about trade and the movement of jobs overseas. If they write about it again, they might mention I was talking about jobs moved overseas that were performed by American workers to produce Fruit of the Loom.

I have described often Radio Flyer—a little red wagon made in Illinois for over 100 years by an immigrant who put together a company—that almost every child has experienced. Almost every American child has ridden in a Radio Flyer little red wagon. But they are not made in America anymore. They have gone to China.

Huffy bicycles, gone to China; left Ohio, gone to China. Not made for $11 an hour by an Ohio worker, as was the case, but made now by Chinese workers who make 50 cents an hour, working 7 days a week, 12 to 14 hours a day.

I have often mentioned, and will mention again, that all of these folks, on the last day of work, when they walked out to the parking lots after having been fired so their jobs could be moved to China, left pairs of empty shoes in the parking lots saying: Yes, you can move our jobs, but you will never replace us. They are never going to replace these workers.

This represents a photograph of a company called HMC. Not everybody is moving overseas. There are some manufacturers—and I want to pay attention to what the owner of HMC said recently. They make high-tech gearboxes, high-tech machinery. HMC—made in America and enormously proud of it.

Let me mention what the president and CEO of HMC said:

> Offshoring in search of higher profits is a mistake . . . because it ignores manufacturing's larger purpose in U.S. society.

This is from the CEO of an American manufacturer. Further he says:

It's my belief that every American citizen, not only me, should feel strongly about maintaining one of the most important cultures we have, and that is manufacturing.

Good for Mr. Robert Smith, wherever he is. Good for Mr. Smith, president and CEO of HMC, believing that manufacturing is important in this country.

What does all this mean? Our economy is in some significant trouble for a couple of reasons. No. 1, for about a decade and a half or two decades, we have pursued a different trade strategy—a trade strategy in which we have refused to stand up for our economic interests.

For the first 25 or 30 years after the Second World War, it was just understood that we were the biggest, the best, the strongest—we were American. Whether it was trade competition or any other competition, we could beat anybody in this world with one hand tied behind our back. Much of what was imported were trinkets that were inexpensive trinkets that were pretty worthless. We made products that were made in America, products that lasted, products that worked, products on which you could count.

But in the second period following that first quarter century after the Second World War, things have changed. We have largely had concessional trade practices. It used to be we just did outright foreign aid to help other countries. Not anymore. We have for the last 20 years or so done concessional trade practices to help other countries. We have said: We will do a trade agreement with you that is unfair to us because we are bigger and stronger and better than you are. So here is a trade agreement. We have done that time after time. Therefore, we now have very large trade deficits.

Let me show the consequences of a trade agreement.

We have trade agreements with Korea. Here is the issue of automobiles with Korea. Last year, because we had a deep recession, we were not buying as many cars. Last year the Koreans put on boats and sent to this country 467,000 cars made in Korea—467,000 Korean cars. Those are Koreans who go to work in the morning to a job. They are making cars. They are pleased as punch they make cars because they sell them in Detroit, Bismarck, and Denver.

Here is what we were able to sell in Korea: not 467,000 cars, Korea allowed us to send 6,000 cars to Korea.

One might say: Is that an accident? Of course, it is not. It is exactly what the Korean Government wanted. They want the jobs in their country. They want to make the cars in their country and send them here, and they do not want our workers making cars we send to Korea.

If you wonder about that, I have another chart that shows what you will confront on the roads in South Korea. If you drive down the road in South Korea, what you will see are a lot of vehicles, and you will see almost no foreign vehicles. Ninety-eight percent of the cars on the road in Korea are made there. They are made and manufactured in that country. Now, is that an accident? That is exactly what the Korean Government wants. They do not want foreign cars, and they do all kinds of things to keep them out. They want jobs for their people.

So we now have a trade agreement with Korea that we have not yet ratified or voted on in the Senate, and they didn't address the automobile issue. It is unbelievable to me. Why would they do that? How about standing up for our interests, for our workers?

So, Mr. President, the reason I came to the floor of the Senate is that there is now on the calendar a piece of legislation that would at least begin the process of trying to even up some of the trade issues. We actually, strangely enough, give a tax benefit for U.S. companies who decide they are tired of manufacturing in America. If a company says: Let's get rid of those workers. Let's lock up that manufacturing plant. Let's send the jobs to Senshen, China, and manufacture there. Then we will ship those bicycles and wagons and trailers and trucks and garage door openers back, and we will sell them to Americans. That is what we will do. And our country says: You know what. That would be good. Why don't you do that—fire your workers, get rid of your manufacturing plant, go to China, and I tell you what we will do. We will give you a tax break for doing it.

We have voted four times in the Senate to eliminate that tax break. I have offered that piece of legislation four times. On all four occasions I have lost the vote. We are now about to vote again in the coming days. Maybe at last—at long last—when 20 million Americans can't find work, maybe we will see if we plug the drain just a bit on these jobs that are moving out of this country at a rapid pace to be located in low-wage countries around the rest of the world. Maybe now is the time. Maybe people here will say: You know whose interests I stand up for? The workers in my State, American workers, people who are producing good products that say made in America.

When I speak this way, there are some who will say: Well, you are being a protectionist. You want to change things. You are being a protectionist. You are a xenophobic isolationist stooge. You don't get it at all. It is a new world order. We have all these countries who can do things cheaper than we can do them, and you don't seem to understand that. So you are just a protectionist.

Well, let me plead guilty to wanting to protect our country's economic interest. I would hope every desk in this Chamber would be occupied by someone with similar instincts and wanting to stand up and protect the economic interests in this country.

I am not interested in withdrawing from the world. I am saying, however, that after a long struggle and doing the things that are necessary to improve things, as we have done in the struggle for workers' rights, the struggle for safe workplaces—and people were killed over those struggles. I described in the first book I wrote about James Fyler who was shot 54 times. You know why he was shot 54 times in Ludlow, CO? Because he believed people who went underground and dug for coal ought to be able to work in a safe workplace and be paid a decent wage, and for that he was killed.

We have struggled for a century to raise standards, to get safe workplaces and decent wages. Now, all of a sudden we are told it is a new world order. We should compete with workers who are going to work 7 days a week, 12 to 14 hours a day, for 50 cents an hour. If we can't compete with that, tough luck.

That is what they told all the folks at Huffy bicycles. They said: If you can't compete with the Chinese prices, you are out of luck because that is our standard. The list is endless. Just about every kid has played with Etch A Sketch. Everybody knows what Etch A Sketch is, a toy made in America. It was the principal employer of a town in this country. But no more. Walmart told Etch A Sketch: You won't be marketing at Walmart unless you meet this price, and Etch A Sketch has gone to China. All those people who were proud of making a children's toy are now not working.

Mr. BROWN of Ohio. Mr. President, will the Senator yield for a question?

Mr. DORGAN. I would be happy to yield.

Mr. BROWN of Ohio. I have been listening with fascination to the Senator's speech because there is nobody who comes to the floor and better explains jobs, trade, trade policy, and tax policy and what it does to our communities and our workers.

The Senator mentioned two very well known American companies, and both happen to be from my State—Huffy bicycles and Etch A Sketch, which is a company called Ohio Art in Bryan, OH. That is exactly what happened. Walmart came to Ohio Art and said: We want to sell Etch A Sketch for less money than we are selling it for now. So they had no choice.

But let me ask the Senator, it seems to me that there has not been anytime in recent history where U.S. companies have put their business plans together in this way: Instead of manufacturing something, cutting costs, and treating their workers decently and contributing to the community—which American companies have done for generations and is why we have such a strong middle class—it seems that the business plan for so many large American companies is to move their production offshore, obviously getting less expensive labor, avoiding environmental and worker safety rules, and then selling the product—well, first lobbying Congress to change the rules, as they did with PNTR for China, but moving their

production out of the country, offshore, producing it, and then selling it back into the home country.

That is a curious business plan that many American companies follow. I hear those companies say to me: Well, we have no choice but to go offshore for the cheapest production because our competitors are doing that, even though they lobbied Congress to help change the rules. I mean, it is a bit cynical but a curious business plan that you leave behind the community that built you up and you move somewhere else and then you sell the products back to the country in which you were founded.

Mr. DORGAN. I would say to the Senator from Ohio that it is a business plan these days for too many companies. Not all, but too many. There are some companies—and I just described a company, a CEO, and I was giving him credit because what he said is important—a company called HMC. It is a company that manufactures very high-tech products in this country. He says:

> It's my belief that every American citizen, not only me, should feel strongly about maintaining one of the most important cultures we have, and that is manufacturing.

The fact is, we are in a situation where a lot of companies have decided they would like to produce elsewhere, hire other workers, but they would like American consumers to buy their products. The question in the longer term is, Who is going to buy those products if American consumers don't have jobs? I mean, that is the question.

I have talked a little about China. I am chairman of the Congressional Executive Commission on China, and I just chaired a hearing for 2 hours about the issue of piracy and counterfeiting and so on in China. One of our witnesses described something I had written about in my book as well; that is, American businesses should know their intellectual property is not secure in China. It will be stolen.

I am not a big fan of them—in fact, I have fought the pharmaceutical company pretty tough on the floor of the Senate—but Viagra, made by Pfizer, was quickly reengineered in China and just sold without any respect for property rights or intellectual property rights. In fact, the witness over at the hearing this afternoon said the Chinese, once they reengineered Viagra and sold it on their own basis, had a new twist on it. They were putting it in soft drinks and hot dogs. So it was kind of interesting to hear this guy, who is an expert in intellectual property rights, describe his view.

He finally said, by the way, Pfizer has won a case against the Chinese for reverse engineering of Viagra. But this discussion is not about that, it is about jobs in virtually every industry in this country. There are service industries that can never leave, of course. You can't take a taxicab driver's job and move it to China or India because they have to drive a cab up and down an American street. But Alan Blinder and others have said we are talking about the potential of tens of millions of additional American jobs leaving unless there is a strategy to understand that our participation in the global economy is designed to raise up others, not push down our standards. It is designed to be in our economic self-interest to try to keep Americans employed in good jobs that pay well.

So we have a lot to do. I mentioned, Senator BROWN, that we are likely to have another vote in the Senate in the coming days on the question of shutting down this unbelievably ignorant provision in tax law that says if you leave America and get rid of your workers and padlock your plant and then go produce the jobs in China or India and then sell back here, we will give you a tax break for doing that. We would like to reward you for doing that. The other side of that is that a lot of American business men and women who started their companies here don't intend to go anywhere. They are here and they are proud of it and they are not leaving. They are going to hire their friends and neighbors in their communities, and they are going to make the best products possible. They are going to stick a made-in-America label on it. But they are disadvantaged. It is not just the workers but those American business owners who are now having to compete against the one that was across the street and then went to China and now has a lower tax rate because our Tax Code says that is fine.

I hope at long last that maybe we will have enough people here with the courage to say: It is not fine with us. It is not fine with people who are unemployed in this country. It is not fine with business men and women who are disadvantaged because of it.

Mr. BROWN of Ohio. Will the Senator yield once again?

Mr. DORGAN. I will be happy to yield.

Mr. BROWN of Ohio. I thank the Senator.

I would add that a major manufacturer that leaves from Minneapolis or leaves from Cleveland or from North Dakota is a company that has the resources to do that, and that company has a multitude of component manufacturers in its supply chain and that large company that leaves may be its biggest customer. Perhaps it is a big assembly plant that leaves to go to China. The component manufacturer that sells to that auto assembly plant has all of a sudden lost its biggest customer. It is not big enough to move to China, so it loses 30 percent of its customer base.

So it is not just the company that moves and what that does to American workers and companies and communities, it is also those multitude of component manufacturers. In the auto industry, for instance, there are way more people working in the supply chain than there are in the actual assembly plant. So in the wake of a major company moving overseas, we see devastation in the entire supply chain of component manufacturing. I am sure you saw that with Huffy bicycle. There is the manufacturer that made the steel, that stamped the fenders, that made the tires and the spokes that were taken to Huffy—I think to Celina, OH, in those days—to assemble. So all of them lose.

In smaller communities, as the Senator knows, a manufacturing plant oftentimes has a husband and wife both working at the same plant, making $12 to $15 an hour. Their whole lives are upended because all of a sudden they have lost both jobs in their family.

Thirty years ago, 30 percent of our GDP was in manufacturing and only 11 percent was in financial services. That number has flipped now, and look where it got us. Only 11 percent of our country's GDP is now as a result of making things. We know how to make things in this country, and we are losing that ability. Without a real manufacturing policy—more than a strategy but a policy—like every other country has, we are going to see a decline in the middle-class long term.

I thank the Senator.

Mr. DORGAN. Well, I thought it was interesting that when the Senator from Ohio and I worked hard on putting together the Economic Recovery Act to try to put a net under this economy and stop it from collapsing—and we were probably close to having a complete collapse. Despite the folks who come to the Senate floor who say no jobs were created, the CBO says 3 million jobs were created or saved. But when we put that together, Senator BROWN from Ohio and I and others wrote something called a ''Buy American'' provision, and people nearly had apoplectic seizures here. They were doing cartwheels in the Chamber, so upset and concerned and nervous about what this would do, if with our money, in order to employ our people, we decided to buy our products. How selfish is that, they would say.

It was exactly the right thing to do. Why would we try to stimulate economic recovery in America by buying goods from China or Japan? So what we tried to do is to say that there should be a preference with these funds to buy American. But even that was unbelievably controversial. We got it done, and I am pleased we did.

While the Senator is here, I wanted to make the point that the Huffy bicycle story is almost the perfect storm of everything that is wrong. These are workers in Ohio who made $11 an hour plus benefits and then they all got fired. I have described about their leaving their empty shoes in the parking lot on the last day of work and so on. But the Huffy bicycle was sent to China. I described the conditions under which they are now made. This brand still exists. It is still sold in major American stores, Wal-Mart and Kmart and so on. But once it was sent to China, it declared bankruptcy and then

the Chinese bought the brand. The bankruptcy meant that not only did the workers in Ohio lose their jobs, the Federal Government here, under the Pension Benefit Guaranty Corporation, assumes the pension of the fired workers, and China ends up with the brand. We still buy the bicycles but the people are out of work and we are stuck with the pensions.

It is almost a perfect storm of what is wrong with what we are doing in this country. The question is, when will it ever change? The minute we talk about it the Senator from Ohio will be called—well, he's one of those protectionists. He has a narrow head; doesn't understand the breadth and depth of this new global economy. They say that about me and all of us who say this doesn't add up.

We have to stand up for this country's economic interests. We don't need to put a fence around America. We don't need to decide there is not a world economy—there is a global economy. We need fair rules and to stand up for our economic interests, and that has not been the case; it has not.

The question is what do we do about that. At least you can take a baby step in the right direction. One of my regrets, serving in this institution, is that I may well leave this institution without having succeeded, at least on this issue. I have been proud to participate in a lot of things that have been successful in advancing public policy but this has meant a lot to me. I think America is losing its capability, its energy, it manufacturing base. People are losing hope, with nearly 20 million of them out of work. I think it is very important for us to understand we have to address this issue.

There is no social program in this country as important as a good job that pays well. That is a fact. We have to find ways to put people back to work in this country. People say innovation—I am all for innovation. But we innovate, we create the product, but they manufacture it somewhere else and the jobs are gone. It is very important for us to rebuild our manufacturing capability in this country.

I said at the start we will not long remain a world economic power unless we have world class manufacturing capability. The American people need to see some hope from this Chamber. At least one step, one ray of hope would be if we decide in the coming several days to enact legislation that is now, I believe, rule XIV'ed at the desk, that we likely will have debate on—and I will be here during that debate—that will say finally, at long last, we will stop, put an end to this insidious provision in the IRS code that says if you move your American jobs to China we want to reward you with a tax break. That has to end. It has to end, the sooner the better.

Let me end by saying there is plenty in this country that needs fixing but there is a lot to work with because there is plenty right in this country as well. I have spoken previously about the New York Times 1-inch story about a man named Stanley Newberg. Stanley Newberg, with his father, left his country in Europe to flee the persecution of the Jews, landed in New York, went peddling fish with his dad, went to school, an immigrant kid, went to college, became a lawyer, went to work for an aluminum company, managed the place, finally bought the place, then died. When they opened his will he left his $5.7 million to the United States of America, he said, with gratitude for the privilege of living in this great place. What a wonderful thing to hear. What a wonderful thing to do. It is a wonderful reminder, it seems to me, how important this place called America is in the heart of many people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

THE DISCLOSE ACT

Mrs. MURRAY. Mr. President, I come to the floor once again to speak in strong support of the DISCLOSE Act, which would close the glaring campaign finance loopholes that have been opened by the Citizens United ruling. This Supreme Court ruling was a true step backward for our democracy. It overturned decades of campaign finance law and policy. It allowed corporations and special interest groups to spend unlimited amounts of their money influencing our democracy and opened the door wide for foreign corporations to spend their money on elections right here in the United States.

The Citizens United ruling has given special interest groups a megaphone they can use to now drown out the voices of average citizens in my home State of Washington and across the country. The DISCLOSE Act would tear that megaphone away and place it back in the hands of American people, where it belongs.

I am extremely disappointed that Senate Republicans continue to block this critical legislation. This is a very personal issue for me. When I first ran for the Senate back in 1992, I was a long-shot candidate with some ideas and a group of amazing and passionate volunteers by my side. Those volunteers cared deeply about making sure the voices of Washington State families were represented. They made phone calls, they went door to door, they volunteered hours of time, they talked to families all across my State who wanted more from their government.

We ended up winning that grassroots campaign because the people's voices were heard loudly and clearly. But, to be honest, I don't think it would have been possible if corporations and special interests had been able to drown out their voices with an unlimited barrage of negative ads against candidates who did not support their interests. That is exactly why I support this DISCLOSE Act. I want to make sure that no force is greater in our elections than the power of voters across our cities and towns, and no voice is louder than citizens who care about making their State and country a better place to live.

The DISCLOSE Act helps preserve those American values in a lot of ways. First of all, it shines a very bright spotlight on the entire process. The DISCLOSE Act will make corporate CEOs and special interest leaders take responsibility for their acts. When candidates put up campaign commercials on television, we put our faces on our ad and tell every voter we have approved the message. We don't try to hide what we are doing. But right now corporations and special interest groups don't have to do that. They can put up deceptive or untruthful ads with no accountability and no ability for the public to know who is trying to influence them.

The DISCLOSE Act also strengthens overall disclosure requirements for groups who are attempting to sway our elections. Too often, corporations and special interest groups are able to hide their spending behind a mask of front organizations because they know the voters will be less likely to believe their ads if they knew the motives behind the sponsors. The DISCLOSE Act ends that. It shines a light on this spending and makes sure voters have the information they need so they know what they can trust.

This bill also closes a number of other loopholes that have been opened by the Citizens United decision. It bans foreign corporations and special interest groups from spending in our U.S. elections. It makes sure that corporations are not hiding their election spending from their shareholders. It limits election spending by government contractors, to make sure taxpayer funding is never used to influence an election. It bans coordination between candidates and outside groups on advertising so that corporations and special interest groups can never sponsor a candidate.

This DISCLOSE Act is a commonsense bill. It should not be controversial. Anyone who thinks voters should have a louder voice than special interest groups ought to support this bill. Anyone who thinks that foreign entities should have no right to influence U.S. elections ought to support this bill. Anyone who agrees with Justice Brandeis that sunlight is the best disinfectant should support this bill. And anyone who thinks we should not allow corporations such as BP or Goldman Sachs to spend unlimited money influencing our elections ought to support this bill.

Every 2 years we have elections across this country to fill our federally elected offices. Every 2 years voters have the opportunity to talk to each other about who they think will best represent their communities and their families. Every 2 years it is these voices of America's citizens who decide

who gets to stand right here representing them in the Congress. That is the basis of our democracy and it is exactly what the DISCLOSE Act aims to protect. I am very proud to support this bill and I urge all our colleagues to stand up against special interests and for voters in their States and allow this bill to finally pass.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

THE ECONOMY

Mr. SANDERS. Mr. President, I think most people understand that the United States today is in the midst of the worst economic crisis since the Great Depression of the 1930s. What I want to do is take a very few minutes to talk about how we got to where we are today and what policies we need, in my view, to move this country forward in a very bold way so that we begin to create the millions of jobs the middle class of this country desperately needs.

Let me begin by taking a quick look back to where we were in January of 2009. It is important that we take that look back because if we don't know how we got to where we are today, it is going to be very hard to move us in a different direction.

January 2009 was, as we all recall, the very last month of the Presidency of George W. Bush. In that month we lost over 700,000 jobs. That is an extraordinary number, almost unprecedented. In fact, for the last months of the Bush administration, this country was hemorrhaging jobs as a result of the financial collapse brought about by the greed, the recklessness, and the illegal behavior on Wall Street.

During that period, our gross domestic product, the total sum of all that our economy produces, had gone down by nearly 7 percent during the fourth quarter of 2008—a 7-percent reduction. That was the biggest decline in more than a quarter century. Some $5 trillion of Americans' household wealth evaporated in a 12-week period as people in Vermont and all over this country saw the value of their homes, their retirement savings, and their stocks plummet.

We were at a moment where some economists thought we might enter the worst depression in history, that the entire world's financial system would collapse. In January of 2009 we were hemorrhaging 700,000 jobs. That is where we were.

Of course, as a result of the collapse on Wall Street, the last months of the Bush administration were a total economic disaster, but let us be clear about the cumulative 8 years of the Bush administration. What happened over that 8-year period? From 2001 when President Bush came into office, until January 2009 when he left, this country lost over 600,000 private sector jobs. Let me repeat that. During the Bush 8-year period, this country lost over 600,000 jobs. The reason it is important to understand that is there are folks in this Chamber, throughout this country, who want to go back to those policies. I am not quite sure why anyone would want to go back to a set of economic policies which resulted, in an 8-year period, in a loss of 600,000 jobs. Net, there was a gain during the Bush administration of 1 million jobs—a very poor record—all of them government jobs, many of them in the military, in Homeland Security. That is, under anybody's definition, a horrendous record of job creation. In fact, it is a record of job loss.

During the Bush years, not only did we lose 600,000 private sector jobs, median income—median family income dropped by $2,200. In other words, middle-class Americans earned significantly less income at the end of the Bush era than they did when he first came into office. During those 8 years, over 8 million Americans slipped out of the middle class into poverty; over 3 million lost their pensions; and nearly 8 million lost their health insurance.

During that period, 4.5 million manufacturing jobs disappeared as companies shut down in the United States and moved to China, Mexico, Vietnam, and other low-wage countries. In the year 2000 we had over 17 million manufacturing jobs in this country. At the end of the Bush era, in 2008, we had less than 12 million. That is a huge reduction in good-paying manufacturing jobs—in fact, the fewest number of manufacturing jobs since the beginning of World War II.

Under President Bush our trade deficit with China more than tripled and our overall trade deficit nearly doubled.

I raise those issues once again because it is very important to understand that there are a number of people in this Chamber who want to go back to those policies—policies which were a demonstrative failure.

But here is another important point, and we should understand this very clearly. While the middle class was battered during the Bush years and median family income went down, while poverty increased, not everyone did badly. In fact, during the Bush administration, the wealthiest 400 Americans saw their incomes more than double. The middle class was battered, median family income was down, poverty increased, people lost their health insurance, people lost their pensions, but the wealthiest 400 Americans saw their income more than double. In 2007, these wealthiest 400 Americans earned an average of $345 million in 1 year—on average, $345 million. In terms of wealth, as opposed to income, the wealthiest 400 Americans saw an increase in their wealth of some $400 billion during the Bush years—400 people, an increase of $400 billion during the Bush years.

Let me talk for a moment about something I consider to be very important, but we do not talk about it very much in the Senate. We do not talk about it very much in the media. It is not something we engage in polite conversation, but it happens to be one of the important economic issues facing our country; that is, the issue of distribution of income and distribution of wealth.

All over America, whether it is in Minnesota or Vermont, everyone wants to know—in New England, everyone loves the New England Patriots or the Boston Celtics, and what people want to know is, at the end of the day, who won and who lost and what was going on in the game. Well, in terms of income distribution, that is the result of income as economic activity. Who won? Who lost? And let's be very clear that when we talk about winners and losers, the United States today has the most unequal distribution of income and wealth of any major country on Earth, and that inequality is getting worse. I know many people choose not to talk about it, but I think it is imperative that we do talk about it.

Today, the top 1 percent earns more income than the bottom 50 percent. Let me repeat that. The top 1 percent earns more income than the bottom 50 percent. In 2007, which is the last year for which we had good statistics, the wealthiest 1 percent, the top 1 percent of income earners, took in 23½ percent of all of the income earned in the United States. Let me repeat that. The top 1 percent earned over 23 percent of all income earned in the United States. Here is an even more amazing statistic. The top one-tenth of 1 percent—top one-tenth of 1 percent—took in 11 percent of total income, according to the latest data available.

The problem we are having in terms of income is that the situation is becoming more and more unequal. We see that in the statistics, which are very clear. In the 1970s, the top 1 percent only made 8 percent of total income earned in this country, and now that number is 23½ percent—almost four times as much.

I would point out that the last time income was this concentrated was in the year 1928, and I think we all know what happened in 1929. When you have such an unequal distribution of income and wealth, it is not only, to my mind, immoral and wrong that so few have so much and so many have so little, it is bad economics because the economy grows when all people have money to spend, when consumers can spend money. When so much of our income and wealth is concentrated on the top, we run the significant likelihood of major economic recessions, and that is what is happening right now.

Also, incredibly, in the midst of this growing inequality and while the very wealthiest people in this country became much richer and at the same time as our deficit soared, the tax rates for the people on top went down. Middle class declines, poverty increases, the rich get richer, and the tax rate for the very wealthy goes down. This was a result of not only tax breaks for the wealthy initiated during the Bush administration but also, quite frankly,

tax policy that took place before Bush. The result is that from 1992 to 2007, the latest statistics that we have, the effective Federal tax rate—effective Federal tax rate, and that is what people really pay—for the top 400 income earners in our country was cut almost in half. The rich get richer, their effective tax rates are cut almost in half.

Today, we have a Federal Tax Code that is so unfair, that it is so absurd that Warren Buffett, one of the wealthiest people in the world, often points out that he pays a lower effective tax rate than does his secretary. Hedge fund managers who make $1 billion a year now pay a lower effective tax rate than many teachers, nurses, firefighters, and police officers.

I should also add that in terms of wealth, as opposed to just income, inequality, of course, is also growing. Today, the top 1 percent owns more wealth than the bottom 90 percent, and during the Bush years, the wealthiest 400 Americans saw their wealth increase by some $400 billion. When a few people have incredible wealth and incredible income, they do not tuck that money under the mattress; they use that money.

The point Senator MURRAY of Washington was making a few moments ago on the DISCLOSE Act is a very good example of how some of those folks are making money. Not content to have the top 1 percent earning more than 23 percent of all income in America, these folks want more. Their greed has no end. And what they are now doing as a result of the DISCLOSE Act, a 5-to-4 Supreme Court decision, they and their corporate friends are now free to put as much money as they want into the political process, into television ads, into radio ads, and they do not have to disclose who they are. So you are going to have corporations with foreign interests getting involved with the American political process. You are going to have corporations putting all kinds of money into the political process, setting up phony institutions and front groups, and they do not have to tell the American people who they are.

In addition to the DISCLOSE Act and the huge amount of money now flooding into the political process, we have an enormous amount of lobbying and campaign contributions that are going right into the whole tax issue, that which we are debating now.

As you know, some of our Republican friends think, apparently, that the top 1 percent earning more income than the bottom 50 percent is not quite enough, that the fact that we have given huge tax breaks to millionaires and billionaires for the last 15 years is not enough; they need more. So what some of our Republican friends are doing and what their friends on Wall Street and big money interests are doing is pouring huge amounts of money into the political process which says that we should provide, over a 10-year period, $700 billion in tax breaks to the top 2 percent; that millionaires, those people making $1 million or more, should receive on average a $100,000 tax break. And they are fighting for tax breaks for the rich at the same time as they are saying: Oh, isn't it terrible that we have a $13 trillion national debt. So they wanted to give $700 billion in tax breaks to the top 2 percent, and then they say: Oh my goodness, isn't it awful that we have a recordbreaking deficit and a large national debt, and they want to pass on those tax breaks to our kids and grandchildren—increase the national debt so that we can give tax breaks to millionaires and billionaires. That makes zero sense to me. I think that is an incredibly dumb and irresponsible idea.

What I think we should do, what I believe we should do is that half of that $700 billion, instead of being given in tax breaks to the top 2 percent, should be used for deficit reduction. Let's do it now. And the other $350 billion should be invested in our infrastructure—rebuilding our roads, our bridges, our water systems, our schools, our transportation systems—and putting people back to work. Our infrastructure is crumbling. Everybody knows that. We are going to have to address it now or later. Let's address it now. In the middle of a recession, let's put millions of people back to work rebuilding America to make us more competitive in the global economy and make our economic system more efficient. I think, frankly, it makes a heck of a lot more sense to put millions of people to work rebuilding America's infrastructure and using $350 billion to lower the deficit than it does to give $700 billion in tax breaks to the top 2 percent. I hope that a majority of my colleagues or, in fact, 60 of my colleagues agree with that because, to me, that is the policy this country desperately needs.

I yield the floor.

The PRESIDING OFFICER (Mr. BEGICH.) The Senator from Oregon is recognized.

THE DISCLOSE ACT

Mr. WYDEN. Mr. President, I rise this afternoon to take a few minutes to talk about this issue of campaign ads being run all across the land and millions of dollars being spent by groups with misleading names, leaving our voters without any knowledge of who is behind the ads they are hearing.

To me, the lack of accountability and civility and literal accuracy in political campaigns is absolutely unacceptable, and I am of the view that we ought to be asking here in the Senate whether this is really the best we can do to ensure accountability and openness in American politics. I think the answer to that is, it is a no-brainer. There ought to be basic disclosure of who is behind all of those ads that are flooding the airwaves. That is what is behind the DISCLOSE legislation, the bill that has been brought before the Senate to ensure that it is possible for Americans, at a time when there is intense interest in American politics, to know who is sponsoring all of these commercials that are rushing at the American people pell-mell over the airwaves.

What is striking is how stark the inequities in all of this are. What I am particularly troubled about is that as a result of the Supreme Court decision, it is possible today for a foreign interest with no vote here in the United States to have a more substantial voice in our elections this fall than any hard-working American taxpayer. When you break that down, you really get a sense of just how outlandish this Supreme Court decision is. Let me repeat that. Foreign interests, through a subsidiary, with no vote here in the United States, will have a louder voice in the State of Alaska, in the State of Oregon, than any of the hard-working taxpayers whom we are honored to represent here in the Senate. I think that indicates that the campaign finance system is way out of whack.

This Supreme Court decision, in my view, has literally blown the hinges off the doors of our democracy. What is needed is legislation such as the DISCLOSE Act to ensure accountability, civility, and accuracy in political campaigns.

My view is that the lack of that kind of accountability creates not only confusion but even resentment among voters. The reason I know that is that the situation the country finds itself in now is very similar to what I saw when I first ran for the Senate in 1996 against the man who eventually became my colleague and good friend in the Senate, Gordon Smith. That was the only race in the United States at that time, the winter of 1996. Attack ads were being run by all sides, left and right. Senator Smith and I literally had no idea who was behind a lot of the attack ads. We made the judgment that while policy differences and personal criticisms are certainly a fair and legitimate part of a political campaign, what is not acceptable is the situation our country finds itself in, once again; that is, the huge numbers of ads being run where nobody could figure out who was behind some of the attacks, attacks that were pretty vicious and certainly high decibel.

So I came to the Senate in the winter of 1996, and I vowed to try to make some changes. I vowed to work with colleagues of both parties to bring transparency and accountability to campaign advertising. I had the good fortune to find a terrific partner in this effort with our colleague from Maine, Senator SUSAN COLLINS. As part of the McCain-Feingold bipartisan Campaign Reform Act of 2002, Senator COLLINS and I were able to win passage of an amendment which has come to be known as the stand by your ad disclosure requirement. Not only have we all seen these ads, everyone who has run to serve in this distinguished Chamber has recorded them. It is real simple. I am MARK BEGICH. I approved this message. I am RON WYDEN, and I approved

this message. It is not a hard thing to do. It comes about as a result of the fact that a colleague on the other side of the aisle, Senator COLLINS, joined me in this effort that I believed passionately in after that Senate special election in the winter of 1996.

That simple disclosure requirement gives voters very important information about who is behind a political ad. I am of the view that disclosure should not be required just for candidates but for anyone—interest groups, corporations—who seeks to communicate a political message. Unfortunately, after the Citizens United ruling, there are a variety of these interests that are now free to spend unlimited amounts of money on political ads without voters knowing who is paying for the ads. That is dangerous for democracy. It is wrong, and it needs to be stopped.

The stand by your ad provision of the DISCLOSE Act would require the top official, the CEO or a top official from a company, a union or any organization paying for a political advertisement to take responsibility for the ad. The DISCLOSE Act can't prevent the formation of misleading front organizations, but another provision would require disclosure of the top five funders to allow voters to know who is behind the ad.

I am of the view that companies, unions, other organizations ought to be held to the same standards of transparency and accountability in their political advertising as political candidates and political action committees. It is, in a one-sentence description, all about sunshine. Sunshine is the best disinfectant. The disclosure requirements in this legislation are going to give voters more information and help them understand who is paying for these political ads.

I continue, as the Presiding Officer knows, to do everything I can to work in the Senate in a bipartisan fashion. I am pleased to see my distinguished colleague in the chair. He has joined me with Senator GREGG and a number of colleagues on both sides of the aisle in what is the first bipartisan tax reform legislation in a quarter century. It picks up on another bipartisan model—legislation advanced by former President Reagan, Bill Bradley, Dan Rostenkowski, and others. A big day is coming up in tax reform. That is tomorrow. Chairman BAUCUS is going to lead us into the first debate in a long time about tax reform. I very much look forward to working with Chairman BAUCUS and his leadership on this issue.

I see my colleague from the Finance Committee, Senator GRASSLEY. If we are going to duplicate that important tax reform work of 1986, it is going to be Chairman BAUCUS, Senator GRASSLEY, Senator HATCH, the leaders of our committee taking us forward in a bipartisan way so the distinguished Senator from Alaska and I and other more junior members can work with our colleagues and make some history and fix the American tax system, radically simplify it. But to do that we will have to work in a bipartisan way.

I come to the floor to say, once again, I am hopeful that the DISCLOSE legislation, which provides an opportunity for transparency and accountability in campaign finance, can also become a bipartisan cause. There is absolutely nothing partisan about the question of making sure a political advertisement that is offered is one where the American people know who is behind it. That is not a partisan issue. As my friend from Alaska knows, it certainly isn't a partisan issue to take this unbelievable mess of a Tax Code that runs page after page after page, thousands of words, and simplify it to a one-page form, a one-page 1040 form. That is not partisan work, nor should disclosing campaign finance advertisements be partisan either.

I ask on this question of election reform, look at the present system, where there is no accountability, where people don't know who is behind these advertisements, and ask: Is this the best we can do? I think the answer is obviously no. I think the answer is, instead, to say that companies and unions and other organizations ought to be held to the same standard of honesty and integrity as political candidates are required to do under the legislation Senator COLLINS and I authored as part of McCain-Feingold.

The fact is, this Senate can do better in election reform. I urge colleagues to work together to bring transparency and accountability to American elections and pass the DISCLOSE Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

K2 PRODUCTS

Mr. GRASSLEY. Mr. President, as a parent and grandparent, I have long been concerned about the dangers that face our kids. I have been especially concerned about the large amount of dangerous drugs in this country and their use by anybody but particularly young people. It is clear drug dealers will stop at nothing to get our kids hooked on drugs. All too often, we learn of new and emerging threats to communities that often have negative impacts on our youth. But when these drug threats emerge, it is crucial that we unite to halt the spread of the problem before it consumes families and communities.

Today we are confronted with new and very dangerous substances packaged as somewhat innocent products. Specifically, young people are able to go online and/or to the nearest shopping mall and purchase incense laced with chemicals that alter mind and body. These products are commonly referred to as ''K2'' or ''Spice,'' among other names. I have a chart Members can see behind me. They can see the package varieties of K2 products. I will not go into detail, but look at them.

Specifically, kids are able to actually purchase these products with a great amount of ease. Kids and drug users are smoking this product in order to obtain what they think is a legal high, and the word ''legal'' tends to imply harmless. It is believed K2 products emerged on the scene beginning 4 or 5 years ago. Their use spread quickly through Europe and the United States. According to a study conducted by the European Centre for Drugs and Drug Addiction, most of the chemicals found in K2 products are not even reported on the label. This study by the European Centre concluded that these chemicals are not listed because there is a deliberate marketing strategy to represent this product as somewhat a natural substance. However, K2 is anything but natural. Most of the chemicals the Drug Enforcement Administration has identified within K2 products were invented by Dr. John W. Huffman of Clemson University and for a very worthwhile purpose—research purposes.

These synthetic chemicals were never intended to be used for any other purpose other than research. They were never tested on humans, and no long-term effects of their use are currently known. As more and more people are experimenting with K2, it is becoming increasingly evident that K2 use is anything but safe.

The American Association of Poison Control Centers reports significant increases in the amount of calls concerning these products. There were only 13 calls related to K2 use reported in 2009. Look at the figure for 2010. There have been over 1,000 calls concerning K2 use. So it is very evident: A dramatic increase in a short amount of time of the public concerned about K2 use, probably reflecting increased use of K2.

Common effects reported by emergency room doctors include increased agitation, elevated heart rate and blood pressure, hallucinations, and seizures. The effects from the highs from K2 use are reported to last several hours, and in some cases up to one week.

Dr. Huffman has stated that since so little research has been conducted on K2 chemicals, using any one of them would be like ''playing Russian roulette.''

In fact, Dr. Anthony Scalzo, a professor of emergency medicine at St. Louis University, reports that these chemicals are significantly more potent than even marijuana. Dr. Scalzo states that the amount of chemicals in K2 varies from product to product, so naturally no one can be sure exactly the amount of drugs you are putting into your body when you use these K2 products. Dr. Scalzo reports that this can lead to significant problems such as altering the state of mind, addiction, injury, and even death. I will refer to the death issue in a moment.

According to various news articles across the Nation, K2 can cause serious erratic and criminal behavior. In Mooresville, IN, the police arrested a

group of teens after they were connected to a string of burglaries while high on K2. The local county attorney prosecuting the case stated this was an unusual crime spree. These kids were not the type who are normally seen in the criminal justice system. The county attorney stated these kids had ''no prior record, good grades, athletes, so that got me wondering: is there a correlation between K2 and the crime?''

Another case in Honolulu, HI, shows police arrested a 23-year-old man after he tried to throw his girlfriend off an 11th floor balcony after he was smoking K2.

A 14-year-old boy in Missouri nearly threw himself out of a fifth story window after smoking K2. Once the teen got over his high, he denied having any suicidal tendencies. Doctors believe he was hallucinating at the time of the incident.

K2 use is also causing serious health problems and increased visits to emergency rooms.

A Louisiana teen said he became very ill after trying K2. The teen said he experienced numbness, starting at his feet and traveling all the way to his head. He was nauseous, light-headed, and was having hallucinations. The teen stated that K2 is being passed around at the school. The teen also stated that many people were trying it without fear, assuming it was safe because it was legal. I said that previously in my remarks: a legal drug, it has to be safe is kind of the attitude.

Another case has a teenager in Indiana being admitted to an emergency room with a blood pressure of 248 over 134 after testing positive for K2.

A teen in Texas became temporarily paralyzed from the waist down after smoking K2.

Another teen in Texas had a heart attack after smoking K2 but, fortunately, survived the event.

Regrettably, K2 use also has deadly consequences. I want to speak about an individual and family who suffered from a tremendously bad consequence of K2.

The picture behind me is of David Rozga. David was a recent 18-year-old Indianola, IA, high school graduate. According to his parents and friends, David was a bright, energetic, talented student who loved music, was popular, and active in his church.

David was looking forward to attending the University of Northern Iowa this fall, my alma mater. On June 6, 2010, David, along with some of his friends, smoked a package of K2 thinking it was nothing more than just having a little fun.

David and his friends purchased this product at a mall in Des Moines, after hearing about it from some college students who were home for the summer.

After smoking this product, David's friends reported that David became highly agitated and terrified. When he got home, he found a family shotgun and committed suicide 90 minutes after smoking K2.

The Indianola police believe David was under the influence of K2 at the time of his death. David's parents and many in the community who knew David were completely shocked and, obviously, saddened by this event.

As a result, the Iowa Pharmacy Board placed an emergency ban on K2 products in Iowa, which began on July 21, 2010. David's tragic death may be the first case in the United States of K2 use leading to someone's death, but, sadly, it was only the beginning.

A month after David's tragic death, police reported that a 28-year-old Middletown, IN, mother of two passed away after smoking a lethal dose of K2. This woman's godson reported that anyone could get K2 easily because it can be sold to anyone at any price and at any time.

This last August, a recent 19-year-old Lake Highlands High School graduate in Dallas, TX, passed away after smoking K2. The medical examiner confirmed that this boy had K2 in his system at the time of his death.

These incidents throughout the country give me great concern that K2 use is a dangerous and growing problem. Twelve States, including Iowa, have acted to ban the sale and possession of the chemicals found in K2 products. Many more States, counties, and communities throughout the country have proposed bans or are in the process of banning these products.

However, a recent article in the Des Moines Register highlights the fact that some stores are working around these bans by the simple process of changing some of the chemicals and by simply relabeling the product.

So I believe it is time we have a national discussion about these dangerous substances. I hope in the coming weeks and months my colleagues will begin to take notice of this issue.

As cochairman of the Senate Drug Caucus—I cochair that with Senator FEINSTEIN from California—it is my hope we will have a hearing on this issue in the not too distant future.

It is important to fully understand the magnitude and implications of allowing these products to remain legal in the United States. It is clear the sale and use of K2 products is obviously a growing problem. People believe these products are safe because they can buy them online or at the nearest shopping mall.

We need to do a better job at educating the public and our communities about the dangers these products present. We, in fact, need to nip this problem in the bud before it grows and leads to the tragedy of more death or the tragedy of other health consequences.

I ask each of my colleagues in the Senate to join me as we explore positive actions to stem the use of K2.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. 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.

TRIBUTE TO PEGGY L. GREENBERG

Mr. REID. Mr. President, I rise today to recognize the extraordinary work of Peggy L. Greenberg, director of the Office of Education and Training, who is retiring at the end of this month after 11 years. Peggy has been responsible for the training and development of all Senate staff in both the Washington, DC, office and all the Senate State offices. Her department offers programs in a wide variety of areas including general professional development, management and leadership development, legislative information and technical computer skills training.

After earning her undergraduate degree in nursing from Southwestern Louisiana, Ms. Greenberg moved from nursing in Louisiana to Massachusetts, where she was a pediatric nurse. She eventually became the director of nursing inservice education and later the director of education for all of Kennedy Memorial Hospital in Boston. During that time, she earned a master's degree in adult and continuing education from Boston University.

Peggy was the director of Organization Effectiveness and Performance Consulting for Med Star Physician Partners and then a director of learning and organization development for Kaiser Permanente of the Mid-Atlantic States. She was recognized in the Kaiser Permanente organization nationwide as a leader in the training and organization development area.

Peggy Greenberg has been a key contributor to improving the effectiveness and efficiency of Senate staff. We have all benefited from her professional and personal commitment to improving every aspect of or our individual and organizational development. The Senate has been fortunate to have someone with her knowledge and experience.

The Senate community will miss Peggy, and wishes her well as she enjoys long and adventurous bike rides with her husband, Brian and continues indulging her love of tap dancing.

ADDITIONAL STATEMENTS

TREE FRESNO'S 25TH ANNIVERSARY

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in celebrating the 25th anniversary of Tree Fresno.

The genesis of Tree Fresno can be traced to a group of residents who had gathered during Fresno's Centennial in 1985 to explore ways to improve the city. This group of civic-minded residents determined that the planting of trees would beautify the city and create more livable and walkable neighborhoods.

The idea to beautify Fresno through the planting of trees was met with great support and enthusiasm from the community as evidenced by a telethon that netted $27,000—funds that provided seed money for Tree Fresno's maiden project that resulted in the planting of trees in downtown and the city's vibrant Tower District.

Over the past 25 years, Tree Fresno has spearheaded and successfully completed a number of community-wide efforts that have led to the greening of the greater Fresno area. Throughout the years, Tree Fresno has grown the tree canopy on local school campuses and along some of the major thoroughfares in Fresno such as Blackstone and McKinley Avenues. On one remarkable day in 2000, thousands of Tree Fresno volunteers planted 4,400 trees in and along an abandoned rail corridor between Fresno and Clovis.

In addition to the planting of trees, Tree Fresno has also been instrumental in educating the public about the importance of responsible environmental stewardship. Through programs such as Tribute Trees, Trees for Campuses and Kids and the Junior Board of Tree Fresno, the organization has made an indelible impact on raising the overall environmental awareness and efficacy of the residents, especially the young people, of Fresno and surrounding communities.

The many accomplishments of Tree Fresno over the past 25 years are a testament to the vision of its founding members, the dedication of its staff and the support and commitment of thousands of volunteers and supporters who have given so generously to help make Fresno a better place to live.

It is my pleasure to congratulate the board, staff and many friends of Tree Fresno for 25 years of environmental leadership in the greater Fresno area. I send my best wishes for many more years of continued success.●

2009 ALFRED P. SLOAN AWARD RECIPIENTS

● Mr. CRAPO. Mr. President, today I congratulate the 2009 winners of the Alfred P. Sloan Award for Business Excellence in Workplace Flexibility, which recognizes companies that have successfully used flexibility to meet both business and employee goals. The Sloan Awards are presented by the When Work Works initiative, which is a project of the Families and Work Institute in partnership with the Institute for a Competitive Workforce, an affiliate of the U.S. Chamber of Commerce, and the Twiga Foundation Inc. The When Work Works initiative is sponsored by the Alfred P. Sloan Foundation.

I want to draw your attention to the Sloan Awards because I think these companies are to be commended for their excellence in providing workplace flexibility practices which benefit both employers and employees. Achieving greater flexibility in the workplace—to maximize productivity while attracting the highest quality employees—is one of the key challenges facing American companies in the 21st century.

Businesses in 30 communities were eligible for recognition in the 2009 Sloan Awards. In addition, this year an at-large category was added. The Chamber of Commerce in many cities hosted an interactive business forum to share research on workplace flexibility as an important component of workplace effectiveness. In these same communities, businesses applied for and recipients were selected for the Sloan Awards through a process that included employee responses as well as employer practices.

I would like to take this opportunity to congratulate the 2009 winners of the Alfred P. Sloan Award for Business Excellence in Workplace Flexibility. These businesses are to be commended for their excellence in providing workplace flexibility.

In Arizona, the winners are Arizona Foundation for Legal Services and Education; Arizona Weddings Magazine & Website; Autohaus Arizona, Inc.; Chandler-Gilbert Community College; Contreras State Farm Agency, Inc.; Cosmopolitan Medical Communications, Custom Accounting & Tax PC; Henry & Horne, LLP; Intel Corporation; Johnson Bank; Keats, Connelly and Associates; Metro Architecture LLC; Microchip Technology; Morrison & Associates CPAs PLLC; My Computer Works; Neonatology Associates, Ltd.; Omega Legal Systems Inc.; Pima Council on Aging, Inc.; Raytheon Missile Systems Tucson, AZ; Salt River Materials Group; Western International University; Western International University—Scottsdale Campus; Whitneybell Perry Inc; and WorldatWork.

In Atlanta, GA, the winners are Delta Air Lines; Gas South, LLC; Lee Hecht Harrison; The Mom Corps Inc.; and WellStar Health System.

In Aurora, CO, the winners are Adams County Workforce & Business Center; Aurora Mental Health Center; The Medical Center of Aurora; and University of Phoenix.

In Birmingham, AL, the winners are Albert Kahn Family of Companies; Barfield Murphy Shank & Smith; Big Brothers Big Sisters; Birmingham Metropolitan YMCA; Cayenne Creative Group; Concept, Inc.; El Paso Corporation; ITAC Solutions, LLC.; Resources Global Professionals; Sain Associates; and Sellers Richardson Holman & West LLP.

In Boise, ID, the winners are American Geotechnics; Boise Rescue Mission; Givens Pursley LLP; Idaho Association for the Education of Young Children; Idaho Federation of Families for Children's Mental Health; and Trey McIntyre Project.

In Charleston, SC, the winners are AAI Services Corporation; Barling Bay, LLC; Call Experts; Charleston Metro Chamber of Commerce; Community Management Group; EMES, LLC; KFR Services, Inc.; Lowcountry Graduate Center; Morris Financial Concepts, Inc; Noisette Company; Santee Cooper; Scientific Research Corporation; Stanley, Inc.; and Tegron LLC.

In Chicago, IL, the winners are Accenture; Alma Lasers; AzulaySeiden Law Group; Falkor Group, LLC; Frost, Ruttenberg & Rothblatt, P.C.; Ketchum Inc.; Microsoft Corporation; Perspectives, Ltd; Plante & Moran, PLLC; Shakespeare Squared; The SAVO Group; True Partners Consulting; Turner Construction Company—Chicago Business Unit; and Vox, Inc.

In Columbus, OH, the winners are Kaiser Consulting; Resource Interactive; American Electric Power; Cardinal Health Inc.; Ohio College Access Network; Pillar Technology Group LLC; Resources Global Professionals; Amethyst; and OCLC Online Computer Library Center.

In Dallas, TX, the winners are Abernethy Media Professionals, Inc.; Aguirre Roden, Inc.; Capital One; Community Council of Greater Dallas; Dallas Convention & Visitors Bureau; EGW Utilities Inc.; Lee Hecht Harrison; Lockheed Martin Missiles & Fire Control; McQueary Henry Bowles Troy, L.L.P.; State Farm Insurance; Tegron; The Beck Group; The Center for American and International Law; and The North Highland Company.

In Dayton, OH, the winners are Better Business Bureau of Dayton/Miami Valley Inc.; Brower Insurance Agency LLC; Cornerstone Research Group Inc.; Iformata Communications; LeVeck Lighting Products, Inc.; Premier Community Health; and SummitQwest.

In Durham, NC, the winners are CrossComm, Inc; Durhams Partnership for Children; Expedite Group; Shodor; US Environmental Protection Agency; and WorkSmart.

In Houston, TX, the winners are Access Sciences Corporation; CenterPoint Energy; Chevron Corporation; El Paso Corporation; Fulbright & Jaworski LLP; Gimmal Group; HBL Architects; Houston Department of Health and Human Services; Jaemar International Inc.; Klotz Associates, Inc.; M.D. Anderson Cancer Center; PKF Texas; PricewaterhouseCoopers; Tegron; The Dow Chemical; The VIA Group; University of Phoenix; University of St. Thomas; and Vinson & Elkins LLP.

In Kentucky, the winners are AASHE; Analysts International; Anneken, Huey & Moser, PLLC; Benefit Insurance Marketing; Bottom Line Systems Inc.; CDP Engineers Inc; Central Baptist Hospital; Frankfort Regional Medical Center; J C Malone Associates; Kentucky Employers Mutual

Insurance (KEMI); Kentucky League of Cities; Lexmark International, Inc.; Potter & Company, LLP; Stoll Keenon Ogden PLLC; Sturgill, Turner, Barker & Moloney, PLLC; Third Rock Consultants LLC; and Woodward Hobson & Fulton LLP.

In Long Beach, CA, the winners are AES Alamitos, LLC; Bryson Financial Group; Choices of Long Beach INC dba Choices Recovery Services; Decision Toolbox, Inc.; PeacePartners, Inc.; and Tredway, Lumsdaine & Doyle, LLP.

In Long Island, NY, the winners are Albrecht, Viggiano, Zureck & Co., PC; The Alcott Group; Brookhaven Science Associates/Brookhaven National Laboratory; Cerini & Associates; Farrell Fritz, P.C.; Holtz Rubenstein Reminick LLP; and YES Community Counseling Center.

In Louisville, KY, the winners are A Speaker For You; Deming Malone Livesay & Ostroff; Greater Louisville Inc.; Hardin Shymanski and Company PSC; KiZAN Technologies LLC; Louis T. Roth & Co. PLLC; Louisville Magazine; Lyndon Fire Protection District; McCauley, Nicolas & Company, LLC; Mission Data; Mountjoy & Bressler LLP; Prestige Health Care; Raytheon Company; Stoll Keenon Ogden PLLC; Strothman & Company PSC; Studio Kremer Architects, Inc.; The Tellennium Group; WellPoint, Inc.; Woodward, Hobson & Fulton, LLP; and Yum! Brands, Inc.

In Manchester, NH, the winners are Child and Family Services, Dynamic Network Services, Inc.; Image 4; and YWCA of Manchester.

In Melbourne-Palm Bay, FL, the winners are Courtyard by Marriott; Habitat for Humanity of Brevard County, Inc.; Olive Garden Italian Restaurant; RSM McGladrey/McGladrey & Pullen; Space Coast Business, LLC; Space Coast Early Intervention Center; and Whittaker Cooper Financial Group.

In Michigan the statewide winners are Albert Kahn Family of Companies; Altair Engineering; Amerisure Mutual Insurance Company; Brown and Brown of Detroit (formerly Alcos); Detroit Regional Chamber; Dynamic Edge, Inc.; Employees Only; Farnman Group; Frank, Haron, Weiner & Navarro P.L.C.; Leader Dogs for the Blind; Menlo Innovations LLC; Michigan Civil Service Commission; Michigan Department of Education; Michigan Department of Environmental Quality; Michigan Health & Hospital Association; Michigan Occupational Safety and Health Administration; Motawi Tileworks, Inc.; Motion Marketing & Media; National Multiple Sclerosis Society, Michigan Chapter; Peckham Inc.; Plex Systems, Inc.; Public Policy Associates, Inc.; Regal Financial Group; Service Express, Inc.; Valassis; and Visteon Corporation.

In Milwaukee, WI, the winners are Foley & Lardner LLP; Herzing University; Kforce Professional Staffing; Kolb+Co SC; Laughlin/Constable; Manpower, Inc.; Metropolitan Milwaukee Association of Commerce; Mortgage Guaranty Insurance Corp; Robert W. Baird & Co.; StorerTV, Inc.; and The Novo Group.

In Morris County, NJ, the winners are BASF Corporation; Fein, Such, Kahn & Shepard, P.C.; Madison Area YMCA; Nukk-Freeman & Cerra, P.C.; One Call Medical, Inc.; and Solix Inc.

In Providence, RI, the winners are Rhode Island Housing; Rhode Island Legal Services, Inc.; and Sansiveri, Kimball, McNamee, LLP.

In Richmond, VA, the winners are Anthem Blue Cross and Blue Shield (Also listed as WellPoint); Bon Secours Richmond Health System; Capital One, Rink Management Services Corporation; and Vaco Richmond, LLC.

In Rochester, MN, the winners are Cardinal of Minnesota; Custom Alarm/CCi; First Alliance Credit Union; Rochester Area Family YMCA; Rochester Community and Technical College; Senior Citizens Services Inc.; Southern Minnesota Municipal Power Agency; United Way of Olmsted County; and Venture Computer Systems.

In Salt Lake City, UT, the winners are 1–800 CONTACTS, Inc.; AAA Fair Credit Foundation; Christopherson Business Travel; Employer Solutions Group; Intermountain Financial Group/MassMutual; McKinnon-Mulherin, Inc.; and Utah Food Services.

In Savannah, GA, the winners are Hancock Askew & Co., LLP (Listed as Qualified Plans) and Wesley Community Centers of Savannah, Inc.

In Seattle, WA, the winners are Bader Martin, P.S.; BECU; Blue Gecko; Cascadia Consulting Group, Inc.; Compendium Inc.; Miller, Hansen & Torphy, Inc. dba MHT Insurance; NRG::Seattle; Prolumina; Puget Sound Center for Teaching, Learning and Technology; Seattle Hospitality Group; Technology Services Company, Inc.; TeleCommunication Systems Inc.; The Alford Group; Washington Policy Center; Within Reach; Workforce Development County Snohomish County; and Worktank Enterprises.

In Spokane, WA, the winners are Desautel Hege Communications; Humanix Staffing and Recruiting; Inland Northwest Health Services; Principal Financial Group; Quisenberry Marketing & Design; Spokane Occupational and Hand Therapy; and St. Luke's Rehabilitation Institute.

In the Twin Cities the winners are Accenture; Best Buy; fahren HEIGHT360; General Mills; Health Services Innovations; Interventional Pain and Physical Medical Clinic; Lutheran Social Service of Minnesota; Mahoney, Ulbrich, Christiansen & Russ PA; Minnesota Child Care Resource & Referral Network; MRM Worldwide Minneapolis; Netgain; Prevent Child Abuse Minnesota; Synergystic Software Solutions; U.S. Bank; and Western National Mutual Insurance Company.

In Winona, MN, the winners are Catholic Charities of the Diocese on Winona; Hiawatha Broadband Communications (Also listed as HMC Inc.); Mediascope, Inc.; Merchants Financial Group; Sport & Spine Physical Therapy of Winona Inc.; Winona ORC Industries; and Winona Workforce Center.

The At-large winners are ACS, Inc. (Affiliated Construction Services) (Madison, WI); Averett Warmus Durkee (Orlando, FL); Barnes Dennig & Company (Cincinnati, OH); Bon Secours Hampton Roads (Norfolk, VA); Capital One (Washington, D.C.); CIBER Global Solution Center (Tampa, FL); CSC (Cincinnati, OH); Discovery Communications (Silver Spring, MD); E-IT Professionals Corp. (Canton, MI); First Things First, Inc (Chattanooga, TN); Grandparents.com (New York, NY); Kenexa (Lincoln, NE); LiveOps (Santa Clara, CA); Management Recruiters of Chattanooga-Brainerd (Chattanooga, TN); PRIZIM, Inc. (Gaithersburg, MD); and Unum (Portland, ME).

These companies demonstrate a great commitment. Thus, it is not surprising that some of them practice workplace flexibility in offices across their state and our country. Companies with winners in multiple cities are BDO Seidman, LLP; Booz Allen Hamilton; Clifton Gunderson LLP; Deloitte LLP; Ernst & Young; KPMG LLP; LS3P ASSOCIATES LTD; Merrick & Company; RSM McGladrey, Inc; Ryan, Inc.; and Warner Norcross & Judd LLP.

Again, I congratulate the 2009 winners of the Sloan awards and look forward to the ongoing recognition of this worthwhile initiative.●

RECOGNIZING THE NORTH LITTLE ROCK VISITORS BUREAU

● Mrs. LINCOLN. Mr. President, today I congratulate the North Little Rock Visitors Bureau for being chosen as the Small Convention Visitors Bureau of the Year by the Southeast Tourism Society, which represents 12 States. The North Little Rock bureau topped the category for visitors bureaus with a budget of less than $1 million.

The Shining Example Award the North Little Rock agency received highlights ''some of the best work in travel and tourism,'' and sets ''examples that others in the industry can follow,'' according to the Southeast Tourism Society.

I salute the North Little Rock Visitors Bureau and the entire North Little Rock community for their efforts to build and grow their community. As my fellow Arkansans know, our state is a beautiful one, filled with countless opportunities for recreation, outdoor pursuits, and other leisure activities. I am proud to see North Little Rock receive this prestigious recognition.●

RECOGNIZING THE FORT SMITH HOUSING AUTHORITY

● Mrs. LINCOLN. Mr. President, today I congratulate the Fort Smith Housing Authority for winning the Agency of the Year Award from the Arkansas Chapter of the National Association of Housing and Rehabilitation Officials.

According to the Awards Committee, the Fort Smith Authority stood out in its achievements through its Neighborhood Stabilization Program and its recently gained status as a redevelopment agency, a status that will enable it to do even more good work in the future.

The Fort Smith Housing Authority does tremendous work in its local Arkansas community, serving people with disabilities, seniors, and low income families by providing quality, affordable housing that creates positive living environments. I commend the Authority's long-standing efforts to increase the availability of safe, affordable housing and to improve quality of life and economic vitality.

I salute the Authority and the entire Fort Smith community for achieving this prestigious recognition.●

RECOGNIZING THE ST. MARK SANCTUARY CHOIR

● Mrs. LINCOLN. Mr. President, today I recognize St. Mark Sanctuary Choir from Little Rock, which recently advanced to the national level of ''How Sweet the Sound,'' a nationwide contest in search for the best church choir in America.

St. Mark Choir earned a trip to the upcoming final competition in Washington, DC, after winning the regional ''How Sweet the Sound'' competition held in Memphis earlier this month. Under the leadership of Darius Nelson, Minister of Music, the choir surpassed its competition with a stirring rendition of ''It Is Well With My Soul.''

St. Mark Choir, comprised of adults age 18 and up, is the main service choir of St. Mark. With more than 100 active members, the choir serves faithfully each Sunday morning at the 8 and 11:30 a.m. worship services. This group of talented vocalists from the Little Rock area represent the best of Arkansas, and I am proud of their efforts to spread music and ministry to others.

I celebrate St. Mark Sanctuary Choir and all performers of gospel music for their dedication to an art form that brings a message of hope and inspiration to all people. That is why earlier this year, I submitted a bipartisan resolution in the U.S. Senate designating September as ''Gospel Music Heritage Month,'' to honor the lasting legacy of gospel music in the U.S. and around the world.

In closing, I commend these talented individuals at St. Mark Church for their dedication to serving others through music and worship. I congratulate Bishop Steven M. Arnold and the entire congregation for this tremendous achievement.●

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 4:11 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3562. An act to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the 'James Chaney, Andrew Goodman, Michael Schwerner, and Roy K. Moore Federal Building'.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUYE).

MEASURES DISCHARGED

Pursuant to 5 U.S.C. 802(c), the following joint resolution was discharged by petition from the Committee on Health, Education, Labor, and Pensions, and placed on the Calendar:

S.J. Res. 30. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

DISCHARGED PURSUANT TO 5 U.S.C. 802(C) (CONGRESSIONAL REVIEW ACT)

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Health, Education, Labor, and Pensions be discharged of further consideration of S.J. Res. 30, a resolution on providing for congressional disapproval of a rule submitted by the National Mediation Board relating to representation election procedures, and further, that the resolution be immediately placed upon the Legislative Calendar under General Orders.

George S. LeMieux, Jon Kyl, Mike Crapo, John Barrasso, Richard Burr, Christopher S. Bond, James E. Risch, John Ensign, Jim DeMint, Lamar Alexander, Roger F. Wicker, George V. Voinovich, Johnny Isakson, David Vitter, John Cornyn, Judd Gregg, Mike Johanns, Chuck Grassley.

Sam Brownback, Michael B. Enzi, Thad Cochran, Roland W. Burris, Pat Roberts, Richard C. Shelby, Jeff Sessions, Kay Bailey Hutchison, Susan M. Collins, Bob Corker, Lisa Murkowski, Mitch McConnell, John McCain, Lindsey Graham, Richard G. Lugar, Robert F. Bennett, Orrin G. Hatch.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 3813. A bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard, and for other purposes.

S. 3815. A bill to amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes.

S. 3816. A bill to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3827. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

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–7435. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (27); Amdt. No. 3391'' (RIN2120–AA65) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7436. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (152); Amdt. No. 3388'' (RIN2120–AA65) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7437. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures (8); Amdt. No. 3389'' (RIN2120–AA65) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7438. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; 2010 Seattle Seafair Fleet Week Moving Vessels, Puget Sound, Washington'' ((RIN1625–AA87) (Docket No. USCG–2010–0709)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7439. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Thunder on Niagara, Niagara River, North Tonawanda, NY'' ((RIN1625–AA00) (Docket No. USCG–2010–0745)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7440. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Kanawha River Mile 56.7 to 57.6, Charleston, WV'' ((RIN1625–AA00) (Docket No. USCG–2010–0208)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7441. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fireworks within the Captain of the Port Sector Boston Zone'' ((RIN1625–AA00) (Docket No. USCG–2010–0685)) received

during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7442. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Live-Fire Gun Exercise, M/V Del Monte, James River, VA'' ((RIN1625–AA00) (Docket No. USCG–2010–0585)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7443. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; DEEPWATER HORIZON Response Staging Area in the Vicinity of Shell Beach, Hopedale, LA'' ((RIN1625–AA00) (Docket No. USCG–2010–0622)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7444. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; He'eia Kea Small Boat Harbor, Kaneohe Bay, Oahu, HI'' ((RIN1625–AA00) (Docket No. USCG–2010–0458)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7445. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Transformers 3 Movie Filming, Chicago River, Chicago, IL'' ((RIN1625–AA00) (Docket No. USCG–2010–0706)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7446. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; AVI September Fireworks Display, Laughlin, Nevada, NV'' ((RIN1625–AA00) (Docket No. USCG–2010–0020)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7447. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Celebrate Erie, Presque Isle Bay, Erie, PA'' ((RIN1625–AA00) (Docket No. USCG–2010–0746)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7448. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes; and Model ERJ 190–100 LR, –100 IGW, –100 STD, –200 STD, –200LR, and –200 IGW Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2009–0497)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7449. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hawker Beechcraft Corporation (Type Certificate No. A00010WI Previously Held by Raytheon Aircraft Company) Model 390 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0523)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7450. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Model CL–600–2B19 (Regional Jet Series 100 and 440) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0482)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7451. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Air Tractor, Inc. Models AT–802 and AT–802A Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0827)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7452. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0804)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7453. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and ERJ 190 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0799)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7454. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Model 737–600, –700, –700C, –800, –900, and –900ER Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0798)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7455. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada (PandWC) PW530A, PW545A, and PW545B Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–0860)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7456. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Models TAE 125–01 and TAE 125–02–99 Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–0683)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7457. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; GA 8 Airvan (Pty) Ltd Models GA8 and GA8–TC320 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0847)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7458. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney (PW) PW4000 Series Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–0217)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7459. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation Model S–76A, S–78B, and S–76C Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2008–0609)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7460. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Model CL–600–2C10 (Regional Jet Series 700, 701 and 702), CL–600–2D15 (Regional Jet Series 705), and CL–600–2D24 (Regional Jet Series 900) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2009–1110)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7461. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Model 737–700 (IGW) Series Airplanes Equipped with Auxiliary Fuel Tanks Installed in Accordance with Configuration 3 of Supplemental Type Certificate ST00936NY'' ((RIN2120–AA64) (Docket No. FAA–2010–0037)) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7462. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Model DHC–8–200 and DHC–8–300 Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0432)) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7463. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area: Galveston Channel, TX'' ((RIN1625–AA11) (Docket No. USCG–2009–0931)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7464. A communication from the Attorney Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area: Boom Deployment Strategy Testing, Great Bay, NH'' ((RIN1625–AA11) (Docket No. USCG–2010–0666)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7465. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Elizabeth River, Norfolk, VA'' ((RIN1625–AA09) (Docket No. USCG–2009–0754)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7466. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments, Sector Columbia River, WA'' ((RIN1625–ZA25) (Docket No. USCG–2010–0351)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7467. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments, Sector Puget Sound, WA'' ((RIN1625–ZA25) (Docket No. USCG–2010–0351)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7468. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments, Bridges'' ((RIN1625–ZA25) (Docket No. USCG–2010–0351)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7469. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation for Marine Events; Elizabeth River, Portsmouth, VA'' ((RIN1625–AA08) (Docket No. USCG–2010–0713)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7470. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Marine Events Within the Captain of the Port Sector Boston Zone'' ((RIN1625–AA08) (Docket No. USCG–2010–0675)) received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7471. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Electronic On-Board Recorders for Hours-of-Service Compliance'' (RIN2126–AA89) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7472. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Compliance with Interstate Motor Carrier Noise Emission Standards: Exhaust Systems'' (RIN2126–AB31) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7473. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Parts and Accessories Necessary for Safe Operation: Antilock Brake Systems'' (RIN2126–AB27) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7474. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Pilot, Flight Instructor, and Pilot School Certification'' ((RIN2120–AI86) (Docket No. FAA–2006–26661)) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7475. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Minor Editorial Corrections and Clarifications'' (RIN2137–AE61) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7476. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Kaneohe, HI'' ((RIN2120–AA66) (Docket No. FAA–2010–0530)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7477. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Class E Airspace; Eastsound, WA'' ((RIN2120–AA66) (Docket No. FAA–2010–0387)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7478. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Litchfield, MN'' ((RIN2120–AA66) (Docket No. FAA–2010–0401)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7479. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Center, TX'' ((RIN2120–AA66) (Docket No. FAA–2010–0181)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7480. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Port Angeles, WA'' ((RIN2120–AA66) (Docket No. FAA–2010–0002)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7481. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Astoria, OR'' ((RIN2120–AA66) (Docket No. FAA–2009–0902)) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7482. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Bering Sea Pollock Fishery'' (RIN0648–AX89) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7483. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XY57) received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7484. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Quarterly Listings; Safety Zones; Security Zones; Special Local Regulations; Regulated Navigation Areas; Drawbridge Operation Regulations'' (Docket No. USCG–2010–0732) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–7485. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Final Rule to List the Medium Tree-Finch (Camarhynchus pauper) as Endangered Throughout Its Range'' (RIN1018–AW01) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7486. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for Five Penguin Species'' (RIN1018–AW40) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7487. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Richard C. Zilmer, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–7488. 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 ''Nebraska: Final Authorization of

State Hazardous Waste Management Program Revisions'' (FRL No. 9205–3) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7489. 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; Maryland; Adoption of Control Techniques Guidelines for Flexible Packaging and Printing'' (FRL No. 9205–9) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7490. 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; Maryland; Control Technique Guidelines for Paper, Film, and Foil Coatings'' (FRL No. 9206–4) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7491. 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; Michigan; PSD Regulations'' (FRL No. 9205–6) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7492. 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 and Designation of Areas for Air Quality Planning Purposes; Michigan; Redesignation of the Allegan County Areas to Attainment for Ozone'' (FRL No. 9204–5) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7493. 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 ''Mandatory Reporting of Greenhouse Gases'' (FRL No. 9204–7) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7494. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District'' (FRL No. 9204–3) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7495. 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; Indiana; Revised Format for Materials Being Incorporated by Reference'' (FRL No. 9200–1) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7496. 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 ''Ocean Dumping; Correction of Typographical Error in 2006 Federal Register Final Rule for Designation of Ocean Dredged Material Disposal Site at Coos Bay, Oregon, Site F; Restoration of Coordinates for Ocean Dredged Material Disposal Site at Coos Bay, Oregon, Site H'' (FRL No. 9161–6) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7497. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Revisions to Emissions Inventory Reporting Requirements, and General Provisions'' (FRL No. 9187–8) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7498. 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; Commonwealth of Kentucky; Prevention of Significant Deterioration and Nonattainment New Source Review Rules: Nitrogen Oxide as Precursor to Ozone'' (FRL No. 9201–1) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7499. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Prevention of Significant Deterioration (PSD)'' (FRL No. 9199–8) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7500. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Nonattainment NSR (NNSR) for the 1-Hour and the 1997 8-Hour Ozone Standard, NSR Reform, and a Standard Permit'' (FRL No. 9199–6) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC–7501. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Navy and was assigned case number 09–06; to the Committee on Appropriations.

EC–7502. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Navy and was assigned case number 09–05; to the Committee on Appropriations.

EC–7503. 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 ''Technical Amendments to Pesticide Regulations'' (FRL No. 8844–7) received in the Office of the President of the Senate on September 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7504. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six–month periodic report on the national emergency declared in Executive Order 12978 of October 21, 1995, with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC–7505. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs.

EC–7506. 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 Hungary; to the Committee on Banking, Housing, and Urban Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–138. A resolution adopted by the St. Charles County Council of the State of Missouri relative to the Comprehensive Plan for Flood Control on the Mississippi and Illinois Rivers; to the Committee on Environment and Public Works.

POM–139. A resolution adopted by the City of Wentzville, Missouri relative to the Comprehensive Plan for Flood Control on the Mississippi and Illinois Rivers; to the Committee on Environment and Public Works.

POM–140. A message from the Canadian Parliament extending best wishes to the United States Congress and the people of the United States of America as they celebrate Independence Day on July 4, 2010; to the Committee on Foreign Relations.

POM–141. A message from the National Assembly of Kuwait to the President of the Senate expressing congratulations on the occasion of the National Day of the United States of America; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, without amendment:

H.R. 3553. A bill 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 (Rept. No. 111–299).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with amendments:

H.R. 2092. A bill to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes (Rept. No. 111–300).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2925. A bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

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. DODD (for himself, Mr. ENZI, and Mr. HARKIN):

S. 3817. A bill to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 3818. A bill to amend the Internal Revenue Code of 1986 to allow credits for the establishment of franchises with veterans; to the Committee on Finance.

By Mrs. LINCOLN (for herself and Mr. KERRY):

S. 3819. A bill to amend the Internal Revenue Code of 1986 to reduce the mileage threshold for the deduction for National Guard and Reservists overnight travel expenses; to the Committee on Finance.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 3820. A bill to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER:

S. 3821. A bill to amend title VI of the Civil Rights Act of 1964 to prohibit discrimination on the ground of religion in educational program or activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 3822. A bill to adjust the boundary of the Carson National Forest, New Mexico; to the Committee on Energy and Natural Resources.

By Mr. SESSIONS:

S. 3823. A bill to remove preferential treatment for sleeping bags under the Generalized System of Preferences, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 3824. A bill to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation and to provide for enhanced reliability in the transportation of United States energy products by pipeline, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 3825. A bill to amend the Endangered Species Act of 1973 to remove certain portions of the distinct population segment of the Rocky Mountain gray wolf from the list of threatened species or the list of endangered species published under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DEMINT (for himself, Mr. SESSIONS, Mr. GRASSLEY, Mr. COBURN, Mr. CORNYN, Mr. ENSIGN, Mr. VITTER, Mr. THUNE, Mr. RISCH, Mr. INHOFE, Mr. ENZI, Mr. WICKER, and Mr. HATCH):

S. 3826. A bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN (for himself, Mr. LUGAR, and Mr. LEAHY):

S. 3827. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes; read the first time.

By Mr. PRYOR:

S. 3828. A bill to make technical corrections in the Twenty-First Century Communications and Video Accessibility Act of 2010 and the amendments made by that Act; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. VITTER, Mr. LIEBERMAN, Mr. ENZI, Mrs. SHAHEEN, Mr. ISAKSON, Mrs. HAGAN, Mr. THUNE, Ms. CANTWELL, Mr. BOND, Mr. WICKER, Mr. RISCH, and Mr. PRYOR):

S. Res. 638. A resolution celebrating the 30th anniversary of the Small Business Development Center network; considered and agreed to.

By Mr. BROWNBACK:

S. Con. Res. 72. A concurrent resolution recognizing the 45th anniversary of the White House Fellows Program; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 455

At the request of Mr. ROBERTS, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 455, a bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry ''Hap'' Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

S. 833

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 833, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 1695

At the request of Mr. BURRIS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1695, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 1760

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1760, a bill to amend the Public Health Service Act with regard to research on asthma, and for other purposes.

S. 2814

At the request of Ms. COLLINS, the name of the Senator from Oregon (Mr. WYDEN) 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. 2828

At the request of Mr. KERRY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2828, a bill to amend the Public Health Service Act to authorize the National Institute of Environmental Health Sciences to conduct a research program on endocrine disruption, to prevent and reduce the production of, and exposure to, chemicals that can undermine the development of children before they are born and cause lifelong impairment to their health and function, and for other purposes.

S. 3178

At the request of Mr. BROWN of Ohio, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3178, a bill to amend the Workforce Investment Act of 1998 to provide for the establishment of Youth Corps programs and provide for wider dissemination of the Youth Corps model.

S. 3293

At the request of Mr. HARKIN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 3293, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 3527

At the request of Mr. BROWN of Ohio, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 3527, a bill to amend title XVIII of the Social Security Act to ensure access to chest radiography (x-ray) services that use Computer-Aided Detection for the purpose of early detection of lung cancer.

S. 3641

At the request of Mr. WHITEHOUSE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3641, a bill to create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 3704

At the request of Mr. BEGICH, the names of the Senator from Colorado

(Mr. BENNET) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 3704, a bill to improve the financial safety and soundness of the FHA mortgage insurance program.

S. 3767

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3767, a bill to establish appropriate criminal penalties for certain knowing violations relating to food that is misbranded or adulterated.

S. 3786

At the request of Mr. KERRY, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 3786, a bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications.

S. 3813

At the request of Mr. BINGAMAN, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Iowa (Mr. GRASSLEY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 3813, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard, and for other purposes.

S. 3815

At the request of Mr. REID, the names of the Senator from Utah (Mr. HATCH) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3815, a bill to amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes.

S. 3816

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. BOXER), the Senator from Ohio (Mr. BROWN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3816, a bill to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas.

S. RES. 586

At the request of Mr. FEINGOLD, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. Res. 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

S. RES. 603

At the request of Mr. INHOFE, his name was added as a cosponsor of S. Res. 603, a resolution commemorating the 50th anniversary of the National Council for International Visitors, and designating February 16, 2011, as ''Citizen Diplomacy Day''.

S. RES. 618

At the request of Mrs. LINCOLN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 618, a resolution designating October 2010 as ''National Work and Family Month''.

AMENDMENT NO. 4627

At the request of Mrs. MURRAY, the names of the Senator from Missouri (Mr. BOND) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 4627 intended to be proposed to S. 3454, an original bill to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 3820. A bill to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BEGICH. Mr. President, I wish to speak about legislation I am introducing today with support from my fellow senator from Alaska, Senator MURKOWSKI.

It is all too rare that we get to talk about successful partnerships between private industry and the Federal Government. This legislation would cement just such a successful partnership between a subsidiary of an Alaska Native Corporation, Doyon Limited and the National Park Service.

Briefly this measure would authorize a special use permit and over the longer term an equal value land trade to facilitate a micro-hydro project within the non-wilderness portion of the Denali National Park. The microhydro project would allow Kantishna Roadhouse, a backcountry lodge that accommodates thousands of visitors a year, to substantially reduce their diesel use.

Because the lodge is not connected to any utility grid, it must generate its own power. By converting much of the load to a renewable resource, the lodge would improve local air quality and reduce truck traffic on the single park access road, thus improving the experience for visitors to the lodge and park as a whole. It additionally would help the lodge's bottom line.

The legislation has been developed with the assistance of Alaska Region of the National Park Service, and they are supportive of the project. Eureka Creek, the source of the hydro power, is not a fish-bearing stream, and the Park Service is interested in acquiring the lands to be traded from Doyon ownership.

After a good deal of outreach this summer by Doyon and others, we are aware of no opposition to this permit, land trade and the legislation itself. I want to thank the National Park Service for their willingness to come to the table and work constructively to solve problems. Additionally, I particularly want to thank the senior senator from Alaska and her staff for their work on this legislation. It's been a good partnership and I appreciate her help.

By Mr. SPECTER:

S. 3821. A bill to amend title VI of the Civil Rights Act of 1964 to prohibit discrimination on the ground of religion in educational program or activities; to the Committee on Health, Education, Labor, and Pensions.

Mr. SPECTER. Mr. President, I have sought recognition to urge support for legislation I am introducing today to amend Title VI of the Civil Rights Act of 1964.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin by any organization, program or activity that receives federal financial assistance, including colleges and universities. If recipients fail to comply, the federal agency providing the assistance may terminate funding, and organizations risk losing their eligibility for future funding.

The Department of Education's Office for Civil Rights, OCR, is tasked with enforcing Title VI as it applies to colleges and universities. OCR, however, believes that it does not have jurisdiction over complaints based solely on religion as opposed to race, color, or national origin. This means that when a Jew, or a Muslim, or a Sikh is harassed or discriminated against for being a Jew, a Muslim, or a Sikh, OCR must first determine whether the harassment or discrimination is a result of the student's religion or a result of her race, color, or national origin.

In most cases involving such discrimination, the perpetrator himself probably wouldn't even know if his hatred stems from prejudice based on religion or prejudice based on race, color, or national origin. Yet, before acting to protect these students, OCR has to determine the motive behind the perpetrator's actions. This wastes valuable time and allows the discrimination to continue pending the determination. Furthermore, it sets a dangerous example to require OCR to make such a determination and then in essence say the harassment and discrimination is okay provided it was based on religion and not on race, color, or national origin.

Many people are not aware that Title VI does not explicitly prohibit discrimination on the basis of religion. This is because discrimination on the basis of religion is prohibited in virtually every other civil rights law and has become such a fundamental principle of our country that we just assume the protection exists. For example, titles other than Title VI of the Civil Rights Act prohibit religious discrimination in other contexts.

In 1941, President Roosevelt issued an executive order prohibiting discrimination in the Federal Government and in the defense industry on grounds of ''race, creed, color, or national origin.'' The Civil Rights Act of 1957 established the U.S. Commission on Civil Rights to investigate discrimination on the basis of ''color, race, religion, or national origin.'' The Civil Rights Act of 1964 itself included numerous prohibitions on religious discrimination, just not in Title VI. For example, Title VII of the 1964 Act prohibits discrimination in employment. The Civil Rights Act of 1968 governing housing, continued to prohibit discrimination on the basis of ''race, color, religion, sex, or national origin.''

When it comes to education, the 1964 Act provides two mechanisms that address religious discrimination. First, the Attorney General is given limited authorization to sue public colleges that deny admission on the basis of race, color, religion, sex, or national origin in a way that limits educational desegregation. Second, the Attorney General is authorized to intervene in certain pending equal protection cases claiming discrimination ''on account of race, color, religion, sex or national origin'' if the case is of sufficient public importance. However, the Justice Department may not institute such actions on its own, and no federal agency is authorized to investigate run-of-the-mill religious discrimination cases at educational institutions or cases in which the victim has been unable to initiate litigation.

Why was religious discrimination left out of Title VI? Key members of Congress wanted to make sure that religiously affiliated colleges maintained their ability to discriminate in favor of co-religionists in admissions and extracurricular activities. The original version of the bill that would become Title VI, drafted by the Department of Justice, did ban religious discrimination in federally assisted programs or activities. However, Emanuel Celler, the House Judiciary Committee Chairman and sponsor of the bill, explained during floor debate that he wanted to permit denominational colleges to engage in certain forms of discrimination in favor of co-religionists. Celler stated that he wanted to ''avoid a good many problems'' relating to funding that ''goes to sectarian schools and universities.'' He explained that ''for these reasons, the subcommittee and, I am sure, the full committee or the majority thereof deemed it wise and proper and expedient—and I emphasize the word 'expedient'—to omit the word 'religion.' ''

Congressman Celler may have been right that eliminating religion made it expedient, but it did not make it correct. Congressman Celler's concerns could have been addressed with some clarifying language that such institutions would still be allowed to favor co-religionists.

The bill that I am introducing contains such language. It states that the amendment is not to limit an educational entity with a religious affiliation, mission, or purpose from applying admissions policies, degree criteria, student conduct regulations, student organization regulations, or policies for faculty and staff employment, when these policies relate to the religious affiliation, mission, or purpose of the institution. Furthermore, it does not require educational entities to provide accommodation to any student's religion obligations such as dietary restrictions and school absences. Finally, if the educational entity permits expressive organizations to exist by funding or otherwise recognizing them, the amendment does not require the entity to limit such organizations from exercising their freedom of expressive association by establishing membership or leadership criteria.

Therefore, I am proposing an amendment to Title VI of the Civil Rights Act of 1964. The amendment simply provides the same protection against discrimination based on religion that this title already provides for discrimination based on race, color, and national origin.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 3824. A bill to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation and to provide for enhanced reliability in the transportation of United States energy products by pipeline, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. FEINSTEIN. Mr. President, on September 9, a gas pipeline underneath a neighborhood in San Bruno, California, just south of San Francisco, exploded, turning a quiet residential area into something resembling a war zone.

The resulting inferno damaged or destroyed 55 homes, injured 66, and killed an estimated 7 people. Three likely victims have yet to be identified.

This tragedy shows the heavy toll, in death and destruction, when high pressure natural gas pipelines fail. The risk is unacceptably high.

So today I join with my colleague, Senator BARBARA BOXER, to introduce the Strengthening Pipeline Safety and Enforcement Act of 2010.

This legislation is drafted to repair clear shortcomings in pipeline oversight that have, unfortunately, come to our attention as the result of a devastating tragedy in San Bruno, CA.

Specifically, this legislation would improve pipeline safety and oversight by expanding Federal inspection capacity; increasing fines for safety violations; adding information to the national pipeline mapping system, to assure greater transparency for the public and the regulator; closing jurisdictional loopholes that allow gathering lines, carbon dioxide pipelines, and biofuel pipelines to operate without oversight; requiring widespread adoption of automatic shut-off valves that could shut off a pipeline immediately in emergency situations; requiring that high-pressure pipelines be inspected on a regular basis with either internal instrumented internal inspection devices, known as smart pigs, or other inspection methods that are certified to be just as effective; prohibiting pipelines that cannot be inspected with the best, most-modern techniques from operating at high pressure; requiring regulators to consider seismicity and the age of pipes when identifying pipelines that deserve the highest level of oversight; and establishing the first standards for effective leak detection systems in natural gas pipelines.

Together, Senator BOXER and I believe these improvements to pipeline safety will bring about a safer national pipeline system in which disasters, such as the tragedy in San Bruno, can be prevented.

At 6:11 p.m. on September 9, 2010, a 30-inch steel natural gas pipeline exploded in San Bruno, California.

The blast in the Crestmoor neighborhood two miles west of San Francisco International Airport shook the ground like an earthquake. The fire raged for more than two hours and burned 15 acres.

The resulting loss of life, serious injuries and property damage are heartbreaking.

Two days after the fire, I visited San Bruno. I walked through the devastation with Christopher Hart, vice chairman of the National Transportation Safety Board.

I was struck by what I saw: Homes leveled or charred; cars burned out; the burned and bent pipeline—now a key part of the investigation—which revealed the intensity of the heat; and a gaping crater that demonstrated the size of the initial blast.

I was saddened by the disaster and I am determined to act to prevent this type of catastrophe from recurring.

I left San Bruno once again impressed by the professionalism of the NTSB.

Their team was on site and in charge, and I am confident they will work meticulously to find out what caused this deadly disaster.

I am confident that their feedback will make pipelines safer in the future.

But I also left San Bruno determined to introduce legislation to address the known weaknesses in our pipeline oversight system.

Let me explain the key provisions in the Bill. First, we propose to double the number of Federal pipeline safety inspectors.

The Department of Transportation's Pipeline and Hazardous Materials Safety Administration currently has 100 pipeline inspectors, responsible for 217,306 miles of interstate pipeline. Each inspector is responsible for 2,173 miles of pipeline—the distance from San Francisco to Chicago.

The vast amount of pipeline per inspector has led to lax oversight of pipeline operators, according to NTSB investigations.

NTSB Chairman Deborah Hersman testified in June that:

NTSB is concerned that the level of . . . oversight currently being exercised is not uniformly applied by . . . PHMSA to ensure that the risk-based safety programs are effective. The NTSB believes that . . . PHMSA must establish an aggressive oversight program that thoroughly examines each operator's decision-making process for each element of its integrity management program.

Doubling the number of inspectors will still require each inspector to oversee more than 1,000 miles of pipeline, but the thoroughness of inspection and oversight will be far greater.

Second, this legislation will require deployment of electronic valves capable of automatically shutting off the gas in a fire or other emergency.

I was shocked to learn that it took hours to turn off the gas in San Bruno.

Manually operated valves had to be located, buildings had to be opened, and workers had to physically turn off the valves. Every minute that passed, a flaming inferno burned on.

In today's era we have electronic water faucets, and furnaces all deploy electronic valves to shut off the supply of natural gas in an emergency.

If electronic valves can be deployed in our homes and offices, I believe they should be deployed on gas pipelines pumping millions of cubic feet of fuel through urban areas. Gas pipeline safety technology should be brought into the modern era.

Third, this legislation will require inspections by ''smart pigs'' in all pipes, or the use of an inspection method certified to be equally effective at finding corrosion.

Department of Transportation accident statistics over the past decade, 2000–2009, identify corrosion as the leading cause of all reported pipeline accidents.

We need to inspect our pipes to find problems before they cause deadly explosions. Every pipe needs effective inspection, regardless of age or design.

Fourth, if natural gas pipelines cannot be inspected using the most effective inspection technology, this bill would require operation at lower pressure.

This precautionary approach to pipeline operations assures that pipelines more likely to have undetected problems are operated at lower risk.

Department of Transportation experts believe that a breach or other major problem with a pipeline operating at lower pressure is more likely to produce a leak instead of a catastrophic or deadly explosion.

The cause of the San Bruno pipeline fire remains under investigation, but we know that this pipe could not be inspected using the most modern smart pigs, and we know it was operating at high pressure.

Had this law been in place, either this pipe would have been inspected by other means certified to be just as effective as a smart pig, or it would have been operating at a pressure far less likely to cause the kind of catastrophe we saw.

Fifth, this legislation will require the Secretary of Transportation to consider pipe age and the seismicity of an area when identifying pipelines deserving the highest level of safety oversight.

Today, regulators consider a pipeline's proximity to homes and buildings. Other risk factors, such as age of pipe, are not a defining consideration.

We know in San Bruno that this pipe was very old.

This old pipe had unique twists and turns, and numerous welds that I was told would not be allowed on a pipe installed today. NTSB identified failed welds as the cause of another major pipeline disaster in 2009, so these deserve special attention.

Sixth, this legislation would require standards for natural gas leak detection equipment and methods to identify pipeline leaks as expeditiously as technologically possible.

In San Bruno, some have asserted that they smelled gas for weeks. Records are still being checked to determine whether consumers reported these leaks, but no equipment on the pipeline clearly demonstrates that no leak existed.

Finally, this legislation adopts a number of commonsense provisions proposed last week by Secretary of Transportation LaHood to improve pipeline safety, including increasing civil penalties for safety violations; expending data collection to be included in the national pipeline mapping system; closing jurisdictional loopholes to assure greater oversight of unregulated pipelines; and requiring consideration of a firm's safety record when considering its request for regulatory waivers.

Senator BOXER and I introduce this legislation today in order to initiate quick action to make our pipeline system safer.

We have put forward our best ideas to improve inspection, address old pipes, and advance modern safety technology. We hope to improve these ideas as new information comes forward about the San Bruno accident.

We look forward to working with the Department of Transportation and the Senate Commerce Committee to move and improve this legislation expeditiously.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3824

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Strengthening Pipeline Safety and Enforcement Act of 2010''.

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

Sec. 1. Short title; table of contents.
Sec. 2. References to title 49, United States code.
Sec. 3. Additional resources for Pipeline and Hazardous Materials Safety Administration.
Sec. 4. Civil penalties.
Sec. 5. Collection of data on transportation-related oil flow lines.
Sec. 6. Required installation and use in pipelines of remotely or automatically controlled valves.
Sec. 7. Standards for natural gas pipeline leak detection.
Sec. 8. Considerations for identification of high consequence areas.
Sec. 9. Regulation by Secretary of Transportation of gas and hazardous liquid gathering lines.
Sec. 10. Inclusion of non-petroleum fuels and biofuels in definition of hazardous liquid.
Sec. 11. Required periodic inspection of pipelines by instrumented internal inspection devices.
Sec. 12. Minimum safety standards for transportation of carbon dioxide by pipeline.
Sec. 13. Cost recovery for pipeline design reviews by Secretary of Transportation.
Sec. 14. International cooperation and consultation on pipeline safety and regulation.
Sec. 15. Waivers of pipeline standards by Secretary of Transportation.
Sec. 16. Collection of data on pipeline infrastructure for National pipeline mapping system.
Sec. 17. Study of non-petroleum hazardous liquids transported by pipeline.
Sec. 18. Clarification of provisions of law relating to pipeline safety.

SEC. 2. REFERENCES TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 3. ADDITIONAL RESOURCES FOR PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall increase the number of full-time equivalent employees of the Pipeline and Hazardous Materials Safety Administration by not fewer than 100 compared to the number of full-time equivalent employees of the Administration employed on the day before the date of the enactment of this Act to carry out the pipeline safety program, of which—

(1) not fewer than 25 full-time equivalent employees shall be added in fiscal year 2011;

(2) not fewer than 25 full-time equivalent employees shall be added in fiscal year 2012;

(3) not fewer than 25 full-time equivalent employees shall be added in fiscal year 2013; and

(4) not fewer than 25 full-time equivalent employees shall be added in fiscal year 2014.

(b) FUNCTIONS.—In increasing the number of employees under subsection (a), the Secretary shall focus on hiring employees—

(1) to conduct data collection, analysis, and reporting;

(2) to develop, implement, and update information technology;

(3) to conduct inspections of pipeline facilities to determine compliance with applicable regulations and standards;

(4) to provide administrative, legal, and other support for pipeline enforcement activities; and

(5) to support the overall pipeline safety mission of the Pipeline and Hazardous Materials Safety Administration, including training pipeline enforcement personnel.

SEC. 4. CIVIL PENALTIES.

(a) PENALTIES FOR MAJOR CONSEQUENCE VIOLATIONS.—Section 60122 is amended by striking subsection (c) and inserting the following:

''(c) PENALTIES FOR MAJOR CONSEQUENCE VIOLATIONS.—

''(1) IN GENERAL.—If the Secretary determines, after written notice and an opportunity for a hearing, that a person has committed a major consequence violation of subsection (b) or (d) of section 60114, section 60118(a), or a regulation prescribed or order issued under this chapter such person shall be liable to the United States Government for a civil penalty of not more than $250,000 for each such violation.

''(2) SEPARATE VIOLATIONS.—A separate violation occurs for each day the violation continues.

''(3) MAXIMUM CIVIL PENALTY.—The maximum civil penalty under this subsection for a related series of major consequence violations is $2,500,000.

''(4) DEFINITION.—In this subsection, the term 'major consequence violation' means a violation that contributed to an incident resulting in any of the following:

''(A) One or more deaths.

''(B) One or more injuries or illnesses requiring hospitalization.

''(C) Environmental harm exceeding $250,000 in estimated damage to the environment including property loss.

''(D) A release of gas or hazardous liquid that ignites or otherwise presents a safety threat to the public or presents a threat to the environment in a high consequence area, as defined by the Secretary in accordance with section 60109.''.

(b) PENALTY FOR OBSTRUCTION OF INSPECTIONS AND INVESTIGATIONS.—Section 60118(e) is amended—

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

''(1) IN GENERAL.—If the Secretary''; and

(2) by adding at the end the following:

''(2) CIVIL PENALTIES.—The Secretary may impose a civil penalty under section 60122 on a person who obstructs or prevents the Secretary from carrying out an inspection or investigation under this chapter.''.

(c) NONAPPLICABILITY OF ADMINISTRATIVE PENALTY CAPS.—Section 60120 is amended by adding at the end the following:

''(d) NONAPPLICABILITY OF ADMINISTRATIVE PENALTY CAPS.—The maximum amount of civil penalties for administrative enforcement actions under section 60122 shall not apply to enforcement actions under this section.''.

(d) JUDICIAL REVIEW OF ADMINISTRATIVE ENFORCEMENT ORDERS.—

(1) IN GENERAL.—Section 60119(a)(1) is amended by striking ''about an application for a waiver under section 60118(c) or (d) of'' and inserting ''under''.

(2) CLERICAL AMENDMENT.—The heading for section 60119(a) is amended to read as follows: ''REVIEW OF REGULATIONS, ORDERS, AND OTHER FINAL AGENCY ACTIONS''.

SEC. 5. COLLECTION OF DATA ON TRANSPORTATION-RELATED OIL FLOW LINES.

Section 60102 is amended by adding at the end the following:

''(n) COLLECTION OF DATA ON TRANSPORTATION-RELATED OIL FLOW LINES.—

''(1) IN GENERAL.—The Secretary may collect geospatial, technical, or other pipeline data on transportation-related oil flow lines, including unregulated transportation-related oil flow lines.

''(2) TRANSPORTATION-RELATED OIL FLOW LINE DEFINED.—In this subsection, the term 'transportation-related oil flow line' means a pipeline transporting oil off of the grounds of the production facility where it originated across areas not owned by the producer regardless of the extent to which the oil has been processed.

''(3) CONSTRUCTION.—Nothing in this subsection may be construed to authorize the Secretary to prescribe standards for the movement of oil through—

''(A) production, refining, or manufacturing facilities; or

''(B) oil production flow lines located on the grounds of production facilities.''.

SEC. 6. REQUIRED INSTALLATION AND USE IN PIPELINES OF REMOTELY OR AUTOMATICALLY CONTROLLED VALVES.

Section 60102, as amended by section 5, is further amended by adding at the end the following:

''(o) REMOTELY OR AUTOMATICALLY CONTROLLED VALVES.—

''(1) IN GENERAL.—Not later than 18 months after the date of the Strengthening Pipeline Safety and Enforcement Act of 2010, the Secretary shall prescribe regulations requiring the installation and use in pipelines and pipeline facilities, wherever technically and economically feasible, of remotely or automatically controlled valves that are reliable and capable of shutting off the flow of gas in the event of an accident, including accidents in which there is a loss of the primary power source.

''(2) CONSULTATIONS.—In developing regulations prescribed in accordance with paragraph (1), the Secretary shall consult with appropriate groups from the gas pipeline industry and pipeline safety experts.''.

SEC. 7. STANDARDS FOR NATURAL GAS PIPELINE LEAK DETECTION.

Section 60102, as amended by sections 5 and 6, is further amended by adding at the end the following:

''(p) NATURAL GAS LEAK DETECTION.—Not later than 1 year after the date of the enactment of this subsection, the Secretary shall establish standards for natural gas leak detection equipment and methods, with the goal of establishing a pipeline system in which substantial leaks in high consequence areas are identified as expeditiously as technologically possible.''.

SEC. 8. CONSIDERATIONS FOR IDENTIFICATION OF HIGH CONSEQUENCE AREAS.

Section 60109 is amended by adding at the end the following:

''(g) CONSIDERATIONS FOR IDENTIFICATION OF HIGH CONSEQUENCE AREAS.—In identifying high consequence areas under this section, the Secretary shall consider—

''(1) the seismicity of the area;

''(2) the age of the pipe; and

''(3) whether the pipe at issue can be inspected using the most modern instrumented internal inspection devices.''.

SEC. 9. REGULATION BY SECRETARY OF TRANSPORTATION OF GAS AND HAZARDOUS LIQUID GATHERING LINES.

(a) GAS GATHERING LINES.—Paragraph (21) of section 60101(a) is amended to read as follows:

''(21) 'transporting gas' means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas, in interstate or foreign commerce.''.

(b) HAZARDOUS LIQUID GATHERING LINES.—Section 60101(a)(22)(B) is amended—

(1) by striking clause (i); and

(2) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act.

SEC. 10. INCLUSION OF NON-PETROLEUM FUELS AND BIOFUELS IN DEFINITION OF HAZARDOUS LIQUID.

Section 60101(a)(4) is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

''(B) non-petroleum fuels, including biofuels that are flammable, toxic, corrosive, or would be harmful to the environment if released in significant quantities; and''.

SEC. 11. REQUIRED PERIODIC INSPECTION OF PIPELINES BY INSTRUMENTED INTERNAL INSPECTION DEVICES.

Section 60102(f) is amended by striking paragraph (2) and inserting the following:

''(2) PERIODIC INSPECTIONS.—

''(A) IN GENERAL.—Not later than 270 days after the date of the enactment of the Strengthening Pipeline Safety and Enforcement Act of 2010, the Secretary shall prescribe additional standards requiring the periodic inspection of each pipeline the operator of the pipeline identifies under section 60109.

''(B) INSPECTION WITH INTERNAL INSPECTION DEVICE.—

''(i) IN GENERAL.—Except as provided in clause (ii), the standards prescribed under subparagraph (A) shall require that an inspection shall be conducted at least once every 5 years with an instrumented internal inspection device.

''(ii) EXCEPTION FOR SEGMENTS WHERE DEVICES CANNOT BE USED.—If a device described in clause (i) cannot be used in a segment of a pipeline, the standards prescribed in subparagraph (A) shall require use of an inspection method that the Secretary certifies to be at least as effective as using the device in—

''(I) detecting corrosion;

''(II) detecting pipe stress; and

''(III) otherwise providing for the safety of the pipeline.

''(C) OPERATION UNDER HIGH PRESSURE.—The Secretary shall a prohibit pipeline segment from operating under high pressure if the pipeline segment cannot be inspected—

''(i) with a device described in clause (i) of subparagraph (B) in accordance with the standards prescribed pursuant to such clause; or

''(ii) using an inspection method described in clause (ii) of such subparagraph in accordance with the standards prescribed pursuant to such clause.''.

SEC. 12. MINIMUM SAFETY STANDARDS FOR TRANSPORTATION OF CARBON DIOXIDE BY PIPELINE.

Subsection (i) of section 60102 is amended to read as follows:

''(i) PIPELINES TRANSPORTING CARBON DIOXIDE.—The Secretary shall prescribe minimum safety standards for the transportation of carbon dioxide by pipeline in either a liquid or gaseous state.''.

SEC. 13. COST RECOVERY FOR PIPELINE DESIGN REVIEWS BY SECRETARY OF TRANSPORTATION.

Subsection (n) of section 60117 is amended to read as follows:

''(n) COST RECOVERY FOR DESIGN REVIEWS.—

''(1) IN GENERAL.—If the Secretary conducts facility design safety reviews in connection with a proposal to construct, expand, or operate a gas or hazardous liquid pipeline or liquefied natural gas pipeline facility, including construction inspections and oversight, the Secretary may require the person proposing the construction, expansion, or operation to pay the costs incurred by the Secretary relating to such reviews.

''(2) FEE STRUCTURE AND COLLECTION PROCEDURES.—If the Secretary exercises the authority under paragraph (1) with respect to conducting facility design safety reviews, the Secretary shall prescribe—

''(A) a fee structure and assessment methodology that is based on the costs of providing such reviews; and

''(B) procedures to collect fees.

''(3) ADDITIONAL AUTHORITY.—This authority is in addition to the authority provided under section 60301.

''(4) NOTIFICATION.—For any pipeline construction project beginning after the date of the enactment of this subsection in which the Secretary conducts design reviews, the person proposing the project shall notify the Secretary and provide the design specifications, construction plans and procedures, and related materials not later than 120 days prior to the commencement of such project.

''(5) PIPELINE SAFETY DESIGN REVIEW FUND.—

''(A) IN GENERAL.—There is established in the Treasury of the United States a revolving fund known as the 'Pipeline Safety Design Review Fund' (in this paragraph referred to as the 'Fund').

''(B) ELEMENTS.—There shall be deposited in the fund the following, which shall constitute the assets of the Fund:

''(i) Amounts paid into the Fund under any provision of law or regulation established by the Secretary imposing fees under this subsection.

''(ii) All other amounts received by the Secretary incident to operations relating to reviews described in paragraph (1).

''(C) USE OF FUNDS.—The Fund shall be available to the Secretary, without fiscal year limitation, to carry out the provisions of this chapter.''.

SEC. 14. INTERNATIONAL COOPERATION AND CONSULTATION ON PIPELINE SAFETY AND REGULATION.

Section 60117 is amended by adding at the end the following:

''(o) INTERNATIONAL COOPERATION AND CONSULTATION.—

''(1) INFORMATION EXCHANGE AND TECHNICAL ASSISTANCE.—Subject to guidance from the Secretary of State, the Secretary may engage in activities supporting cooperative international efforts to share information about the risks to the public and the environment from pipelines and means of protecting against those risks if the Secretary determines that such activities would benefit the United States. Such cooperation may include the exchange of information with domestic and appropriate international organizations to facilitate efforts to develop and improve safety standards and requirements for pipeline transportation in or affecting interstate or foreign commerce.

''(2) CONSULTATION.—Subject to guidance from the Secretary of State, the Secretary may, to the extent practicable, consult with interested authorities in Canada, Mexico, and other interested authorities to ensure that the respective pipeline safety standards and requirements prescribed by the Secretary and those prescribed by such authorities are consistent with the safe and reliable operation of cross-border pipelines.

''(3) CONSTRUCTION REGARDING DIFFERENCES IN INTERNATIONAL STANDARDS AND REQUIREMENTS.—Nothing in this section shall be construed to require that a standard or requirement prescribed by the Secretary under this chapter be identical to a standard or requirement adopted by an international authority.''.

SEC. 15. WAIVERS OF PIPELINE STANDARDS BY SECRETARY OF TRANSPORTATION.

(a) NONEMERGENCY WAIVERS.—Paragraph (1) of section 60118(c) is amended to read as follows:

''(1) NONEMERGENCY WAIVERS.—

''(A) IN GENERAL.—Upon receiving an application from an owner or operator of a pipeline facility, the Secretary may, by order, waive compliance with any part of an applicable standard prescribed under this chapter with respect to the facility on such terms as the Secretary considers appropriate, if the Secretary determines that such waiver is not inconsistent with pipeline safety.

''(B) CONSIDERATIONS.—In determining whether to grant a waiver under subparagraph (A), the Secretary shall consider—

''(i) the fitness of the applicant to conduct the activity authorized by the waiver in a manner that is consistent with pipeline safety;

''(ii) the applicant's compliance history;

''(iii) the applicant's accident history; and

''(iv) any other information the Secretary considers relevant to making the determination.

''(C) EFFECTIVE PERIOD.—

''(i) OPERATING REQUIREMENTS.—A waiver of 1 or more pipeline operating requirements under subparagraph (A) shall be effective for an initial period of not longer than 5 years and may be renewed by the Secretary upon application for successive periods of not longer than 5 years each.

''(ii) DESIGN OR MATERIALS REQUIREMENT.—If the Secretary determines that a waiver of a design or materials requirement is warranted under subparagraph (A), the Secretary may grant the waiver for any period the Secretary considers appropriate.

''(D) PUBLIC NOTICE AND HEARING.—The Secretary may waive compliance under subparagraph (A) only after public notice and hearing, which may consist of—

''(i) publication of notice in the Federal Register that an application for a waiver has been filed; and

''(ii) providing the public with the opportunity to review and comment on the application.

''(E) NONCOMPLIANCE AND MODIFICATION, SUSPENSION, OR REVOCATION.—After notice to a recipient of a waiver under subparagraph (A) and opportunity to show cause, the Secretary may modify, suspend, or revoke such waiver for—

''(i) failure of the recipient to comply with the terms or conditions of the waiver;

''(ii) intervening changes in Federal law;

''(iii) a material change in circumstances affecting safety; including erroneous information in the application; and

''(iv) such other reasons as the Secretary considers appropriate.''.

(b) FEES.—Section 60118(c) is amended by adding at the end the following:

''(4) FEES.—

''(A) IN GENERAL.—The Secretary shall establish reasonable fees for processing applications for waivers under this subsection that are based on the costs of activities relating to waivers under this subsection. Such fees may include a basic filing fee, as well as fees to recover the costs of technical studies or environmental analysis for such applications.

''(B) PROCEDURES.—The Secretary shall prescribe procedures for the collection of fees under subparagraph (A).

''(C) ADDITIONAL AUTHORITY.—The authority provided under subparagraph (A) is in addition to the authority provided under section 60301.

''(D) PIPELINE SAFETY SPECIAL PERMIT FUND.—

''(i) IN GENERAL.—There is established in the Treasury of the United States a revolving fund known as the 'Pipeline Safety Special Permit Fund' (in this subparagraph referred to as the 'Fund').

''(ii) ELEMENTS.—There shall be deposited in the Fund the following, which shall constitute the assets of the Fund:

''(I) Amounts paid into the Fund under any provision of law or regulation established by the Secretary imposing fees under this paragraph.

''(II) All other amounts received by the Secretary incident to operations relating to activities described in subparagraph (A).

''(iii) USE OF FUNDS.—The Fund shall be available to the Secretary, without fiscal year limitation, to process applications for waivers under this subsection.''.

SEC. 16. COLLECTION OF DATA ON PIPELINE INFRASTRUCTURE FOR NATIONAL PIPELINE MAPPING SYSTEM.

Section 60132 is amended—

(1) in the matter before paragraph (1), by striking ''Not later than 6 months after the date of the enactment of this section, the'' and inserting ''Each'';

(2) in subsection (a), by adding at the end the following:

''(4) Such other geospatial, technical, or other pipeline data, including design and material specifications, as the Secretary considers necessary to carry out the purposes of this chapter, including preconstruction design reviews and compliance inspection prioritization.''; and

(3) by adding at the end the following:

''(d) NOTICE.—The Secretary shall give reasonable notice to the operator of a pipeline facility of any data being requested under this section.''.

SEC. 17. STUDY OF NON-PETROLEUM HAZARDOUS LIQUIDS TRANSPORTED BY PIPELINE.

(a) AUTHORITY TO CARRY OUT ANALYSIS.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Transportation shall conduct an analysis of the transportation of non-petroleum hazardous liquids by pipeline for the purpose of identifying the extent to which pipelines are currently being used to transport non-petroleum hazardous liquids, such as chlorine, from chemical production facilities across land areas not owned by the producer that are accessible to the public. The analysis shall identify the extent to which the safety of the lines is unregulated by the States and evaluate whether the transportation of such chemicals by pipeline across areas accessible to the public would present significant risks to public safety, property, or the environment in the absence of regulation.

(b) REPORT.—Not later than 365 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report containing the findings of the Secretary with respect to the analysis conducted pursuant to subsection (a).

SEC. 18. CLARIFICATION OF PROVISIONS OF LAW RELATING TO PIPELINE SAFETY.

(a) AMENDMENT OF PROCEDURES CLARIFICATION.—Section 60108(a)(1) is amended by striking ''an intrastate'' and inserting ''a''.

(b) OWNER OPERATOR CLARIFICATION.—Section 60102(a)(2)(A) is amended by striking ''owners and operators'' and inserting ''any or all of the owners or operators''.

(c) ONE CALL ENFORCEMENT CLARIFICATION.—Section 60114(f) is amended by adding at the end the following: ''This limitation shall not apply to proceedings against persons who are pipeline operators.''.

Mrs. BOXER. Mr. President, I am proud to introduce the Strengthening Pipeline Safety and Enforcement Act of 2010 today along with my colleague, Senator FEINSTEIN.

On September 9, 2010, San Bruno, California suffered a terrible tragedy when a natural gas transmission pipeline unexpectedly exploded beneath a busy residential neighborhood.

The catastrophic explosion and the resulting fire was a horrific event, creating a massive fireball that many described as the largest earthquake they had ever felt.

The tragedy killed four people, injured 66, and destroyed nearly three

dozen homes. Preliminary estimates put the cost of the damage and recovery at $65 million.

This tragic incident should not have happened.

Californians and all Americans must feel confident that their communities are safe and that the regulatory agencies responsible for ensuring the safety of natural gas pipelines are doing everything possible to guarantee their safety.

That is why we are introducing this legislation today. Our bill is based on the Department of Transportation's, DOT, proposal for improving pipeline safety and includes additional provisions to address concerns raised by the San Bruno blast.

The Strengthening Pipeline Safety and Enforcement Act of 2010 will increase the number of Federal inspectors and require the Department of Transportation to certify an inspection method for gas lines that cannot use ''smart pig'' technology. ''Smart pig'' technology is used to test the structural integrity of a pipe and identify any defects.

The bill would also require DOT to promulgate regulations for the installation of automatic and remote shutoff valves, update the definition of ''high consequence areas'' to include seismicity of the area, age of the pipe and whether a pipe is able to use the ''smart pig'' technology, and require DOT to set standards for detecting leaks on natural gas lines.

This legislation strengthens pipeline safety standards to ensure that a tragedy like this never happens again. I urge my colleagues to support this legislation and work for final passage as quickly as possible.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 3825. A bill to amend the Endangered Species Act of 1973 to remove certain portions of the distinct population segment of the Rocky Mountain gray wolf from the list of threatened species or the list of endangered species published under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

Mr. RISCH. Mr. President, I come here today on behalf of myself and my colleague, Senator CRAPO, from Idaho to introduce the State Wolf Management Act. This act as drawn is aimed at some particular issues we have in Idaho with the management of wolves, and that other adjoining States that share Idaho's boundaries have with the Federal Government.

First of all, I want to thank the Governor of the great State of Idaho, the Honorable Butch Otter, for his assistance in crafting this bill. I can tell you, Governor Otter, as the chief executive of Idaho, his predecessor, who happens to be yours truly, and my predecessor, as Governors of the great State of Idaho have all joined in the effort to obtain delisting of the wolf in Idaho. That is particularly true as we attempt to wrest management of this particular species away from the Federal Government.

What the act does is it identifies as a distinct population a segment of the gray wolf population. Specifically, it identifies this specific population in eastern Washington and eastern Oregon, in which there are few if any wolves, and the State of Montana and the State of Idaho, all of those States in which there are a lot of wolves and indeed are too many wolves.

First of all, let me say, the official estimates, in 2008, for Idaho are that there were 846 wolves in Idaho, with 39 breeding pairs. Virtually everyone in the State agrees that estimate is very low. In the year 2010, again virtually everyone agrees there are well over 1,000 gray wolves in Idaho and well over 39 breeding pairs.

How did we get to where we are?

Wolves have been gone from the State of Idaho and adjoining areas for many years. In 1995, someone—I cannot identify who—in their infinite wisdom, who lived back here on the banks of the Potomac River, decided we in Idaho needed wolves again.

The State of Idaho was indeed not very happy about the decision. The chief executive of the State, the executive branch of the State, the legislative branch of the State, and the vast majority of Idahoans were absolutely opposed to reintroducing wolves back into the State of Idaho.

After litigation, and after the usual things you go through, nonetheless, 34 wolves were captured in Canada and brought to the State of Idaho and introduced into the State of Idaho against the objections of almost everyone. Indeed, there was a group of people who did want to see wolves brought to Idaho, and they got their way.

To give you a little bit of background as to what happened, we in the State of Idaho are very proud of our big game management. Under common law in this country, and indeed in England before this country, all wild game belonged to the sovereign. The United States of America is probably surprised to hear they are not the sovereign, that indeed the States are the sovereign. As a result of that, over the centuries—the couple of centuries we have been in existence as the United States of America—litigation after litigation has determined that indeed all wildlife in the State belongs to the sovereign; that is, the State in which they are located.

Idaho has a long and proud history and culture of hunting and outdoor life. We have managed our wildlife to the point that we are getting—or had been getting—the maximum out of our wildlife for big game harvest every year. Before Europeans inhabited Idaho, there were very few deer and even less elk. Elk were a plains species. They were not a mountain species. After settlement of the State, the elk were pretty much removed from the plains and took up residence in the mountains, where they have done very well and adapted very well.

Again, over the years, the premier species in Idaho, as determined by the people of the State of Idaho, has been elk. Elk are difficult to manage; that is, they are not as easy to manage as deer. They are not as prolific as deer. As a result, they require relatively intensive management.

As a result, the State has broken into many different game units for elk, and each of these units is carefully managed by the fish and game department to determine the birthrate of the elk each year and the survival rate over the winter and a determination of how many elk can be harvested. As a result, we have had a robust and relatively stable population of elk in the State of Idaho.

Fast forward to 1995. The Federal Government released its 34 wolves into the State of Idaho, and contrary to what some people believe, they are not vegetarians. Also contrary to what some people believe, they need to eat every day. And when they eat, they eat our elk.

As a result, there has been considerable depredation on our elk herds and for that matter on domestic livestock. The domestic livestock losses are not large in number, unless, of course, it is your livestock they are preying on, of which a number of us in the livestock business have experienced losses in that regard.

Back to the elk. We want to continue to manage our elk. We want to continue to manage our deer. Indeed, we manage a lot of big game species. We manage moose, we manage bears, we manage cats, we manage all big game in the State of Idaho and do a pretty decent job of that.

On top of the Federal Government's introduction of these 34 wolves into Idaho, which have now exploded into 1,000 wolves, with regulations that at the outset were very, very intrusive, to the point where you couldn't shoot wolves—even if you found them attacking your livestock, it was unlawful to take a wolf. Of course, the regulations that were imposed on us by the Federal Government have created a considerable amount of animosity and bad blood.

What we want at this point is the ability to manage the wolves just as we manage every other population of big game and animal species in Idaho. The fact is that the wolves are there. They are going to be there. We obviously made the effort at the outset to not have them. We did our best to keep them out. We lost that fight, so now we have to accept the fact that they are there. But the fact that they are there does not mean that we, in the sovereign State of Idaho, should not have the ability to manage our own game species.

Recently, because the numbers have exploded in the amount that they have—when I was Governor, I pressed

the U.S. Fish and Wildlife Service to start the delisting process, which happened on my watch. The start of the delisting happened on my watch as Governor. As time went on, my successor, Governor Otter, did an excellent job of continuing to press the case for delisting. After all, the Federal Government has absolutely no business in the State of Idaho dealing with wolves other than the hook it has of the Endangered Species Act. To argue that a species that has been introduced—34 of them—and then explodes to well over 1,000 is endangered simply flies in the face of not only science, but it also flies in the face of logic.

Let me tell my colleagues what we were told and what we were promised by the Federal Government at the time they brought in the wolves. They told us that once we got to the point of 300 wolves and got to the point of 30 breeding pairs, the party was over and they would delist. Well, we reached that point in 3 years, and we have been trying to delist ever since. We got them delisted. The matter went to court. We actually had a hunting season last year. But now it has gone back to court, and, again, those who are trying to protect the number of wolves, to the great disadvantage of elk, won again, and they got the judge to order that the wolves be listed again in Idaho and Montana.

That is as a result of a dispute the State of Wyoming also has with the Federal Government, and they have been unable to reach an agreement as to how wolves should be managed. The Federal Government, the Fish and Wildlife Service, and the Department of the Interior were perfectly happy with the plans from Idaho and Montana, but because they have been unable to settle with Wyoming, we now find ourselves at a tremendous disadvantage. This simply isn't fair.

This bill will very simply turn management of the wolves back over to the State of Idaho unless and until the time that the Federal Government can again or can ever claim that they are an endangered species. When that happens, the State again will be subject to the lawsuits that will inevitably come if, indeed, they are endangered. But in the meantime, I will urge every Senator to vote for this bill. This is a States rights issue. We are a sovereign State. We are entitled to take over management of these wolves. I can promise everyone that the State of Idaho will do a substantially better job, a cheaper job, and a much more efficient job of managing the wolves in the State of Idaho than the Federal Government could ever do or will ever do, and we will be able to do it with due deference to all the other species in the State of Idaho.

By Mr. DURBIN (for himself, Mr. LUGAR, and Mr. LEAHY):

S. 3827. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes; read the first time.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3827

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 ''Development, Relief, and Education for Alien Minors Act of 2010'' or the ''DREAM Act of 2010''.

SEC. 2. DEFINITIONS.

In this Act:

(1) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) UNIFORMED SERVICES.—The term ''uniformed services'' has the meaning given that term in section 101(a) of title 10, United States Code.

SEC. 3. RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.

(a) IN GENERAL.—Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.

(b) EFFECTIVE DATE.—The repeal under subsection (a) shall take effect as if included in the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 3009–546).

SEC. 4. CANCELLATION OF REMOVAL AND ADJUSTMENT OF STATUS OF CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.

(a) SPECIAL RULE FOR CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.—

(1) IN GENERAL.—Notwithstanding any other provision of law and except as otherwise provided in this Act, the Secretary of Homeland Security may cancel removal of, and adjust to the status of an alien lawfully admitted for permanent residence, subject to the conditional basis described in section 5, an alien who is inadmissible or deportable from the United States, if the alien demonstrates that—

(A) the alien has been physically present in the United States for a continuous period of not less than 5 years immediately preceding the date of enactment of this Act and was younger than 16 years of age on the date the alien initially entered the United States;

(B) the alien has been a person of good moral character since the date of the enactment of this Act;

(C) the alien—

(i) is not inadmissible under paragraph (2), (3), (6)(E), (10)(A), or (10)(C) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)); and

(ii) is not deportable under paragraph (1)(E), (2), or (4) of section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a));

(D) the alien—

(i) has been admitted to an institution of higher education in the United States; or

(ii) has earned a high school diploma or obtained a general education development certificate in the United States;

(E) the alien has never been under a final administrative or judicial order of exclusion, deportation, or removal, unless the alien—

(i) has remained in the United States under color of law after such order was issued; or

(ii) received the order before attaining the age of 16 years; and

(F) the alien was younger than 35 years of age on the date of the enactment of this Act.

(2) WAIVER.—Notwithstanding paragraph (1), the Secretary of Homeland Security may waive the ground of ineligibility under section 212(a)(6)(E) of the Immigration and Nationality Act and the ground of deportability under paragraph (1)(E) of section 237(a) of that Act for humanitarian purposes or family unity or when it is otherwise in the public interest.

(3) PROCEDURES.—The Secretary of Homeland Security shall provide a procedure by regulation allowing eligible individuals to apply affirmatively for the relief available under this subsection without being placed in removal proceedings.

(4) DEADLINE FOR SUBMISSION OF APPLICATION.—An alien shall submit an application for cancellation of removal or adjustment of status under this subsection no later than the date that is one year after the date the alien—

(A) was admitted to an institution of higher education in the United States; or

(B) earned a high school diploma or obtained a general education development certificate in the United States.

(b) TERMINATION OF CONTINUOUS PERIOD.—For purposes of this section, any period of continuous residence or continuous physical presence in the United States of an alien who applies for cancellation of removal under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(c) TREATMENT OF CERTAIN BREAKS IN PRESENCE.—

(1) IN GENERAL.—An alien shall be considered to have failed to maintain continuous physical presence in the United States under subsection (a) if the alien has departed from the United States for any period in excess of 90 days or for any periods in the aggregate exceeding 180 days.

(2) EXTENSIONS FOR EXCEPTIONAL CIRCUMSTANCES.—The Secretary of Homeland Security may extend the time periods described in paragraph (1) if the alien demonstrates that the failure to timely return to the United States was due to exceptional circumstances. The exceptional circumstances determined sufficient to justify an extension should be no less compelling than serious illness of the alien, or death or serious illness of a parent, grandparent, sibling, or child.

(d) EXEMPTION FROM NUMERICAL LIMITATIONS.—Nothing in this section may be construed to apply a numerical limitation on the number of aliens who may be eligible for cancellation of removal or adjustment of status under this section.

(e) REGULATIONS.—

(1) PROPOSED REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall publish proposed regulations implementing this section. Such regulations shall be effective immediately on an interim basis, but are subject to change and revision after public notice and opportunity for a period for public comment.

(2) INTERIM, FINAL REGULATIONS.—Within a reasonable time after publication of the interim regulations in accordance with paragraph (1), the Secretary of Homeland Security shall publish final regulations implementing this section.

(f) REMOVAL OF ALIEN.—The Secretary of Homeland Security may not remove any alien who has a pending application for conditional status under this Act.

SEC. 5. CONDITIONAL PERMANENT RESIDENT STATUS.

(a) IN GENERAL.—

(1) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of law, and except as provided in section 6, an alien whose status has been adjusted under section 4 to that of an alien lawfully admitted for permanent residence shall be considered to have obtained such status on a conditional basis subject to the provisions of this section. Such conditional permanent resident status shall be valid for a period of 6 years, subject to termination under subsection (b).

(2) NOTICE OF REQUIREMENTS.—

(A) AT TIME OF OBTAINING PERMANENT RESIDENCE.—At the time an alien obtains permanent resident status on a conditional basis under paragraph (1), the Secretary of Homeland Security shall provide for notice to the alien regarding the provisions of this section and the requirements of subsection (c) to have the conditional basis of such status removed.

(B) EFFECT OF FAILURE TO PROVIDE NOTICE.—The failure of the Secretary of Homeland Security to provide a notice under this paragraph—

(i) shall not affect the enforcement of the provisions of this Act with respect to the alien; and

(ii) shall not give rise to any private right of action by the alien.

(b) TERMINATION OF STATUS.—

(1) IN GENERAL.—The Secretary of Homeland Security shall terminate the conditional permanent resident status of any alien who obtained such status under this Act, if the Secretary determines that the alien—

(A) ceases to meet the requirements of subparagraph (B) or (C) of section 4(a)(1);

(B) has become a public charge; or

(C) has received a dishonorable or other than honorable discharge from the uniformed services.

(2) RETURN TO PREVIOUS IMMIGRATION STATUS.—Any alien whose conditional permanent resident status is terminated under paragraph (1) shall return to the immigration status the alien had immediately prior to receiving conditional permanent resident status under this Act.

(c) REQUIREMENTS OF TIMELY PETITION FOR REMOVAL OF CONDITION.—

(1) IN GENERAL.—In order for the conditional basis of permanent resident status obtained by an alien under subsection (a) to be removed, the alien must file with the Secretary of Homeland Security, in accordance with paragraph (3), a petition which requests the removal of such conditional basis and which provides, under penalty of perjury, the facts and information so that the Secretary may make the determination described in paragraph (2)(A).

(2) ADJUDICATION OF PETITION TO REMOVE CONDITION.—

(A) IN GENERAL.—If a petition is filed in accordance with paragraph (1) for an alien, the Secretary of Homeland Security shall make a determination as to whether the alien meets the requirements set out in subparagraphs (A) through (E) of subsection (d)(1).

(B) REMOVAL OF CONDITIONAL BASIS IF FAVORABLE DETERMINATION.—If the Secretary determines that the alien meets such requirements, the Secretary shall notify the alien of such determination and immediately remove the conditional basis of the status of the alien.

(C) TERMINATION IF ADVERSE DETERMINATION.—If the Secretary determines that the alien does not meet such requirements, the Secretary shall notify the alien of such determination and terminate the conditional permanent resident status of the alien as of the date of the determination.

(3) TIME TO FILE PETITION.—An alien may petition to remove the conditional basis to lawful resident status during the period beginning 180 days before and ending 2 years after either the date that is 6 years after the date of the granting of conditional permanent resident status or any other expiration date of the conditional permanent resident status as extended by the Secretary of Homeland Security in accordance with this Act. The alien shall be deemed in conditional permanent resident status in the United States during the period in which the petition is pending.

(d) DETAILS OF PETITION.—

(1) CONTENTS OF PETITION.—Each petition for an alien under subsection (c)(1) shall contain information to permit the Secretary of Homeland Security to determine whether each of the following requirements is met:

(A) The alien has demonstrated good moral character during the entire period the alien has been a conditional permanent resident.

(B) The alien is in compliance with section 4(a)(1)(C).

(C) The alien has not abandoned the alien's residence in the United States. The Secretary shall presume that the alien has abandoned such residence if the alien is absent from the United States for more than 365 days, in the aggregate, during the period of conditional residence, unless the alien demonstrates that the alien has not abandoned the alien's residence. An alien who is absent from the United States due to active service in the uniformed services has not abandoned the alien's residence in the United States during the period of such service.

(D) The alien has completed at least 1 of the following:

(i) The alien has acquired a degree from an institution of higher education in the United States or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States.

(ii) The alien has served in the uniformed services for at least 2 years and, if discharged, has received an honorable discharge.

(E) The alien has provided a list of each secondary school (as that term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) that the alien attended in the United States.

(2) HARDSHIP EXCEPTION.—

(A) IN GENERAL.—The Secretary of Homeland Security may, in the Secretary's discretion, remove the conditional status of an alien if the alien—

(i) satisfies the requirements of subparagraphs (A), (B), and (C) of paragraph (1);

(ii) demonstrates compelling circumstances for the inability to complete the requirements described in paragraph (1)(D); and

(iii) demonstrates that the alien's removal from the United States would result in exceptional and extremely unusual hardship to the alien or the alien's spouse, parent, or child who is a citizen or a lawful permanent resident of the United States.

(B) EXTENSION.—Upon a showing of good cause, the Secretary of Homeland Security may extend the period of conditional resident status for the purpose of completing the requirements described in paragraph (1)(D).

(e) TREATMENT OF PERIOD FOR PURPOSES OF NATURALIZATION.—For purposes of title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.), in the case of an alien who is in the United States as a lawful permanent resident on a conditional basis under this section, the alien shall be considered to have been admitted as an alien lawfully admitted for permanent residence and to be in the United States as an alien lawfully admitted to the United States for permanent residence. However, the conditional basis must be removed before the alien may apply for naturalization.

SEC. 6. RETROACTIVE BENEFITS UNDER THIS ACT.

If, on the date of enactment of this Act, an alien has satisfied all the requirements of subparagraphs (A) through (E) of section 4(a)(1) and section 5(d)(1)(D), the Secretary of Homeland Security may adjust the status of the alien to that of a conditional resident in accordance with section 4. The alien may petition for removal of such condition at the end of the conditional residence period in accordance with section 5(c) if the alien has met the requirements of subparagraphs (A), (B), and (C) of section 5(d)(1) during the entire period of conditional residence.

SEC. 7. EXCLUSIVE JURISDICTION.

(a) IN GENERAL.—The Secretary of Homeland Security shall have exclusive jurisdiction to determine eligibility for relief under this Act, except where the alien has been placed into deportation, exclusion, or removal proceedings either prior to or after filing an application for relief under this Act, in which case the Attorney General shall have exclusive jurisdiction and shall assume all the powers and duties of the Secretary until proceedings are terminated, or if a final order of deportation, exclusion, or removal is entered the Secretary shall resume all powers and duties delegated to the Secretary under this Act.

(b) STAY OF REMOVAL OF CERTAIN ALIENS ENROLLED IN PRIMARY OR SECONDARY SCHOOL.—The Attorney General shall stay the removal proceedings of any alien who—

(1) meets all the requirements of subparagraphs (A), (B), (C), and (E) of section 4(a)(1);

(2) is at least 12 years of age; and

(3) is enrolled full time in a primary or secondary school.

(c) EMPLOYMENT.—An alien whose removal is stayed pursuant to subsection (b) may be engaged in employment in the United States consistent with the Fair Labor Standards Act (29 U.S.C. 201 et seq.) and State and local laws governing minimum age for employment.

(d) LIFT OF STAY.—The Attorney General shall lift the stay granted pursuant to subsection (b) if the alien—

(1) is no longer enrolled in a primary or secondary school; or

(2) ceases to meet the requirements of subsection (b)(1).

SEC. 8. PENALTIES FOR FALSE STATEMENTS IN APPLICATION.

Whoever files an application for relief under this Act and willfully and knowingly falsifies, misrepresents, or conceals a material fact or makes any false or fraudulent statement or representation, or makes or uses any false writing or document knowing the same to contain any false or fraudulent statement or entry, shall be fined in accordance with title 18, United States Code, or imprisoned not more than 5 years, or both.

SEC. 9. CONFIDENTIALITY OF INFORMATION.

(a) PROHIBITION.—Except as provided in subsection (b), no officer or employee of the United States may—

(1) use the information furnished by the applicant pursuant to an application filed under this Act to initiate removal proceedings against any persons identified in the application;

(2) make any publication whereby the information furnished by any particular individual pursuant to an application under this Act can be identified; or

(3) permit anyone other than an officer or employee of the United States Government or, in the case of applications filed under this Act with a designated entity, that designated entity, to examine applications filed under this Act.

(b) REQUIRED DISCLOSURE.—The Attorney General or the Secretary of Homeland Security shall provide the information furnished under this section, and any other information derived from such furnished information, to—

(1) a duly recognized law enforcement entity in connection with an investigation or prosecution of an offense described in paragraph (2) or (3) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), when such information is requested in writing by such entity; or

(2) an official coroner for purposes of affirmatively identifying a deceased individual (whether or not such individual is deceased as a result of a crime).

(c) PENALTY.—Whoever knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than $10,000.

SEC. 10. HIGHER EDUCATION ASSISTANCE.

Notwithstanding any provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), with respect to assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), an alien who adjusts status to that of a lawful permanent resident under this Act shall be eligible only for the following assistance under such title:

(1) Student loans under parts B, D, and E of such title IV (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.), subject to the requirements of such parts.

(2) Federal work-study programs under part C of such title IV (42 U.S.C. 2751 et seq.), subject to the requirements of such part.

(3) Services under such title IV (20 U.S.C. 1070 et seq.), subject to the requirements for such services.

SEC. 11. GAO REPORT.

Not later than seven years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth—

(1) the number of aliens who were eligible for cancellation of removal and adjustment of status under section 4(a);

(2) the number of aliens who applied for adjustment of status under section 4(a);

(3) the number of aliens who were granted adjustment of status under section 4(a); and

(4) the number of aliens whose conditional permanent resident status was removed under section 5.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 638—CELEBRATING THE 30TH ANNIVERSARY OF THE SMALL BUSINESS DEVELOPMENT CENTER NETWORK

Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. VITTER, Mr. LIEBERMAN, Mr. ENZI, Mrs. SHAHEEN, Mr. ISAKSON, Mrs. HAGAN, Mr. THUNE, Ms. CANTWELL, Mr. BOND, Mr. WICKER, Mr. RISCH, and Mr. PRYOR) submitted the following resolution; which was considered and agreed to:

S. RES. 638

Whereas the Small Business Development Center (referred to in this preamble as ''SBDC'') network will celebrate its 30th anniversary at a conference to be held September 21 through 24, 2010, in San Antonio, Texas;

Whereas the conference will be held to continue the professional development of employees of SBDCs and to commemorate the educational and technical assistance offered by SBDCs to small businesses across the United States;

Whereas for 30 years, SBDCs have been among the preeminent organizations in the United States for providing business advice, one-on-one counseling, and indepth training to small businesses;

Whereas, during the 30 years prior to the approval of this resolution, the SBDC network has grown from 9 fledgling centers to a nationwide network of 63 lead centers, with more than 4,000 business advisors providing services at over 1,000 service locations;

Whereas the SBDC network has worked for 30 years with the Small Business Administration, institutions of higher education, State governments, Congress, and others to significantly enhance the economic health and strength of small businesses in the United States;

Whereas SBDCs have assisted more than 20,000,000 small businesses throughout the 30 years prior to the approval of this resolution and continue to aid and support hundreds of thousands of small businesses annually;

Whereas 33 percent of all SBDC clients are minorities, 43 percent of all SBDC clients are women, and 9 percent of all SBDC clients are veterans;

Whereas, since the inception of SBDCs, SBDCs have continued to redefine and transform the services offered by SBDCs, including training and advising, and have taken on new missions, in order to ensure that small businesses have relevant and significant assistance in all economic conditions; and

Whereas Congress continues to support SBDCs and the role of SBDCs in assisting small businesses and building the economic success of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 30th anniversary of the Small Business Development Center network; and

(2) expresses appreciation for—

(A) the steadfast partnership between the Small Business Development Center network and the Small Business Administration; and

(B) the work of the Small Business Development Center network in ensuring quality assistance to small business and access for all to the American Dream.

SENATE CONCURRENT RESOLUTION 72—RECOGNIZING THE 45TH ANNIVERSARY OF THE WHITE HOUSE FELLOWS PROGRAM

Mr. BROWNBACK submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 72

Whereas in 1964, John W. Gardner presented the idea of selecting a handful of outstanding men and women to travel to Washington, D.C. to participate in a fellowship program that would educate such men and women about the workings of the highest levels of the Federal Government and about leadership, as they observed Federal officials in action and met with these officials and other leaders of society, thereby strengthening the abilities of such individuals to contribute to their communities, their professions, and the United States;

Whereas President Lyndon B. Johnson established the President's Commission on White House Fellowships, through Executive Order 11183 (as amended), to create a program that would select between 11 and 19 outstanding young citizens of the United States every year and bring them to Washington, D.C. for ''first hand, high-level experience in the workings of the Federal Government, to establish an era when the young men and women of America and their government belonged to each other—belonged to each other in fact and in spirit'';

Whereas the White House Fellows Program has steadfastly remained a nonpartisan program that has served 9 Presidents exceptionally well;

Whereas the 672 White House Fellows who have served have established a legacy of leadership in every aspect of our society, including appointments as cabinet officers, ambassadors, special envoys, deputy and assistant secretaries of departments and senior White House staff, election to the House of Representatives, Senate, and State and local governments, appointments to the Federal, State, and local judiciary, appointments as United States Attorneys, leadership in many of the largest corporations and law firms in the United States, service as presidents of colleges and universities, deans of our most distinguished graduate schools, officials in nonprofit organizations, distinguished scholars and historians, and service as senior leaders in every branch of the United States Armed Forces;

Whereas this legacy of leadership is a resource that has been relied upon by the Nation during major challenges, including organizing resettlement operations following the Vietnam War, assisting with the national response to terrorist attacks, managing the aftermath of natural disasters such as Hurricanes Katrina and Rita, providing support to earthquake victims in Haiti, performing military service in Iraq and Afghanistan, and reforming and innovating the national and international securities and capital markets;

Whereas the 672 White House Fellows have characterized their post-Fellowship years with a lifetime commitment to public service, including creating a White House Fellows Community of Mutual Support for leadership at every level of government and in every element of our national life; and

Whereas September 1, 2010, marked the 45th anniversary of the first class of White House Fellows to serve this Nation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the 45th anniversary of the White House Fellows program and commends the White House Fellows for their continuing lifetime commitment to public service;

(2) acknowledges the legacy of leadership provided by White House Fellows over the years in their local communities, the Nation, and the world; and

(3) expresses appreciation and support for the continuing leadership of White House Fellows in all aspects of our national life in the years ahead.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4654. Mr. BURRIS submitted an amendment intended to be proposed by him to the bill S. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the

Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4655. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4654. Mr. BURRIS submitted an amendment intended to be proposed by him to the bill S. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 526. AUTHORIZED SERVICE OF MEMBERS OF THE RETIRED RESERVE IN CERTAIN HIGH-LEVEL NATIONAL GUARD BUREAU POSITIONS.

(a) CHIEF OF THE NATIONAL GUARD BUREAU.—Section 10502(a) of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting ", or members of the Retired Reserve who served as officers of the Army National Guard of the United States or the Air National Guard of the United States," after "Air National Guard of the United States"; and

(2) in paragraph (4), by inserting "or retired in a grade above brigadier general, as applicable" before the semicolon.

(b) DIRECTOR OF THE JOINT STAFF OF THE NATIONAL GUARD BUREAU.—Section 10505(a) of such title is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting ", or members of the Retired Reserve who served as officers of the Army National Guard of the United States or the Air National Guard of the United States," after "Air National Guard of the United States"; and

(B) in subparagraph (C), by inserting "or retired in a grade above colonel, as applicable" before the period; and

(2) in paragraph (2), by inserting "or retired members" after "members".

(c) OTHER SENIOR NATIONAL GUARD BUREAU POSITIONS.—Section 10506(a) of such title is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "two general officers" and all that follows through "United States" and inserting "two individuals selected by the Secretary of the Army from general officers of the Army National Guard of the United States and members of the Retired Reserve who served as general officers of the Army National Guard of the United States"; and

(B) in subparagraph (B), by striking "two general officers" and all that follows through "United States" and inserting "two individuals selected by the Secretary of the Air Force from general officers of the Air National Guard of the United States and members of the Retired Reserve who served as general officers of the Air National Guard of the United States"; and

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) by inserting "and members of the Retired Reserve who served as general officers of the Army National Guard of the United States" after "Army National Guard of the United States"; and

(ii) by inserting "and members of the Retired Reserve who served as general officers of the Air National Guard of the United States" after "Air National Guard of the United States"; and

(B) in subparagraphs (B) and (E), by striking "officer" each place it appears and inserting "individual".

SA 4655. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 236. REVISION OF NATIONAL MISSILE DEFENSE POLICY OF THE UNITED STATES AS STATED IN THE NATIONAL MISSILE DEFENSE ACT OF 1999.

Section 2 of the National Missile Defense Act of 1999 (Public Law 106–38; 113 Stat. 205; 10 U.S.C. 2431 note) is amended by striking "to deploy" and all that follows and inserting the following: "to deploy as rapidly as technology permits an effective and layered Missile Defense system capable of defending the territory of the United States and its allies against all ballistic missile attacks (whether accidental, unauthorized, or deliberate) with funding subject to the annual authorization of appropriations and the annual appropriation of funds for Missile Defense.".

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy. The hearing will be held on Wednesday, September 29, 2010, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on the Propane Education and Research Council, PERC, and National Oilheat Research Alliance, NORA.

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 may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Rosemarie_Calabro@energy.senate.gov.

For further information, please contact Tara Billingsley at (202) 224–4756 or Rosemarie Calabro at (202) 224–5039.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BROWN of Ohio. 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 September 22, 2010, at 10 a.m., to conduct a hearing entitled "Oversight of the SEC Inspector General's Report on the 'Investigation of the SEC's Response to Concerns Regarding Robert Allen Stanford's Alleged Ponzi Scheme.' "

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

Mr. BROWN of Ohio. 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 September 22, 2010, at 2 p.m., to conduct a hearing entitled "Reauthorization of the National Flood Insurance Program."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 22, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Tax and Fiscal Policy: Effects on the Military and Veterans Community."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 22, 2010, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 22, 2010, at 11 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 22, 2010, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BROWN of Ohio. 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 September 22, 2010, at 10 a.m., to conduct a hearing entitled "Nine Years After 9/11: Confronting the Terrorist Threat to the Homeland."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet during the session of the Senate on September 22, 2010, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Electronic Communications Privacy Act: Promoting Security and Protecting Privacy in the Digital Age.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 22, 2010, at 2 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Investigating and Prosecuting Financial Fraud after the Fraud Enforcement and Recovery Act.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on September 22, 2010, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on September 22, 2010. The Committee will meet in room 345 in the Cannon House Office Building beginning at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND INSURANCE

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 22, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that Peter Gaulke, a legislative fellow in my office, be granted floor privileges for the remainder of this Congress.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MERKLEY. I also ask unanimous consent that Caitlin Kilborn, an intern in my office, be granted floor privileges for today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that Kristen Leis of my personal office have floor privileges for today.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 3628

Mr. REID. Mr. President, I ask unanimous consent that on Thursday, September 23, upon the disposition of S.J. Res. 30, the Senate then proceed to consideration of the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to S. 3628, the DISCLOSE Act; that the motion to reconsider be agreed to and that at 2:15 p.m. the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to S. 3628, with the time until then equally divided and controlled between the two leaders, or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING TECHNICAL CORRECTIONS IN THE TWENTY-FIRST CENTURY COMMUNICATIONS AND VIDEO ACCESSIBILITY ACT OF 2010

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3828, introduced earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3828) to make technical corrections in the Twenty-First Century Communications and Video Accessibility Act of 2010 and the amendments made by that Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3828) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3828

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

SEC. 2. AMENDMENT OF TWENTY-FIRST CENTURY COMMUNICATIONS AND VIDEO ACCESSIBILITY ACT OF 2010.

The Twenty-First Century Communications and Video Accessibility Act of 2010 is amended—

(1) by striking the item relating to section 105 in the table of contents in section 1(b) and inserting the following:

''Sec. 105. Relay services for deaf-blind individuals.'';

(2) by striking ''requirement'' in section 201(e)(1)(B) and inserting ''objectives'';

(3) by striking ''requirement'' in section 201(e)(2)(B) and inserting ''objectives'';

(4) by inserting ''or digital broadcast television'' after '' protocol'' in section 201(e)(2)(C); and

(5) by inserting ''or digital broadcast television'' after ''protocol'' in section 201(e)(2)(E).

SEC. 3. AMENDMENT OF COMMUNICATIONS ACT OF 1934.

The Communications Act of 1934 (47 U.S.C. 151 et seq.), as amended by the Twenty-First Century Communications and Video Accessibility Act of 2010, is amended—

(1) by striking ''do not'' in section 716(d);

(2) by striking ''facilities'' in section 716(e)(1)(D) and inserting ''facilitate'';

(3) by striking ''provider in the manner prescribed in paragraph (3),'' in section 717(a)(5)(C) and inserting ''provider,'';

(4) by striking ''Equal Access to 21st Century Communications Act'' in section 719(a) and inserting ''Twenty-First Century Communications and Video Accessibility Act of 2010'';

(5) by inserting ''low-income'' after ''accessible by'' in section 719(a);

(6) by striking ''and'' in section 713(f)(2)(A) and inserting ''such'';

(7) by inserting ''have'' after ''that'' the first place it appears in section 713(f)(2)(B);

(8) by inserting ''and Commerce'' after ''Energy'' in section 713(f)(4)(C)(iii);

(9) by striking ''programming distribution'' in section 713(c)(2)(D)(iii) and inserting ''programming distributors'';

(10) by striking ''progamming'' in section 713(c)(2)(D)(v) and inserting ''programming'';

(11) by striking ''and video description signals and make'' in section 713(c)(2)(D)(vi) and inserting ''and makes'';

(12) by striking ''by'' in section 303(aa)(3) and inserting ''for'';

(13) by striking ''and'' after the semicolon in section 303(bb)(1);

(14) by striking ''features.'' in section 303(bb)(2) and inserting ''features; and''; and

(15) by striking the matter following subdivision (2) of section 303(bb) and inserting the following:

''(3) that, with respect to navigation device features and functions—

''(A) delivered in software, the requirements set forth in this subsection shall apply to the manufacturer of such software; and

''(B) delivered in hardware, the requirements set forth in this subsection shall apply to the manufacturer of such hardware.''.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2010

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 550, S. 3107.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3107) to amend title 28, United States Code, to provide for an increase, effective December 1, 2010, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. AKAKA. Mr. President, today, as chairman of the Senate Committee on Veterans' Affairs, I urge all of my colleagues to support S. 3107/H.R. 4667, the Veterans' Compensation Cost-of-Living Adjustment Act of 2010. This measure would direct the Secretary of Veterans

Affairs to increase, effective December 1, 2010, the rates of veterans' compensation to keep pace with the rising cost of living in this country. The rate adjustment is equal to that provided on an annual basis to Social Security recipients and is based on the Consumer Price Index.

Congress regularly enacts legislation that would provide for a cost-of-living adjustment for veterans' compensation in order to ensure that inflation does not erode the purchasing power of the veterans and their families who depend upon this income to meet their daily needs. The 2011 COLA has not yet been determined.

The COLA affects, among other benefits, veterans' disability compensation and dependency and indemnity compensation for surviving spouses and children. Many of the recipients of those benefits depend upon these tax-free payments not only to provide for their own basic needs, but those of their spouses and children as well. Without a COLA increase, these veterans and their families would see the value of their hard-earned benefits slowly diminish if there was an increase in inflation. If there is an increase in inflation, we in Congress would be neglecting our duty to ensure that those who sacrificed so much for this country receive the benefits and services to which they are entitled.

It is important that we view veterans' compensation, including the COLA, and indeed all benefits earned by veterans, as a continuing cost of war. It is clear that the ongoing conflicts in Iraq and Afghanistan will continue to result in injuries and disabilities that will yield an increase in claims for compensation. Currently, there are more than 3.1 million veterans in receipt of VA disability compensation.

Disbursement of disability compensation to our Nation's veterans constitutes one of the central missions of the Department of Veterans Affairs. It is a necessary measure of appreciation afforded to those veterans whose lives were forever altered by their service to this country.

I urge our colleagues to support passage of this COLA bill. I also ask our colleagues for their continued support for our Nation's veterans.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read the third time; that the Veterans Affairs Committee be discharged from further consideration of H.R. 4667, which is the companion measure from the House, and the Senate proceed to its immediate consideration; that the bill, H.R. 4667, be read the third time and passed; further, that S. 3107 be returned to the calendar; that the motions to reconsider be laid on the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to a third reading and was read the third time.

The bill (H.R. 4667) was ordered to be read a third time, was read the third time, and passed.

99-YEAR TRIBAL LEASE AUTHORITY ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 507, S. 1448.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1448) to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. 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, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1448) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1448

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

SECTION 1. LEASES OF RESTRICTED LAND.

Subsection (a) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(a)), is amended in the second sentence by inserting ''land held in trust for the Coquille Indian Tribe, land held in trust for the Confederated Tribes of Siletz Indians, land held in trust for the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, land held in trust for the Klamath Tribes, and land held in trust for the Burns Paiute Tribe,'' after ''lands held in trust for the Confederated Tribes of the Warm Springs Reservation of Oregon,''.

MODIFYING TRIBAL LEASE PROVISIONS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 508, S. 2906.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2906) to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs, with amendments, as follows:

S. 2906

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

SECTION 1. LEASES INVOLVING CERTAIN INDIAN TRIBES.

The first section of the Act of August 9, 1955 (25 U.S.C. 415), is amended—

(1) in subsection (a), in the second sentence, by inserting ''and land held in trust for the Kalispel Tribe of Indians, *the Puyallup Tribe of Indians,*'' after ''the Kalispel Indian Reservation''; and

(2) in subsection (b), by inserting '', the Puyallup Tribe *of Indians*, the Swinomish Indian Tribal Community, or the Kalispel Tribe of Indians'' after ''Tulalip Tribes''.

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The bill (S. 2906), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

REDUNDANCY ELIMINATION AND ENHANCED PERFORMANCE FOR PREPAREDNESS GRANTS ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 566, H.R. 3980.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3980) to provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Redundancy Elimination and Enhanced Performance for Preparedness Grants Act''.

SEC. 2. IDENTIFICATION OF REPORTING REDUNDANCIES AND DEVELOPMENT OF PERFORMANCE METRICS FOR HOMELAND SECURITY PREPAREDNESS GRANT PROGRAMS.

(a) IN GENERAL.—Title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended by adding at the end the following:

''SEC. 2023. IDENTIFICATION OF REPORTING REDUNDANCIES AND DEVELOPMENT OF PERFORMANCE METRICS.

''(a) DEFINITION.—In this section, the term 'covered grants' means grants awarded under section 2003, grants awarded under section 2004, and any other grants specified by the Administrator.

''(b) INITIAL REPORT.—Not later than 90 days after the date of enactment of the Redundancy Elimination and Enhanced Performance for Preparedness Grants Act, the Administrator shall submit to the appropriate committees of Congress a report that includes—

''(1) an assessment of redundant reporting requirements imposed by the Administrator on

State, local, and tribal governments in connection with the awarding of grants, including—

''(A) a list of each discrete item of data requested by the Administrator from grant recipients as part of the process of administering covered grants;

''(B) identification of the items of data from the list described in subparagraph (A) that are required to be submitted by grant recipients on multiple occasions or to multiple systems; and

''(C) identification of the items of data from the list described in subparagraph (A) that are not necessary to be collected in order for the Administrator to effectively and efficiently administer the programs under which covered grants are awarded;

''(2) a plan, including a specific timetable, for eliminating any redundant and unnecessary reporting requirements identified under paragraph (1); and

''(3) a plan, including a specific timetable, for promptly developing a set of quantifiable performance measures and metrics to assess the effectiveness of the programs under which covered grants are awarded.

''(c) BIENNIAL REPORTS.—Not later than 1 year after the date on which the initial report is required to be submitted under subsection (b), and once every 2 years thereafter, the Administrator shall submit to the appropriate committees of Congress a grants management report that includes—

''(1) the status of efforts to eliminate redundant and unnecessary reporting requirements imposed on grant recipients, including—

''(A) progress made in implementing the plan required under subsection (b)(2);

''(B) a reassessment of the reporting requirements to identify and eliminate redundant and unnecessary requirements;

''(2) the status of efforts to develop quantifiable performance measures and metrics to assess the effectiveness of the programs under which the covered grants are awarded, including—

''(A) progress made in implementing the plan required under subsection (b)(3);

''(B) progress made in developing and implementing additional performance metrics and measures for grants, including as part of the comprehensive assessment system required under section 649 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 749); and

''(3) a performance assessment of each program under which the covered grants are awarded, including—

''(A) a description of the objectives and goals of the program;

''(B) an assessment of the extent to which the objectives and goals described in subparagraph (A) have been met, based on the quantifiable performance measures and metrics required under this section, section 2022(a)(4), and section 649 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 749);

''(C) recommendations for any program modifications to improve the effectiveness of the program, to address changed or emerging conditions; and

''(D) an assessment of the experience of recipients of covered grants, including the availability of clear and accurate information, the timeliness of reviews and awards, and the provision of technical assistance, and recommendations for improving that experience.

''(d) GRANTS PROGRAM MEASUREMENT STUDY.—

''(1) IN GENERAL.—Not later than 30 days after the enactment of Redundancy Elimination and Enhanced Performance for Preparedness Grants Act, the Administrator shall enter into a contract with the National Academy of Public Administration under which the National Academy of Public Administration shall assist the Administrator in studying, developing, and implementing—

''(A) quantifiable performance measures and metrics to assess the effectiveness of grants administered by the Department, as required under this section and section 649 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 749); and

''(B) the plan required under subsection (b)(3).

''(2) REPORT.—Not later than 1 year after the date on which the contract described in paragraph (1) is awarded, the Administrator shall submit to the appropriate committees of Congress a report that describes the findings and recommendations of the study conducted under paragraph (1).

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator such sums as may be necessary to carry out this subsection.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

''Sec. 2023. Identification of reporting redundancies and development of performance metrics.''.

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 3980), as amended, was read the third time and passed.

IMPROVING THE OPERATION OF CERTAIN FACILITIES AND PROGRAMS OF THE HOUSE OF REPRESENTATIVES

Mr. REID. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of H.R. 5682, and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5682) to improve the operation of certain facilities and programs of the House of Representatives, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid on the table, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5682) was ordered to a third reading, was read the third time, and passed.

COMMENDING THE ENTERTAINMENT INDUSTRY

Mr. REID. I ask unanimous consent the Commerce Committee be discharged from further consideration of S. Res. 623 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 623) commending the encouragement of interest in science, technology, engineering, and mathematics by the entertainment industry, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 623) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 623

Whereas science, technology, engineering, and mathematics (referred to in this preamble as ''STEM'') are vital fields of increasing importance in driving the economic engine of the United States;

Whereas STEM-educated graduates have and will continue to play critical roles in helping to develop clean energy technologies, to find life-saving cures for diseases, to solve security challenges, and to discover new solutions for deteriorating transportation and infrastructure;

Whereas through 2018, STEM occupations are projected to provide 2,800,000 job openings;

Whereas over 90 percent of STEM occupations require at least some postsecondary education;

Whereas students across the country, especially young women and underrepresented minorities, need greater understanding and appreciation of STEM careers, and access to quality STEM opportunities;

Whereas the entertainment industry of the United States, comprised of movies, television, theater, radio, DVDs, video games, as well as other video and audio recordings and means of communications, has an extraordinary ability to reach the people of the United States, especially young people;

Whereas the entertainment industry has begun to make significant investments in support of STEM education; and

Whereas, for example, the Entertainment Industries Council has developed the Ready on the S.E.T. and . . . Action! initiative to elevate the importance of science, engineering, and technology in national entertainment and news productions by connecting STEM experts, companies, and organizations with the entertainment industry in order to disseminate accurate information about STEM professionals and careers, and producing the first-ever S.E.T. Awards Show this year to award accurate and impactful portrayals of STEM in movies, television series, radio and television news programs, and print and online journalism: Now, therefore, be it

Resolved, That the Senate—

(1) commends the effective use of the substantial influence and resources of the entertainment industry of the United States, by those members of the entertainment industry, such as the Entertainment Industries

Council, who are working to encourage interest in the fields of science, technology, engineering, and mathematics; and

(2) urges the entertainment industry to continue to use the creative talent, skills, and audience-reach at its disposal to communicate the importance of science, technology, engineering, and mathematics.

CELEBRATING 30TH ANNIVERSARY OF SMALL BUSINESS DEVELOPMENT CENTER NETWORK

Mr. REID. I ask we now proceed to S. Res. 638, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 638) celebrating the 30th anniversary of the Small Business Development Center Network.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 638) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 638

Whereas the Small Business Development Center (referred to in this preamble as ''SBDC'') network will celebrate its 30th anniversary at a conference to be held September 21 through 24, 2010, in San Antonio, Texas;

Whereas the conference will be held to continue the professional development of employees of SBDCs and to commemorate the educational and technical assistance offered by SBDCs to small businesses across the United States;

Whereas for 30 years, SBDCs have been among the preeminent organizations in the United States for providing business advice, one-on-one counseling, and indepth training to small businesses;

Whereas, during the 30 years prior to the approval of this resolution, the SBDC network has grown from 9 fledgling centers to a nationwide network of 63 lead centers, with more than 4,000 business advisors providing services at over 1,000 service locations;

Whereas the SBDC network has worked for 30 years with the Small Business Administration, institutions of higher education, State governments, Congress, and others to significantly enhance the economic health and strength of small businesses in the United States;

Whereas SBDCs have assisted more than 20,000,000 small businesses throughout the 30 years prior to the approval of this resolution and continue to aid and support hundreds of thousands of small businesses annually;

Whereas 33 percent of all SBDC clients are minorities, 43 percent of all SBDC clients are women, and 9 percent of all SBDC clients are veterans;

Whereas, since the inception of SBDCs, SBDCs have continued to redefine and transform the services offered by SBDCs, including training and advising, and have taken on new missions, in order to ensure that small businesses have relevant and significant assistance in all economic conditions; and

Whereas Congress continues to support SBDCs and the role of SBDCs in assisting small businesses and building the economic success of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 30th anniversary of the Small Business Development Center network; and

(2) expresses appreciation for—

(A) the steadfast partnership between the Small Business Development Center network and the Small Business Administration; and

(B) the work of the Small Business Development Center network in ensuring quality assistance to small business and access for all to the American Dream.

MEASURE READ THE FIRST TIME—S. 3827

Mr. REID. Mr. President, I am told that S. 3827, introduced earlier today by Senator DODD, is at the desk and ready for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3827) to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

Mr. REID. I ask for a second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for a second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. Mr. President, the Chair, on behalf of the majority leader pursuant to Public Law 107–252, title II, section 214, appoints the following individual to serve as a member of the Election Assistance Board of Advisors: Dr. Barbara Simons, of California.

ORDERS FOR THURSDAY, SEPTEMBER 23, 2010

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, September 23; 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; that following any leader remarks, the Senate proceed to a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first half and the majority controlling the second half; further, upon the completion of morning business, the Senate proceed to the consideration of S.J. Res. 30, a joint resolution of disapproval regarding the National Mediation Board, as provided under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, tomorrow the Senate will consider the motion to proceed to S.J. Res. 30. Under the consent agreement for consideration of the joint resolution, there will be 2 hours of debate prior to a vote on the motion to proceed. This vote is expected to occur as early as 12:30 p.m. tomorrow. That will be the first vote of the day.

Also, as provided under a previous order, at 2:15 p.m., the Senate will proceed to a rollcall vote on cloture on the motion to proceed to S. 3628, the DISCLOSE Act.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. 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 7:20 p.m., adjourned until Thursday, September 23, 2010, at 9:30 a.m.

EXTENSIONS OF REMARKS

THE RECOGNITION OF 25 YEARS OF SERVICE AWARDS FOR EMPLOYEES OF THE OFFICERS AND INSPECTOR GENERAL OF THE HOUSE OF REPRESENTATIVES

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. BRADY of Pennsylvania. Madam Speaker, as I did last year, I rise today to congratulate and recognize outstanding employees of the Officers (Clerk of the House, Sergeant at Arms, and Chief Administrative Officer) and Inspector General of the U.S. House of Representatives who have reached the milestone of 25 years of service to the U.S. House of Representatives.

Our most important asset in the House is our dedicated employees, and their work, often behind the scenes, is vital in keeping the operations and services of the House running smoothly and efficiently. The employees we recognize today are acknowledged and commended for their hard work, dedication, and support of House Members, their staffs and constituents, and for their contributions day-in and day-out to the overall operations of the House. These employees have a wide range of responsibilities that support the legislative process, assure the security of the institution, and maintain our technology and service infrastructure. They have accomplished a great many things in a wide range of activities, and the House of Representatives and its Members, staff, and the general public, are better served because of them. The individuals we honor today have collectively provided four hundred fifty (450) years of service to the U.S. House of Representatives:

Linda Cain, Office of the Clerk;

John Clarke, Office of the Chief Administrative Officer;

Corliss Clemonts-James, Office of the Clerk;

Jodi Detwiler, Office of the Clerk;

KaSandra R. Greenhow, Office of the Sergeant at Arms;

Tina Hanonu, Office of the Chief Administrative Officer;

Monroe Holliway, Office of the Chief Administrative Officer;

Dorothy M. Jennings, Office of the Sergeant at Arms;

Deborah Jones, Office of the Chief Administrative Officer;

Steven Kaeser, Office of the Chief Administrative Officer;

Olga Kornacki, Office of the Chief Administrative Officer;

Mary O'Brien, Office of the Chief Administrative Officer;

Beth Pence, Office of the Chief Administrative Officer;

Robert Ransom, Office of the Chief Administrative Officer;

Sarah Ricanek, Office of the Chief Administrative Officer;

Bruce Roland, Office of the Chief Administrative Officer;

Anthony Scott, Office of the Chief Administrative Officer;

Linda Rawl Shealy, Office of the Sergeant at Arms.

On behalf of the entire House community, I extend congratulations and once again recognize and thank these employees for their commitment to the U.S. House of Representatives as a whole, and to their respective House Officers and Inspector General in particular. Their long hours and hard work are invaluable, and their years of unwavering service, dedication, and commitment to the House set an example for their colleagues and other employees who will follow in their footsteps. I celebrate our honorees, and I am proud to stand before you and the nation on their behalf to recognize the importance of their public service.

HONORING PATRICIA YUNGCLAS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. LATHAM. Madam Speaker, I rise today to honor a great achievement by Patricia Yungclas of Webster City, Iowa. Patricia was named an Iowa Master Farm Homemaker by Wallaces Farmer magazine. She was joined by three other farm homemakers who were recognized during a ceremony in Des Moines on September 10, 2010.

Since 1940, Wallaces Farmer has been a sponsor of the Iowa Master Farm Homemaker Award. The honor recognizes these women for their fine work with their families, homes and community service.

The example set by Patricia demonstrates the rewards of hard work, dedication and community service. Her triumph is an honor that we all can admire and be proud of.

I am honored to represent Patricia Yungclas in the United States Congress. I know that my colleagues join me in congratulating Patricia and wishing her continued success.

HONORING MR. ABEBAW ''MUNA'' MERNE FEKI

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. HONDA. Madam Speaker, I rise today to commemorate the passing of an esteemed leader in the Ethiopian American community and prominent entrepreneur, beloved to family and friends.

Born on March 31, 1962, Mr. Abebaw Merne Feki, affectionately known as ''Muna,'' was raised in the Bole-Kotebe neighborhood of Addis Ababa, Ethiopia.

Following the American dream like many before him, he immigrated to America in 1991. Muna was a small business owner and entrepreneur at heart, buying a 7-Eleven in San Jose, California, which is home to a large Ethiopian community. Muna introduced Ethiopian products to the store, becoming the first ever franchise location to stock such merchandise. Recognizing the needs of the local community, his cultural infusion brought the business great success.

To serve the large Ethiopian community in San Jose, Muna and his wife opened Zeni's Restaurant, offering authentic Ethiopian-style cuisine. Zeni's Restaurant remains immensely popular among both Ethiopians and non-Ethiopians, considered by many to be the best Ethiopian restaurant in the Bay Area.

Not only did Muna establish a flourishing restaurant, he also created a warm and inclusive community environment for people of all backgrounds. Sharing his love of Ethiopian history and culture with all who entered, Muna made Zeni's Restaurant a central gathering point for the Ethiopian community in San Jose. Through such accomplishments he became an ambassador of the Ethiopian community.

As a patron of his restaurant, Muna and I became friends. He spoke of Ethiopian life and culture, and the struggles of Ethiopian and Ethiopian Americans. As a result of his efforts, I was inspired to found and chair the Congressional Caucus on Ethiopia and Ethiopian Americans, which seeks to support and advance the interests of Ethiopian and Ethiopian Americans across our nation.

I stand here today in great thanks for, and in high regard of, Muna's entrepreneurial talents and civic involvement. Muna's legacy will continue to serve generations of Ethiopian Americans. It is my hope that his legacy inspires others to support their own communities and educate others about the diverse history and traditions of their cultures. He will be missed greatly by the Silicon Valley community.

ENTERPRISE WHEAT RIDGE LORETTA DITIRRO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Enterprise Wheat Ridge under the leadership of President, Loretta DiTirro, for receiving the 2010 Wheat Ridge City Council Partnership Award.

Enterprise Wheat Ridge was started eight years ago and has since grown to over two hundred members. This is an association of dedicated businesses working together to support business and community. By offering networking and business education classes, they have become a valuable asset to many in the city of Wheat Ridge and surrounding areas.

Their community planning efforts are noteworthy and have included the Wheat Ridge

Carnation Festival and the Wheat Ridge Holiday Lighting Program. Their creation of ''Passport to Wheat Ridge'', a program which encourages residents to do their holiday shopping in Wheat Ridge, can be used as an example to other communities with the same goals.

I extend my congratulations to Enterprise Wheat Ridge and President, Loretta DiTirro, on this well deserved honor. I commend them for their substantial commitment to our community in their pursuit of a stronger economy within Wheat Ridge, Colorado.

INTRODUCING THE AMERICAN INFRASTRUCTURE INVESTMENT ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce the American Infrastructure Investment Act.

Policies passed by the Democratic controlled Congress helped to begin pulling our economy out of recession. The Organization for Economic Cooperation and Development recently predicted it could be 3 years before the unemployment rate returns to its pre-recession level. My legislation extends a number of successful job creation programs that are set to expire. It is incentives like those included in this legislation that will help this nation and restore employment levels to what they once were.

By providing federal support for private sector infrastructure investment, this legislation creates real jobs through investment in long-term sustainable economic development. These infrastructure investment programs are used to fund the construction of projects such as bridges, roads, schools and hospitals.

Some communities in my district have unemployment rates as high as 40 percent. If you were to go there and ask folks, I'm sure the answer would be, ''Yes, we need more jobs,'' and ''Yes, we want more of the programs that create those jobs.'' A project in Palm Beach County set to receive benefits from both the Recovery Zone Facility Bonds and New Market Tax Credits, two incentives extended under the American Infrastructure Investment Act, is responsible for 360 construction jobs, 300 permanent full-time jobs and $1.5 billion in gross regional product within the first 5 years. Legislation passed by Democratic-led Congress has directly led to the creation of 83,000 private sector jobs in June and nearly 600,000 private sector jobs this year.

Build America Bonds are also extended under this legislation. Created under the American Recovery and Reinvestment Act, these bonds have allowed State and local governments to invest more than $100 billion in infrastructure projects nationwide and supported more than 1.7 million jobs. These are the very kinds of successful private investment incentive programs that the government should sponsor to kick-start the economy.

Madam Speaker, make no mistake about it—job creation is my number one priority. I urge my colleagues to support this legislation and help create jobs that are desperately needed now.

HONORING DIANE BEACH

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SHUSTER. Madam Speaker, I rise today to honor Ms. Diane Beach, recipient of the HEALTHSOUTH Personal Achievement Award.

In November 2007, Diane was diagnosed with a cancerous tumor on the C–5/C–6 vertebrae which was traced and found to have originated from her right breast. The tumor was removed causing loss of the use of her left arm—which happened to be her dominant arm. However, even with these unforeseen circumstances, Diane never wavered in her optimism that she would win her fight. She underwent physical therapy at HealthSouth that was physically and mentally demanding, beginning with an initial two-week patient stay, and evolving into several weeks of outpatient therapy.

Through it all, Diane continued to be a valuable asset to Home Instead Senior Care as their Office Manager. She was even consulted during her hospitalizations to continue working on payroll and bookkeeping. Diane also learned to adapt where necessary as she relearned to write with her right hand.

Ms. Beach deserves recognition for her career accomplishments and exemplar spirit, which should serve as an inspiration to us all. I commend Diane for her positive attitude and determination, and I wish her the best in all of her future endeavors.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Ms. SCHWARTZ. Madam Speaker, I regrettably missed rollcall votes No. 526, No. 527, and No. 528 because I was testifying before the Institute of Medicine on geographic adjustment factors in Medicare Payment. Had I been present, I would have voted in the following manner: rollcall No. 526: ''yes''; rollcall No. 527: ''yes''; rollcall No. 528: ''yes.''

PERSONAL EXPLANATION

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. McCLINTOCK. Madam Speaker, on rollcall No. 528, had I been present, I would have voted ''aye.''

CELEBRATING THE 150TH ANNIVERSARY OF THE IRON COUNTY COURTHOUSE

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mrs. EMERSON. Madam Speaker, I rise today to recognize the 150th Anniversary of the completion and opening of the Iron County Courthouse in Ironton, Missouri. The cornerstone of the Iron County Courthouse was originally laid on July 4, 1858. The construction of the building was completed and it was opened in October of 1860. This courthouse is a testament to justice in the rural community of Ironton. The legacy it represents is a point of pride to the members of this community.

The Iron County Courthouse represents a place where the laws of our country are protected and upheld. Just as justice must be served in urban areas so it must be protected and served in rural communities around the country. This courthouse represents the values of the people of Southeast Missouri and the deep traditions here. These values and this building have withstood the test of times. The Courthouse survived damage during the Civil War battle of Pilot Knob in September of 1864. The Iron County Courthouse is recognized on the National Register of Historic Places and has been featured in numerous publications.

We have good reasons to recognize the history of this institution in Southeastern Missouri. The Iron County Courthouse has served as the site for countless trials and hearings during its one hundred and fifty years of existence. Along with the Iron County Historical Society and the Iron County Commissions, I celebrate the anniversary of the Iron County Courthouse.

EDUCYBER BRIAN AND MAKI DELAET

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Brian and Maki DeLaet, owners of EduCyber Inc., for receiving the 2010 Wheat Ridge Business of the Year Award.

EduCyber Inc. began as a home based business in 1998 and has successfully grown under the leadership of Brian and Maki DeLaet. Its growth is attributed to the high level of personalized service provided to its clients and the business model used has become one that others seek to incorporate in their own businesses.

Brian and Maki DeLaet are active contributors to the business community. EduCyber is a member of The West Chamber of Commerce, Enterprise Wheat Ridge, Wheat Ridge 2020 and the Applewood Business Association. In addition to their active participation in the community, they have lent their support to new city development projects such as new parks and new bike and walk-ways.

I extend my congratulations to Brian and Maki DeLaet, owners of EduCyber, on their recognition and thank them for their commitment to our community.

HONORING PFC PAUL CUZZUPE

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. BILIRAKIS. Madam Speaker, I rise today to honor the life, sacrifice, and heroism

of Army Private First Class Paul Orazio Cuzzupe II, of Plant City, Florida.

PFC Cuzzupe, an Army combat medic, was killed in the line of duty in Afghanistan on August 8th when his unit was attacked by an improvised explosive device.

U.S. Army combat medics are the battlefield's first responders, fearlessly providing first aid and basic medical care to those in desperate need. PFC Cuzzupe personified this bravery and compassion. In fact, a week before he died, PFC Cuzzupe was awarded the Army Commendation Medal for his tireless efforts to save life of an Afghan child that had been severely wounded by an insurgent's bomb.

Outside of the Army, Paulie—as he is known to his friends—was an outstanding young man in his own right. He had been an honor student at Armwood High School and was a talented self-taught guitarist who led his own rock band and performed songs for Sunday school students.

Madam Speaker, though proud to have such a fine example from the Tampa Bay community, it is with great remorse that I rise to commemorate the life of PFC Cuzzupe. I am in awe of the young men and women like Paul Cuzzupe who choose to serve their countrymen in the armed forces. I appreciate their professionalism and dedication. Their sacrifice, like that of PFC Cuzzupe will not be forgotten.

HONORING THE CENTENNIAL OF THE ST. LOUIS ZOO

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. CLAY. Madam Speaker, I rise today to honor the 100th anniversary of the world-famous St. Louis Zoo, which I am proud to represent. For a century, the St. Louis Zoo, a national landmark located in St. Louis' historic Forest Park, has entertained and educated millions of visitors from around the world.

Since the St. Louis Zoo's first days it has pioneered the preservation and propagation of endangered species. The St. Louis Zoo is a world leader in efforts to conserve animals and their habitats through animal management, research, recreation, educational programs and environmental stewardship.

The St. Louis Zoo has played an indispensible role in the development of environmental awareness for generations of American children and its ongoing research continues to spur new ideas to help visitors understand, appreciate and respect the diversity and fragile balance of life on earth.

This year, over three million visitors will be enriched and inspired by a visit to the St. Louis Zoo as it continues to entertain and educate animal lovers of all ages.

Madam Speaker, I am honored to pay tribute to the Centennial of the St. Louis Zoo, and I urge my colleagues to join me in honoring this American cultural treasure.

HONORING DIANA AND LÉON BERLINER, HUMBOLDT COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Diana and Léon Berliner, extraordinary citizens of Humboldt County, California, who have dedicated their lives to public service. The husband and wife team are being honored by the Humboldt County Democratic Central Committee as 2010 Citizens of the Year for one of our nation's most precious rights—participation in the political system. Their commitment to the general health and welfare of the community and to the preservation of our liberty is worthy of appreciation and recognition.

Diana Berliner has been a dedicated educator for over 40 years. She has focused her career on the needs of special education students, in the classroom and in training student teachers. Diana has also had a distinguished career in connection with the California Association of Resource Specialists, serving as a board member, president, conference presenter and newsletter editor. She has served as an advisory member to the California Commission on Teacher Credentialing and served on advisory committees to the Humboldt County Office of Education. And, as a vigorous advocate for public education, Diana Berliner has also been active in the Association of Retired Teachers. She continues to volunteer in many capacities throughout our community, including Ferndale Repertory, College of the Redwoods and North Coast Repertory Theatre.

Léon Berliner arrived safely in the United States after boarding a Liberty Ship at the age of 13 in 1948. As a Holocaust survivor and native of Antwerp, Belgium, Léon's harrowing story of survival inspires our deepest admiration. It is a story of perseverance and determination that led to a life-long commitment to help those less fortunate. Léon became a citizen and went on to receive his education, then served in the United States Army from 1954 to 1956. Upon returning to civilian life, he launched a long and distinguished career serving children and adults with disabilities. He worked in that capacity from New York to California, developing model programs and educating the community to the needs of people with disabilities. After moving to Humboldt County in 1971, he became the founder and Executive Director of Redwoods United Workshop, dedicated to providing training and work experience for the disabled. Following his retirement, Léon pursued his passion for classical music by opening Berliner's Cornucopia, sharing his knowledge and enthusiasm for life by further educating and enriching the lives of many on the North Coast.

These extraordinary individuals have demonstrated many times over their commitment and public spirit. They possess a keen interest in community life and participate every day in a meaningful and thoughtful manner by making our community a better place in which to live.

Madam Speaker, it is appropriate at this time that we recognize Diana and Léon Berliner for their unwavering compassion and for their contribution to the ideals and traditions that have made America a nation of hope and achievement.

DR. THOMAS P. CAMPBELL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Dr. Thomas P. Campbell for receiving the 2010 Wheat Ridge Reinvestment Award.

Dr. Campbell began his Ophthalmology practice in 1988 and since has become a leader in his field. His investment and restoration of property along 44th Avenue in Wheat Ridge, Colorado has provided the city with an aesthetically pleasing and environmentally conscious building that will increase property values.

This new office design has provided a model that will promote sustainable development projects in Wheat Ridge. Specifically, the design features a porous pavement drainage system that significantly reduces the need for on-site storm water detention facilities creating cost effective use of the land.

I extend my congratulations to Dr. Thomas P. Campbell, on receiving the 2010 City of Wheat Ridge Reinvestment Award and thank him for his dedication and commitment to our community.

A TRIBUTE TO IASHA A. RIVERS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. TOWNS. Madam Speaker, I rise today in recognition of the accomplishments of Iasha A. Rivers.

Iasha Rivers is the Director of External Affairs and Corporate Communications for Macy's Inc. She specializes in creating synergy in and out of the company from a brand marketing and customer first perspective. She has developed significant relationships within our communities, diversity initiatives, special projects, and the coordination of a number of charitable events on behalf of the company. She is also charged with the strategic planning and execution of advertising compliance for Macy's stores. Iasha is closely involved with working in partnership with city and state agencies, government officials and consumer boards to remain ahead of the curve on issues that affect the industry and customers. Ms. Rivers is responsible for developing policies and procedures to streamline store-line operational functions, as well as advising store executives on internal and external matters.

Iasha has a background in the entertainment industry. She worked for ASCAP (American Society of Composers and Publishers) and Double Xxposure where she developed her skills in communications in the field of public relations. Previously, she worked in healthcare as a Performance Improvement Manager and Resident Coordinator for Bronx Lebanon Hospital Center/Special Care Unit, one of the first units in the nation to have a

dedicated AIDS center for long-term care patients.

It was through her work in healthcare that Rivers began to develop a commitment to volunteerism. Her commitment has continued to grow over the last 15 years, and she has become involved in organizing holiday events for foster children, raising funds through AIDSwalk, the Susan G. Komen Race For the Cure and working with children with cancer and their families at the Ronald McDonald House of NY. She has also coordinated mammography reminders for breast cancer awareness in all Macy's stores in the New York City area in conjunction with the City Council Speaker's Office of New York.

Iasha's passion for children and education has led her to giving presentations for college students on dressing for your success. She has also taught business seminars at the Henry Street Settlement for displaced workers building the skills to get back in the workforce.

Ms. Rivers is currently the 2010 Chair of SOCAP's (Society of Consumer Affairs Professionals International) Conference Board. She has also been named the Chair for United Way's 2011 Women United in Philanthropy—The Power of Women. With her combination of leadership, communication skills and volunteerism, Iasha was recently honored with a national award for the 40 Under Forty Dynamic Achievers in 2010. She has also been recognized by the United Way with the prestigious Rising Star Award in 2009.

Rivers attended Hunter College for a B.S. in Economics and is currently pursuing a degree in International Affairs at Columbia University.

Iasha is a single mom of two children, Andrew and Brianna, and lives in Brooklyn, NY.

Madam Speaker, I urge my colleagues to join me in recognizing the achievements of Iasha A. Rivers.

FEDERAL EMPLOYEES RESPONSIBLE INVESTMENT ACT

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. LANGEVIN. Madam Speaker, today I am reintroducing the Federal Employees Responsible Investment Act, which would add a socially responsible investment option to the Thrift Savings Plan.

The reckless actions of financial institutions and corporations that contributed to our nation's recession have provided countless illustrations of the need to place a greater emphasis on good corporate governance, as well as social and environmental practices that contribute to safety and sustainability. We must create an environment in which businesses take care of—and are held accountable to—their shareholders, employees and customers. Companies should be encouraged to implement sustainable environmental policies and practices, promote solid workplace relations and produce safe products.

While Federal employees currently have several investment options for their Thrift Savings Plan (TSP) contributions, they are unable to choose one of the fastest-growing categories of investment—socially responsible investment. Investors are increasingly turning to socially responsible investment (SRI) options because good corporate practices are often an indicator of good management, financial success and long-term stability. In 2009, three out of four large cap SRI mutual funds outperformed the Standard & Poor's (S&P) 500 Index by an average of 6 percentage points, according to data analyzed by the Social Investment Forum, a national association made up of over 400 financial professionals and institutions. A majority of these funds have also outperformed the S&P 500 over three years and over 10 years.

Federal employees deserve the opportunity to invest in companies that embrace the same integrity in their practices that government employees work to uphold. The Federal Employees Responsible Investment Act would direct the Federal Retirement Thrift Investment Board (FRTIB) to select a "Corporate Responsibility Index" as an option for TSP investment. The index would include companies that meet strict financial criteria, in addition to having strong corporate governance, sustainable environmental policies and practices, solid workplace relations, positive community involvement, safe products, and respect for human rights around the world. Under this bill, the FRTIB would select an index that best meets Federal employees' needs and demonstrates returns comparable to the other investment options available under the TSP.

Making an investment in companies that are committed to corporate responsibility will have a positive impact on our financial system, as well as empower federal employees to reward companies that share their values. I encourage my colleagues to support this measure.

HONORING THE ACCOMPLISHMENTS OF MR. CHRISTOPHER CERF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mrs. MALONEY. Madam Speaker, I rise today to recognize Mr. Christopher Cerf upon receiving the 2010 Harold W. McGraw, Jr. Prize in Education. Mr. Cerf has dedicated his life to making educational resources more accessible to all children, and enriching children's educational experiences.

Mr. Cerf began his career after graduating from Harvard University, when he spent eight years as a senior editor at Random House, working with such diverse authors as George Plimpton, Andy Warhol, Abbie Hoffman, Ray Bradbury, and Dr. Seuss. Mr. Cerf then took his talents to the acclaimed children's show Sesame Street where he has been a regular contributor of music and lyrics since the show's first season. He won two Grammy and three Emmy awards for his work with Sesame Street. For over forty years, Mr. Cerf has creatively been educating children using music and lyrics as educational tools.

In 2000, Mr. Cerf and his company Sirius Thinking Ltd., started a new highly acclaimed children's educational daily television program, Between the Lions. Mr. Cerf's literacy series Between the Lions has appeared on PBS for nine seasons, and received two Television Critics' Award for Outstanding Children's TV Program and 10 Emmy Awards. Academic studies have shown that Between the Lions, and its companion literacy instruction resources, is hugely successful in helping children learn to read, especially those who are at a high risk of literacy failure. The literacy series has proven to have particularly strong results in phonics, vocabulary, and reading frequency.

Mr. Cerf is currently working on yet another educational television series, Lomax, the Hound of Music, which aims to develop children's musical awareness.

In addition to working tirelessly on his educational series, Mr. Cerf is currently a member of the board of directors of Reading Is Fundamental, First Book and the We Are Family Foundation. He is also a governor of the New York Chapter of the Recording Academy.

I am deeply appreciative for Mr. Cerf s life's work in education. On behalf of the 14th District of New York, I am honored to thank Mr. Cerf and to congratulate him on receiving the prestigious Harold W. McGraw, Jr. Prize in Education. May it help him with his future endeavors in teaching children. I know we can expect to see more great achievements from Mr. Christopher Cerf.

EXPRESSING CONDOLENCES TO PAKISTANI PEOPLE AFTER FLOODS

SPEECH OF

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 2010

Mr. McGOVERN. Madam Speaker, Pakistan is suffering from the worst floods in 80 years. About 20 million people have been affected; 1.2 million homes damaged; infrastructure destroyed; and water-borne diseases, such as cholera, are spreading. Significant resources from abroad are needed to alleviate the suffering and long-term consequences.

The U.S. government has responded quickly and effectively. But we also need to address the long-term recovery. We need to help the Pakistani people get back on their feet, even as the waters subside.

I commend the thousands of American individuals, NGOs and private companies that have responded with contributions. I call on them to continue to make or expand their donations. Coca-Cola, Procter & Gamble, Monsanto, GlaxoSmithKline Pakistan, Western Union, Americares and the Bill & Melinda Gates Foundation are just some of the large donors that have stepped up to the plate. Donations can be made via the State Department's secure web page at www.state.gov/pakistanrelief/index.htm. Donation forms can be downloaded at http://www.state.gov/documents/organization/146290.pdf. Americans can also donate $10 by texting "FLOOD" to 27722 (Standard text messaging and data usage rates apply).

A TRIBUTE TO MARTIN JOSEPH

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. TOWNS. Madam Speaker, I rise today in recognition of Martin Joseph for his contributions to health care management.

Martin Joseph is the President of Health Vision Partners LLC. He has a successful health care management and consulting practice and also manages a real estate portfolio of commercial properties.

Martin Joseph is a global visionary leader with more than 20 years in investment banking and the financial services arena. He worked for Citigroup as Vice President of Global Marketing, Merrill Lynch, Prudential U.S. and Prudential U.K.

Over the years, Mr. Joseph's investment banking and wealth management background has enabled him to restructure and increase revenue for health care practices, hospitals, and private doctors' practices in the metropolitan area.

Mr. Joseph enjoys reading in his spare time. He is active in local charities, politics and is a Gallon Club blood donor.

Madam Speaker, I urge my colleagues to join me in recognizing the achievements of Martin Joseph.

HONORING MS. ESSIE ''BIG MAMA'' REED AS A TRUE AMERICAN HERO

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. HASTINGS of Florida. Madam Speaker, I rise today to recognize Ms. Essie ''Big Mama'' Reed for her outstanding contributions to the Ft. Lauderdale community. Big Mama stands apart as an exemplary citizen and living testimony to compassion and generosity.

Big Mama's impact on Ft. Lauderdale began in 1988. When her youngest son was just a month old, Big Mama's husband abandoned the family, leaving them homeless. For the next three years, Big Mama and her three sons slept on the concrete floor of the fish market she owned. Despite being destitute and unable to provide her sons with such basic things as school supplies, Big Mama and her boys regularly prayed after school at the Royal Assembly Church.

It is her triumph over personal adversity that inspired Big Mama to begin a crusade of personal outreach. Realizing how fortunate she was to have caring neighbors who provided her and her sons with basic needs, Big Mama decided to give back by helping at-risk youth avoid the common street predators of drugs, gangs, and prostitution.

In the early 1990s, Big Mama solidified a values-based approach that, when coupled with her uncommon bravery in the face of long odds, has helped keep over 1,300 area youth on a promising path.

Big Mama's contribution has been particularly meaningful to the Ft. Lauderdale School System. With scores of students who come from disadvantaged backgrounds, Big Mama provides personal afterschool care and guidance for students who might not get the attention they need at home. Big Mama also holds popular ''shut-ins'' four times a year at her church, where local school children are exposed to a ''selfless passion for excellence in education and social advancement'' through self-reliance. All this prompted Rhoda Gawlowski, assistant principal at New River Middle School, to say of Big Mama: ''I have never, ever met a person like her. She helps everyone in our school: the children, the parents, members of the community. I don't know how she does it, but she manages to find time to spend with every student who seeks her out.''

Big Mama's commitment to service, however, is not limited to Ft. Lauderdale Schools. After Hurricane Wilma devastated Florida in 2005, leaving residents without power and food, Big Mama made sure everybody had something to eat. And I mean everybody. Working together with local leaders, Big Mama was able to secure enough donations to personally cook for 1,000 low-income residents in a week. All of this from a woman who recently faced her second bout with homelessness because her house—what people in Ft. Lauderdale refer to as a sanctuary—did not meet local code with its leaky roof covered, in some parts, with a plastic tarp.

Big Mama also founded the Team of Life, a Ft. Lauderdale nonprofit, to allow her personal outreach efforts to reach even more people in her community. The organization regularly organizes charitable drives during the holiday and back-to-school seasons with great success. In addition to an annual turkey drive that collects turkeys for needy families—20,000 in 2009 alone—so that they may enjoy the Thanksgiving holiday, Big Mama organizes an annual health drive to immunize local children whose families otherwise could not afford such vital care.

Through it all, Big Mama has never asked for recognition. All she wants is for Ft. Lauderdale children to experience the reality of a better tomorrow. Because of such uncommon grace, compassion, and generosity, I stand before you, Madam Speaker, to recognize Ms. Essie ''Big Mama'' Reed as a true American hero.

HONORING THE 99TH NATIONAL DAY OF THE REPUBLIC OF CHINA (TAIWAN)

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SENSENBRENNER. Madam Speaker, I rise today to celebrate a special day in history. Many people around the world recognize that October 10, 2010 will be remembered as 10/10/10. In the Republic of China (Taiwan), however, 23 million people in Taiwan will be celebrating National Day. They remember October 10, 1911 as the birth of their country, and this year Taiwan will be celebrating the 99th anniversary of the Republic of China's National Day.

Taiwan has developed into a strong democracy that continues to promote the freedom of its people. The ingenuity and hard work of the Taiwanese helps to establish Taiwan as a leader on the yearly Index of Economic Freedom. They serve as a model for those across the world who aspire for the freedom and individualism that Taiwan protects for its citizens. As a leader of free people, I commend the Taiwanese government for serving as a beacon of light to people around the world.

The United States and Taiwan have a long history of mutual trade, leadership and friendship. I am proud that Taiwan remains a close friend of the United States. I am also pleased to call many of my counterparts in the Legislative Yuan my friends. As they celebrate their 99th National Day on October 10, 2010, my friends and the Taiwanese people have my warmest wishes.

HONORING PETE KENNEMER'S SERVICE AND LEADERSHIP

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. BOOZMAN. Madam Speaker, I rise today to recognize the exceptional career and legacy of B.R. ''Pete'' Kennemer.

Kennemer served as CEO and president of the Western Arkansas Counseling and Guidance Center for more than 37 years. Under his leadership which began at the infancy of Community Behavioral Health Centers, he opened the old Sparks Nursing School with the help of a Federal Staffing Grant. Since that time the center has expanded to include clinics in Fort Smith, Van Buren, Ozark, Paris, Boonville, Waldron and Mena along with a number of programs and facilities in Western Arkansas.

Pete served twice as a member of the Mental Health Council (MHCA) of Arkansas where he was dedicated to improving mental health treatment not only in western Arkansas but throughout the state. Additionally he served as a member of The National Council for Community Behavioral Healthcare (NCCBH) and made frequent trips to Washington for the Council National Hill day in order to advocate for people with mental illness and addictive disorders.

I am honored to recognize Pete who leaves an important legacy that has helped countless Arkansans and has greatly improved their quality of life through his tireless dedication to improved mental health care. Pete was beloved by his staff. His leadership and dedication will be thoroughly missed. We wish him the best of luck in his future endeavors.

A TRIBUTE TO DR. DIVINE PRYOR

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. TOWNS. Madam Speaker, I rise today in recognition of the achievements and contributions of Dr. Divine Pryor.

Dr. Pryor is the Co-Founder and Executive Director of the Center for Nu Leadership on Urban Solutions, the world's first and only academic center and problem solving public policy think tank created, developed, and administered by formerly incarcerated professionals, representing every discipline from law to medicine. One of the many goals of the Center, located at the City University of New York's historic Medgar Evers College, is to offer an alternative voice in the analysis of criminal and social justice issues by including the combined lived and academic experiences and expertise of people who have had firsthand knowledge of the social, judicial, and economic systems that scar so many communities.

Before ever attending a formal institution, Dr. Pryor acquired his very first degree from

the "school of hard knocks" with a Ph.D. from UCLA. That is the "University on the Corner of Lenox Avenue in New York City." While incarcerated, he would rediscover his love for learning and resume his educational journey. After his release in 1991 he successfully completed his undergraduate and graduate studies at the State Universities of New York in Albany and New Paltz, ultimately acquiring his Ph.D. in Criminal Justice with a major in forensic psychology.

Dr. Pryor is a social scientist who has extensive knowledge and experience in the health and social service fields, having spent over half his career administrating HIV/AIDS, domestic violence, substance abuse and other social service non-profits. He has traveled extensively providing expertise counsel on criminal justice issues to judges, prosecutors and others for the purpose of influencing policy decisions. In addition, he has developed trainings and workshops for professionals that address issues such as anti-gang initiatives, poverty, literacy, unemployment, housing and healthcare. He is a highly sought after technical assistance provider who has helped countless organizations build infrastructure and capacity. He continues to offer his insights in a number of arenas as a consultant to help agencies build capacity and create new innovations in the field of social and criminal justice reform.

In 2001 he was appointed by the Council of State Governors to the National Reentry Policy Council, where he and over 100 national experts produced the most voluminous work in re-entry in the nation. He is currently a member of the Board of Directors of the National Legal AID & Defender Assocation and the National Council of Previously Incarcerated Professionals, both based in Washington, DC. He is also Co-Chairman of the Board of Directors for the Community Justice Center of New York and Chair of the Advisory Board for the Developing Justice Project in Brooklyn, New York. Dr. Pryor is also Co-Chair of the Criminal Justice Policy Cluster for the Black Brooklyn Empowerment Coalition. Most recently, Dr. Pryor was appointed by the Majority Leader of the New York State Senate to co-chair the New York State Anti-Gang Violence Reduction Commission. In addition to his leadership roles, he is also an active member of a number of local, regional, and national legislative, social and political advocacy groups whose focus is to effect positive change.

Dr. Pryor is an eloquent public speaker, lecturer, trainer, and overall educational specialist, whose delivery is insightfully powerful, informative, and extremely impacted by the depth of research and analysis he has been engaged in over the years. More recently, he has been traveling outside the United States promoting innovative thinking, alternative leadership concepts and the emergence of this Nu and provocative approach to problem solving. Throughout his life, Dr. Pryor has remained a dedicated student and is honored to be here with us today.

Madam Speaker, I urge my colleagues to join me in recognizing the achievements of Dr. Divine Pryor.

DAWN AND THE FIGHT AGAINST DOMESTIC ABUSE

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. REICHERT. Madam Speaker, I rise today in recognition of an organization headquartered in Tukwila, Washington, celebrating its 30th year of being a place of hope for victims of domestic abuse in King County and speaking loudly, boldly, and clearly on their behalf.

The Domestic Abuse Women's Network (DAWN) in Tukwila is much more than a shelter for victims of domestic violence: it is an invaluable resource of specialized information, domestic abuse awareness, and anti-abuse training modules. The professionals at DAWN provide victims of domestic abuse in King County with the education, care, and support they need to take their individual lives back. According to DAWN, 78 percent of its clients are poor or very poor; and 77 percent have children. At a time when our Nation is struggling mightily against wave after wave of poor economic news, DAWN provides a ray of hope to those who need it most.

DAWN values results; the organization is constantly reevaluating itself to meet the needs of its clientele. DAWN values service; its programs and exceptional staff work tirelessly to serve. Finally, DAWN values its resources; much like individuals and families across our country, DAWN is adept at stretching dollars and helping those in need.

Domestic abuse is an unspeakably horrendous scourge, Madam Speaker. It ruins families and communities, churches and schools, and has no economic measure. More and more, Madam Speaker, resources, programs, and dollars must be available to help fight against domestic abuse. DAWN is an organization doing its absolute best to provide normalcy in the face of travesty, and I thank every individual associated with the organization for working tirelessly on behalf of victims of abuse.

Specifically, Madam Speaker, I want to thank Dawn's Executive Director Cheryl Bozarth, President Debra Fiest, the Board of Directors and the staff and volunteers carrying out a vision and providing services that have saved countless lives over the past 30 years. I urge every Member of this House, Madam Speaker, to support in thought, word, and deed any organization fighting against domestic abuse. It effects us all, and we all must work together to eliminate it.

IN MEMORY OF WES SKILES

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. STEARNS. Madam Speaker, I rise today to honor the remarkable life of Wes Skiles. Wes was a world-renowned photojournalist and underwater photographer. His work appeared in numerous publications, most notably, National Geographic.

Wes, who was a resident of a resident of High Springs, Florida in my congressional district, died July 21 off the east coast of Florida. He was 52 years old. Wes died doing what he loved most; exploring the ocean and providing vivid pictures of unusual places. At the time of his death he was filming a project on the behavior of high-speed fish near the Boynton Beach Inlet.

Wes's love of the ocean was a constant throughout his life. As a child growing up in Jacksonville, Wes would often skip school to go surfing and became a certified scuba diver at age 13. He began taking photographs of his underwater explorations off the north Florida coast to share with friends and family. He was hooked and soon his hobby became his profession. He became a hands-on expert on underwater caves and was known as Florida's Jacques Cousteau.

Wes spent 27 years as a photojournalist and was among the first people to set foot on the largest iceberg in Antarctica. He loved adventure. According to a media report, one time, off the coast of South Africa, a shark jammed itself into Wes's protective cage. Wes beat the creature back with his heavy, waterproof camera, taking pictures throughout the episode, and had close-up photos of the great white's jagged teeth as a token of his survival.

Wes founded Karst Productions, a photography and cinematography company that filmed, produced and directed dozens of programs for television, including segments for PBS, Imax and the Discovery Channel.

Wes Skiles lived a passionate life full of adventure and excitement. Although he was taken from us too soon, his work will carry on for many years to come. Our thoughts go out to his wife of 29 years, Terri, and their two children, Nathan and Tessa.

HONORING TADAHISA KURODA

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SULLIVAN. Madam Speaker, I rise today to honor the life and achievements of Tadahisa Kuroda of Potomac Falls, Virginia, who passed away in August at the age of 69.

Tad was born September 10, 1940, in New York City to the Honorable Otoshiro and Mei Kuroda. He spent his childhood in New York City and Philadelphia, Pennsylvania. He graduated from Yale University in New Haven, Connecticut and later received his master's degree and doctorate from Columbia University in New York.

Tad taught at Skidmore College in Saratoga Springs, New York for 36 years and held important positions of leadership at the College, including History Department Chair and Associate Dean of Faculty. A specialist in early American history, Tad received the Ralph Ciancio Award for Teaching Excellence prior to his retirement in 2005. As we celebrate Constitution week, September 17th through 23rd, it should be noted that Tad was an expert on the United States electoral college having written, "The Origins of the Twelfth Amendment: The Electoral College in the Early Republic, 1787–1804", published in 1994.

During retirement Tad was active with the American Institute for History Education. He visited schools across the country helping

them develop their history education programs. Tad also remained passionate about baseball and the Philadelphia Phillies.

He will be missed by his wife, Akiko, his family and a host of friends, colleagues, and students. He was a remarkable teacher and a true gentleman.

Madam Speaker, I commend Tad Kuroda for his commitment to teaching, scholarship and service, and I ask the U.S. House of Representatives to join me in remembering this outstanding American, Tad Kuroda.

HONORING EUNICE ELEMENTARY SCHOOL

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. BOUSTANY. Madam Speaker, I rise today to honor Eunice Elementary School in St. Landry Parish, Louisiana, for being recognized by the United States Department of Education as a 2010 National Blue Ribbon School.

Eunice Elementary is one of the 304 schools honored this year for great academic achievement and far-reaching improvement. Nominations and applications were sent by numerous public and private elementary, middle, and high schools. More than 6,000 schools have been honored since 1982, when the Blue Ribbon Program began.

Eunice Elementary educates students from pre-kindergarten through fourth grade. The school's accelerated reading program also excelled at the national level this year. LEAP scores from spring 2010 were proficient with mathematics being the most improved.

The hard work of the students and dedication of the faculty and staff prove the school deserving of this honor. The entire St. Landry Parish community, which has contributed to Eunice Elementary's success, should be very proud. Commending this Louisiana school for its wonderful achievement is both an honor and a pleasure.

Again, congratulations to Eunice Elementary School, a 2010 National Blue Ribbon School.

A TRIBUTE TO DR. KHALEEQ ARSHED

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. TOWNS. Madam Speaker, I rise today in recognition of Dr. Khaleeq Arshed for his contributions to the medical field.

Dr. Arshed was born in Pakistan, and attended Nishtar Medical College before coming to the United States. He has been practicing Internal Medicine in Queens County for the past thirty years. Today, his practice is among the leading solo practices in the Jackson Heights area.

Dr. Arshed has served as an Attending Physician at the Parkway Hospital, the New York Hospital of Queens, and South Nassau Community Hospital. He has also served as the Medical Director of Osteoporosis Centers of New York and Healing Touch Medispa.

Dr. Arshed's medical training included Residency in Internal Medicine and a Fellowship in Pulmonary Diseases, both at Metropolitan Hospital, part of New York Medical College. He was also a 2009 Fellow with the American Academy of Anti-Aging.

He holds memberships and certifications with the Medical Society of the County of Queens, the National Lipid Association, the American Society of Hypertension, the American Association of Sensory Medicine, the American Academy of Anti-Aging Medicine, and the American Academy of Aesthetic Medicine. Additionally, he has board certifications from the American Board of Anti-Aging Medicine and the American Board of Quality Assurance and Utilization.

Madam Speaker, I urge my colleagues to join me in recognizing the achievements of Dr. Khaleeq Arshed.

BROTHER RICHARD GILMAN CSC

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. DONNELLY of Indiana. Madam Speaker, I rise today to honor Brother Richard Gilman, CSC of Notre Dame, Indiana for his 17 years of service and dedication to Holy Cross College. Brother Gilman graduated summa cum laude as well as valedictorian from St. Edward's University in Austin, Texas. He continued his education at the Harvard Graduate School of Education through a Science Foundation fellowship and later became a member of the Woodrow Wilson Institute at Princeton University. He has also studied at St. Louis University, the University of Akron, Georgetown University, and the University of Dayton, where he received his doctorate in higher educational administration. After many years of teaching mathematics and physics at St. John's School in Sekondi, Ghana, Brother Gilman became the principal of Archbishop Hoban High School in Akron, Ohio, where he later served as president.

For the past 17 years Brother Gilman has acted as President of Holy Cross College, Notre Dame, where he has been an architect for progress. He was influential in Holy Cross College's transformation from a two-year community college into a thriving Catholic Liberal Arts college. During his tenure at Holy Cross College, Brother Gilman oversaw the construction of the Millennium Arch, Hardesty Plaza, two new residence halls, and the Pfeil Recreation and Student Centers.

Apart from implementing new structures on the Holy Cross Campus, Brother Gilman helped create internal programs such as the Campus Ministry office as well as the International Exchange program. The International Exchange program broadens students' cultural perspectives by encouraging them to travel to countries served by the Congregation of Holy Cross, such as Ghana, Peru, Mexico and India.

Brother Gilman leaves behind a powerful legacy. He influenced the students at Holy Cross College by helping them find the courage and determination to achieve success. The programs he created allow students not only to explore the world, but to explore what they themselves can do. Brother Gilman taught students that it is okay to fail as long as you keep trying to get it right. His teaching methods gave students the opportunity to expand their minds and grow to become active and innovative members of society.

Brother Gilman's 17 distinguished years at Holy Cross College have transformed the school into the vibrant institution that it is today. His service to Holy Cross College will undoubtedly be felt by students, faculty and staff for many years to come.

It is my honor to thank Brother Gilman for a lifetime of selfless hard work and countless contributions to the communities he has served.

HONORING JEREMY JACOBSEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. LATHAM. Madam Speaker, I rise to recognize Jeremy Jacobsen, a U.S. Marine veteran from Boone, Iowa, and to express my appreciation for his dedication and commitment to his country.

The Boone News Republican is currently running a series of articles that honors one Boone County veteran every Tuesday from Memorial Day to Veterans Day. Jeremy Jacobsen was recognized on Tuesday, September 21. Below is the article in its entirety.

I commend Jeremy Jacobsen for his many years of loyalty and service to our great nation. It is an immense honor to represent him in the United States Congress, and I wish him all the best in his future endeavors.

[From the Boone News Republican, Sept. 21, 2010]

SERVICE

(By Greg Eckstrom)

The term is used frequently, most often when referring to what our soldiers are doing overseas—they're serving. While used frequently, however, many often don't devote a great deal of thought to why the word is used. It's used to describe our soldiers, without thought of the significance of the word.

Boone resident and Marine Corps veteran Jeremy Jacobsen, however, embodies this term. He didn't join the military for an enrollment bonus, for college money or because of family tradition—in fact, his grandfather was his only direct relative at the time that had joined the service. For Jacobsen, it was something he wanted to do . . . he wanted to make a difference. He wanted to serve.

''It was one of those things I always knew I wanted to do,'' he said. ''It had nothing to do with family. I just . . . I just knew. I always knew I was going to be in the military, probably since I was about 12 years old. I knew that was what I was going to do.''

This decision did not come easily, however, for the Atkins, Iowa kid as he fought tooth and nail to enlist early at age 17. His parents and relatives all urged him not to do it, but they could see his determination, and finally his mother signed off on it, allowing him to enlist.

''Me and my best friend in high school, we were pretty politically active in high school, and with that came a deep desire to do something for our country,'' he said. ''We both loved our country. He would have enlisted with me, but he had a heart murmur. So he couldn't. So I just kind of did it for the both of us.''

Jacobsen graduated high school in 2001, and the next day he went to boot camp. He graduated from boot camp on Aug. 24, 2001—less than a month before the Sept. 11, 2001 terrorist attack.

''Pretty much my Marine Corps career was the start of Sept. 11,'' he said. ''It was kind of a shock.''

Many of the recruiters had told soldiers that were signing up that they would likely never see war. Jacobsen was in the field, training with other soldiers, when the attacks happened, and with no outside communication available to them, they heard only through their superiors. The news was hardly believable.

''Our sergeants told us what had happened, and we thought they were lying,'' he said. ''We thought it was just a way to make us take our training more seriously. And then they caught on to that, so they let us listen to President Bush's address to the nation, and that's when we were pretty much all in shock. It was just silence. From there, I think we became more serious at that point, because we realized . . . since we were newly enlisted, at some point in time, every single one of us was going to see war.''

Jacobsen became a field radio operator, joined the Waterloo Unit—Charlie Battery 114. He spent four years with the unit until being activated on June 12, 2005—a date that was memorable, because it was his daughter's first birthday.

After training in California, Jacobsen went to Iraq in September of 2005. He was an Operations Non-commissioned officer, with his job being to process Iraqi prisoners that were brought in. They worked with officials in the country to begin collecting information on prisoners—fingerprints, names and evidence involved.

Being in a position where he would have initial contact with the prisoners, many thought Jacobsen had the power to decide what happened. In their experience, they thought that Jacobsen would be the one pondering their fate—a jarring experience for the Marine.

''They thought that was it or I had the power to decide their fate, and they'd fall to the ground crying,'' he said. ''Pleading for their life or trying to kiss me. I had a lot of empathy for them.''

Working through an interpreter, Jacobsen helped process the prisoners—many of whom were ''good guys,'' just in the wrong place at the wrong time, and were immediately released after processing. The prisoners, he said, were grateful to have the soldiers there.

''In the Iraqi government, they didn't feel like they had any future,'' Jacobsen said. ''They could be killed at any time. If they were arrested, they were either imprisoned for the rest of their life or killed. There was no system of justice. And so, they were happy we were there.''

Being in a position where the prisoners even had a thought that he might take their lives shook Jacobsen to his core.

''I found myself early on brought to tears for them several times,'' he said. ''Take everything out of the equation. Take out way back when they said they had weapons of mass destruction, take out the reason of maybe there's a national interest in the future because they have oil, take out all the political stuff. Just for humanitarian reasons. Just so they can be treated like people . . . that was enough for me. And for every Marine in my unit there with me, that was enough. We felt like, everything aside, all the other political stuff aside, what we were doing and what we were seeing was good. We felt like we were doing good, and they felt like we were doing good, so that justified us.''

Jacobsen worked a shift that helped his time in Iraq fly by. He would work 24 hours straight, sleep for 20 hours, eat a meal and start the routine all over again. For this reason, a normal ''day'' for Jacobsen was in reality 48 hours. While this made time fly by, it also set him up for a jarring adjustment when he returned to the United States. He spent the remainder of his enlistment in the U.S. with a Des Moines infantry unit, ending his military service career as an E–5 . . . a sergeant.

Now living in Boone with his wife and three kids, looking back at his military career, Jacobsen misses many aspects of it.

''The camaraderie that you have with that group of Marines is probably the number one thing that I still miss to this day,'' he said. ''You have that group of guys . . . we've been together already that four years I've been at the unit, we go through all this training together, we spend every single day together and we know we've got each other's backs. You know you can count on that other guy if something happens. And there's something about that that connects you.''

Being back in the United States has been difficult for Jacobsen, as it is for many veterans. The feeling of having served overseas is nearly impossible to describe, he said. It wasn't until he joined the local VFW that he found he wasn't alone.

''It's weird . . . you never quite feel like you belong here anymore,'' he said. ''You gain a different perspective, and nobody around you shares that perspective. It's different. Unless you've been there, you never quite understand it. I just joined the VFW. Went to my first meeting . . . and that was the first time I talked with people who understood that.''

When asked what advice he might give a young man or woman looking to enlist, Jacobsen said the advice he would give them would make him a bad recruiter, but it's one that he considers necessary. It's based around a simple question: why are you enlisting?

''I want to know if they're enlisting for college purposes, or for national pride purposes. I'm a firm believer it's got to be this one . . . it can't be the college purpose,'' he said. ''If it's 'I'm getting this benefit along with something I want to do just because I have pride in my country and I want to serve my country,' that's the perfect reason to enlist and I would tell them you'd do good at it.''

As for the Marines Corps, Jacobsen said anybody can do it, despite your size or stature, as long as they have that pride and passion.

''It doesn't matter if you're a small guy or an overweight guy. They're going to fix you,'' he said. ''They're going to fix that in boot camp and they're going to teach you how to exercise or teach you how to eat properly. They're going to give you those tools that you didn't have. The thing about the military is they're the best run organization on the planet. They're the oldest. The military has been around since the dawn of time, and so they've got a lot of history to go off of. Our country was founded by a war. Our first organization, our first business, was the military. Everything they do is for a reason. Everything's training in the Marines Corps . . . I know it's the same way with every branch.''

Looking back on his career, the camaraderie he built with his friends, the insight he gained in speaking with Iraqis, and the work he did overseas, Jacobsen said if he could go back and do it all over again, very little would change. In fact, the only thing he would do differently, he said, is push himself more, give just a little bit more, work just a little bit harder, and make just a little bit more of a difference.

''I worked as hard as I could over there, but you always look back and think, 'I could have done this much more in my time in the service,' '' Jacobsen said. ''Because it does end. I look back, and it's fond memories and you miss it, and you just wish you would have tried your hardest in everything you did.''

That, better than Webster's could define it, is the definition of ''service'' as it applies to the military. And that is how it should be seen.

IN HONOR OF JANICE MARVEL

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. CASTLE. Madam Speaker, it is with great pleasure that I pay tribute today to Janice Marvel, the incoming President of the Ladies Auxiliary of the Delaware Volunteer Firemen's Association (LADVFA).

President Marvel has been a life-long member of the Roxana Fire Company Auxiliary. Like many other members of the Auxiliary and Fire Departments, President Marvel's involvement in the volunteer fire service has been a family affair—with history both in Maryland and Delaware. It has been said that being part of the fire service is like being part of a family, and in Janice Marvel's case, this rings particularly true.

Prior to being elected to this new post, President Marvel served as President of the Auxiliary at Roxana having joined the Department in 1978. She and her husband Todd, who is the President of Roxana have dedicated their lives to their community and the volunteer fire service. I believe her worthy of the honor of holding the presidential office.

The LADVFA serves such an important function in our community, and to be as effective as possible, they must have dedicated and organized leaders. I have every confidence that President Marvel will provide the LADVFA the leadership it requires and is known for. I wish her the very best in her new role.

NINETY YEARS YOUNG

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. POE of Texas. Madam Speaker, I rise to commemorate and celebrate the tremendous accomplishments of a fellow Texan, Ed Lindsay. Ed Lindsay is a native Houstonian that will celebrate his 91st birthday next November. He served in World War II and Korea, and has practiced law for more than 50 years. He is the epitome of what I like to call a warrior lawyer.

In looking at Mr. Lindsay's past one can understand the work ethic and ambition that he embodies. As a boy growing up in Houston, at the age of five, he pushed his lawn mower down Pecore Street to North Hollywood Cemetery, where he mowed cemetery lots for neighbors.

Mr. Lindsay attended Texas A&M after high school. He worked his way through college by sweeping out a veterinarian amphitheater during his time there.

Half a year after the tragic attack on Pearl Harbor, Ed Lindsay reported for military duty on May 29, 1942. It was around this time that American victories at Midway and the Coral Sea marked a positive turning point in the War in the Pacific. He followed orders as he was moved all around the country for training, and completed Ranger training at Fort Benning, Georgia. On Christmas Day in 1943, while most Americans were at home with friends and family, Mr. Lindsay landed in Scotland with about 11,000 other troops ready for action.

Mr. Lindsay and his unit trained exceptionally hard for several months prior to D-Day. Then at 7:00 a.m. on that historic morning of June 6, 1944, he and his men landed on Normandy Beach to carry out Operation Overlord. He was given a top secret clearance, meaning he had access to a broad range of restricted information. Top secret clearance is only given to the most honest and honorable military men and women. Mr. Lindsay saw France, fought in Germany during the famous Battle of the Bulge, Austria, and eventually Hungary until the war in Europe was declared over. At the conclusion of the fighting in Europe, he was awarded two Bronze Star Medals in heroism in ground combat. A Bronze Star Medal for heroism is the fourth-highest combat award in the military. Mr. Lindsay was also awarded five Bronze Battle Stars for his five campaigns in Europe, and a Bronze Arrowhead for the D-Day landing. His unit was awarded a Distinguished Military Unit Presidential Citation, which is only given to units for extraordinary heroism in action against an armed enemy after the attack on Pearl Harbor. Ed's stay in Europe came to an end in Hungary, thus turning over another page in his life. His legacy has only just begun.

After returning to the U.S., Mr. Lindsay became a professor of military tactics and science at Texas Tech University, where he met his future wife, Laneta Bechtol. Two years later in 1948, he resigned from the service and attended the South Texas School of Law for two years before being called back into the Army to triumph communist evil in the Korean War. He was the only officer in his brigade with a top secret clearance besides the general. Two years later, he was discharged and finally able to return home for good.

Upon arrival back in Houston, his legal career began to take shape. Mr. Lindsay took the bar exam with no further study or attending his last year of classes. He passed the exam the first time, and was licensed in 1953; A proud moment of many in his lifetime. He put himself through college, fought heroically in World War II, served in the Korean War, then came back and passed the bar exam. Many would be proud to say they've accomplished one of these feats.

Ed Lindsay has had many other outstanding moments in his legal career. In 1975 he became board certified to practice family law, and in 1987 civil appellate law. He took two cases to the Texas Supreme Court and won. Nine years after being certified in appellate law, Mr. Lindsay was elected to the board of directions of the State bar in 1996 and then to the North Harris County Bar Association in 1999. In Houston, Ed is still practicing today.

Madam Speaker, whether on the historic beaches of Normandy or in the courts of Texas, the patriotism and professionalism Mr. Lindsay exhibits demands recognition and celebration. As residents of Texas, we are proud to call Ed Lindsay a Texan. As citizens of America, we are proud to call him an American.

HONORING BYRON HIGH SCHOOL

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. WALZ. Madam Speaker, I rise today to recognize the accomplishments of Byron High School in Byron, Minnesota.

Last week, Byron High School was one of two schools in the First District of Minnesota to be recognized as a 2010 National Blue Ribbon School. This award recognizes consistently high performing schools that continue to hold its students and teachers to the highest standards.

As a teacher on leave from Mankato West, I know how important and challenging it can be to keep student achievement high from year to year. It takes an outstanding commitment to improving education, a strong push for high expectations and incredible amounts of work. But, when students see every adult in their school dedicated to their success, they are motivated to do their best.

Byron High School's strong reading and math scores show how all staff members, from the principal to the counselors to the teachers, are devoted to students reaching their full potential. Under the leadership of Principal Michael Duffy, Bryon High School is a place where every student, every year, will receive a high-quality education that will help them succeed.

This award recognizes what the Byron community already knows—Byron High School is a place where every student, no matter their background, can fulfill their potential. Byron High School is an outstanding model of achievement for schools across Minnesota and the country.

Madam Speaker, please join me in honoring Byron High School for their outstanding commitment to the students of Minnesota.

TRIBUTE TO SAN LORENZO BRANCH LIBRARY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. STARK. Madam Speaker, I rise today to pay tribute to the San Lorenzo, California Branch of the Alameda County Library as the Branch celebrates its 100th Anniversary. The Library was the first branch of the Alameda County Library system and opened on November 25, 1910.

The San Lorenzo Branch Library continues to be an integral part of the San Lorenzo community. It opens doors to books, music, movies, Internet access, afterschool programs, and job searches. The library also runs programs to provide free legal assistance, storytime for children, and computer instruction classes to help job seekers with basic computer skills.

Other Library programs include Homework Central, which supports excellence in school achievement in collaboration with the San Lorenzo Unified School District. Programs for seniors such as Older Driver Safety and Seniors Making Daily Activities Easier provide essential safety, health and financial information.

The unincorporated areas of Cherryland and Ashland also benefit from the San Lorenzo Branch Library. 239,176 items are checked out of the library annually. Over the last fiscal year, 180,420 individuals visited the San Leandro Branch Library.

Over 1.5 million people in Alameda County have library cards and the residents of San Lorenzo, Ashland and Cherryland have 68,459 library cards. The San Lorenzo Branch Library is a valued treasure.

I join the community in applauding the Library for its 100 years of exemplary service. The Library and its personnel have enriched many of the library's visitors and patrons through the years. I send best wishes for the continued success of this unique and wonderful institution.

I am pleased to recognize this milestone anniversary of the San Leandro Branch Library.

RECOGNIZING OLIVER KUTTNER AND EDISON2 TEAM

HON. THOMAS S.P. PERRIELLO

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. PERRIELLO. Madam Speaker, today I wish to recognize Oliver Kuttner and the Edison2 team for their victory in the Progressive Automotive X Prize competition. Their leadership in developing the affordable and efficient American-made technology of tomorrow is an inspiration to us all.

The Very Light Car, which took home the first prize in the X Prize competition, is a groundbreaking technological innovation. Its aerodynamic design, combustion engine, and use of lightweight materials allows it to achieve 102.5 miles per gallon, and it has the lowest carbon footprint of any car entered in the X Prize competition. These properties helped the Very Light Car beat contestants from around the world to win the first prize of $5 million. It is a testament to the power of American ingenuity and to the tremendous promise of American made-technology for the future.

I am proud to say that the Edison2 team is only getting started. These world-class engineers, scientists and machinists are blazing the path towards the future of efficient, sustainable, and American-made transportation. They will now work to incorporate their innovations into commercial car production, leading the way to the new energy economy. I congratulate them on their innovations, and I eagerly anticipate their future triumphs.

IN HONOR OF KEVIN WILSON

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. CASTLE. Madam Speaker, it is with great pleasure that I pay tribute today to Kevin Wilson, the outgoing President of the Delaware Volunteer Firemen's Association (DVFA).

President Wilson's career began with the Clayton Fire Company in 1974 where he eventually became Chief and served on the Board of Directors. Throughout his distinguished career, President Wilson has served the community in a number of capacities. He is a past President of the Kent County Fire Chief's Association, the Kent County Volunteer Fireman's Association, and the Delaware State Fire Chief's Association. President Wilson retired from the Delaware State Police (DSP) after twenty years of service, and currently serves as a civilian investigator in the DSP Sex Offenders Unit.

As President of the DVFA, Kevin's strong leadership guided the organization through a tough economy. President Wilson worked tirelessly to ensure DVFA was properly funded and provided the same wonderful firefighting and emergency response that the DVFA is known for.

As President Wilson steps down I would like to extend my sincere gratitude for everything he has done for the DVFA and the State of Delaware.

TRIBUTE TO THE BATTLE OF PLATTSBURGH

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. OWENS. Madam Speaker, I rise today to honor the Battle of Plattsburgh during the War of 1812 on the event's recent 198th anniversary. The conflict took the lives of 104 American soldiers, injured 116 more, and marked the end of the British invasion of the region during the war.

More than a skirmish during wartime, the memory and annual commemoration of the Battle of Plattsburgh preserves our precious local history and the vital role the region played in the end of the War of 1812.

This year's celebration of the North Country's heritage coincided with the anniversary of the September 11 attacks on the World Trade Center, providing us another chance to observe the bravery our men and women in uniform have exhibited in two different eras.

Madam Speaker, I thank all those involved in the annual commemoration of the Battle of Plattsburgh for working to preserve the rich heritage our area holds in the North Country. The event truly represents the contributions Upstate New York has provided for the direction of our entire nation.

BATTLE OF PLATTSBURGH ASSOCIATION

Kristina Parker-Wingler, Museum Manager; Keith Herkalo, President.

BATTLE OF PLATTSBURGH COMMEMORATION COMMITTEE OFFICERS & MEMBERS

Christopher Booth, Co-Chair; Gary VaCour, Co-Chair; Iris McLean, Secretary; Kate Besaw, Treasurer; Bill Arthur, James Bailey, Jack Barette, Sharon Bell, Sally Booth, Martha Bachman, Beth Brumfield, Ann Brady, Diane Brockway, Deb Brunner, Jane Claffey, Donna Coughlin, Anne Cutaiar, Don Craig, Carol Czaja, Mike Doe, Nancy Douglas Vickie Demarse-Giroux, William Glidden, David Graham, Bob Heins, Ellen Hogan, Dennis Hullbert, Mary Joyce, Bruce Kokernot, John Krueger, Carol Lunn, Keith Lunn, Betty Miller, Athena Moore, Bruce Moore, Art Norton, Helen Nerska, Michelle Powers, Chris Ransom, Stan Ransom, Philip Rice, Richard Rogers, Craig Russell, Bud Smith, John Tanner, Louise Tanner, Gerry Tetreault, Brenda Towne, Dick Ward, Linda Ward, Mike Wayne, Lynn Wilke, Josh Wingler.

CONGRATULATING THE NATIONAL CENTER FOR ATMOSPHERIC RESEARCH ON ITS 50TH ANNIVERSARY

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. GORDON of Tennessee. Madam Speaker, I rise today to recognize the National Center for Atmospheric Research on their 50th anniversary. NCAR was created in 1960 as a program of the National Science Foundation and operated by the University Corporation for Atmospheric Research, a consortium of universities.

The mission of the National Center for Atmospheric Research is to: understand the behavior of the atmosphere and related physical, biological and social systems; to support, enhance and extend the capabilities of the university community and the broader scientific community nationally and internationally; and to foster transfer of knowledge and technology for the betterment of life on Earth.

The National Center for Atmospheric Research has provided a platform for collaboration by the larger university research community and has provided the community with tools, facilities, and scientific expertise for 50 years.

As Chairman of the Committee on Science and Technology, I would especially like to recognize the National Center for Atmospheric Research for its profound impact on the understanding of atmospheric processes and systems and its long partnership with the National Science Foundation.

Madam Speaker and colleagues, please join me in congratulating the National Center for Atmospheric Research on its 50th anniversary.

LEGISLATION TO CODIFY A NEW TITLE 54 U.S. CODE—NATIONAL PARK SYSTEM

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. CONYERS. Madam Speaker, Ranking Member LAMAR SMITH and I are introducing a bill to codify into positive law as title 54, United States Code, certain general and permanent laws related to the National Park System. This bill was prepared by the Office of the Law Revision Counsel, as part of its ongoing responsibility under 2 U.S.C. 285b to prepare, and submit to the Committee on the Judiciary one title at a time, a complete compilation, restatement, and revision of the general and permanent laws of the United States.

The bill gathers provisions relating to the establishment and administration of the National Park System, outdoor recreation programs that the Secretary of the Interior administers, and the responsibility of the Secretary to preserve historic sites, buildings, objects, and antiquities—all of which are currently found in various places throughout title 16 of the United States Code—and restates these provisions as a new positive law title of the Code. The new positive law title, along with conforming provisions, replaces the former provisions, which are repealed by the bill.

This bill is not intended to make any substantive changes in the law. As is typical with the codification process, a number of non-substantive revisions are made, including the reorganization of sections into a more coherent overall structure, but these changes are not intended to have any substantive effect.

The bill, along with a detailed section-by-section explanation of the bill, can be found on the Law Revision Counsel website at http://uscode.house.gov/cod/t54/. Interested parties are invited to submit comments to Tim Trushel, Senior Counsel, Office of the Law Revision Counsel, U.S. House of Representatives, H2–303 Ford House Office Building, Washington, D.C. 20515–6711, (202) 226–9058, as well as to the Committee.

CALIFORNIA STATE UNIVERSITY, STANISLAUS

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. CARDOZA. Madam Speaker, I rise today to recognize California State University, Stanislaus on their Founders Day, celebrating 50 years of service and education to the San Joaquin Valley.

California State University, Stanislaus was established as Stanislaus State College in 1957 as the 15th campus in the California State University system. The new college conducted its first classes at the Stanislaus County Fairgrounds in 1960.

The State of California and private donors have invested nearly $200 million in new building projects, infrastructure and campus improvements since the move in 1965 to the University's now beautifully landscaped 228–acre site in Stanislaus County.

The institution gained university status and its current name as one of the 23 California State University campuses in 1986. CSU Stanislaus serves a six-county area, including San Joaquin, Stanislaus, Merced, Calaveras, Tuolumne and Mariposa Counties.

Since opening in 1960 with 15 faculty and less than 800 students, 25 of whom graduated in that first year, CSU Stanislaus has grown to an enrollment of over 8,600 students and confers degrees to over 2,000 of them each year. Over 41,000 students have been awarded bachelor's and master's degrees since the first commencement ceremony in 1961.

From a modest start with six undergraduate degree programs, the University has expanded its academic offerings to now include six colleges, 40 undergraduate degree programs, 25 graduate degree programs, and 13 school credential and certificate programs.

CSU Stanislaus has seen its academic reputation grow, with the University ranked by The Princeton Review as one of the nation's best 373 colleges—the only institution in the CSU system included in that elite ranking.

CSU Stanislaus has also been recognized by the American Association of State Colleges and Universities as one of 12 campuses nationwide for outstanding graduation and retention rates. CSU Stanislaus generates more than $300 million annual impact on the regional economy.

Today, on Founders Day, CSU Stanislaus marks a half-century of excellence as students, alumni, faculty, staff and friends celebrate the University's 50th Anniversary.

IN HONOR OF LORRAINE MADDEN

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. CASTLE. Madam Speaker, it is with great pleasure that I pay tribute today to Lorraine Madden, the outgoing President of the Ladies Auxiliary of the Delaware Volunteer Firemen's Association (LADVFA).

President Madden has been a life-long member of the Bowers Fire Company Auxiliary. Like many other members of the Auxiliary and Fire Departments, President Madden's father was the Fire Chief, and her mother was President of the Auxiliary. Prior to being elected to this new post, President Madden served as President of the Auxiliary at Bowers and was also the President of the Auxiliary to the Kent County Volunteer Firemen's Association. Her record of service and leadership is commendable, and is a reflection of the organization itself.

When called to action during alarms, LADVFA assist the firemen by serving meals or snacks while the companies are fighting fires or assisting with other emergencies. The services they provide both the fireman and the community are invaluable.

The LADVFA serve such an important function in our community, and to be as effective as possible, they must have dedicated and organized leaders. President Madden has been exactly that over the past year and the State of Delaware and our nation are greatly indebted to her for all of her past and future hard work. Congratulations on a job well done!

HONORING FRAGER'S HARDWARE

HON. ELEANOR HOLMES NORTON

OF DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Ms. NORTON. Madam Speaker, I rise today to ask the House of Representatives to join me in congratulating Frager's Hardware, located in Washington, D.C., for 90 years in business.

Throughout its 90 years in business in the Capitol Hill neighborhood, Frager's, as it is commonly known, has remained an indispensable fixture of the community and serves as a prototype of quality customer service.

The community embraces the ownership of Frager's Hardware and appreciates commemorating the anniversary with a week-long Customer Appreciation Event.

The expansion of Frager's Hardware to include a garden center, rental store, and a paint shop demonstrates its commitment to serving the changing needs of the community and the residents of the District of Columbia.

Madam Speaker, I ask the House of Representatives to join me in celebrating the 90th anniversary of Frager's Hardware.

HONORING THE FACULTY AND STUDENTS AT EASTERN TECHNICAL HIGH SCHOOL

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor the faculty and students at Eastern Technical High School of Baltimore County, which has recently been designated as a 2010 National Blue Ribbon School. The National Blue Ribbon Award recognizes public and private schools whose students have achieved at very high levels or have made significant progress and successfully closed achievement gaps, especially among disadvantaged and minority students.

Eastern Technical High School is a magnet school that provides 10 different career path programs for students which will help prepare them to become productive members of the workforce in the future. Education is so important in setting our youth up for success and Eastern Technical High School provides a phenomenal example of how to effectively do so. In fact, Newsweek Magazine ranks Eastern Tech as among the top 5% of high schools in the United States.

Madam Speaker, I ask that you join with me today to honor the faculty and students at Eastern Technical High School. It is their hard work and dedication that have won them the recognition of the National Blue Ribbon Award. The school's consistent outstanding performance is an indicator of the faculty's perseverance and the student body's drive. It is with great pride that I congratulate Eastern Technical High School on its exemplary service.

COMMEMORATING SEA OTTER AWARENESS WEEK

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. FARR. Madam Speaker, I rise today as I do every year, to call attention to the 8th Annual Sea Otter Awareness Week, September 26–October 2, 2010, sponsored by Defenders of Wildlife. This week-long event provides the opportunity to educate the broader public on sea otters, their natural history, the integral role they play in the near-shore marine ecosystem, and the conservation issues they are facing.

In the early 1700's, before wide-scale hunting began, sea otters ranged across the North Pacific rim from Japan to Baja California. The worldwide population estimates for that time range from the hundreds of thousands to more than one million. Before the hunting began, there were approximately 16,000–20,000 along California's coast. But killing these animals for their fur all but decimated the population until they were thought to be extinct off the coast of California by the early 1900's.

However, in the 1930's a small population of less than 100 animals was discovered in a remote cove on a coastal ranch in Big Sur, on the Central Coast of California. Since that time, groups such as Defenders of Wildlife, Friends of the Sea Otter and Ocean Conservancy have raised public awareness and helped protect this important species under the Marine Mammal Protection Act and the Endangered Species Act. The presence of the California sea otter has become an icon of the state's coastal environment and culture, and these charismatic animals bring significant tourism revenue to Californian coastal communities.

Still, sea otter populations remain threatened. This year's three year population average, counted by the U.S. Geological Survey, totals only 2,711 animals, a 3.6 percent drop in overall population, and 11 percent drop in otter pups since 2009. This is the second year in a row that the population has been in decline. The annual survey saw a decrease in otter numbers throughout their range, and particularly in areas where much of their reproduction occurs. These latest numbers are of great concern and researchers have begun to identify indirect hazards for sea otters such as non-point source pollution, pathogens, and entrapment in fisheries gear that are causing their population growth to reverse. Data also suggests that breeding-age females are dying in higher than usual numbers from multiple causes, including infectious disease, toxin-exposure, heart failure, malnutrition, and shark attacks.

Each day, research is uncovering additional causes of sea otter population declines. A recent study reveals that mycrocystin, a toxic algae that forms in reservoirs, lakes and stagnant freshwater ponds, is responsible for the deaths of at least 21 sea otters in the Monterey Bay area and researchers state that this is the first ever documentation of a freshwater algal bloom being transmitted to upper-level marine mammals. Such realizations support the need for continued research and preventive measures to respond to these issues, while continuing to ward against the direct killings and takings that still occur.

Sea otters are integrally important to the ecosystem in which they live. For this reason, the decline of southern sea otters off of the California coast not only impacts the species itself, but it affects other marine populations and the surrounding ecosystem. The demise of sea otters allows their prey, sea urchins, to proliferate unchecked leading to the alarming overgrazing of kelp beds—one of the oceans nursery grounds for many marine animals. Research shows that the absence of sea otters has a direct link to the sharp decline of kelp along portions of California's coast. Further, the sea otter is effective at monitoring toxins and diseases in the marine environment, which can affect the health of humans and other wildlife.

California took the first step toward addressing these emerging concerns by signing Assembly Bill 2485 into law. This bill establishes a state fund for sea otter conservation where Californians have the option of donating a portion of their tax returns to sea otter conservation. I want to emphasize that this means that Californians voluntarily pay a little more on their tax return to help protect these animals.

Even during these trouble economic times, more than $228,903 has been raised already this year.

However, this is a federally protected species and California cannot go it alone. In addition to continuing to work with my colleagues to secure Federal funds to support a continued and complete recovery of the population, I am proud that H.R. 556, The Southern Sea Otter Recovery and Research Act, was passed by the House of Representatives in July of 2009. This tremendous success was buoyed by the support and devotion of many people. In the other house, Senator BARBARA BOXER has introduced a companion bill, S. 1748, which passed out of the Senate Committee on Commerce, Science, & Transportation on June 9 by unanimous consent. The Committee hopes to move the bill later this year as a part of their omnibus public lands legislative package. We are just a few steps away from at last making the act into law and bringing needed resources to this threatened species.

Madam Speaker, I applaud the many accomplishments of Defenders of Wildlife, who carry out the important mission to preserve our nation's wildlife and habitat. I also applaud the other nonprofit environmental organizations, working with the Monterey Bay Aquarium, researchers, fishermen, state and federal agencies, schools, and many other institutions and individuals, who devote tremendous effort to protect and recover the southern California sea otter. Sea Otter Awareness Week is just one of their many activities geared towards honoring and saving this species, and I am proud to be associated with this vital work.

IN HONOR OF BILL TOBIN

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. CASTLE. Madam Speaker, it is with great pleasure that I pay tribute today to Bill Tobin, the incoming President of the Delaware Volunteer Firemen's Association (DVFA). President Tobin began his career in the DVFA as a mascot in the Goodwill Volunteer Fire Company in 1959. In 1975 he moved to Lewes, where he joined the Lewes Volunteer Fire Department.

President Tobin's life has been dedicated to serving others. Along with his membership in the Lewes Fire Department, Bill served as President for the Georgetown American Legion Ambulance Company and later became active with the Memorial Volunteer Fire Department in Slaughter Beach. He has served Memorial well in the role of both Treasurer and as Chairman of the Board of Directors since 2000.

I commend President Tobin on his dedication to Delaware's volunteer fire service and tireless efforts on behalf of his community. DVFA is fortunate to have such a man filling this important role. I am confident that President Tobin's experience and leadership will help DVFA continue on the path of exceptional service for which they are known across our state.

REMEMBERING ROBERT P. BILLER

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. McCLINTOCK. Madam Speaker, I rise today to remember the life of Robert Biller of La Canada, California. Bob was a gifted educator and passionate advocate for the students of California, and it is with a grateful heart I remember him today.

Bob received his bachelor's degree from University of California, Los Angeles in 1959 and spent the next several years serving his country as the administrator at the U.S. Naval Ordinance Test Station in China Lake, California. He would go on to earn his master's and doctorate degrees from University of Southern California in 1965 and 1969, respectively, winning recognition from his peers and the Henry Reining Jr. Dissertation Award for his dissertation in public administration.

Bob began his professional career in academia teaching at the University of California, Berkeley, where he helped establish the Graduate School of Public Policy and its Experimental Program in Health and Medical Sciences. He returned to USC in 1976, serving as the Dean of Public Administration until 1982. During this time, Bob raised the standard of education for the public administration program and raised the school's first one million dollar endowment as well as serving in leadership roles with the Deans' Council and the Budget Advisory Committee. Bob spent the next twenty years serving in various roles at USC including Executive Vice Provost (1982–1988), Dean of Fine Arts (1987), Dean of Admissions and Financial Aid (1988–1989), Vice President for External Affairs (1988–1992), Vice President for Undergraduate Affairs (1992–1993), Interim Dean of the School of Policy, Planning and Development (1998–2000) and he continued to be actively involved in university life after his official retirement in 2001.

Madam Speaker, it is without a doubt that through his commitment to education and service Bob Biller made USC a better place and its students better off. On behalf of the countless students whose lives he touched, it is my privilege to rise today in recognition of the many accomplishments and contributions of Robert Biller.

TAIWAN'S 99TH NATIONAL DAY

HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SIRES. Madam Speaker, I rise today to recognize Taiwan as it celebrates its 99th National Day on October 10th, 2010. This national holiday, known as Double Ten Day, commemorates the 1911 uprising that led to the creation of the Republic of China.

After years of one-party rule, Taiwan has held three democratic presidential elections and two transfers of power. I am very excited to see this young democracy blossoming in East Asia.

During an address earlier this year, Taiwan's President Ma Ying-jeou offered this statement, "It is only under a true democracy that one's citizens can live without fear according to the law, and share in the burdens as well as benefits of good governance."

While Taiwan is a young democracy, it has taken steps to conform to international standards with respects to rule of law and protection of human rights. To this end, Taiwan has codified the following United Nation's documents into domestic law; The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

Taiwan's budding commitment to democratic practices is impressive. I look forward to the United States partnering with President Ma and Taiwan for many years to come.

RECOGNIZING THE HEROIC ACTIONS OF STAFF SERGEANT JAMIE WEST

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. LAMBORN. Madam Speaker, I rise today to recognize the courageous and selfless actions of Army Staff Sergeant Jamie West, which have earned him our Nation's highest congressionally authorized award for heroism during peacetime. As a member of the U.S. House Armed Services Committee, I am proud to recognize one of Fort Carson's finest soldiers who placed his own life at risk to save the lives of three Colorado Springs children in 2008. While driving off-duty on February 23, 2008, Staff Sergeant Jamie West observed three children fall through a fragile ice-pond and one of those children becoming completely submerged in the freezing water. The Soldier's Medal citation reads, "Without thought to his own safety, he decided to attempt to rescue the endangered children. With ice crumbling around him and at risk to his own life, he pulled the children from the water and successfully administered first aid until emergency personnel arrived."

Every soldier knows the importance of courage. It is one of the Army's seven core values of soldiering. Courage on and off the battlefield cannot be underestimated. It takes courage to withstand the rigors of war and it takes courage to assume responsibility for life and death decisions. It also takes courage to do the right thing under intense pressure, but the act of courage at the risk of one's own life deserves special recognition.

The pages of American military history are filled with heroes who willingly put their lives at risk in order to save others—and Staff Sergeant West's name will now be inscribed among them.

It was no accident that SSG West was in the vicinity of that pond at the time of crisis. It is clear that, for some providential purpose, he was in the right place at the right time and had demonstrated great courage and personal sacrifice. It is my distinct honor to recognize his heroic actions and commitment to uphold the finest qualities of leadership and military values.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $13,476,661,616,652.10.

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 $2,838,235,870,358.30 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans.

REMEMBERING LTC CHARLES C. LYDA

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. McCLINTOCK. Madam Speaker, I rise today to remember LTC Charles Lyda of Truckee, California. Chuck was born to Charmian and Lu Lyda in July 23, 1952 in San Diego, California where he grew up with his older sister Laramee, and younger brother, Grady.

An extraordinary athlete, by age 16 Chuck was competing on the world stage, racing for the U.S. National Team in Wildwater Kayaking in the 1969 World Championship. Chuck would go on to be a two-time Olympian and two-time World Champion in Canoe/Kayak, as well as qualifying for 28 U.S. national teams in Canoe, Kayak and Biathlon and serving as U.S. Olympic Team coach from 1996 through 2002. His athletic legacy also includes serving as the first Nordic Director for the Auburn Ski Club Training Center, founding the biathlon program at Northstar-at-Tahoe and the long-running 10th Mountain Division Race, as well as developing the ASC 1–2–3 program, which has introduced nearly 20,000 young men and women to cross-country skiing.

While Chuck's athletic achievements alone would represent a full and accomplished life in their own right, he was also a dedicated and faithful patriot. Enlisting in 1983, Chuck joined the 132nd Engineer Battalion as a combat engineer and served 27 years in the United States Army National Guard. Chuck served multiple rotations as the Mobilization Officer for California, ensuring that the men and women going overseas from California were deployed on time and brought home in the same fashion. It is safe to say that his diligence in this role touched the lives of nearly every soldier who was part of the largest deployment of California troops since the Korean War. In 2005 Chuck was selected to deploy to Iraq in support of Operation Iraqi Freedom, where he served as the Chief of Operations, Corps of Engineers in Tikrit. Even though he was in his mid-fifties while serving overseas, Chuck maintained the highest levels of physical fitness and discipline imaginable, consistently improving his two-mile run time every time he took the test.

While preparing to deploy to Iraq for his second tour, Chuck lost his battle with cancer and passed away on June 12, 2010. Known by his friends for fierce loyalty and unending perseverance, he will most certainly be missed. Madam Speaker, it is my privilege to rise today in recognition of LTC Charles Lyda and to extend my condolences to his family and my gratitude for his many years of service to our Nation.

HONORING THE PERFORMANCE OF TEAM GUAM AT THE 7TH MICRONESIAN GAMES

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Ms. BORDALLO. Madam Speaker, I rise today to honor the accomplishments of Team Guam at the 7th Micronesian Games which took place in Koror, Palau in August of this year. The Micronesian Games are a quadrennial sporting event that unifies the islands of the central and western regions of the Pacific through friendly competition. The 2010 Micronesian Games featured more than 1,000 competitors from the Marshall Islands, Pohnpei, Chuuk, Kosrae, Yap, the Northern Mariana Islands, Palau, and Guam. Athletes from across Micronesia competed in the sports of Athletics, Baseball, Basketball, Canoe (Va'a), Fast pitch Softball, Micro All Around, Spearfishing, Swimming, Table Tennis, Tennis, Triathlon, Volleyball, Weightlifting, and Wrestling.

At the end of the ten day competition, the 200-member Guam Team garnered a grand total of 66 medals, including 20 Gold, 25 Silver, and 21 Bronze medals. I commend the athletes of Team Guam for their performances at the Micronesian Games and for representing the island of Guam with great pride, promoting the values of sportsmanship and dedication to fitness. I would like to recognize the following individuals and teams who achieved Gold medals in their respective disciplines:

Amy Atkinson: Women's 1500m Run; Derek Mandell: Men's 800 Meter Run, 1500m Run, and 10,000m Run; Michael Gaitan: Men's 5000 Meter Run; Women's Basketball; Men's Basketball; Women's V6 15km Canoe; Susanna Schlub: Women's V1 10k Canoe; Men's 500m Canoe; Justin Dugan and Alea Dugan: Mixed Tennis Doubles; Justin Dugan and Wendell Roden: Men's Tennis Team; Justin Dugan and Wendell Roden: Men's Tennis Doubles; Jay Sternadel and Michael Todd Genereux: Spearfishing Team Event; Women's Volleyball; Men's Volleyball; Maria Dunn: Women's 63kg Freestyle Wrestling, Women's Light Weight Beach Wrestling, and Women's Overall Heavy Weight Beach Wrestling; and Raymond Tenorio Jr.: Greco Roman Wrestling 66kg.

The following individuals and teams achieved Silver medals:

Naomi Burke: Women's 100m Sprint; Naomi Blaz: Women's 200 Meter Sprint; Amy Atkinson: Women's 800 Meter Run; Nicole Layson: Women's 5000 Meter Run and Women's 10,000m Run; Gerardo Genie: Women's Shot Put; Naomi Blaz, Noreen Ericsson, Nicole Layson, and Amy Atkinson: Women's 4x400m Relay; Michael Herreros: Men's 110m Hurdles; Jeofry Limtiaco: Men's 1500m Run; Toby Castro: Men's 5000 Meter Run; Women's V1 500m Canoe; Women's 500m Canoe; Women's 1500m Canoe; Men 1500m Canoe; Women's Tennis Team Event; Ayuri Sugahara: Women's Tennis Singles; Alea Dugan and Terea Tapu: Women's Tennis Doubles; Women's Fast Pitch Softball; Men's Fast Pitch Softball; Mark Walters: Men's Triathlon Individual Event; Theodore Tamashiro: Men's 55kg Freestyle Wrestling and Greco Roman Wrestling 55kg; Raymond Tenorio Jr.: Men's 66kg Freestyle Wrestling; and Patrick Camacho: Men's 120kg Freestyle Wrestling and Greco Roman Wrestling 120kg.

The following individuals and teams earned Bronze medals:

Naomi Burke: Women's 200 Meter sprint; Naomi Blaz: Women's 400m Sprint and Women's Triple Jump; Nicole Layson: Women's 1500m; Women's Sheena Subido: 10,000m Run; Genie Gerardo: Women's Discus Throw; Noreen Ericsson: Women's Long Jump; Jeofry Limtiaco: Men's 400 Meter Hurdles; Michael Gaitan: Men's 800 Meter Run; Toby Castro: Men's 1500m and Men's10,000m Run; Albert Juan III: Men's Triple Jump; Derek Mandell, Michael Gaitan, Jeofry Limtiaco, and Keith Muna: Men's 4x400m Relay; Men's Baseball; Men's V1 500m Canoe; Edwin Adag and Arlene Taitague: Mixed Doubles Table Tennis; Edwin Cadag, Arman Burgos, and Prudencio Burgos: Men's Team Table Tennis; Edwin Cadag and Arman Burgos: Men's Double Table Tennis; Michael Todd Genereux: Men's Individual Spearfishing; Mark Avery Sasai: Men's 60kg Freestyle Wrestling; and Cliffourd Kusterbeck: Men's 74kg Freestyle Wrestling.

I join our community in congratulating the men and women of Team Guam for their accomplishments at the 7th Micronesian Games in Palau, and I look forward to Team Guam's continued success in international competitions.

BALANCING WORK AND FAMILY

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. McDERMOTT. Madam Speaker, balancing work and family is not solely a women's issue. This seems obvious, but all too often both the media and the political debate seem to forget this reality.

There is no doubt that the huge influx of women into the workforce over the last 50 years has put them at ground zero for balancing the competing demands of family and work. But that same trend has also created challenges and changes for men.

Today, over 70 percent of mothers work outside the home, more and more men are taking on care-taking and household duties. Of course, that's only more household responsibilities relative to what men have done in the past—so in congressional lingo, we are starting from a very favorable baseline.

But there is no doubt that men are feeling more anxious about balancing work and home responsibilities, and 95 percent of American fathers report conflicts between work and family demands. This means men have a clear stake in a debate they have been largely missing from, and their absence undercuts a political drive to make long overdue progress.

As Americans, we often pride ourselves in leading the world forward. But on work/family issues, we are badly trailing most of our competitors. We remain the only major industrial nation with no form of paid family leave, and many of our public policies fail to adequately meet the needs of parents.

Some of these policies, such as child care and unemployment insurance, fall within the jurisdiction of the Subcommittee on Income Security and Family Support, which I Chair.

Recently, we've made modest progress in this area by temporarily boosting funding for child care by $2 billion in the Recovery Act.

Perhaps more substantially, we've begun to prod States to remove barriers to parents receiving unemployment benefits. Four years ago, I introduced legislation called the UI Modernization Act to improve coverage for low-wage workers and to help parents leaving work for compelling family reasons.

This bill, which was included in the Recovery Act, provides a total of $7 billion for States that enact reforms from a menu of options. One of these reforms is to stop denying benefits to workers who become eligible for unemployment benefits based on part-time work simply because they are seeking reemployment in another part-time job, rather than in a full time job. Some Americans work part-time because they cannot find full-time employment, but others work part-time to accommodate family issues.

I can see no reason to discriminate against parents who choose to work a schedule that best fits the needs of their family, so I am glad we are beginning to make some progress on this issue. As a result of the UI Modernization payments, the number of States providing unemployment benefits to those seeking part-time work doubled, up from 14 to 27.

Another reform included in the UI Modernization Act was providing benefits to so-called trailing spouses. These are wives and husbands who quit their jobs when their partners' jobs are relocated to another part of the country. Many States had disqualified these spouses from receiving UI benefits on the basis that they voluntarily left employment. The Modernization Act cites such employment departures as a compelling family reason, and thus maintains eligibility for UI. The number of States now providing benefits to trailing spouses has gone up from 14 to 24.

Finally, the Modernization Act also permits taking care of a disabled or ill child or fleeing domestic violence as a compelling family reason for leaving employment. All of these reforms are squarely aimed at acknowledging that certain family situations can have a significant, and often unavoidable, impact on a person's job.

I know that two of the biggest goals for those working on work family issues are paid family leave and paid sick leave. I still cannot believe the considerable opposition to the Family and Medical Leave Act before its passage in 1993. That anyone would be opposed to three months unpaid leave for employees at companies with more than 50 employees is absurd.

But we have always heard doomsday predictions when it comes to enacting workplace protections—whether it be overtime pay, the minimum wage, or the Americans with Disabilities Act. And the same is true now when it comes to paid leave.

But once again, we haven't seen any evidence that it causes an undue burden to business or to taxpayers after some States and cities have enacted their own paid leave and sick leave standards. In response to paid sick leave requirements in San Francisco, I saw one restaurant executive quoted as saying that paid sick leave—"is the best public policy for the least cost. Do you want your server coughing over your food?"

Moving forward, we need to see progress on work/family issues as part of the continuum of workplace protections that have made America a better place to work, live and raise a family. Helping both mothers and fathers balance work and family responsibilities is something that will have both an immediate and lasting impact on the well being of our Nation.

PERSONAL EXPLANATION

HON. JIM MARSHALL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. MARSHALL. Madam Speaker, regarding rollcall vote 526 on the previous question, I mistakenly voted no. I meant to vote yes.

HONORING THE KOREAN HOLIDAY OF CHUSEOK

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Ms. LORETTA SANCHEZ of California. Madam Speaker, I come to the floor today to recognize and wish the people of South Korea and our Korean Americans a blessed Chuseok holiday.

Chuseok is a time of great thanksgiving in South Korea and a time when families celebrate their ancestry.

This year, Chuseok takes place September 20–23, 2010, and I would like this opportunity to specifically thank our Korean-American community in Orange County.

Their contributions to California and the United States have moved this country in the right direction.

I would also like to recognize the strong US–ROK alliance and the blessing which have developed from this long and enduring relationship.

I wish the people of Korea and all our Korean-Americans a joyful Chuseok.

INVESTITURE OF DR. CLIFFORD SCOTT AS TWELFTH PRESIDENT OF NEW ENGLAND COLLEGE OF OPTOMETRY

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. CAPUANO. Madam Speaker, on Sunday, September 26, 2010 Dr. Clifford Scott will be invested as the Twelfth President of the New England College of Optometry, and today I congratulate both Dr. Scott and the College. New England College of Optometry, located in Boston, has been the educational and intellectual center of optometry in New England since 1894. With an enrollment of over 400 students, the student body is the most diverse of any optometry college in the world: more than 25% of students enrolled in the doctor of optometry program received their pre-optometry education outside the United States. The College is committed to the advancement of vision care and exemplifies the highest standards of training for providers of quality, accessible eye care.

Dr. Clifford Scott's career has been dedicated to the New England College of Optometry since he matriculated at the Massachusetts College of Optometry, New England College of Optometry's predecessor. He has been a New England College of Optometry faculty member since 1970, most recently serving as Vice President and Dean of Academic Affairs.

As he and the College enter this next phase in their mutual history, I wish them continued success and preeminence in the field of optometry education and vision care.

IN RECOGNITION OF MS. ELIZABETH "LIZ" WARE SIMS

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House's attention today to pay recognition to Ms. Elizabeth "Liz" Ware Sims who will be honored by The Historic Shiloh Missionary Baptist Church.

Ms. Sims was born in Notasulga, Alabama, to the late Tommie and Emma Ware. She was their sixth child out of eight. She attended Shiloh Rosenwald School, Tuskegee Institute High School and after graduation, attended a business college in Montgomery, Alabama.

She worked for thirty-three years at Tuskegee University and then ten more at Auburn University.

In 2006, she began working for The Shiloh Community Restoration Foundation. Later, on August 5, 2010, Shiloh Missionary Baptist Church and The Shiloh Rosenwald School were listed on the National Register of Historic Sites.

Ms. Sims has two daughters, Charlene and Catrina, and three grandsons, Trey, Phillip and Caleb.

The celebration honoring her will be held on October 3, 2010, at The Historic Shiloh Missionary Baptist Church.

I congratulate Ms. Sims for her good works in the community.

RECOGNIZING MR. JEFFREY P. CRUZ AS THE 2010 NAVY FIRE AND EMERGENCY SERVICES PROVIDER OF THE YEAR

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Ms. BORDALLO. Madam Speaker, I rise today to honor the exemplary public service of Mr. Jeffrey P. Cruz, an emergency medical services (EMS) provider for Navy Fire and

Emergency Services on U.S. Naval Base Guam. Jeffrey has been named the 2010 Navy Fire and Emergency Services EMS Provider of the Year by the International Association of Fire Chiefs. Jeffrey was given this recognition at the Fire-Rescue International Convention: Department of Defense Fire & Emergency Services Conference in Chicago, Illinois. Mr. Cruz competed against thousands of EMS providers from the hundreds of Navy Fire and Emergency Services stations around the world for this recognition.

Jeffrey is a resident of Santa Rita, Guam and is the son of Jesus and Teresita Cruz. He is married to Francine Cruz and has four daughters, Bailey, Caitlyn, Eden, and Felicia. Following his family's tradition of service as firefighters, Jeffrey joined the Navy Fire and Emergency Services in 2004. Jeffrey was instrumental in establishing a Mutual Aid Agreement between the Navy Fire and Emergency Services and the Guam Fire Department, which ensures emergency service resources are available at all times. In addition, he has been active in coordinating the training and certification of 45 new emergency service responders, increasing service capabilities on Guam by 70 percent. Mr. Cruz maintains a level of excellence and professionalism while in the field, employing his training and skill to save lives and ensure the safety of our community.

I commend Jeffrey for his outstanding service as an EMS provider and an exemplary member of our community, and I congratulate him for being recognized as the 2010 Navy Fire and Emergency Services EMS Provider of the Year. I join our community in acknowledging his leadership, dedication, and public service contributions to the safety of our island.

CELEBRATING DR. GEORGE D. CRENSHAW ON HIS 6TH ANNIVERSARY AS PASTOR OF THE SHAW TEMPLE A.M.E. ZION CHURCH

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SCOTT of Georgia. Madam Speaker, it is my honor to congratulate Dr. George D. Crenshaw on the occasion of his 6th year anniversary as Pastor of the Shaw Temple A.M.E. Zion Church.

For over two decades, Dr. George D. Crenshaw has served as a pastor in the African Methodist Episcopal Zion Church and was appointed pastor of Shaw Temple in October of 2004. Under his compelling leadership, the church and its congregation has become larger, more spiritual, and more financially secure. In his first four years, the church received over 800 new members, making Shaw Temple the fastest growing A.M.E. Zion church in the South. Pastor Crenshaw founded the Shaw Temple Biblical & Leadership Institute, of which he is a former president. He also developed the Five-Fold Ministry, which responds to the spiritual, social and physical needs of the congregation from conversion throughout their spiritual journey. As a venerated leader in the church, Pastor Crenshaw has formed forty other ministries at Shaw Temple.

Additionally, Pastor Crenshaw continues to serve the global ecumenical community as an Executive Board Member of the World Methodist Council. In 2008 the Pastor and Mrs. Crenshaw led an Overseas Medical Mission and Evangelism team to Monrovia, Liberia to set up a medical clinic at Brown Memorial A.M.E. Zion Church. Upon learning that some people walked as long as three days to receive medical attention, the team felt the urgency to return in 2009. They also set up a clinic at Cartwright A.M.E. Zion in Brewerville, Liberia and Good Shepherd Episcopal Church in Paynesville, Liberia. Overall, the team has provided free medical services and supplies to over 980 patients. Pastor Crenshaw and the Medical Mission and Evangelism Team will travel back to Monrovia in February of 2011 to continue their efforts. Pastor Crenshaw and the Shaw Temple A.M.E. Zion church were honored to host the 48th Quadrennial Session of the General Conference of the African Methodist Episcopal Zion Church.

Madam Speaker, fellow Members of Congress, please join me in honoring Dr. Crenshaw for his many achievements as Pastor of the Shaw Temple A.M.E. Zion Church.

IN HONOR OF EUNICE KENNEDY SHRIVER

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SESTAK. Madam Speaker, today, a ceremony will take place in the Commonwealth of Pennsylvania to honor one of our Nation's truly remarkable women, Eunice Kennedy Shriver, founder of Special Olympics and an American of unmatched energy, compassion, and vision.

Through her work to create Special Olympics, Eunice Kennedy Shriver offered untold numbers of Americans with intellectual disabilities the opportunity to participate in sports and social activities that helped transform their lives and ours. As anyone who has ever coached, ''buddied,'' or watched Special Olympians in competition can attest, all involved come away from that experience with a new found respect and admiration for the spirit of those athletes, their families, and Eunice Kennedy Shriver.

In the East Wing Rotunda of Pennsylvania's Capitol Building in Harrisburg, a portrait of Eunice Kennedy Shriver will be unveiled in a permanent place of honor to acknowledge her wonderful work and, to mark the 40th Anniversary of Special Olympics Pennsylvania (SOPA). Fittingly, the portrait will include the likeness of a Special Olympian, Loretta Claiborne.

In memory of Eunice Kennedy Shriver, the fourth Saturday of every September will forever be known as Eunice Kennedy Shriver Day. On that day we should all dedicate ourselves to love, justice, faith, hope, and courage—as she did—to the benefit of more than four million Special Olympic athletes, Best Buddies and millions more of their family members.

Madam Speaker, I ask that all Americans pause to reflect on the civic and spiritual greatness of Eunice Kennedy Shriver and acknowledge the outstanding work Special Olympics of Pennsylvania, under the leadership of Mr. Matthew Aaron. He, his staff, and thousands of wonderful volunteers carry on Pennsylvania's proud tradition of caring for some of our most special citizens in a manner that reflects the very best of Eunice Kennedy Shriver.

IN HONOR AND RECOGNITION OF SOL SIEGAL, RECIPIENT OF THE ''TREE OF LIFE'' AWARD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor of Sol Siegal on the occasion of his being named the recipient of the Tree of Life Award by the Jewish National Fund, Northern Ohio Chapter and in recognition of his leadership, achievement and dedication to making a difference in our community.

Mr. Siegal's commitment to faith, family, community and country continues to guide his life and his work. He served in the United States Air Force from 1943 to 1950. After the war, he worked in sales in the steel industry and then became a steel broker in 1952. In November of 1954, Mr. Siegal founded Olympic Steel in Cleveland, Ohio. Mr. Siegal made it a priority to emphasize the welfare of his employees and the environment. The elements of respect, teamwork, safety, employee development and integrity were incorporated in Mr. Siegal's original mission statement and their implementation remains a top concern today. Through Olympic Steel, Mr. Siegal has led numerous philanthropic efforts that have impacted the lives of countless individuals and families in Cleveland and across the country. Olympic Steel awards ten annual renewable college scholarships to children of employees.

Mr. Siegal's generosity and commitment to the community originates with family. He is a devoted father to Lynn, Michael and daughter-in-law Anita, and he is an adoring grandfather and great-grandfather. Mr. Siegal's dedication to his Jewish heritage is visible within the Cleveland's Jewish community. He's been a longtime board member with the Jewish National Fund and a past board member with the Jewish Community Federation. He is a 62-year member of the Deak Lodge and a 40-year member of the University Heights Free Masons. His charitable vision is shared by the people of Olympic Steel, where employees donate their money, time, clothes and food items to local agencies and causes, including the Make a Wish Foundation, Cell Phones for Soldiers, Coats for Kids, Harvest for Hunger and Women in Need.

Madam Speaker, please join me in honor of Sol Siegal as he is honored with the Tree of Life Award by the Jewish National Fund. Mr. Siegal's leadership, vision and dedication to strengthening the lives of others through the integrity of Olympic Steel continue to enhance the economic, cultural and social foundations of our entire community.

A PROCLAMATION HONORING LUCEIL GIVIN ON HER 105TH BIRTHDAY

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SPACE. Madam Speaker, I submit the following.

Whereas, Luceil Givin was born in Scio, Ohio, on September 22, 1905,

Whereas, Luceil worked with her father on the family farm in Scio, raising chickens, hogs, and calves,

Whereas, Luceil also worked at the Scio Pottery for 42 years,

Whereas, Luceil now lives at the Harrison County Home in Cadiz,

Resolved That along with her friends, family, and the residents of the 18th Congressional District, I congratulate Luceil Givin on achieving her 105th birthday, and for her contributions to her community and country.

THE SHIPPING ACT OF 2010

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. OBERSTAR. Madam Speaker, today I have introduced the ''Shipping Act of 2010''. This bill has its roots in the Shipping Act of 1916, which provided the foundation for the regulation of international shipping in the United States.

In the 94 years since that law was enacted, shipping has changed greatly. Most significant was the development of the intermodal shipping container in the late 1950's, which allows for cargo to be loaded into standardized containers for shipping rather than on pallets put on a ship using cargo nets. Use of these containers has transformed the manufacturing and distribution of goods throughout the world by increasing the productivity of our global intermodal transportation system by having a container that can be loaded on a truck chassis, easily transferred on to a ship, and then transferred again on a rail car. This bill will modernize the regulation of that transportation system by increasing competition and improving services for the movement of those goods.

First, it eliminates antitrust immunity for ocean carrier agreements, which currently allows ocean common carriers to get together to discuss, fix or regulate transportation rates. Although parties to the carrier agreements are not required to adhere to the rates set by the conference when they are contracting, oftentimes they use the collectively set rate as the basis for negotiations. The carrier's tendency to use the agreed upon rates as a floor for negotiations has made it difficult for shippers to negotiate more favorable terms for transportation.

Antitrust immunity for these agreements was initially granted to enable carriers to stabilize their economic position through controlling rates and capacity. In fact, Congress has long been concerned about the anticompetitive impact of these conference agreements and, in the Shipping Act of 1916, put a regulatory structure in place to monitor their activities. Currently, the conferences must submit their agreements to the Federal Maritime Commission (FMC), who reviews them for compliance with the statutory requirements including whether or not the agreement is likely, by a reduction in competition, to produce an unreasonable reduction in transportation services or an unreasonable increase in transportation costs.

However, even under the current regulatory scheme, immunity for such agreements has long outlived its usefulness, and stifles competition. In 2007, the Antitrust Modernization Commission (Commission) report stated that ''free-market competition is the foundation of our economy, and the antitrust laws stand as a bulkwark to protect free-market competition.'' The Commission found that there is questionable justification for continuing conference exemptions from the antitrust laws in the Shipping Act and that there is nothing unique about ocean carriers that warrant an exemption from the antitrust laws. A survey cited by the Commission found that ''the steepest declines in observed freight rates have coincided with a generalized decrease in conference power in the face of competition from strong independent operators and the implementation of competition-enhancing legislation in the United States trades.''

On March 17, 2010, the Committee on Transportation and Infrastructure held a hearing on the challenges faced by U.S. importers and exporters in moving cargo by the international container lines. The Committee received testimony from importers, exporters, agricultural shippers, manufacturers, retail stores, and raw products exporters. In that hearing, shippers complained that ocean carriers do not have enough capacity in the market to meet the demands of U.S. shippers and that rate increases imposed through new service contracts have skyrocketed. Many believe that these rate increases reflect the desire of carriers to recoup their losses of the past year. Moreover, these shippers expressed concern that there is no willingness on the part of conference agreement participants to negotiate independent rates. This has significantly increased the costs of U.S. exports and made it difficult for U.S. importers to price their products.

Eliminating the antitrust immunity for these conference agreements will increase competition by requiring ocean carriers to compete in the marketplace with the best price and service to get shippers' business. That will benefit the industry as a whole. Moreover, the bill will require carriers to continue to file service contracts with the FMC and to have tariffs be available for FMC review. This information will allow the FMC to determine whether or not carriers are colluding after their antitrust immunity has been eliminated.

However, this bill does preserve some antitrust immunity for ocean carriers so that they can enter into vessel sharing agreements. A vessel sharing agreement is an agreement among carriers to share space on each others vessels. This will allow carriers to offer shippers service five days a week on their ship or one of their partners' ships. However, under this bill, this authority is limited so that it ensures that there is still adequate competition in a particular trade. The European Union limits a vessel sharing agreement to 30 percent of the capacity in a trade. That is a reasonable place to begin.

In addition, this bill deals with the carriers' practice of imposing surcharges, seemingly at will. Currently, shippers enter into negotiations with carriers for transportation service contracts at fixed prices. Once the transportation price is negotiated, the shipper then develops a pricing scheme for its customers. However, we have heard complaints that ocean carriers often decide at the last minute to levy surcharges, which are not necessarily based on their own increased costs (for example, the cost of buying fuel). This impacts the shippers business because the U.S. exporter or importer has already signed a contract with their customer for a fixed price. If the carrier increases the cost of a shipper's goods by imposing a surcharge and the shipper has already advertised the price for selling those goods, where is the increased cost going to come from? The shipper's profits? To ensure that a shipper can adequately price his product, this bill requires that any surcharge imposed by a carrier needs to accurately reflect increases in the carrier's cost.

Elimination of antitrust immunity for ocean carrier agreements may not be enough to spur the carriers to improve their customer service. One major area that needs to be addressed is dispute resolution. The Shipping Acts of 1916 and 1984 were not designed to facilitate dispute resolutions between shippers and carriers. In fact, the only remedy authorized under the Shipping Act to resolve a dispute in a service contract is to go to court. The delay oftentimes associated with pursuing a case in court results in a major disadvantage to shippers. This is because a large volume of the cargo that shippers carry is perishable and those goods may be destroyed by the time a District Court ever hears the case. Under this bill, the FMC will be empowered to help resolve service contract disputes quickly through mediation and arbitration, so that the freight can keep moving.

We have also heard from export shippers that carriers refuse to ship containers that are not owned by that ocean carrier. This results in many shippers being left without an alternative to ship their goods unless they agree to pay a steep price to the ocean carrier. I do not understand how a carrier can refuse to supply a shipper with a container at a reasonable price, and then refuse to move a shipper's goods if they are in a container provided by someone else. There needs to be transportation network neutrality so that shippers can have their cargo moved by an ocean carrier supplied container or one provided by a third party that meets internationally accepted container safety standards. This bill provides that neutrality by prohibiting carriers from discriminating against a shipper that provides their owner container or other equipment.

It also addresses the practice of bumping or rolling containers, in which a carrier decides that there is not enough room on a ship for a container which they have already been contracted to transport. The bill prohibits ocean carriers from engaging in deceptive practices, including the unreasonable failure to provide transportation services as agreed to in a negotiated service contract. The FMC is then tasked with developing remedies and penalties for carriers that engage in such deceptive practices.

President Obama has announced that he wants to double U.S. exports in the next 5 years. I am committed to helping him accomplish that goal by reforming our shipping laws

to help the ocean carriers be more responsive to their customers. This bill is a pro-competitive bill that will help facilitate U.S. imports and exports. In 2007, the European Union eliminated the antitrust immunity that ocean carriers had from their laws. I am not aware of any ocean carriers being put out of business because of the loss of that exemption. Under the ''Shipping Act of 2010'', carriers will have to compete based on price and services in the same way as all other major industries in the United States.

IN HONOR OF GERALD A. DEPIERO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of Gerald A. ''Jerry'' DePiero, beloved husband, father, grandfather, great-grandfather, friend, mentor, retired firefighter, business owner and active citizen.

Mr. DePiero served the Parma community and our nation with honor and dedication. He served in the National Guard for 6 months and protected the people of Parma as a firefighter for 25 years. He combined his street smarts with business savvy and founded one of the largest real estate offices in Ohio; a branch of Century 21, DePiero and Associates, Inc.

Mr. DePiero was known for his kind, giving and generous nature. For 49 years, he was a devoted husband to Roberta. Together they raised four children: Lisa, Chris, Matt and Dean. His devotion to his wife, children, grandchildren and great-grandchild was unwavering. He was the treasured grandfather of Nick, Jenni, Cory, Jake, Luke, Melissa, the late Erin, the late Andrew, Sean and Blake. He was the beloved great-grandfather of Isabela, and father-in-law of Laura, MJ and Kathleen. He was the beloved brother of Ray, brother-in-law of Dorothy, and caring uncle and cousin to many. Mr. DePiero was a devoted friend and mentor to many.

Madam Speaker and colleagues, please join me in honor and remembrance of Gerald A. ''Jerry'' DePiero. I offer my condolences to his family, friends and to everyone who knew him well. Mr. DePiero lived his life with a generous heart and an unwavering love for family, friends and community. His service and generosity will never be forgotten.

EXPULSION OF HUMANITARIAN WORKERS CALLS INTO QUESTION MOROCCO'S COMMITMENT TO THE MILLENNIUM DEVELOPMENT GOALS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. WOLF. Madam Speaker, on Monday, the King of Morocco travelled to New York to address the UN General Assembly Summit on the Millennium Development Goals, which seek to improve the quality of life for people around the world. I urge Obama Administration officials to seize this opportunity to meet with the King and raise the plight of the dozens of U.S. citizens that have been expelled from or denied reentry into Morocco without access to due process.

As a result of the deportations a number of humanitarian organizations which were run by U.S. citizens and provided vital community services have been shuttered: Individuals such as Eddie and Lynn Padilla of Colorado who worked in an orphanage caring for young Moroccan children who were abandoned at birth; and Michael Cloud of Texas, who ran therapy centers for children with disabilities across the country; and scores of American teachers and educators who sought to improve access to education for Moroccan children.

Many of these individuals resided legally in Morocco for decades and had a deep love for their adopted country. Their work supported Millennium Development Goals such as child health and universal education. In his address to the General Assembly on Monday, the King of Morocco expressed his support for and commitment to these lofty goals. Meanwhile, his government turned out dozens of U.S. citizens and foreign nationals whose work supported the same goals for which the King professed his support.

If the King of Morocco is truly serious about his commitment to achieving the Millennium Development goals, his government should immediately and unconditionally allow those expelled or denied reentry to return. The U.S. government should press for nothing less.

IN CELEBRATION OF TAIWAN'S NATIONAL DAY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. BURTON of Indiana. Madam Speaker, I rise as a senior member of the House Foreign Affairs Committee and member of the House Taiwan caucus to express my congratulations to the leaders and people of the Republic of China on Taiwan on the occasion of National Day this October 10th.

It has been nearly a century since the October 10, 1911 start of the revolution that toppled the Qing dynasty and established the Republic of China, the first republic in Asia. Today the ROC on Taiwan has become a full-fledged democracy and a beacon of prosperity and freedom for all of Asia. Just twenty some years ago, Taiwan was a closed authoritarian society with no freedom of speech, no freedom of assembly, and no right to vote. It now has robust political parties, and virtually every office in Taiwan is contested through free and fair elections.

Two and a half years ago, Taiwan successfully concluded its fourth popular election for president since 1996 by electing Dr. Ma Ying-jeou. President Ma has worked tirelessly since his inauguration on May 20, 2008 to improve the relationship between Taiwan and the Chinese mainland and he has been a strong ally to the United States.

The Taiwanese and the Chinese mainland governments have worked together in productive talks on issues such as direct cross-strait flights and shipping, more tourist visits by mainlanders to Taiwan, and the recent signing for Economic Cooperation Framework Agreement (ECFA) that serves as a platform for economic interaction between the two sides. This cooperation has served to reduce tensions in the Strait considerably.

Taiwan has long been a strategic partner of the United States. We have worked closely with the government of President Ma and our mutual relationship continues to be strong. It is my hope that the relations will continue to grow through enhanced cooperation in trade, science and technology, educational and cultural exchanges, security cooperation and Taiwan's participation in international organizations.

As Taiwan has demonstrated cooperation in good faith both with the mainland and with the United States, I hope that it will soon enjoy greater inclusion in the international community. It is exciting to learn that Taiwan was once again invited last May to attend the World Health Assembly (WHA) in Geneva, Switzerland as an observer. This was a breakthrough for Taiwan's participation in a formal UN activity since in 1971, the world body switched recognition to mainland China.

However, this is not enough. I strongly urge my colleagues to recognize Taiwan's participation in the WHA and encourage them to put pressure on the international community to allow Taiwan's participation in the activities of other organizations such as the International Civil Aviation Organization (ICAO) and the United Nations Framework Convention on Climate Change (UNFCCC).

Madam Speaker, I would ask all of my colleagues to congratulate our Taiwanese friends on the 99th Anniversary of National Day and to join me now in thanking the people of Taiwan for their friendship.

HONORING LINDA PIERCE, PRESIDENT OF THE ASSOCIATION OF REHABILITATION NURSES

HON. BETTY SUTTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Ms. SUTTON. Madam Speaker, today I pay tribute to Linda Pierce, PhD, RN, CRRN, CNS, FAHA of the University of Toledo College of Nursing and president of the Association of Rehabilitation Nurses (ARN), a constituent from my congressional district. Ms. Pierce will soon complete her year as the 2009–2010 national president of the ARN, a professional organization representing nurses who work to enhance the quality of life for those who are affected by physical disabilities or chronic illnesses. During her tenure as president at ARN, Ms. Pierce has been a strong leader and advocate for rehabilitation nurses, as well as the patients ARN serves everyday.

Since 1974, ARN has been the leading source for the latest rehabilitation information, resources, and professional development and career opportunities for rehabilitation nursing professionals. ARN members are nurses with a broad range of clinical experience dedicated to helping individuals affected by chronic illness or a physical disability adapt to their disabilities, achieve their greatest potential, and work toward productive, independent lives.

Presently, ARN is comprised of a nationwide network of more than 5,500 rehabilitation

nurses who practice in many settings including hospitals, rehabilitation facilities, home health agencies, sub-acute and long-term care facilities, and private companies.

A resident of Elyria, Ohio, Ms. Pierce earned both her Bachelors of Science in Nursing and her Masters of Science in Nursing from the University of Akron. Ms. Pierce went on to earn her Doctorate in Philosophy of Nursing from Wayne State University.

In addition to Ms. Pierce's academic achievements, she is also a National Stroke Council Member of the American Stroke Association. She has presented numerous times on topics relating to rehabilitation nursing, and published several books and scholarly articles pertaining to caregivers of persons with stroke. Ms. Pierce is currently educating the next generation of nurses, as a tenured professor at the University of Toledo, teaching both undergraduate and graduate courses.

Madam Speaker, I hope my colleagues will join me today in recognizing the outgoing president of the Association of Rehabilitation Nurses, Linda Pierce, for her dedication and exemplary work in the field of rehabilitation nursing. We thank you Ms. Pierce for your ongoing service to the healthcare profession.

A STATEMENT IN RECOGNITION OF THE LUMBERTON ALL-STAR MAJORS TEAM BEING NAMED NATIONAL CHAMPIONS AT THE 2010 DIXIE YOUTH MAJORS WORLD SERIES

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. McINTYRE. Madam Speaker, it is my great pleasure to rise today to ask you to join me in recognizing the Lumberton All-Star Majors team of Lumberton, North Carolina, on being named National Champions at the 2010 Dixie Youth Majors World Series.

Each year, the Youth Baseball Association in my hometown of Lumberton, North Carolina, participates in Dixie Youth Baseball in the Coach Pitch (7–8 year olds), Minors (9 and 10 year olds), and Majors (11 and 12 year olds) classifications. Each baseball season concludes with the formation of an All-Star team chosen by coaches for each of those classifications. These All-Star teams participate in district and State tournaments.

This year, the Lumberton All-Star Majors team won both its district and State tournaments without losing a single game. The team went on to win the 2010 Dixie Youth Majors World Series held in Gonzalas, Louisiana, finally earning the title of National Champions on August 12, 2010. This is the third time that a North Carolina team has earned this title since 1956. It is remarkable that each of these three North Carolina championship teams has come from North Carolina's Seventh District.

Additionally, the team won the ''Around-the-Horn Relay'' during opening ceremonies and one of its members, Daniel Oxendine, hit sixteen home runs to win the ''Home Run Derby.'' Most importantly, however, throughout their weeks of practice and competition, each player and coach conducted himself in a manner that reflected the values of the people of Lumberton, North Carolina.

Madam Speaker, the members of the Lumberton Youth Baseball Association 2010 Majors All-Star team deserve acclaim for their skill as well as for being outstanding ambassadors of the City of Lumberton, the County of Robeson, and the State of North Carolina. Their names are: Alec Brewington, Raleigh Forrest, Jack Frederick, Gage Hardin, Austin Hayes, Hunter Jolicouer, Tyler Musselwhite, Evan Odum, Daniel Oxendine, Austin Swiderski, Travis Suggs, and Richard Thomas.

As founder of the Congressional Caucus on Youth Sports, and also as both a long-time Lumberton little league coach and one who grew up playing baseball in Lumberton, as well as a charter member of the Lumberton Youth Baseball Association, Inc., I appreciate the dedication, determination, and teamwork that earned these players the esteemed title of National Champions. I am also impressed by the volunteer coaches that led this team to victory—Robert Brewington, Kevin Hayes, and Thomas Odum—as well as the parents of each player and the Lumberton community as a whole for supporting these young baseball players as they worked to achieve their dream.

Madam Speaker, I rise today to ask my colleagues to join me in recognizing the Lumberton All-Star Majors National Championship team, and wishing them the very best in all of their future endeavors.

IN HONOR OF SISTER CATHERINE PINKERTON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and recognition of Sister Catherine Pinkerton, whose unwavering advocacy on behalf of numerous social justice issues provides strength, hope and a powerful voice to the most vulnerable citizens of our society.

Sister Catherine's life and work continues to reflect a lifelong passion for raising the lives of others through teaching, lobbying and organizing. She began turning her faith into action early on, as a student at St. Joseph Academy high school in Cleveland, where she volunteered to assist the poor and disadvantaged at the Dorothy Day Catholic House of Hospitality. After graduating from St. Joseph, she entered the Sisters of St. Joseph convent in Cleveland, where she began her journey as a Sister in the Roman Catholic faith. She taught at St. Joseph's, and eventually became an administrator within the Order. Sister Catherine was soon elected President of the St. Joseph community. Her focus on issues of poverty, racism, sexism and other social justice issues, combined with her strong intellect and excellent leadership skills, guided her through numerous trips to Washington DC, fervently lobbying for legislation to elevate and empower women, minorities and the poor.

On Capitol Hill, Sister Catherine's work focused on fair housing, health care reform, civil rights initiatives, and family and medical leave legislation. In meeting rooms and on the House floor, Sister Catherine promoted NETWORK—a women-led Catholic social justice lobby that collects and analyzes critical data about how our Nation's laws affect the poor and disenfranchised. She also made numerous trips to Rome, as the official representative of sisters in the United States. Sister Catherine's work has been recognized with numerous local and national honors. She was awarded the Centennial Education Medal by John Carroll University; named as Cleveland's 100 Most Influential Women; and, she was honored by the National Institute of Women with the Today's Woman of the Year Award.

Madam Speaker, please join me in honor and recognition of Sister Catherine Pinkerton, whose faith in action continues to give a voice to the silent, strength to the weak, and power to the powerless—thereby making our Cleveland community, our Nation, and our world, a better place.

TRIBUTE TO CAPTAIN JOSEPH McCLAIN

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SKELTON. Madam Speaker, let me take this means to recognize and congratulate an outstanding Naval Officer, Captain Joseph McClain, for the successful completion of 29 years of distinguished Naval service, culminating with his position as the Director of the U.S. House of Representatives Liaison Office in the Department of the Navy's Office of Legislative Affairs. I am honored to commend Captain McClain's achievements and recognize his devotion to our great Nation.

A 1982 graduate of the United States Naval Academy, Captain McClain earned his wings in 1983 and was designated a Naval Flight Officer. He has sailed around the world flying the S–3 Viking and has served in four squadrons aboard four different aircraft carriers.

Captain McClain served as the Executive Officer and Commanding Officer of the Blue Wolves of VS–35. During this tour, he adeptly led his squadron on two successful deployments aboard USS *Abraham Lincoln* (CVN 72). Under his leadership, the Blue Wolves were awarded the Battle ''E'' for operational excellence within the Air Wing, the Golden Wrench for maintenance superiority, and the Pacific Fleet Retention Award. He later returned to command Sea Control Wing Atlantic, again displaying inspirational leadership for thousands of sailors and skillfully leading the Viking community through a majority of its Sundown.

In his final assignment, Captain McClain stood honorably in the shoes of every sailor worldwide as he advocated on their behalf and ensured the continued success of the Navy.

Captain McClain retires after 29 years of honorable service to this Nation. His professional success would not have been possible without the steadfast support of his wife, Deanna; sons, Joshua and Jeremy; and daughter, Allison. Their shared sacrifice is a credit to their personal character.

Madam Speaker, I wish Captain McClain continued success and fulfillment as he transitions to civilian life after nearly three decades of service. I trust my fellow members of the House will join me in saluting this outstanding Naval Officer.

HONORING RECIPIENTS OF 2010 THIRD DISTRICT EXCELLENCE IN ECONOMIC DEVELOPMENT AWARD

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SMITH of Nebraska. Madam Speaker, I rise today to honor eleven individuals, organizations and businesses from Nebraska for receiving the 2010 Third District Excellence in Economic Development Award.

Nebraska, like many rural states, unfortunately has seen a ''brain drain'' in recent years and, now more than ever, needs entrepreneurs and innovators.

In June, I called for nominations for individuals, businesses, and organizations which have helped strengthen Nebraska communities. These entrepreneurs do more than just build successful businesses. They host charity events, serve on local chambers of commerce, and shape the character of our towns and cities.

The nominations came from many different people, from teenagers starting their own business to leaders in the business communities. All of the nominees have shown they are striving to help their home towns succeed into the future.

Hartelco (Hartington): This firm has contributed significant economic growth and business retention in rural Nebraska by supplying state-of-the-art telecommunications infrastructure, including plans for all businesses and residents to be connected to fiber optics. The company recently completed a $1.5 million dollar office building and donates manpower, equipment, and time to community projects.

Ward Laboratories, Inc. (Kearney): This company provides agricultural testing of soil, plant, and fertilizer samples which lead to more informed land management practices. The company, through principles based on science, has contributed to the economic advancement of many rural areas in Nebraska.

Green Revolution Handbags (Albion): Lauren Bygland, a Boone Central High School senior, produces fashionable purses made of recyclable materials—including film strips, rice bags, and playing cards. She will continue her earth-friendly design business while majoring in business in college.

Don Freeman (York): Don Freeman has followed his family tradition of community service for over 50 years, both as a business owner and by serving on many community boards. He has contributed to job creation through expansion of his own company, and by supporting the economic development efforts of the region.

Tracee Ford/Stacey Adamson (Cody/Kilgore): These two teachers worked with students to secure grant funding, along with community contributions to start a student business incubator, including a student-run and community-owned grocery store. The project has revitalized the area and serves as an example of education in entrepreneurship bringing economic opportunities to rural areas.

Sandhills Country Door Café and Coffee House (Mullen): Tim and Jennifer Macke have offered locals a place to get home cooked meals, specialty drinks, computer repairs, and local greeting cards—as well as providing a space for locals to gather to mark a special occasion. The efforts of this couple in providing essential community services contribute to sustaining the community.

Barb Sprague (Red Cloud): Barb has given selflessly to the Red Cloud community through public service, school involvement, and faith-based events. She has recently initiated a leadership group in Red Cloud which has resulted in receiving grant funding to promote business development in the community.

Heartland Shooting Park (Grand Island): Created primarily through private donations and thousands of volunteer hours, this city-operated shooting park has been the site of several national competitive events, including the U.S. Practical Shooting Area 3 Championships and the National 4–H Invitational, bringing hundreds of visitors to the region.

Apogee Retail, LLC (Columbus): Apogee employees conduct outbound phone calls on behalf of various charities requesting donations of household and clothing items. The Columbus facility employs more than 600 area residents and has been recognized for hiring and training employees with disabilities.

Thompson Wildcat Trailers (Albion): Curtis Thompson, a junior at Boone Central High School, designs, builds, and modifies custom trailers. He has utilized his skills in welding and wiring to start his business. Following graduation, he plans to expand his business through continued training in diesel mechanics.

I am proud to be able to recognize all of the honorees today and I thank them for their service to Nebraska.

PERSONAL EXPLANATION

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Ms. NORTON. Madam Speaker, on September 16, 2010, I was not able to be present for votes on amendments to H.R. 4785, the Rural Energy Savings Program Act. Had I been present, I would have voted ''aye'' on Rollcall No. 529.

IN HONOR AND REMEMBRANCE OF DONALD LEE BEAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of Mr. Donald Lee Bean, a devoted husband, father and friend. His life reflected his love for family and friends and an unwavering dedication to journalism.

Mr. Bean grew up in Northfield as one of five boys. He served for four years in the U.S. Air Force, and then he enrolled at Kent State University, where he graduated in 1954. He worked for several Cleveland news outlets, including the Cleveland Press, Cleveland News and a number of radio stations before joining the Plain Dealer in 1961. As a reporter for the 'PD,' Mr. Bean covered all sections of the paper, including crime, City Hall happenings, courts, feature articles, general assignments and obituaries. He also held the title of Assistant City Editor and for decades was deeply connected to the inner circles within Cleveland's political and social scenes. Thanks to his experience and knowledge, Mr. Bean was the reporter who uncovered stories that no one else could break.

Mr. Bean was a colorful character known for his humor, wit and kindness. He was also known as a great mentor and friend to colleagues. Mr. Bean covered the major stories that helped shape the history of Cleveland, including the Hough and Glenville Riots and the Dr. Sam Sheppard murder trial. Mr. Bean was relentless in his pursuit of the truth; his reporting consistently demonstrated honesty, integrity and fairness. In 1983, he selflessly shared his own personal struggles with alcohol in a piece he wrote for the Plain Dealer, giving hope and inspiration to countless readers. He was also a lifelong blood donor.

Madam Speaker and colleagues, please join me in honor and remembrance of Mr. Donald Lee Bean. I offer my condolences to his wife, Olga; to his daughter, Nadine; to his sons, Matthew and Scott; to his six granddaughters and one great-granddaughter; and to his many extended family members and numerous friends. Mr. Bean lived his life with a generous heart and love for family and friends. He will always be remembered by those who knew and loved him, and I count myself as one those who loved him.

HONORING MARTY DICKENS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mrs. BLACKBURN. Madam Speaker, I rise today to honor Marty Dickens on his receiving the Joe and Honey Rodgers Leadership Award. Named for Honey and the late Joe Rodgers, former United States Ambassador to France, it is fitting this award honor Marty Dickens. From hosting international students, to leading major corporations, to serving on local boards, Dickens shares the drive and example set forth by Ambassador Rodgers.

Following the vision of evangelist Billy Graham, the Operation Andrew Group was launched to meet the spiritual and social needs of Middle Tennessee. Bringing together 250 churches, from a broad spectrum of Christian faiths, the Operation Andrew Group seeks to unify faith-based organizations to act as the catalyst for change. Operation Andrew Group's first major outreach project, The Gathering, attracted over 8,000 attendees in joint worship and praise. Similar events are held annually to focus the faithful of Middle Tennessee on the mission of the Almighty.

I appreciate all the churches, businesses, and civic agencies who from their offerings meet the changing needs of growing community. I also appreciate Marty Dickens for his dedication to Nashville and the surrounding community. I ask my colleagues to join me in thanking Marty Dickens for his outstanding leadership, commitment to character, and consistency in living the Christian faith.

CELEBRATING THE 25TH ANNIVERSARY OF THE PRIDE FOUNDATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. McDERMOTT. Madam Speaker, I rise today to offer special recognition of the Pride Foundation on the occasion of its 25th anniversary. Since 1985, the Pride Foundation, through creation and administration of a vibrant lesbian, gay, bisexual, transgender (LGBT) charitable legacy, has helped to unify and to strengthen the Northwest LGBT and allied communities.

In 1985, nonprofit organizations serving the needs of the LGBT community were rare. Those that did exist struggled for financial stability while also facing daunting challenges, not the least of which was the emergence of HIV/AIDS. At that time, no scholarships existed to help LGBT students pursue higher education. To address these challenges, a small group of concerned citizens founded the LGBT community's own philanthropic organization. The Pride Foundation created an endowment that would be prudently managed and professionally administered—a place where the LGBT community and its supporters could confidently contribute knowing full well that their donations would not only be used in accordance with the donor's wishes, but would also leave an enduring legacy for future generations.

In 1987, the Pride Foundation awarded its first organization grants, totaling $7,654. Today, the Foundation grants hundreds of thousands of dollars every year. In 1993, the Pride Foundation started its scholarship program, giving $3,680 the first year. Since then, the program has become one of the nation's largest LGBT scholarship funds. To date, the Pride Foundation has raised and invested more than $8 million in hundreds of nonprofit organizations and individual students. In recent years, the Pride Foundation has broadened its reach beyond Seattle to the entire State of Washington as well as to Alaska, Idaho, Montana, and Oregon.

The Pride Foundation has enriched tens of thousands of lives, and has touched those who give and those who receive. It has sustained countless students, strengthened many valued non-profit organizations, and helped to improve the quality of life in the Pacific Northwest. Today, I rise to offer my thanks and congratulations to the Pride Foundation for 25 years of inspiring work and a legacy that will impact generations to come.

PERSONAL EXPLANATION

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. PUTNAM. Madam Speaker, the week of Tuesday, September 14, 2010, through Thursday, September 16, 2010, I was not present for thirteen recorded votes. Had I been present, I would have voted the following way: Roll No. 519—"yea," Roll No. 520—"yea," Roll No. 521—"yea," Roll No. 522—"yea," Roll No. 523—"yea," Roll No. 524—"yea," Roll No. 525—"yea," Roll No. 526—"nay," Roll No. 527—"nay," Roll No. 528—"yea," Roll No. 529—"yea," Roll No. 530—"nay," Roll No. 531—"yea."

CONGRATULATING SAHIL KHETPAL ON 2010 DAVIDSON FELLOWSHIP

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, it is my privilege to congratulate Sahil Khetpal, 17, of Plano, Texas on being named a 2010 Davidson Fellow by the Davidson Institute for Talent Development.

Davidson Fellowships, offered by the Institute since 2001, are honors given to only the very best of America's very brightest. As one of just 20 young people to receive the designation this year, Sahil Khetpal certainly fits that distinguished category.

He is a recent graduate of the Texas Academy of Mathematics and Science (TAMS), an advanced program for high school students offered through the University of North Texas. During his time at TAMS, Sahil took the specialized, college-level coursework necessary to fuel his Davidson Research Project, "Carbon Nanotubes as a Cancer Drug Delivery System."

In his project, which was motivated by the tough experience of watching several family members fight cancer, Sahil developed a nanotube based drug-delivery system that can be used for both chemotherapy and phototherapy of cancer. His innovative system has the potential to treat cancerous tumors more efficiently and effectively with fewer side-effects, and it could even allow for earlier diagnosis in some cases. In short, this outstanding young man's work will likely save lives.

Using his talent and voice to help others is not a new concept for Sahil. In the midst of a strenuous coursework and research load, he made time to co-found and serve as copresident of the local branch of Invisible Children, an organization that raises awareness of the conflict taking place in Northern Uganda.

Sahil is currently continuing his higher education at the University of Pennsylvania where he is a double-major in business and chemical engineering. This incredibly talented, hard-working young man is an exceptional representative of Texas' Third Congressional District, and it is my distinct honor to enter his accomplishment into the CONGRESSIONAL RECORD for posterity.

To Sahil Khetpal, 2010 Davidson Fellow, congratulations and God bless you!

HONORING WILLARD MORRISSEY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SHUSTER. Madam Speaker, I rise today to honor Willard Morrissey, recipient of the HEALTHSOUTH Personal Achievement Award for his unparalleled strength and exceptional perseverance. On January 25th, Mr. Morrissey was involved in a traumatic accident in Altoona, Pennsylvania while operating a cardboard crusher. He was flown by medical helicopter to Penn State Milton S. Hershey Medical Center, and immediately underwent surgery, which resulted in the amputation of both legs. Will has made an amazing recovery and is now ambulating with bilateral prosthesis and no assistive device.

Will's perseverance and determination throughout his path to recovery has served as an inspiration to us all. Staff and patients of The HealthSouth Rehabilitation Center were moved to tears when Will proudly walked through the halls with his new sneakers that he proudly wore.

Will has risen above adversity and lifted himself to a stature that we should all emulate in our daily lives. I would like to wish Willard the best of luck in his path to recovery. I know that my words reflect the feelings of all citizens of our nation when I say that Willard Morrissey is an inspiration to us all.

IN HONOR AND REMEMBRANCE OF JAMES M. ANDREWS, SR.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of James M. Andrews, Sr., a loving husband, father, grandfather, veteran and protector of the people of the City of Cleveland as a firefighter for thirty years.

Mr. Andrews joined the Cleveland Fire Department on July 1, 1960. He was committed to the safety and wellbeing of Cleveland residents as well as his fellow firefighters. He was a thirty-year member of the Cleveland Firefighters Union, Local 93 and served on the Executive Board from 1970 to 1990. He served as Secretary from 1970 to 1979, as President from 1980 to 1989 and was named President Emeritus in 1990.

In addition to his devotion to serving our community, Mr. Andrews' devotion to family was unconditional. He was the beloved husband of Joan and loving father of Anne, James Jr., Katherine, Joseph and Ellen. He was the cherished grandfather of Jennifer, Elizabeth, Emily, Mary, James III, Angela, Claire, Joseph and Nicholas and father-in-law of Terrance, Mary Brigid, Robert and Stephen. He was also the beloved brother of Sister Mary Ann and uncle, friend and mentor to many.

Madam Speaker and colleagues, please join me in honor and remembrance of firefighter James M. Andrews, Sr. Mr. Andrews served our community and our nation with commitment and excellence. Mr. Andrews lived his

life with great love and devotion to his family and his service has made our community a better place for all residents.

RECOGNITION OF WILLIE WATSON FOR HIS SERVICE TO COUNTRY AND COMMUNITY

HON. MARY JO KILROY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Ms. KILROY. Madam Speaker, I rise today to honor Willie Watson who is a great community member, a proud father, and a patriot. In our country's time of need, Mr. Watson bravely and fearlessly enlisted to serve in the military and became a member of one of the most inspiring and decorated Air Force squadrons of our time, the Tuskegee Airmen. Despite racism and bigotry in the country, Mr. Watson and his fellow airmen selflessly devoted themselves to fight for our nation.

Mr. Watson served as a Service Master for over twenty years. During WWII, Mr. Watson was sent into battle for one of the most harrowing and brave missions: to life-flight wounded soldiers off the battlefield. He performed these duties faithfully and honorably and after 20 years of work, retired from service.

As a young man, Mr. Watson and his fellow airmen became America's first African-American military airmen. These brave young men enlisted or joined from all over the country and trained to become fighter pilots, mechanics, engineers, intelligence analysts, and parachute riggers, among many other specialties. From 1941 to 1946, nearly 1,000 pilots graduated from the Tuskegee Air Force School, and four hundred fifty of them served overseas. These fighters had many accomplishments including flying over 15,000 sorties into enemy territory, accomplishing a nearly perfect record for not losing U.S. bombers, and destroying 112 German airplanes.

These men not only faced a war abroad, but also challenges at home because of segregation and racism. Their struggle eventually contributed to the desegregation of American society and their patriotism was rewarded with several honors, most notably on March 27, 2007, when the Tuskegee Airmen received the Congressional Medal of Honor.

On September 23, 2010, a ceremony will be held to honor Mr. Watson's incredible life. His dedication and service inspired a generation, and I am proud to recognize Willie Watson, whose service to our country in its time of need will never be forgotten.

HONORING MARINE 1ST LT. SCOTT FLEMING

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. PRICE of Georgia. Madam Speaker, I rise in honor of 1st Marine Lt. Scott Fleming who gave his life September 17, 2010, while supporting combat operations in the Helmand Province of Afghanistan. His unit was conducting pre-election security operations when he was struck by enemy small arms fire.

Scott Fleming was a sophomore at Blessed Trinity High School in Roswell, GA on September 11, 2001. It was those attacks that led him to the decision to join the Marines. He began his training just two weeks after graduating from LaGrange College with a degree in Education.

1st LT. Fleming will be buried at Arlington National Cemetery with full military honors. He is survived by his father, Joseph and mother, Joanne; wife, Brandi; and sister, Andrea.

Madam Speaker, it is with the greatest respect and admiration that we honor 1st Lt. Fleming's sacrifice on behalf of our nation. He is a hero to his countrymen, his family, and his fellow Marines. He reminds us that America is blessed to have so many young men and women willing to stand up and fight to preserve our precious freedoms. Our thoughts and prayers are with his family and all our military families, whose selfless dedication to this Nation is an inspiration to us all.

MILITARY APPRECIATION DAY REMARKS BY LTG ROBERT L. CASLEN, JR.

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SKELTON. Madam Speaker, on August 15, 2010, LTG Robert L. Caslen, Jr. spoke at the Missouri State Fair in Sedalia, Missouri, regarding Military Appreciation Day. His remarks are set forth below.

MISSOURI STATE FAIR—MILITARY APPRECIATION DAY—LTG ROBERT L. CASLEN, JR.—MISSOURI STATE FAIRGROUNDS, SEDALIA, MO—15 AUGUST 2010

Good afternoon. Thank you for that kind introduction. It is always great to visit the Show-Me State and Sedalia. It gives me an excuse to stop by the ''Wheel Drive-in'' and get myself a ''Goober Burger''. I want to thank Governor Nixon and Congressman Skelton for their inspiring words and presence here today as we honor our Military Heroes past and present. I am truly honored and humbled to be asked to speak with you today on such a momentous occasion for our Nation's military.

One of our Nation's defining Presidents, Abraham Lincoln, once said, ''Let us have faith that right makes might, and . . . dare to do our duty as we understand it.''

These words epitomize our military's ethical charter, extended to us by the American people, and defined by the ideals and precepts of our Constitution. As we enter our 9th year of continuous war, our Nation faces an uncertain future—a future that will most certainly require the service and continued sacrifice of our Nation's military men and women. As our Nation and its military embark into this uncertain future, we must ever be mindful of President Lincoln's words—to solemnly do our moral duty and earnestly hope that 'right makes might'.

As Americans, we are a people defined by our moral character. Indeed, many of our forefathers came here in order to flee religious persecution in their native lands. These immigrants, from the Pilgrims to the Quakers to the Mennonites, boldly forged out new lives for themselves in the frontiers of America. Many of Missouri's early pioneers were just such people.

Our forefathers' hard work, perseverance and strong moral ethic helped shape our country's beginnings and define our Nation's character. Our Founding Fathers were in many cases, men such as these—men of substance—whose character was born out of sacrifice and moral conviction. They understood and rejected the yoke of oppression—they knew full well the heavy price that must be paid to earn and maintain their freedom. Their vision enabled the creation of a radically new concept in the world—a nation, governed by and subservient to its people, committed to the ideals of freedom, equality, and justice for all. The ultimate manifestation of our forefathers' ideals can be seen in the instrument that established the American experiment in freedom: our Nation's Constitution.

The pure genius of the U.S. Constitution still evokes awe in us today. Apart from the freedoms extended to us in its Bill of Rights, the Constitution also serves as the source document from which we derive our military's authorities. The governmental roadmap established by the Constitution clearly delineates the military's subservient role to the people and civilian authority of the military. Indeed, the Constitution establishes a client relationship between the military and the citizens of this Nation. Our client status requires us to maintain a healthy and confidence-inspiring relationship with our bosses. Trust is, and always has been, the cornerstone of this relationship. Said another way, it is incumbent on all of us in uniform to earn your trust and then to maintain it.

We in the Army know all too well the heavy price that must be paid for failing to maintain the trust of the people.

In the aftermath of our Nation's last persistent conflict, Vietnam, our Army faced a crisis of trust. Our relationship with the American people had been strained and as an institution, it required us to become introspective and examine all facets of what defined us ethically as a profession. And as a result, we enacted sweeping internal reforms and reinforced our Professional Military Ethic in our professional military education. But this took time and it was only after many years of demonstrated adherence to our Nation's principles and values that we were able to restore the trust of the American people.

I would offer that the key ingredient that makes this difference is leadership. Leadership grounded in the principles of a Professional Ethic—whose foundation can be found in the ideals and precepts of our Constitution.

Our leaders today at every level of the Army face extraordinarily complex and uncertain situations on a daily basis. Confronted by these unique and taxing circumstances, influenced by character, values, and a collective ethic, our leaders invariably will strive to make the right decisions, and thus preserve the trust we must maintain with the clients whom we serve.

But it is not easy and this has not always been the case. Take Abu Ghraib for example—where we saw a failure of leadership result not only in a loss of confidence, but in the rallying of extremist Islam to join the Jihad. Fortunately this leadership failure was countered by the great work of many other leaders over a number of years.

Our Nation's military is a reflection of you—the people of the United States. Our military is an all volunteer force, comprised of citizens from all walks of life throughout our country. We are a microcosm of our society—where all our country's races, religions, and creeds—equally share in the task of defending our Nation and its Constitution. Consequently, our military's character and ethic is a reflection of your own. We stand for the principles and values that you and

our Nation hold dear. We are always mindful that our actions and undertakings should, at all times, reflect this fact. Our all-volunteer military is comprised of your neighbors, friends, and relatives, who have answered America's call to service during a time of war.

I would like to tell you the story of one such American that answered America's call to service during war:

Rick Rescorla was not born of this country. He came to this country from his native England in 1963, and entered the United States Army shortly thereafter. His natural leadership abilities were identified early on. Having graduated from Basic Training, Rick was selected to attend Officer Candidate School and Airborne training at Fort Benning, Georgia. Upon graduation Rick was assigned to 2d Battalion, 7th Cavalry Regiment, 1st Cavalry Division. It was here that he would learn lasting lessons in service and sacrifice.

In November 1965 a young 2LT Rick Rescorla found himself leading his men during America's first major battle of the Vietnam War, the Battle of Ia Drang. The battle was a vicious, guttural affair, and was vividly described by the commanding officer of the battle, LTC Hal Moore, and war correspondent Joe Galloway in their book, We Were Soldiers Once . . . and Young.

In the book, Moore described Rescorla as ''the best platoon leader I ever saw.'' Rescorla's men nicknamed him ''Hard Core'' for his bravery in battle, and revered him for his good humor and compassion towards his men.

Shortly after the Battle of Ia Drang commenced, Rescorla was ordered to move out to seize the high ground surrounding the landing zone. He immediately led his platoon forward through the brush towards an enemy that they knew was lying in wait. As he did this, his image was captured by a combat cameraman—this iconic photograph adorns the cover of Moore and Galloway's book. In the picture, his face muscles are taut and eyes wide under the brow of his helmet. His eyes look almost white because they are open so wide . . . intense anxiety is plainly evident in LT Rescorla's face. He is very clearly afraid . . . afraid that his life may be snuffed out at any moment, yet he moves with his M–16 at the ready, clenched firmly in his hands, its bayonet fixed—a Soldier dutifully doing what is asked of him despite the danger.

The picture—captured in a moment of desperation and sheer terror—is a powerful image of a Soldier doing his duty in combat. It's quite probable that LT Rescorla didn't really know why it was necessary to move his platoon forward and take the high ground, but he felt a compelling responsibility both to his fellow Soldiers and unit to do his duty. Rescorla did his duty that day earning a Silver Star for his valor. Yet, this was not the last time that his nation would require his service and his ultimate sacrifice.

The final chapter of the Rick Rescorla story is even more moving. On September 11, 2001, Rick was serving as Vice President of Security for Morgan Stanley Dean Witter in its headquarters in the South Tower of the World Trade Center in New York City. After the building was struck on that fateful morning, Rescorla calmly and expertly directed over 2700 employees to safety down the fire escape stair wells of the South Tower. Rescorla also oversaw the evacuation of another 1000 employees from the World Trade Building #5. When an old Army buddy, Dan Hill, reached him on the phone that day, Rescorla could be heard barking orders calmly and collectedly through a bullhorn. He exhorted his fellow employees to ''be proud to be Americans . . . everyone will be talking about you tomorrow.''

After the last of the employees had evacuated the South Tower, he took his security team back into the building to make a final sweep to ensure everyone had escaped safely. When one of his colleagues urged him to evacuate as well, Rescorla replied, ''As soon as I make sure everyone else is out.'' He was last seen alive on the tenth floor, moving towards danger much in the same way he had done 36 years prior at the Battle of Ia Drang. Rick Rescorla certainly knew the mortal danger he faced, yet did his duty for his fellow man.

Rick Rescorla was not the last hero to die in our Nation's Global War on Terror. His actions along with hundreds of others that momentous day sparked a renewed era of sacrifice and service in our country.

Many in this country do not yet fully realize the incredible value and impact that this 9/11 generation is having, and will continue to have, on our society—for they are a humble, resilient and selfless generation. They all remember exactly where they were 9 years ago when the planes went into the World Trade Center, and into the field in PA, and into the Pentagon. They are volunteers all of them, and our Country has placed the security of our Nation on their backs, again, and again, and again. And yet despite the repeated sacrifices, they have answered the call to duty each time, and stood in the gap between the evil that is out there and our way of life. They have never wavered or questioned. They quietly stand among the generations of Americans that have gone before, standing in the gap between the evil that is out there, and the values of our Nation and our way of life.

I have no doubts that history will gloriously record their service and sacrifice, for it has protected the free world from tyranny and evil, and has restored freedom and inspired hope where it was absent. As was the case with our forefathers, they do not seek exclusion and intolerance and violence, but rather they seek moderation, and tolerance, and inclusion. They protect, defend, and advocate for the downtrodden and defenseless. They are indeed a reflection of you—the American people.

In closing, I ask that we all remember those service members who have paid the ultimate sacrifice in defense of our Nation. We are forever indebted to them for their service and sacrifice.

May we also remember those that are, at this very moment, standing watch for us around the globe in the name of freedom and democracy.

God bless the great state of Missouri.

May God bless and protect our Service members in harm's way, as well as their families back home.

And may God continue to bless the United States of America.

Army Strong.

CONGRATULATING SAINT CECELIA INTERPAROCHIAL CATHOLIC SCHOOL

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. BILIRAKIS. Madam Speaker, I rise today to congratulate Saint Cecelia Interparochial Catholic School for receiving the Department of Education's esteemed designation of a 2010 National Blue Ribbon School.

Founded in 1948 with only 60 students meeting in the renovated Saint Cecelia Church rectory, today it is a hallmark of superior education for nearly 500 students. In conjunction with their mission of providing a strong spiritual and academic foundation, the highly educated teaching population at Saint Cecelia Interparochial School inspire students to achieve at a high level as they undertake core instruction in religion, math, language arts, science, and social science with further enrichment offered through courses in the fine arts, language, and technology, as well as clubs, ministries and service projects.

It is no small feat for a school to receive the distinguished honor of the Blue Ribbon Award. In fact, Saint Cecelia Interparocial Catholic School was one of just 50 private schools throughout the nation to receive this distinction. Their effective school leadership and approach to education has led to a culture of excellence and a population of high performing students.

As Saint Cecelia's proudly raises the Blue Ribbon flag on its campus, may those in our community and across the nation be reminded of the good work done there each day to improve the quality of life for every child passing through and look to this school as a model of exemplary educational practices.

HONORING LEWISTON-ALTURA ELEMENTARY SCHOOL

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. WALZ. Madam Speaker, I rise today to recognize the accomplishments of Lewiston-Altura Elementary School in Lewiston, Minnesota.

Last week, Lewiston-Altura Elementary School was named one of two schools from the First District of Minnesota to be designated as a 2010 National Blue Ribbon School.

This award recognizes exemplary schools like Lewiston-Altura Elementary where students have made significant progress and the gaps in achievement, especially among disadvantaged and minority students, have decreased. Schools that receive this award truly exemplify the belief that every child has promise and must receive a high-quality education.

As a teacher on leave from Mankato West, I know that achieving success for all students takes a commitment from the entire school, from the principal to the counselors to the teachers. When students see every adult in their school dedicated to their success and achieving a higher goal, they are motivated to do their best.

This is exactly what Lewiston-Altura Elementary has done for its students. Under the leadership of Principal David Riebel, they have focused on building relationships with every student, identifying struggling students early and setting high standards for achievement.

This award recognizes what the Lewiston-Altura community already knows—Lewiston-Altura Elementary is a place where every student, no matter their background, can fulfill their potential. Lewiston-Altura Elementary is an outstanding model of achievement for schools across Minnesota and the country.

Madam Speaker, please join me in honoring Lewiston-Altura Elementary School for its dedication to the students of Lewiston.

HONORING LANCE CORPORAL JEFFREY COLE, USMC

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. PRICE of Georgia. Madam Speaker, today I ask the House to recognize the service and sacrifice of Lance Corporal Jeffrey Cole, a Marine from Woodstock, Georgia. Although just twenty years old, this young man has already earned a place in the ranks of America's beloved veterans.

Growing up, Jeffrey Cole saw the examples of his family members who had served in the Army and Air Force. So it is no surprise that while attending Woodstock High School in Georgia's Sixth District, he prepared for his own military service as a member of the school's JROTC unit. After graduation in 2009, Cole became the first member of his family to enlist in the United States Marine Corps, where he attained the rank of Lance Corporal.

This past July, duty called. Lance Corporal Cole said goodbye to friends, family, and his young wife Brandi and deployed to Afghanistan. Just a month later, his unit was ambushed while on patrol and came under heavy fire. During this attack, Cole was hit six times—twice in the front, once in the back, once on his side, and twice in his left arm. Although Cole's flak jacket thankfully stopped the rounds to his front and back, severe nerve damage and a severed artery have left him with almost no feeling in his arm.

Lance Corporal Cole has now undergone several surgeries to repair his arm, although only time will tell if he will ever regain its use. Yet despite these wounds, his main concern is about his fellow soldiers still in harm's way. It cannot be said strongly enough—this young man has earned the thanks, admiration, and respect of every single American.

Choosing to don the uniform of this country is one of the most selfless and honorable decisions an American can make. Jeffrey Cole could have taken many paths in life, but he chose to join our military and give back to the country that he loves. It is because of the service and sacrifices made by him and his fellow service members and veterans that Americans can live free of the oppression and terror experienced by so many around the world today.

Lance Corporal Cole will soon return to his family and friends in Woodstock, where the Legionnaires of American Legion Post 316 will live up to their motto as veterans ''Still Serving America'' by hosting our whole community in giving Jeffrey the heartfelt welcome and ''Thank You'' he deserves. He has carried out his duty with courage and commitment, and it is my distinct honor to welcome him back home.

May God Bless Lance Corporal Jeffrey Cole, our troops still on the front lines, and all our veterans for their countless sacrifices in defense of this great nation.

SOUTH ALABAMA HONOR FLIGHT FOUR ARRIVES IN WASHINGTON, DC

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. BONNER. Madam Speaker, it is with great pride that I recognize Honor Flight South Alabama and the World War II veterans this very special organization is bringing on its fourth flight to Washington, DC on September 22, 2010.

Founded by the South Alabama Veterans Council, Honor Flight South Alabama is an organization whose mission is to fly heroes from southwest Alabama to see their national memorial.

Over six decades have passed since the end of World War II and, regrettably, it took nearly this long to complete work on the memorial that honors the spirit and sacrifice of the 16 million who served in the U.S. Armed Forces and the more than 400,000 who died. Sadly, many veterans did not live long enough to hear their country say ''thank you,'' yet for those veterans still living, Honor Flight provides for many their first—and perhaps only—opportunity to see the National World War II Memorial, which honors their service and sacrifice.

This Honor Flight begins at dawn when the veterans will gather at historic Fort Whiting in Mobile and travel to Mobile Regional Airport to board a chartered flight to Washington. During their time in their Nation's capital, the veterans will visit the World War II Memorial, Arlington National Cemetery, and other memorials.

The veterans will return to Mobile Regional Airport that evening, where some 1,000 people are expected to greet them.

Madam Speaker, the September 22 journey of heroes from South Alabama is an appropriate time for us to pause and thank them—and all of the soldiers who fought in World War II—for they collectively—and literally—saved the world. They personify the very best America has to offer, and I urge my colleagues to take a moment to pay tribute to their selfless devotion to our country and the freedoms we enjoy.

I salute each of the veterans who made the trip to Washington. May we never forget their valiant deeds and tremendous sacrifices: Victor Adams, Edward Adler, William Barnes, James Botts, Shelby Brooks, Ollen Burnette, Jr., Marion Bush, Edward Case, Robert Chapman, William Chavis, John Coulter, Leon Davidson, Gerald Davidson, Henry Day, William Day, John Duncan, James Duncan, Jr., Joseph Duteil, Jr., Julius Eardley, James Early, Robert Engel, Claudie Feagin, Jr., Osburn Flener, Joseph Garner, John Garrard, Jr., Thomas Grace, Samuel Graham, Francis Gregory, Daniel Gunther, Joe Harper, Roy Harris, James Hathcock, Jr., William Heard, Jr., Robert Hensel, James Holloway, Charles Holloway, William Hooper, Vinson Huegele, William Isbell, Henry Jackson, Elystan Jeffreys, Jack Jones, Roy Le Drew, Lawrence Lockhart, John Loper, Reginald Loper, John Luker, Percy Maynord, James McDonough, Jr., T. McIntyre, George McPherson, John Medynski, Richard Meyers, William Morris, Charles Murphy, John Nichols, Dwayne Nickerson, Robert Nicks, Chester Noble, Orin Parker, Jr., Helen Pearson, Robert Philips, Walter Prodouz, Harry Read, Nelson Richardson, Thomas Robinson, Leonard Rose, John Rouse, Columbus Sanders, Jr., Robert P. Scott, Robert T. Scott, William Simpson, Jr., John Sims, Anthony Skivo, Jr., Norman Snyder, Cecil Sossaman, Sr., Thomas Southall, Floyd Stahl, Bernie Steele, Lloyd Stennett, Harold Stevens, Sr., William Summersgill, Cecil Tanner, Albert Thompson, Frank Tindall, Roger Turnquist, James VanDevender, Lambert Waltman, Orville Wenzel, Sr., Clarence Wheeler, David Whitten, Thomas Wilson, Robert Wilson, Sr., Harold Winger, and Keith Winkler.

IN RECOGNITION OF THE GRAND OPENING OF THE FISHER HOUSE OF THE EMERALD COAST

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. MILLER of Florida. Madam Speaker, I rise to recognize the Fisher House of the Emerald Coast and the courageous men and women of Northwest Florida who have answered the nation's call to defend our freedom and way of life.

Founded in 1990 by Zachary and Elizabeth Fisher, the Fisher House Foundation has helped open the doors at 48 locations, which serve as a home away from home for our nation's hospitalized military personnel, veterans, and their families. The Fisher House of the Emerald Coast joins 20 years of dedicated service to the mission of continually improving the quality of life for our servicemembers.

Our military is the best in the world due to the selfless sacrifice of the men and women of the Armed Forces and their families. So much is asked of them, and the Fisher House seeks to extend a helping hand and grateful heart when needed most. By providing housing for wounded servicemembers and their families at no cost, the Fisher House Foundation enables family members to be close to a loved one during their treatment.

Madam Speaker, we owe a debt of gratitude to our Armed Forces' courageous members and families; to that end, I applaud the Fisher House for their continued support of our wounded warriors. On behalf of the United States Congress, I commend the community members of Northwest Florida who have worked tirelessly to make the opening of the Fisher House of the Emerald Coast a reality.

RECOGNIZING JAMIE KONSTAS, RECIPIENT OF THE SERVICE TO AMERICA MEDALS, JUSTICE AND LAW ENFORCEMENT MEDAL

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise to recognize FBI Intelligence Analyst Jamie Konstas for receiving a Service to America Medal for Justice and Law Enforcement.

As a leader of the national initiative to combat the exploitation of children through prostitution, Ms. Konstas works with the Innocence

Lost National Initiative, combining resources from the Department of Justice and the National Center for Missing and Exploited Children. She is responsible for the development and implementation of a new database that is assisting authorities in identifying victims of prostitution, particularly children, while also collecting and tracking intelligence information in order to build investigations on suspected sex offenders.

A resident of Fairfax, Va., Ms. Konstas considers her work a calling rather than a job. Her commitment has lead to the rescue of more than 1,000 children and the conviction of more than 500 predators, numbers that would not be possible if it were not for her innovative database.

Madam Speaker, I ask my colleagues to join me in recognizing FBI Intelligence Analyst Jamie Konstas for her commitment to protecting our communities and our at risk young people. She is just one example of the tremendous caliber of our federal workforce, and I congratulate her for receiving the Service to America Medal for Justice and Law Enforcement.

100TH ANNIVERSARY OF UNION UNITED CHURCH OF CHRIST

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SCOTT of Virginia. Madam Speaker, I rise today to congratulate an institution in Norfolk, Virginia. On Friday, September 24, 2010, Union United Church of Christ will celebrate its 100th anniversary, and I would like to highlight some moments from the history of the church and its contributions to our community.

Union United's history began in 1908 with a small prayer band made up of new arrivals to Norfolk who found no Christian church in their area. The church formed as Union Christian in 1910 and was organized and led by Rev. J.J. Faulk.

Many pastors served Union Christian faithfully in these early years, including Rev. G.T. Hall from 1929–1930, Rev. R.J. Alston from 1931 to 1934, and Rev. S.A. Howell from 1934 to 1935. Under Rev. Alston, the church was renamed Union Congregational Christian Church.

Rev. Mann assumed the pastorate in 1935 and served the church faithfully until 1951. His leadership saw both milestones and improvements, including the burning of the church's mortgage.

Rev. Z.P. Jenkins served as pastor from 1953 to 1960. During this time the church was renovated, and the church bought a house on Bane Street to serve as a parsonage. It was also during Rev. Jenkins' tenure that nationally the Evangelical and Reformed Church merged with the Congregational Church to form the United Church of Christ.

The church underwent multiple changes under the leadership of its longest serving pastor to date, Rev. Joseph M. Copeland. Arriving in 1960, Rev. Copeland instituted a Deacon Board, and the church became very active in the community. A Citizen's Club, Boy Scout Troop, USDA Share Program, and 4-H Club were all founded under his direction.

Another milestone during the tenure of Rev. Copeland was the relocation of the church. In 1971, the church was forced to move due to redevelopment projects in the city of Norfolk. The present site on Goff Street was purchased, and a new church was built and dedicated in January 1977. Through the dedication of the congregation, the church was able to pay off the mortgage in just 11 years and held a burning ceremony in May 1988. Rev. Copeland retired in 1992 after 32 years of service.

The church continued to make history under seventh pastor, Rev. Anthony Taylor, ordaining its first female deacon. Rev. Taylor served for eight years, leaving in 2000 to serve his country in the U.S. Army. Rev. Copeland returned for a brief period as interim pastor in 2000, at which point Union United made history yet again.

In 2001, Associate Pastor Linda Clark was installed as Union's Pastor, the first female to serve in this post. Under her leadership, Union United re-dedicated itself to the community by establishing after-school tutorial programs and a Narcotics Anonymous program, and doing outreach work with the Norfolk State University School of Social Work. Currently serving under Rev. Clark is her twin sister, Rev. Brenda Brown.

As Union United gathers to celebrate its centennial, the Church can truly remember its past, celebrate its present, and focus on the future with great expectations. I would like to congratulate Rev. Clark, Associate Pastor Brown, Pastor Emeritus Copeland, and all of the members of Union United Church of Christ on the occasion of their 100th anniversary. I wish them 100 more years of dedicated service to the community.

IN RECOGNITION OF THE PASSING OF LEROY BOYD

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the life of Northwest Florida's beloved LeRoy Boyd.

Mr. Boyd is survived by his wife, Jeanne. To his family and friends, I would like to offer my sincere condolences. LeRoy Boyd was a proud resident of Pensacola, Florida. He was a champion of freedom and equality for humankind, whose life was framed by immense courage and an unwavering commitment to social justice. Northwest Florida has suffered a great loss.

Mr. Boyd began his quest for social justice and equality at a young age. Under the leadership of the Reverend H.K. Matthews, Mr. Boyd became President of the National Association for the Advancement of Colored People Youth Council. He also became a founding member of the Escambia County Chapter of the Southern Christian Leadership Conference, and served as President of the Pensacola Chapter of Blacks in Government. LeRoy Boyd's leadership capabilities and willingness to fight for equality in employment was demonstrated when he successfully won a court case allowing many African-Americans and women the opportunity to serve in supervisory positions at the Naval Aviation Depot. His tenacity and perseverance were demonstrated in the mid-1990s when he became the chief warrior in a battle to rename a street in honor of the Reverend Dr. Martin Luther King. Mr. Boyd's steadfast resolve in the face of strong opposition served as a testament to the great accomplishments of Dr. King.

Mr. Boyd's continued commitment to serving the community led him to eventually found Movement for Change, an organization dedicated to increasing knowledge and awareness of community issues affecting the social well-being of the citizens of Northwest Florida. Movement for Change was guided by the belief that the best way to achieve meaningful and lasting unity in our society is through mutual respect for our fellow citizens, including respect for differences. Mr. Boyd's life, and his accomplishments, served as proof of the immense capability of the human spirit to overcome difference and unite for the common good.

Mr. Boyd was recognized by a number of organizations throughout his life. During his youth, he achieved the rank of Eagle Scout. As an adult, Mr. Boyd served as the chairman of many organizations, including the Commanding Officers Advisory Committee for Equal Employment Opportunity and the Martin Luther King, Jr. Special Events Committee. His service and commitment to his community was also acknowledged with myriad awards, including the Martin Luther King, Jr. Award of the Year, the Florida Department of Corrections Servant Leader Award of the Year and the Hugh L. King, Sr. Excellence in Civil Rights Leadership Award.

To some LeRoy Boyd will be remembered as a staunch advocate for civil rights and social justice and to others an example of the inestimable capability of the human spirit to conquer all. He will long be remembered by his family and friends as a loving and compassionate husband and companion; and we will all remember his energy, motivation and commitment to serving his community. His impact on Northwest Florida will forever be remembered.

Madam Speaker, on behalf of the United States Congress, I am proud to honor the life of LeRoy Boyd, and his living legacy.

TRIBUTE TO DENNY JONES

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. WALDEN. Madam Speaker and colleagues, I rise today to share with you my admiration for a man who has deeply affected my life, and the lives of countless Oregonians, Denny Jones. Denny celebrated his 100th birthday yesterday. Denny crossing the century mark is a very special occasion, but more importantly is what he has done with those 100 years. Denny was my father's close friend when they served together in the Oregon legislature in the 1970s. More than a decade later, I had the privilege of serving with him in the Oregon legislature. As House Majority Leader, I frequently sought Denny's advice and counsel and like so many others, relied on his deep sense of right and wrong, his clear commonsense philosophy and his thorough knowledge of water and western agriculture. He is a close friend and mentor, the

kind you want in this public life who will tell you when he thinks you're right and when he is convinced you are wrong. He sets the example for all of us to follow.

Madam Speaker, Denny Jones came from humble beginnings to distinguish himself as a successful Oregon cattle rancher and 26-year state legislator. Denzil Eugene Jones was born on a wheat ranch between Heppner and Ione in Morrow County, Oregon on September 21, 1910. His mother passed away when he was five. Denny's father remarried, but his stepmother made him and his brother sleep outside in a tent, even in the winter. The family moved frequently through the years, as they made their way to Montana, back to Wheeler County, and then on to Crook County, where he finished 10th grade in Prineville.

Honest labor and hard work have marked Denny's life. Learning how to ride horses from his father, he spent a short time as a jockey, traveling by boxcar from Vancouver and Victoria, B.C., to Tijuana, Mexico. But when his 106 pounds exceeded the weight limit, his three-year contract was cut short and he was never paid for the job he did. He then worked for a sheep outfit, moving to Juntura in Malheur County when he was 18. There, he earned $50 a month plus room. After that, ranching became his focus throughout the 1930s. In 1939, his relative, Jim Jones, offered him a 10-year opportunity to share in running a cattle ranch. At the end of those years, he signed over his share of the cattle as a down payment on his ranch. Two years later, Denny owned it free and clear with 400 head of cattle. Life was particularly hard in the 1940s, when he broke his leg and dislocated his knee when he was thrown from a horse. He later broke his back slipping on a frozen cow pie.

Ranch life continued until the 1970s, when the family moved to Ontario, Oregon. One year after the move, the local business community asked him to run for Oregon's 60th District House seat. Denny was elected in 1972, and served for 13 terms, the second-longest serving member of the Oregon Legislature. During those 26 years, he served on the Emergency Board, the Committees on Agriculture, Transportation, and Education, and was co-chair of the Joint Committee on Ways and Means. He brought his own brand of eastern Oregon conservatism to Salem and quickly earned a reputation as a fiscal hawk with a kind heart. The experience he gained as a high desert cattle rancher served him and Oregon taxpayers well.

It was the values he learned in his youth to which he credits his success in the Legislature. ''It's the most important thing that you keep your word and that you're honest with everybody,'' he said.

Madam Speaker, Denny truly has done a lot of good in his 100 years. In addition to serving in the Oregon Legislature, Denny became a charter member of the Public Lands Council; was director, lobbyist, and two-time president of the Oregon Cattlemen's Association; a member of the Benevolent and Protective Order of Elks of the United States of America, and the Freemasons; received the Malheur County Cattleman of the Year Award and was the Malheur County Livestock Association's president; received the Harney County Livestock Association Citizenship Award; received the Ontario Jaycees' Citizenship Award; was president of the Malheur Pioneer Association; was Director of the Pacific International Livestock Exposition; and was a board member of the Malheur County Budget Board, Ontario Chamber of Commerce, the Juntura School District, the Malheur County Juvenile Council, and the Agri-Business Council of Oregon. And, at the age of 97 he was still considered one of the best ropers at Fred Otley's branding.

Colleagues, Denny Jones is loved and revered in his community and in our State. He is the type of individual who understands the potential of this great Nation and has worked tirelessly to build a State and country that lives up to its promise. In celebration of his 100 years, there will be a display honoring Denny and his many accomplishments. Long after the display is gone, Denny's accomplishments and contributions will remain. I am honored to call him my good friend, and invite all of you to join me in honoring his 100th birthday.

RECOGNIZING CORPORAL EVAN S. RINKENBERG, RECIPIENT OF THE PURPLE HEART AWARD

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise to recognize Corporal Evan S. Rinkenberg, recipient of the Purple Heart award.

On June 6th, Cpl. Rinkenberg and his infantry company came under attack from the Taliban after performing security checkpoints in the Helmand province of Afghanistan. While providing cover fire for his company as they fled to safety, Cpl. Rinkenberg was shot by enemy fire in his right hand. Despite his injury, Cpl. Rinkenberg continued to provide cover fire for his fellow soldiers until he looked down; only then did he become aware of his injury.

Now back in the United States, Cpl. Rinkenberg, a native of Woodbridge, VA, has undergone four surgeries to repair the bones and ligaments in his hand in an effort to improve mobility. His lack of dexterity has made even simple tasks, such as maneuvering his infant daughter's pacifier, difficult for him. Cpl. Rinkenberg's future as a Marine remains uncertain as his hand continues to heal. He is faced with a worst case scenario of obtaining a medical release from the Marines, which would provide him with disability pay, something the Corporal identified as the ''only certainty in his now cloudy future.'' Despite his slow recovery, Cpl. Rinkenberg hopes to return to Woodbridge by 2012 where he plans to continue to serve his country as a rifle range instructor at Officer Candidate School in Quantico, Va.

Madam Speaker, I ask that my colleagues join me in recognizing Corporal Evan Rinkenberg for his service to his fellow soldiers and our nation. It is important to recognize the sacrifices that Cpl. Rinkenberg and all of our nation's service members make on a daily basis in order to preserve our freedoms.

CELEBRATING THE 200TH ANNIVERSARY OF ELAM BAPTIST CHURCH

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. SCOTT of Virginia. Madam Speaker, I rise today to congratulate an institution in Charles City County, Virginia. On Friday, September 24, 2010, Elam Baptist Church will celebrate its 200th anniversary, and I would like to highlight some moments from the history of the church and its contributions to our community.

The seeds of Elam Baptist were originally planted prior to 1810, when groups of African-Americans who worshipped at First Church Petersburg (now Gilfield Baptist) would meet together in canoes on the James River, holding prayer services and singing songs of praise. The father of the church, Abram Brown, donated a parcel of land where the first log hut was built and used as both a church and meeting house. The actual construction date has been lost to history, but it is known that the church was standing in 1810. This date leads historians to consider Elam Baptist to be one of the oldest regular organized churches for people of color in Virginia.

The church applied for admission into the Dover Association of churches and received it in 1813, the same year that the Rev. William Clopton was appointed the first pastor of Elam. The Church's congregation was a mix of both slaves and freed African-Americans worshipping together. While this was initially accepted, as tensions in the country grew, most of the slaves were barred by their masters from worshipping at Elam and were carried to Old Mt. Zion church, the first of many churches Elam Baptist was mother to.

Rev. James Clopton succeeded his father William. Rev. James Christian succeeded the second Rev. Clopton from 1850 to 1865. During this time, Church associations required the presence of a white pastor to lead the congregation; however, the majority of the preaching was left to Rev. Christian's black assistant, Rev. James Brown.

After the war, when there was no longer a requirement for a white pastor to lead the congregation, Rev. Samuel Brown, son of the original church father Abram Brown, assumed the pastorate as Elam Baptist's first African American pastor. He served until his death in 1881. Elam Baptist continued to grow, and by its centennial in 1910, under the direction of pastor Rev. Wesley Curl, the church was either directly or indirectly responsible for the establishment of the 12 other colored Baptist churches in Charles City County, and one in neighboring New Kent County.

This growth demanded a new worship house. The original church site became the church cemetery, and the church began erecting a new building at its current location on The Glebe Lane under Rev. John Kemp. Sadly, shortly before construction was slated to be completed in 1919, a fire destroyed the building before it could be inhabited. However the spirit of the church was not extinguished, and the church was rebuilt. A second fire in 1922 once again consumed the worship house, but the church was not daunted and rebuilt again.

Elam Baptist continued to improve its facilities, installing a front veranda, electric lighting, and baptizing pool. A monument dedicated to the founders of the Church was erected at the cemetery site, and in 1966 a multipurpose annex was erected with offices and classrooms. Elam Baptist is truly a cornerstone of the Charles City County community.

As Elam Baptist gathers to celebrate its bicentennial, the church can truly remember its past, celebrate its present, and focus on the future with great expectations. I would like to congratulate Rev. Horace B. Parham, Jr., Elam's current pastor, and all of the members of Elam Baptist Church on the occasion of their 200th anniversary. I wish them 200 more years of dedicated service to the community.

IN RECOGNITION OF THE PASSING OF CHARLES HAROLD ''CHUCK'' BOLTON, JR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the life of Northwest Florida's beloved Charles Harold ''Chuck'' Bolton, Jr.

Mr. Bolton is survived by his wife, Carola, and two daughters, Nicole and Rochelle. To his family and friends, I would like to offer my sincere condolences. Northwest Florida has suffered a great loss.

Chuck Bolton was born on January 26, 1945 in Norfolk, Virginia. He was a proud and passionate man, who served his country with honor and distinction in the United States Army during the Vietnam War. In 1986, Mr. Bolton moved to Okaloosa County, located in Florida's First Congressional District. Over the next 24 years, Mr. Bolton served throughout the civic, business and church communities.

His local leadership was acknowledged by the people of Mary Esther, Florida, who elected Mr. Bolton to serve as their Mayor from 2008 until his recent passing. He was a charismatic leader who believed in watching out for the needs of his fellow neighbors, and his connection to the voice of the people was unequivocally demonstrated when he became the first elected official to join the Fort Walton Beach Tea Party.

His passion for service and his close relationships with the people of Northwest Florida was apparent to all those who knew him. He shared his knowledge with the people of Northwest Florida, teaching courses in Charitable Giving, Estate Planning, and Retirement at local colleges. His leadership in the business arena was also undeniable. He served as President of the North West Florida Planned Giving Council, Tallahassee Chapter of the International Association for Financial Planning and European Life Underwriters' Association.

His immense leadership was recognized not only by his constituents, but also by the religious community of Northwest Florida, where he served as Chairman of the Okaloosa County Chapter of the Christian Coalition. Mr. Bolton also played an integral role as a fundraiser for numerous non-profit organizations, and his commitment to justice and equality was typified by his membership in the NAACP.

As Deacon for the First Baptist Church of Mary Esther, Mr. Bolton served as an inspirational bedrock for the community, providing prayer and guidance to the people of Northwest Florida. He was a regular speaker at the Waterfront Mission, a noted church speaker for Gideon International, and was involved with several committees involving rehabilitation for individuals. His commitment to serving those in need was exemplified by his weekly Bible Study at an alcohol/drugs halfway house.

To some Chuck Bolton will be remembered as a Mayor and steadfast public servant, and to others, a leader in the business and religious communities. To many children of Northwest Florida he will be remembered by his portrayal of Santa Claus, filling the hearts of children with warm Christmas joy. He will long be remembered by his family and friends as a loving and compassionate father, husband and companion; and we will all remember his energy, motivation, generosity, and commitment to serving his community. His impact on Northwest Florida will forever be remembered. Mr. Bolton was quoted as saying, ''Mary Esther may not be heaven, but I can see heaven from my dock in Mary Esther.'' We can all take great solace knowing that Mr. Bolton is looking down on all of us from his new dock in heaven.

Madam Speaker, on behalf of the United States Congress, I am proud to honor the life of Chuck Bolton, and his living legacy.

RECOGNIZING FAIRFAX COUNTY FIREFIGHTERS' EFFORTS TO FIGHT MUSCULAR DYSTROPHY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 22, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise to recognize the firefighters of Fairfax County for their efforts in fighting muscular dystrophy in Northern Virginia and the National Capital Region. The International Association of Firefighters local 2068, in coordination with the Fairfax County Fire and Rescue Department and the Fairfax County Department of Public Safety Communications, collected more than $561,000 at their annual ''Fill the Boot'' campaign over Labor Day weekend, more than any other jurisdiction in the nation.

While they are committed to keeping the residents of Northern Virginia safe, the firefighters and paramedics of Fairfax County are also dedicated to improving the lives of those in their community through education and charitable efforts such as the ''Fill the Boot'' campaign.

Thanks to the generosity and support of the community, this year's contributions to the Muscular Dystrophy Association will help those in the Washington, DC area affected by the disease. Resources such as the outpatient clinics at Children's National Medical Center and Georgetown University Hospital will benefit, as will the Muscular Dystrophy Association camp in Leonardtown, MD. The firefighters' contribution far exceeded their goal of $475,000, adding to the previous 56 years of success in which firefighters nationwide have raised more than $425 million for the Muscular Dystrophy Association.

Madam Speaker, I ask my colleagues to join me in commending the firefighters of Fairfax County for their efforts to fight muscular dystrophy. They risk their lives every day to ensure the well being and safety of our communities. These heroes often go unrecognized for their dedication and sacrifices. On behalf of the residents of the 11th District of Virginia, I am honored to thank these brave men and women for their contributions to our communities.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 23, 2010 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 28

10 a.m.
Armed Services
To hold hearings to examine the Department of Defense efficiencies initiatives.
SD–G50

Budget
To hold hearings to examine the outlook for the economy and fiscal policy.
SD–608

Environment and Public Works
To hold hearings to examine innovative project finance.
SD–406

Finance
To hold hearings to examine if private long-term disability policies provide protection as promised.
SD–215

Judiciary
To hold hearings to examine restoring key tools to combat fraud and corruption after the Supreme Court's Skilling decision.
SD–226

Joint Economic Committee
To hold hearings to examine new evidence on the gender pay gap for women and mothers in management.
SD–106

10:15 a.m.
Indian Affairs
To hold hearings to examine reform in the Indian Health Service's Aberdeen area.
SD–628

10:30 a.m.
Commerce, Science, and Transportation
Consumer Protection, Product Safety, and Insurance Subcommittee
To hold an oversight hearing to examine the National Highway Traffic Safety Administration (NHTSA), focusing on an examination of the Highway Safety Provisions of SAFETEA–LU.
SR–253

2:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

3 p.m.
Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Subcommittee
To hold hearings to examine pipeline safety, focusing on assessing the San Bruno, California explosion and other recent accidents.
SR–253

SEPTEMBER 29

10 a.m.
Judiciary
Crime and Drugs Subcommittee
To hold hearings to examine crimes against America's homeless, focusing on if the violence is growing.
SD–226

Energy and Natural Resources
Energy Subcommittee
To hold an oversight hearing to examine the Propane Education and Research Council (PERC) and National Oilheat Research Alliance (NORA).
SD–366

Foreign Relations
To hold hearings to examine the al-Megrahi release, focusing on one year later.
SD–419

Health, Education, Labor, and Pensions
Business meeting to consider S. 3817, to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and S. 3199, to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss, and any pending nominations.
SD–430

Homeland Security and Governmental Affairs
Business meeting to consider pending calendar business.
SD–342

Rules and Administration
To resume hearings to examine the filibuster, focusing on ideas to reduce delay and encourage debate in the Senate.
SR–301

2 p.m.
Judiciary
To hold hearings to examine certain nominations.
SD–226

Commission on Security and Cooperation in Europe
To hold hearings to examine charges against Mikhail Khodorkovsky's Yukos Oil Company.
1539, Longworth Building

2:15 p.m.
Foreign Relations
Business meeting to consider S. 2982, to combat international violence against women and girls, S. 3688, to establish an international professional exchange program, an original bill entitled ''Naval Vessels Transfer Act of 2010'', S. 1633, to require the Secretary of Homeland Security, in consultation with the Secretary of State, to establish a program to issue Asia-Pacific Economic Cooperation Business Travel Cards, S.J. Res. 37, calling upon the President to issue a proclamation recognizing the 35th anniversary of the Helsinki Final Act, Treaty between the Government of the United States of America and the Government of the Republic of Rwanda Concerning the Encouragement and Reciprocal Protection of Investment, signed at Kigali on February 19, 2008 (Treaty Doc. 110–23), and international Treaty on Plant Genetic Resources for Food and Agriculture, adopted by the Food and Agriculture Organization of the United Nations on November 3, 2001, and signed by the United States on November 1, 2002 (the ''Treaty'') (Treaty Doc. 110–19).
S–116, Capitol

2:30 p.m.
Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee
To hold hearings to examine improving financial accountability at the Department of Defense.
SD–342

Banking, Housing, and Urban Affairs
Security and International Trade and Finance Subcommittee
To hold hearings to examine a comparison of international housing finance systems.
SD–538

SEPTEMBER 30

10 a.m.
Energy and Natural Resources
Energy Subcommittee
To hold hearings to examine the role of strategic minerals in clean energy technologies and other applications as well as legislation to address the issue, including S. 3521, to provide for the reestablishment of a domestic rare earths materials production and supply industry in the United States.
SD–366

2:30 p.m.
Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold hearings to examine implementation, improvement, sustainability, focusing on management matters at the Department of Homeland Security.
SD–342

Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

OCTOBER 6

9:30 a.m.
Veterans' Affairs
To hold an oversight hearing to examine Veterans' Affairs Information Technology (IT) program, focusing on looking ahead.
SR–418

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7303–S7366

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 3817–3828, S. Res. 638, and S. Con. Res. 72. **Page S7352**

Measures Reported:

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. (S. Rept. No. 111–299)

H.R. 2092, to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, with amendments. (S. Rept. No. 111–300)

S. 2925, to establish a grant program to benefit victims of sex trafficking, with an amendment in the nature of a substitute. **Page S7351**

Measures Passed:

Twenty-First Century Communications and Video Accessibility Act: Senate passed S. 3828, to make technical corrections in the Twenty-First Century Communications and Video Accessibility Act of 2010 and the amendments made by that Act. **Page S7363**

Veterans' Compensation Cost-of-Living Adjustment Act: Committee on Veterans' Affairs was discharged from further consideration of H.R. 4667, to increase, effective as of December 1, 2010, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and the bill was then passed; S. 3107, Senate companion measure was read the third time. **Pages S7363–64**

Subsequently, S. 3107 was returned to the Senate calendar.

Lease Authority for Trust Land: Senate passed S. 1448, to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land. **Page S7364**

Certain Indian Tribe Leases: Senate passed S. 2906, to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes, after agreeing to the committee amendments. **Page S7364**

Redundancy Elimination and Enhanced Performance for Preparedness Grants Act: Senate passed H.R. 3980, to provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, after agreeing to the committee amendment in the nature of a substitute. **Page S7364**

House of Representatives Facilities and Programs: Committee on Rules and Administration was discharged from further consideration of H.R. 5682, to improve the operation of certain facilities and programs of the House of Representatives, and the bill was then passed. **Page S7365**

Commending the Entertainment Industry: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 623, commending the encouragement of interest in science, technology, engineering, and mathematics by the entertainment industry, and the resolution was then agreed to. **Pages S7365–66**

30th Anniversary of the Small Business Development Center Network: Senate agreed to S. Res. 638, celebrating the 30th anniversary of the Small Business Development Center network. **Page S7366**

Appointments:

Election Assistance Board of Advisors: The Chair, on behalf of the Majority Leader pursuant to Public Law 107–252, Title II, Section 214, appointed the following individual to serve as a member of the Election Assistance Board of Advisors:

Dr. Barbara Simons, of California. **Page S7366**

Disclose Act—Agreement: A unanimous-consent agreement was reached providing that on Thursday, September 23, 2010, upon disposition of S.J. Res. 30, Senate proceed to consideration of the motion to

reconsider the vote by which cloture was not invoked on the motion to proceed to consideration of S. 3628, Disclose Act; that the motion to reconsider be agreed to, and that at 2:15 p.m., Senate vote on the motion to invoke cloture on the motion to proceed to S. 3628, with the time until then equally divided and controlled between the two Leaders, or their designees. **Page S7363**

Messages from the House: **Page S7348**

Measures Placed on the Calendar: **Pages S7303, S7348**

Measures Read the First Time: **Pages S7348, S7366**

Executive Communications: **Pages S7348–51**

Petitions and Memorials: **Page S7351**

Additional Cosponsors: **Pages S7352–53**

Statements on Introduced Bills/Resolutions: **Pages S7353–61**

Additional Statements: **Pages S7345–48**

Amendments Submitted: **Pages S7361–62**

Notices of Hearings/Meetings: **Page S7362**

Authorities for Committees to Meet: **Pages S7362–63**

Privileges of the Floor: **Page S7263**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:20 p.m., until 9:30 a.m. on Thursday, September 23, 2010. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7366.)

Committee Meetings

(Committees not listed did not meet)

U.S. SECURITIES AND EXCHANGE COMMISSION OVERSIGHT

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the Securities and Exchange Commission (SEC) Inspector General's Report on the "Investigation of the SEC's Response to Concerns Regarding Robert Allen Stanford's Alleged Ponzi Scheme" and Improving SEC Performance, after receiving testimony from H. David Kotz, Inspector General, Robert Khuzami, Director, Division of Enforcement, Carlo di Florio, Director, Office of Compliance Inspections and Examinations, and Rose L. Romero, Regional Director, Fort Worth Regional Office, all of the United States Securities and Exchange Commission.

NATIONAL FLOOD INSURANCE PROGRAM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine reauthorization of the National Flood Insurance Program, focusing on continued actions needed to address financial and operational issues, after receiving testimony from Senators Durbin and Wicker; Orice Williams Brown, Director, Financial Markets and Community Investment, Government Accountability Office; and Sally McConkey, Association of State Floodplain Managers, Nick D'Ambrosia, Long & Foster, and Steve Ellis, Taxpayers for Common Sense, all of Washington, D.C.

FEDERAL POLICY RESPONSE TO THE ECONOMIC CRISIS

Committee on the Budget: Committee concluded a hearing to examine assessing the Federal policy response to the economic crisis, after receiving testimony from Alan S. Blinder, Princeton University Center for Economic Policy Studies, Princeton, New Jersey; Mark Zandi, Moody's Analytics, West Chester, Pennsylvania; and John B. Taylor, Stanford University, Palo Alto, California.

PROTECTING PERSONAL INFORMATION DATA

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Insurance concluded a hearing to examine S. 3742, to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach, after receiving testimony from Maneesha Mithal, Associate Director, Division of Privacy and Identity Protection, Federal Trade Commission; Mark Bregman, Symantec Corporation, Mountain View, California, on behalf of TechAmerica; and Ioana Rusu, Consumers Union, Stuart K. Pratt, Consumer Data Industry Association, and Melissa Bianchi, American Hospital Association, all of Washington, D.C.

TAX AND FISCAL POLICY IN THE MILITARY AND VETERANS COMMUNITY

Committee on Finance: Committee concluded a hearing to examine tax and fiscal policy, focusing on the effects on the military and veterans community, after receiving testimony from Dan Dobyns, Montana National Guard, Helena; Mark I. Darrah, Athena GTX, Des Moines, Iowa; Captain Marshall Hanson, USNR (Ret.), Reserve Officers Association (ROA), on behalf of the Reserve Enlisted Association (REA), and Tim Embree, Iraq and Afghanistan Veterans of America (IAVA), both of Washington, D.C.; and Michael Noyce Merino, Melrose, Montana.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Mark M.

Boulware, of Texas, to be Ambassador to the Republic of Chad, Jo Ellen Powell, of Maryland, to be Ambassador to the Islamic Republic of Mauritania, Christopher J. McMullen, of Virginia, to be Ambassador to the Republic of Angola, Wanda L. Nesbitt, of Pennsylvania, to be Ambassador to the Republic of Namibia, and Pamela Ann White, of Maine, to be Ambassador to the Republic of The Gambia, who was introduced by Senator Nelson (FL), all of the Department of State, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Donald Kenneth Steinberg, of California, to be Deputy Administrator, and Nancy E. Lindborg, of the District of Columbia, to be an Assistant Administrator, both of the United States Agency for International Development, and Robert P. Mikulak, of Virginia, for the rank of Ambassador during his tenure of service as United States Representative to the Organization for the Prohibition of Chemical Weapons, Department of State, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Kristie Anne Kenney, of Virginia, to be Ambassador to the Kingdom of Thailand, and Karen Brevard Stewart, of Florida, to be Ambassador to the Lao People's Democratic Republic, both of the Department of State, after the nominees testified and answered questions in their own behalf.

NINE YEARS AFTER 9/11

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine nine years after 9/11, focusing on confronting the terrorist threat to the homeland, after receiving testimony from Janet A. Napolitano, Secretary of Homeland Security; Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice; and Michael Leiter, Director, National Counterterrorism Center, Office of the Director of National Intelligence.

ELECTRONIC COMMUNICATIONS PRIVACY ACT

Committee on the Judiciary: Committee concluded a hearing to examine the Electronic Communications Privacy Act, focusing on promoting security and protecting privacy in the digital age, after receiving testimony from Cameron F. Kerry, General Counsel, Department of Commerce; James A. Baker, Associate Deputy Attorney General, Department of Justice; James X. Dempsey, Center for Democracy & Technology, San Francisco, California; Brad Smith, Microsoft Corporation, Redmond, Washington; and Jamil N. Jaffer, Washington, D.C.

FRAUD ENFORCEMENT AND RECOVERY ACT

Committee on the Judiciary: Committee concluded a hearing to examine investigating and prosecuting financial fraud after the Fraud Enforcement and Recovery Act, after receiving testimony from Lanny Breuer, Assistant Attorney General, Criminal Division, and Kevin Perkins, Assistant Director, Federal Bureau of Investigation, both of the Department of Justice; and Robert Khuzami, Director, Division of Enforcement, United States Securities and Exchange Commission.

FILIBUSTER

Committee on Rules and Administration: Committee resumed hearings to examine the filibuster, focusing on legislative proposals to change Senate procedures, including S. Res. 416, amending the Standing Rules of the Senate to provide for cloture to be invoked with less than a three-fifths majority after additional debate, and S. Res. 619, expressing the sense of the Senate that the Senate of each new Congress is not bound by the Rules of previous Senates, after receiving testimony from Senators Harkin and Udall (NM); Robert Dove, United States Senate Parliamentarian Emeritus; Mimi Marzinani, New York University School of Law Brennan Center for Justice, New York, New York; and Steven S. Smith, Washington University Weidenbaum Center on the Economy, Government, and Public Policy, St. Louis, Missouri.

THE AMERICAN LEGION

Committee on Veterans' Affairs: Committee concluded a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation focusing on the American Legion, after receiving testimony from Jimmie Foster, The American Legion, Anchorage, Alaska.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 31 public bills, H.R. 6159–6189; and 13 resolutions, H.J. Res. 96; H. Con. Res. 319; and H.Res. 1639, 1641–1650, were introduced. **Pages H6878–80**

Additional Cosponsors: **Pages H6880–82**

Reports Filed: Reports omitted from the Record of September 20, 2010 with a redesignation:

H.R. 5717, to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a facility and to enter into agreements relating to education programs at the National Zoological Park facility in Front Royal, Virginia, and for other purposes (H. Rept. 111–612, Pt. 1) and

H.R. 5717, to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a facility and to enter into agreements relating to education programs at the National Zoological Park facility in Front Royal, Virginia, and for other purposes, with an amendment (H. Rept. 111–612, Pt. 2).

Reports were filed today as follows:

H.R. 4714, to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2011 through 2014, and for other purposes, with an amendment (H. Rept. 111–613);

H.R. 1997, to direct the Secretary of Transportation to update a research report and issue guidance to the States with respect to reducing lighting on the Federal-aid system during periods of low traffic density, and for other purposes (H. Rept. 111–614, Pt. 1);

H.R. 2923, to enhance the ability to combat methamphetamine (H. Rept. 111–615, Pt. 1);

H.R. 5710, to amend and reauthorize the controlled substance monitoring program under section 399O of the Public Health Service Act, with an amendment (H. Rept. 111–616);

H.R. 5756, to amend title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide for grants and technical assistance to improve services rendered to children and adults with autism, and their families, and to expand the number of University Centers for Excellence in Developmental Disabilities Education, Research, and Service, with amendments (H. Rept. 111–617);

H.R. 5809, to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes, with an amendment (H. Rept. 111–618, Pt. 1);

H.R. 2336, to encourage energy efficiency and conservation and development of renewable energy sources for housing, commercial structures, and other buildings, and to create sustainable communities, with an amendment (H. Rept. 111–619);

H.R. 4790, to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes, with an amendment (H. Rept. 111–620, Pt. 1);

H. Res. 1640, providing for consideration of the Senate amendment 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 (H. Rept. 111–621); and

H. Res. 252, calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes (H. Rept. 111–622). **Page H6878**

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. **Page H6811**

Chaplain: The prayer was offered by the guest chaplain, Reverend Douglas Fisher, Grace Church, Millbrook, New York. **Page H6811**

Order of Business: Agreed by unanimous consent that the Speaker be authorized to entertain motions to suspend the rules on Thursday, September 23, 2010, relating to the following measures: S. 1674; H.R. 5307; H. Res. 1545; H. Res. 1560; H. Res. 1582; a bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in state child welfare programs; and a bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes. **Page H6814**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Department of the Interior Tribal Self-Governance Act: H.R. 4347, amended, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes; **Pages H6814–21**

Amending the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act: H.R. 5811, to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe; **Pages H6821–22**

Directing the Director of the National Park Service and the Secretary of the Interior to transfer certain properties to the District of Columbia: H.R. 5494, amended, to direct the Director of the National Park Service and the Secretary of the Interior to transfer certain properties to the District of Columbia; **Pages H6825–26**

Agreed to amend the title so as to read: "To direct the Secretary of the Interior to transfer certain properties to the District of Columbia.". **Page H6826**

Authorizing the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs: H.R. 4195, amended, to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs; **Pages H6826–28**

Kennesaw Mountain National Battlefield Park Boundary Adjustment Act of 2010: H.R. 5152, to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill; **Page H6828**

Mt. Andrea Lawrence Designation Act of 2010: H.R. 5194, to designate Mt. Andrea Lawrence; **Pages H6828–29**

Commemorating the 75th Anniversary of the Blue Ridge Parkway: H. Con. Res. 294, to commemorate the 75th Anniversary of the Blue Ridge Parkway; **Pages H6829–30**

Expressing support for the goals and ideals of National Estuaries Day: H. Res. 1503, to express support for the goals and ideals of National Estuaries Day; **Pages H6830–32**

Celebrating the 200th Anniversary of John James Audubon in Henderson, Kentucky: H. Res. 1508, to celebrate the 200th Anniversary of John James Audubon in Henderson, Kentucky; **Page H6832**

Multinational Species Conservation Funds Semipostal Stamp Act of 2010: Concurred in the Senate amendment to H.R. 1454, to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp; **Pages H6832–34**

Strengthening Medicare Anti-Fraud Measures Act of 2010: H.R. 6130, amended, to amend title XI of the Social Security Act to expand the permissive exclusion from participation in Federal health care programs to individuals and entities affiliated with sanctioned entities; **Pages H6837–39**

NEWBORN Act: H.R. 3470, amended, to authorize funding for the creation and implementation of infant mortality pilot programs in standard metropolitan statistical areas with high rates of infant mortality, by a ⅔ yea-and-nay vote of 324 yeas to 64 nays, Roll No. 533; **Pages H6842–43, H6858**

Combat Methamphetamine Enhancement Act: H.R. 2923, amended, to enhance the ability to combat methamphetamine; **Pages H6846–48**

Rosa's Law: S. 2781, to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability; **Pages H6852–54**

Expressing support for designation of September 2010 as Blood Cancer Awareness Month: H. Res. 1433, amended, to express support for designation of September 2010 as Blood Cancer Awareness Month; and **Pages H6854–55**

Safe Drug Disposal Act of 2010: H.R. 5809, amended, to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances. **Pages H6855–57**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

Coltsville National Historical Park Act: H.R. 5131, amended, to establish Coltsville National Historical Park in the State of Connecticut, by a ⅔ yea-and-nay vote of 215 yeas to 174 nays, Roll No. 532. **Pages H6834–37, H6857–58**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Casa Grande Ruins National Monument Boundary Modification Act of 2010: H.R. 5110, amended, to modify the boundary of the Casa Grande Ruins National Monument; **Pages H6822–24**

Sedona-Red Rock National Scenic Area Act of 2010: H.R. 4823, amended, to establish the Sedona-Red Rock National Scenic Area in the Coconino National Forest, Arizona; **Pages H6824–25**

Training and Research for Autism Improvements Nationwide Act: H.R. 5756, amended, to

amend title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide for grants and technical assistance to improve services rendered to children and adults with autism, and their families, and to expand the number of University Centers for Excellence in Developmental Disabilities Education, Research, and Service;

Pages H6843–46

Emergency Medic Transition Act of 2010: H.R. 3199, amended, to amend the Public Health Service Act to provide grants to State emergency medical service departments to provide for the expedited training and licensing of veterans with prior medical training; **Pages H6839–42**

Family Health Care Accessibility Act of 2010: H.R. 1745, amended, to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act; and **Pages H6848–50**

National All Schedules Prescription Electronic Reporting Reauthorization Act of 2010: H.R. 5710, amended, to amend and reauthorize the controlled substance monitoring program under section 399O of the Public Health Service Act.

Pages H6850–52

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H6811–12 and H6814.

Senate Referrals: S. 624 was referred to the Committee on Foreign Affairs; S. 3814 and S. 3717 were held at the desk. **Page H6875**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H6857 and H6858. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 9:03 p.m.

Committee Meetings

DISTANCE LEARNING FOR-PROFIT COLLEGE TUITION ASSISTANCE

Committee on Armed Services: Subcommittee on Oversight and Investigations held a hearing on A Question of Quality and Value: Department of Defense Oversight of Tuition Assistance Used for Distance Learning and For-Profit Colleges. Testimony was heard from the following officials of the Department of Defense: Robert L. Gordon III, Deputy Under Secretary, Military Community and Family Policy, Office of the Under Secretary, (Personal and Readiness); Anthony Stamillo, Deputy Assistant Secretary, Civilian Personnel and Quality of Life, U.S. Army; Timothy R. Larsen, Director, Personal and Family Readiness Division, Manpower and Reserve Affairs Department, U.S. Marine Corps; Scott Lutterloh, Director, Total Force Training and Education Division, U.S. Navy; and Dan Sitterly, Director, Force Development, Deputy Chief of Staff, Manpower and Personnel, U.S. Air Force.

PERKINS COLLEGE LOANS

Committee on the Budget: Held a hearing on Budgeting for Education: The Role of Perkins Loans. Testimony was heard from public witnesses.

MEDICARE/MEDICAID WASTE, FRAUD AND ABUSE

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''Cutting Waste, Fraud, and Abuse in Medicare and Medicaid.'' Testimony was heard from Representatives Roskam and Klein of Florida; and the following officials of the Department of Health and Human Services: Daniel Levinson, Inspector General; Peter Budetti, M.D. Deputy Administrator, Program Integrity, Center for Medicare and Medicaid Services.

EGG RECALL—SALMONELLA OUTBREAK

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''The Outbreak of Salmonella in Eggs.'' Testimony was heard from Joshua M. Sharfstein, Principal Deputy Commissioner, FDA, Department of Health and Human Services; Austin DeCoster, Owner, Wright County Egg; and Orland Bethel, President, Hillandale Farms of Iowa.

FHA LOAN REFORMS

Committee on Financial Services: Held a hearing entitled ''Implementation of Higher FHA Loan Fees and Pending Legislative Proposals to Strengthen the FHA MMIF Fund and Improve Lender Oversight.'' Testimony was heard from David H. Stevens, Assistant Secretary, Housing and Commissioner of the Federal Housing Administration, Department of Housing and Urban Development.

INTERNATIONAL FINANCIAL SYSTEM STATE

Committee on Financial Services: Held a hearing on the State of the International Financial System, Including International Regulatory Issues Relevant to the Implementation of the Dodd-Frank Act. Testimony was heard from Timothy F. Geithner, Secretary of the Treasury.

SOUTH PACIFIC TUNA TREATY RENEGOTIATION; HUMAN RIGHTS ABUSES

Committee on Foreign Affairs: Subcommittee Asia, The Pacific and the Global Environment, hearing on Renegotiating the South Pacific Tuna Treaty: Shutting Down Closing Loopholes and Protecting U.S. Interests. Testimony was heard from William Gibbons-Fly, Director, Office of Marine Conservation, Bureau of Oceans and International Environment and Scientific Affairs, Department of State; and Russell Smith III, Deputy Assistant Secretary, International Fisheries, NOAA, Department of Commerce.

The Subcommittee also held a hearing on Crimes Against Humanity: When Will Indonesia's Military Be Held Accountable for Deliberate and Systematic Abuses in West Papua? Testimony was heard from Joseph Y. Yun, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; Robert Scher, Deputy Assistant Secretary, South and Southeast Asia Asian and Pacific Security Affairs, Department of Defense; and public witnesses.

OIL SPILL PLANNING AND RESPONSE

Committee on Homeland Security: Held a hearing entitled ''DHS Planning and Response: Preliminary Lessons from Deepwater Horizon.'' Testimony was heard from the following officials of the Department of Homeland Security: Richard M. Chavez, Acting Director, Operations Coordination and Planning; and Richard L. Skinner, Inspector General; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, GAO; RADM Peter Neffenger, USCG, Deputy National Incident Commander, Deepwater Horizon Oil Spill Response; Craig Paul Taffaro, Jr., President, St. Bernard Parish, State of Louisiana; and a public witness.

HOLOCAUST INSURANCE ACCOUNTABILITY ACT OF 2010

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 4596, Holocaust Insurance Accountability Act of 2010. Testimony was heard from Representative Schiff, Ros-Lehtinen, and Garamendi; Ambassador Stuart Eizenstat, Special Advisor to the Secretary for Holocaust Issues, Office of Holocaust Issues, Department of State; Anna Rubin, Director, Holocaust Claims Processing Office, Banking Department, New York State; and public witnesses.

MINORITY CONTRACTING

Committee on Oversight and Government Reform: Subcommittee on Government Management, Organization, and Procurement held a hearing entitled ''Minority Contracting: Opportunities and Challenges for Current and Future Minority-Owned Businesses,'' including a discussion of H.R. 4343, Minority Business Development Improvements Act of 2009. Testimony was heard from Representative Rush; David Hinson, Director, Minority Business Development Agency, Department of Commerce; Marie C. Johns, Deputy Administrator, SBA; Jiyoung Park, Associate Administrator, Small Business Utilization, GSA; Linda Oliver, Acting Director, Office of Small Business Programs, Department of Defense; Brandon Neal, Director, Office of Small and Disadvantaged Business Utilization, Department of Transportation; and public witnesses..

U.S. MANUFACTURING POLICY

Committee on Oversight and Government Reform: Subcommittee on National Security and Foreign Affairs held a hearing entitled ''Made in the USA: Manufacturing Policy, the Defense Industrial Base, and U.S. National Security.'' Testimony was heard from public witnesses.

THE SMALL BUSINESS JOBS AND CREDIT ACT

The Committee on Rules: Granted, by a non-record vote, a rule for consideration of the Senate amendment to H.R. 5297, the ''Small Business Jobs and Credit Act of 2010.'' The rule makes in order a motion offered by the chair of the Committee on Financial Services that the House concur in the Senate amendment to H.R. 5297. The rule waives all points of order against consideration of the motion. The rule provides that the Senate amendment and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services, the chair and ranking minority member of the Committee on Small Business, and the chair and ranking minority member of the Committee on Ways and Means. The rule authorizes the Speaker to entertain motions that the House suspend the rules at any time through the legislative day of October 1, 2010. The rule also provides that the Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration under suspension of the rules pursuant to the resolution. 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 any resolution reported from the Rules Committee through the legislative day of October 1, 2010. Testimony was heard from Chairman Frank of Massachusetts and Representative Neugebauer.

AIRPORT RESIDENTIAL THROUGH-THE-FENCE AGREEMENTS

Committee on Transportation and Infrastructure: Held a hearing on Residential Through-the-Fence Agreements at Public Airports: Action to Date and Challenges Ahead. Testimony was heard from Representative Schrader; Catherine M. Lang, Acting Associate Administrator, Office of Airports, Department of Transportation; Carol L. Comer, Aviation Programs Manager, Department of Transportation, State of Georgia; Mitch Swecker, State Airports Manager, Department of Aviation, State of Oregon; and public witnesses.

LESSONS FROM KATRINA

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on Five Years after Katrina: Where We Are and What We Have Learned for Future Disasters. Testimony was heard from the following officials of the Department of Homeland Security: Matt Jadacki, Assistant Inspector General, Emergency Management Oversight; and Tony Russell, Region VI Administrator, FEMA; Mike Womack, Executive Director, Emergency Management Agency, State of Mississippi; Francis McCarthy, Federalism, Federal Elections and Emergency Management Section, CRS, Library of Congress; and public witnesses.

NATIONAL COUNTERTERRORISM CENTER—ANALYTICAL EFFORTS

Permanent Select Committee on Intelligence: Subcommittee on Oversight and Investigations met in executive session to receive a briefing on Analytical Efforts at the National Counterterrorism Center. The Subcommittee was briefed by departmental witnesses.

GLOBAL CLEAN ENERGY RACE

Select Committee on Energy Independence and Global Warming: Held a hearing entitled ''The Global Clean Energy Race.'' Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 23, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: To hold hearings to examine the Federal Housing Administration, focusing on current condition and future challenges, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: To hold hearings to examine the need for a nationwide public safety network, 10:15 a.m., SR–253.

Committee on Energy and Natural Resources: To hold hearings to examine the Department of Energy's Loan Guarantee Program and its effectiveness in spurring the near-term deployment of clean energy technology, 9:30 a.m., SD–366.

Committee on Finance: To hold hearings to examine tax reform, focusing on lessons from the Tax Reform Act of 1986, 10 a.m., SD–215.

Committee on Foreign Relations: To hold hearings to examine the nomination of Cameron Munter, of California, to be Ambassador to the Islamic Republic of Pakistan, Department of State, 9:45 a.m., SD–419.

Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine challenges to water and security in Southeast Asia, 2 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: Business meeting to consider S. 3751, to amend the Stem Cell Therapeutic and Research Act of 2005, and the nominations of Subra Suresh, of Massachusetts, to be Director of the National Science Foundation, Mary Minow, of California, to be a Member of the National Museum and Library Services Board, Julie Reisken, of Colorado, Joseph Pietrzyk, of Ohio, and Harry Korrell III, of Washington, all to be a Member of the Legal Services Corporation Board, and Pamela Young-Holmes, of Wisconsin, to be a member of the National Council on Disabilities, subcommittee assignments, and any pending calendar business, Time to be announced, S–216, Capitol.

Committee on the Judiciary: Business meeting to consider S. 3675, to amend chapter 11 of title 11, United States Code, to address reorganization of small businesses, S. 2888, to amend section 205 of title 18, United States Code, to exempt qualifying law school students participating in legal clinics from the application of the general conflict of interest rules under such section, S. 3767, to establish appropriate criminal penalties for certain knowing violations relating to food that is misbranded or adulterated, S. 3804, to combat online infringement, and the nominations of Kathleen M. O'Malley, of Ohio, to be United States Circuit Judge for the Federal Circuit, Beryl Alaine Howell, and Robert Leon Wilkins, both to be United States District Judge for the District of Columbia, Edward Milton Chen, to be United States District Judge for the Northern District of California, Louis B. Butler, Jr., to be United States District Judge for the Western District of Wisconsin, John J. McConnell, Jr., to be

United States District Judge for the District of Rhode Island, Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit, Robert Neil Chatigny, of Connecticut, to be United States Circuit Judge for the Second Circuit, and William C. Killian, to be United States Attorney for the Eastern District of Tennessee, Robert E. O'Neill, to be United States Attorney for the Middle District of Florida, Albert Najera, to be United States Marshal for the Eastern District of California, William Claud Sibert, to be United States Marshal for the Eastern District of Missouri, Myron Martin Sutton, to be United States Marshal for the Northern District of Indiana, David Mark Singer, to be United States Marshal for the Central District of California, Steven Clayton Stafford, to be United States Marshal for the Southern District of California, and Jeffrey Thomas Holt, to be United States Marshal for the Western District of Tennessee, all of the Department of Justice, 10 a.m., SD–226.

Committee on Veterans' Affairs: To hold an oversight hearing to examine Veterans' Affairs disability compensation, focusing on presumptive disability decision-making, 9:30 a.m., SDG–50.

Select Committee on Intelligence: To hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Armed Services, hearing on U.S. Cyber Command: Organizing for Cyberspace Operations, 10 a.m., 2118 Rayburn.

Subcommittee on Terrorism, Unconventional Threats, and Capabilities, hearing on Operating in the Digital Domain: Organizing the Military Departments for Cyber Operations, 2 p.m., 2212 Rayburn.

Committee on Education and Labor, hearing on Protecting Student Athletes from Concussions Act, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to mark up the following measures: H.R. 758, Pediatric Research Consortia Establishment Act; H.R. 1032, Heart Disease Education, Analysis Research, and Treatment for Women Act; H.R. 1210, Arthritis Prevention, Control, and Cure Act; H.R. 1230, Acquired Bone Marrow Failure Disease Research and Treatment Act; H.R. 1347, Concussion Treatment and Care Tools Act; H.R. 1362, National Neurological Disease Surveillance System Act of 2010; H.R. 1995, Diabetes in Minority Populations Evaluation Act of 2010; H.R. 2408, Scleroderma Research and Awareness Act of 2010; H.R. 2818, Methamphetamine Education, Treatment, and Hope Act of 2010; H.R. 2941, To reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers, H.R. 2999, Veterinary Public Health amendments Act of 2010; H.R. 5354, Gestational Diabetes Act of 2010; H.R. 5462, Birth Defects Prevention, Risk Reduction, and Awareness Act of 2010; H.R. 6012, To direct the Secretary of Health and Human Services to review uptake and utilization of diabetes screening benefits and establish an outreach program with respect to such benefits; H.R. 6081, Stem Cell Therapeutic and Research Reauthorization Act of 2010; and H. Res. 1561, Directing the Secretary of Health and Human Services to transmit certain documents relating to documents prepared by the Centers for Medicare and Medicaid Services regarding the Patient Protection and Affordable Care Act, 10 a.m., 2123 Rayburn.

Subcommittee on Commerce, Trade and Consumer Protection, hearing on H.R. 6149, Coin and Precious Metal Disclosure Act, 2 p.m., 2322 Rayburn.

Subcommittee on Energy and Environment, hearing entitled ''Pipeline Safety Oversight and Legislation,'' 2 p.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled ''Perspectives on the Livable Communities Act of 2010,'' 2:30 p.m., 2128 Rayburn.

Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''Assessing the Limitations of the Securities Investor Protection Act,'' 10 a.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing on H.R. 3149, Equal Employment for All Act, 10 a.m., 2220 Rayburn.

Committee on Homeland Security, hearing entitled ''Securing America's Transportation Systems: The Target of Terrorists and TSA's New Director,'' 2 p.m., 311 Cannon.

Committee on House Administration, to mark up H.R. 6116, Fair Elections Now Act, 11 a.m., 1310 Longworth.

Committee on the Judiciary, Subcommittee on Constitution, Civil Rights, and Civil Liberties, hearing on ECPA and the Revolution in Cloud Computing, 11 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Energy and Mineral Resources, hearing on H.R. 4817, To amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects, 10 a.m., 1334 Longworth.

Subcommittee on National Parks, Forests and Public Lands, oversight hearing entitled ''The Role of Partnerships in National Parks,'' 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, hearing entitled ''Transition in Iraq: Is the State Department Prepared to Take the Lead?''; followed by consideration of following measures: H.R. 3243, To amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determinations relating to overtime pay; H.R. 5367, D.C. Courts and Public Defender Service Act of 2010; H.R. 5702, To amend the District of Columbia Home Rule Act to reduce the waiting period for holding special elections to fill vacancies in the membership of the Council of the District of Columbia; H.R. 5368, United States Postal Service Inspectors Equity Act; H.R. 6026, Access to Congressionally Mandated Reports Act; and several commemorative and postal naming bills, 10 a.m., 210 HVC.

Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing entitled ''Moving Forward After the NTSB Report: Making Metro a Safety Leader,'' 2 p.m., 2203 Rayburn.

Committee on Science and Technology, to consider the following measures: H.R. 5866, Nuclear Energy Research and Development Act of 2010; and H.R. 6160, Rare Earths and Critical Materials Revitalization Act of 2010, 10 a.m., 2318 Rayburn.

Subcommittee on Research and Science Education, hearing on The Science of Science and Innovation Policy, 2 p.m., 2325 Rayburn.

Subcommittee on Technology and Innovation, hearing on Progress on P25: Furthering Interoperability and Competition for Public Safety Radio Equipment, 2 p.m., 2318 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Health, hearing on Veterans Health Administration Contracting and Procurement Practices, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on Reorganization of the Office of the Director of National Intelligence, 12:30 p.m., 304–HVC.

Subcommittee on Intelligence Community Management, executive, briefing on Outside Employment of Intelligence Community Professionals, 2 p.m., 304–HVC.

Select Committee on Energy Independence and Global Warming, briefing entitled ''Extreme Weather in a Warming World,'' 11 a.m., 2237 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Thursday, September 23

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will begin consideration of the motion to proceed to consideration of S.J. Res. 30, a joint resolution of disapproval regarding the National Mediation Board, and after a period of debate, vote on adoption of the motion to proceed at approximately 12:30 p.m., and if the motion to proceed is successful, Senate vote on passage of the joint resolution; following which, Senate will resume consideration of the motion to proceed to consideration of S. 3628, DISCLOSE Act, and after a period of debate, vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 2:15 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, September 23

House Chamber

Program for Thursday: Consideration of the Senate Amendment to H.R. 5297—Small Business Jobs and Credit Act of 2010 (Subject to a Rule).

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